



336 Pacific Avenue, Shafter, CA 93263
Meeting Held In-Person and Via Zoom and Livestream on YouTube.

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, JANUARY 9, 2024**

NOTICE TO THE PUBLIC:

Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this agenda will be made available in the City Clerk's Office during normal business hours at City Hall located at 336 Pacific Avenue, Shafter CA. In addition, such documents will be posted on the City's website at www.shafter.com.

CALL TO ORDER:	6:00 PM
PLEDGE OF ALLEGIANCE:	Chairman Sanchez
INVOCATION:	Commissioner Wiebe
ROLL CALL:	Chairman Sanchez Vice Chairman Frantz Commissioner Joshan Commissioner Piuser Commissioner Wiebe

APPROVAL OF AGENDA:

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: November 14, 2023.

PUBLIC COMMENT:

This portion of the meeting is reserved for persons wanting to address the Commission only on matters not listed on this agenda. Speakers are limited to five minutes unless additional time is needed for translation. Please state your name and address for the record before making your presentation.

PUBLIC HEARING:

Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person challenging any action taken after the public hearing

may be limited to raising only those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to this public hearing.

1. Conditional Use Permit 23-139 (Wireless Telecommunications Tower):

Planning Commission conduct a public hearing; adopt Resolution No. 23-433, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 23-139 to allow an 80-foot monopine wireless telecommunications tower located on Accessor's Parcel Number (APN) 091-280-06; adopting the above findings; and approving the proposed conditions of approval. See **Exhibit 4** for Resolution No. 23-433. (Planning Director Esselman)

ROLL CALL

- 2. Conditional Use Permit 23-137 (102 S. Beech Avenue):** Planning Commission conduct a public hearing; and adopt Resolution No. 24-435, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 23-137 to allow for the removal of existing underground storage tanks and install four 12,000-gallon aboveground storage tanks and new fuel dispenser pumps at an existing fleet service station located at 102 S. Beech Avenue (APN 089-230-08) as shown in Exhibit "A". (Planning Director Esselman)

ROLL CALL

COMMISSIONER REPORTS:

ADJOURNMENT:

Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in a City Council Meeting, please contact the City Clerk at (661) 746-5000 at least three (3) days prior to the meeting or time the special services are needed to allow City staff in making reasonable arrangements to provide you with access to the meeting. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the City Clerk's Office at Shafter City Hall, 336 Pacific Ave., Shafter, CA 93263. This is to certify that this Agenda notice was posted at City Hall and Police Dept. by 5:00 p.m., January 4, 2024. Yazmina Pallares, S/S, City Clerk

REMOTE PUBLIC PARTICIPATION IS ALLOWED IN THE FOLLOWING WAYS, SEE BELOW FOR INSTRUCTIONS.

1. You are strongly encouraged to observe the Planning Commission meetings live via YouTube <https://www.youtube.com/user/CityofShafter/>
2. If you wish to make a comment on a specific agenda item or public comment, please submit your comment via email by **6:00 PM on January 9, 2024** to the City Clerk at CityClerk@shafter.com
3. If you wish to make a written comment to the City Clerk, 336 Pacific Avenue, Shafter, CA 93263.
4. If you wish to make a comment during the live meeting, callers must first register

with the City Clerk at 661-746-5012 before the meeting begins to receive instructions and the call-in number and code. Please call by 5:00pm on the Monday prior to the Planning Commission meeting to allow ample time for sign up. You will need to provide your name, phone number and the item number you wish to address.

5. All public comments are provided to the Planning Commission and applicable Staff, for review and consideration by the Board prior to taking action on any matters listed on the agenda and are incorporated into the official record of the Planning Commission meeting.

**MINUTES OF THE REGULAR MEETING OF THE
SHAFTER PLANNING COMMISSION
COUNCIL CHAMBER, 336 PACIFIC AVENUE
MEETING HELD IN-PERSON AND VIA ZOOM AND LIVESTREAM TO YOUTUBE
TUESDAY, NOVEMBER 14, 2023**

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Commissioner Joshan

INVOCATION: Chairman Sanchez

ROLL CALL:

PRESENT(In-Person): Chairman Sanchez, Commissioners Joshan, Piuser, and Wiebe. Absent with an excused absence: Vice Chairman Frantz. Also present: Planning Director Esselman, Senior Planner Casarez, IT Specialist Herrera, and Deputy City Clerk Uribe.

APPROVAL OF AGENDA:

*MOVED (WIEBE) AND SECONDED (PIUSER) COMMISSIONERS APPROVED THE AGENDA AS PRESENTED.
MOTION CARRIED BY THE FOLLOWING VOTE:*

AYES: JOSHAN, PIUSER, SANCHEZ, AND WIEBE.

NAYS: NONE.

ABSENT: FRANTZ.

ABSTENTIONS: NONE.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: October 10, 2023.

MOVED (PIUSER) AND SECONDED (JOSHAN) COMMISSIONERS APPROVED THE MINUTES OF THE REGULAR MEETING OF OCTOBER 10, 2023 AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: JOSHAN, PIUSER, SANCHEZ, AND WIEBE.

NAYS: NONE.

ABSENT: FRANTZ.

ABSTENTIONS: NONE.

PUBLIC COMMENT:

There were no members of the public wishing to speak.

PUBLIC HEARING:

Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person challenging any action taken after the public hearing may be limited to raising only those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to this public hearing.

- 1. Specific Plan Amendment No. 23-08 (Marcona Preserve Specific Plan):** Planning Director Esselman made introductory comments. A notice of public hearing was properly advertised.

Chairman Sanchez opened the public hearing.

Being no members of the public wishing to speak, the public hearing was closed.

MOVED (PIUSER) AND SECONDED (WIEBE) COMMISSIONERS CONDUCTED A PUBLIC HEARING; AND ADOPTED RESOLUTION NO. 23-432, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER MAKING FINDINGS AND RECOMMENDING THE CITY COUNCIL OF THE CITY OF SHAFTER ADOPT THE AMENDMENT (SPECIFIC PLAN AMENDMENT NO. 23-08) TO THE MARCONA PRESERVE SPECIFIC PLAN AS PROVIDED IN EXHIBIT "A" AND CERTIFY THE ADDENDUM TO THE CERTIFIED FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE 2005 GENERAL PLAN UPDATE (SCH NO. 2004101029) AS PROVIDED IN EXHIBIT "B". MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: JOSHAN, PIUSER, SANCHEZ, AND WIEBE.

NAYS: NONE.

ABSENT: FRANTZ.

ABSTENTIONS: NONE.

- 2. Conditional Use Permit 23-138 (ABC Type 47 license at El Michoacano Restaurant):** Senior Planner Casarez made introductory comments. A notice of public hearing was properly advertised.

Chairman Sanchez opened the public hearing.

Being no members of the public wishing to speak, the public hearing was closed.

MOVED (WIEBE) AND SECONDED (PIUSER) COMMISSIONERS CONDUCTED A PUBLIC HEARING; AND ADOPTED RESOLUTION 23-431, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 23-138 FOR ON-SALE GENERAL – EATING PLACE (ABC TYPE 47 LICENSE) AT EL MICHOCANO RESTAURANT LOCATED AT 237 CENTRAL AVENUE; ADOPTED THE ABOVE FINDINGS; AND APPROVED THE AMENDED CONDITIONS OF APPROVAL BY ADDING CONDITION NO. 16 REQUIRING THE PLANNING DEPARTMENT TO PROVIDE A PROGRESS REPORT, AFTER A ONE YEAR PERIOD, TO THE PLANNING COMMISSION, WHICH WILL BE USED TO DETERMINE IF ON-SITE SALES AND CONSUMPTION OF DISTILLED SPIRITS WILL CONTINUE TO BE ALLOWED AT EL MICHOCANO RESTAURANT UNDER CUP 23-138. SEE EXHIBIT 2. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: JOSHAN, PIUSER, SANCHEZ, AND WIEBE.

NAYS: NONE.

ABSENT: FRANTZ.

ABSTENTIONS: NONE.

COMMISSIONER REPORTS: Planning Director Esselman introduced new Senior Planner Alan Casarez to the Planning Commission.

ADJOURNMENT:

*MOVED (PIUSER) AND SECONDED (JOSHAN) COMMISSIONERS ADJOURNED THE MEETING AT 6:19 P.M.
MOTION CARRIED WITH NO OPPOSITION WITH VICE CHAIRMAN FRANTZ ABSENT.*

John Sanchez, Chairman

ATTEST:

Vanessa Uribe, Deputy City Clerk

DATE: January 9, 2024
TO: Planning Commission
FROM: Planning Department
SUBJECT: Conditional Use Permit 23-139 (Wireless Telecommunications Tower)

RECOMMENDATION:

Planning Commission conduct a public hearing; adopt Resolution No. 23-433, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 23-139 to allow an 80-foot monopine wireless telecommunications tower located on Accessor's Parcel Number (APN) 091-280-06; adopting the above findings; and approving the proposed conditions of approval. See **Exhibit 4** for Resolution No. 23-433.

APPLICANT

APC Towers
Attn: Jeremy Siegel
65 Post, Suite 1000
Irvine, CA 92618

OWNER

Steve and Windi Portenga
902 Arroyo Way
Taft, CA 93268

LOCATION: 3751 Santa Fe Way
Shafter, CA 93263
APN 091-280-06. See **Exhibit 1**.

PROJECT DATA:

1. General Plan Designation: The current land use designation of the site is Industrial (I). The property to the north is Estate, the properties to the south and east are Industrial, and the properties to the west are Agricultural.
2. Zoning: The site is zoned Industrial (I). The properties to the north, east, and west are also GC. The properties across East Marengo Drive and to the south are designated R-1 (Low Density Residential) and R-3 (Medium-High Density Residential).
3. Acreage: 3.01 total acres (130,943.67 square feet)

PROJECT ANALYSIS:

APC Towers, representing Jeremy Siegel, is requesting a CUP to allow an 80-foot monopine (i.e., looks like a single pine tree) wireless telecommunication. Along with an 80-foot monopine pole, the project would include within an 8-foot-high CMU block wall enclosure:

- (6) 8-ft tall T-Mobile Antennas on the monopine, with capacity for 6 more
- (9) remote radio units

- 8-feet-high CMU block wall enclosure and 8-foot-wide chain-link access gate with privacy slats
- UG Termination box
- T-Mobile PG&E meter mounted on H-frame
- T-Mobile Ciena & Telco Box (stacked) and a T-Mobile PPC cabinet mounted on H-frame
- (1) GENERAC 25kw Generator on concrete pad
- T-Mobile equipment cabinet
- T-Mobile battery cabinet

Outside of the fenced area but within the property lines, the project also includes:

- 15-foot-wide utility easement
- 10-foot wide, non-exclusive, vehicular access easement from the public ROW
- PGE transformer on concrete pad with removable bollards
- Community fiber vault
- PGE interset pole
- Site access gate on eastern property line
- (2) utility trenches

Exhibit 2 shows project components within and outside the 8-foot-high fenced area.

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that “communication and telecommunication facilities (not including radio and television)” are an allowed use within the Industrial Zone District with approval of a CUP and compliance with development standards.

The permitting process allows the City to address design and development requirements associated with the facility, including the aesthetics of the development. The applicant has proposed a monopine pole (i.e., looks like a single pine tree), but your Commission also has the option to require a plain pole design that does not look like a tree. See **Exhibit 3** for photo-simulations of the monopine design.

Staff believes the project is compatible with the surrounding area, and with the implementation of the required conditions of approval, the project may be approved.

CEQA:

This project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15332 (Class 32 – In-fill Development Projects) of the CEQA Guidelines because the project is consistent with the Shafter General Plan designation, occurs within City limits on a project site not greater than 5 acres, the project site has no value as habitat, project approval would not result in any significant traffic, noise, air quality, or water quality effects, and the project site can be served by all required utilities and public services. Therefore, a Notice of Exemption has been prepared for

the project.

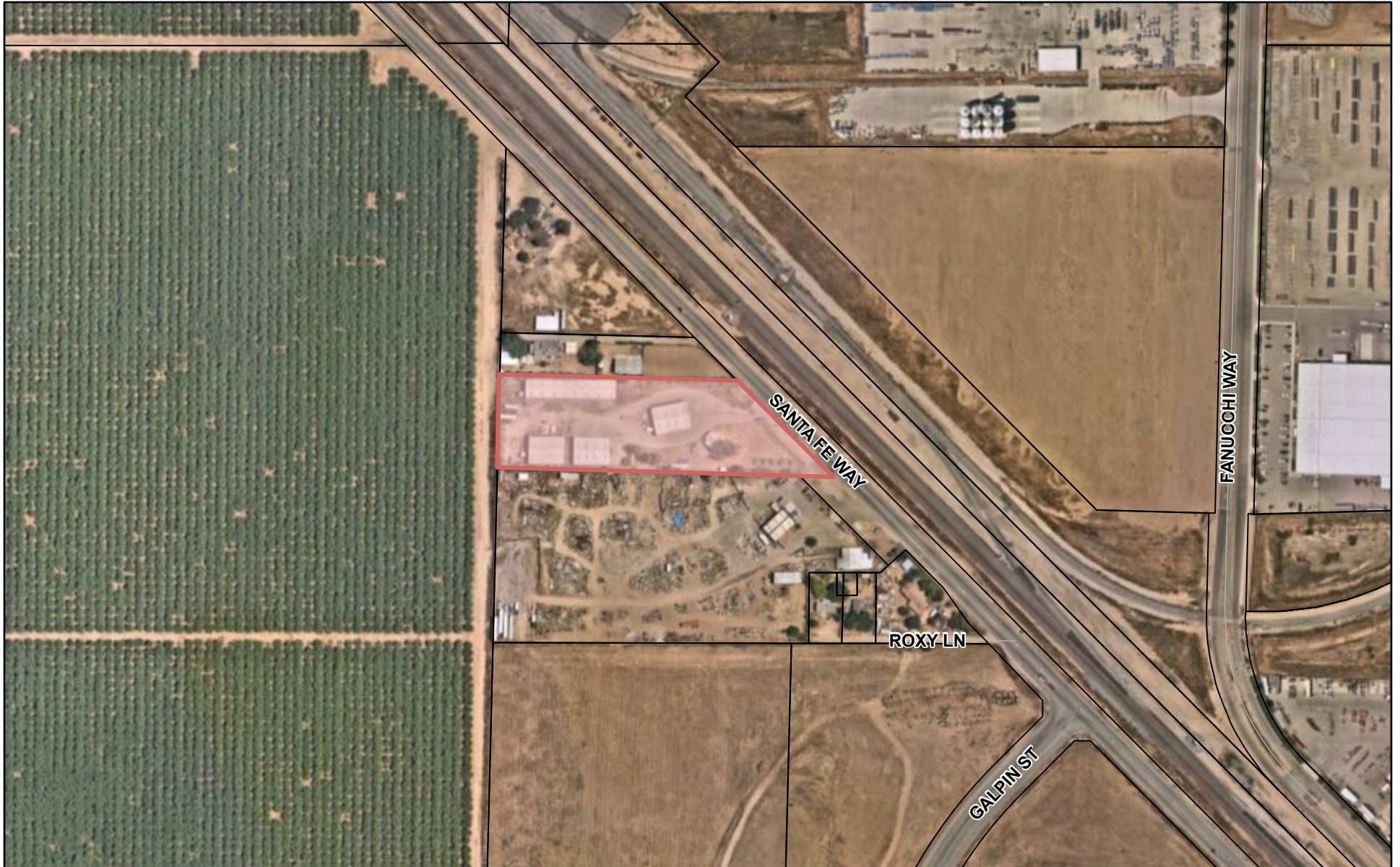
FINDINGS:

1. The Planning Commission finds that the proposed use is permitted within the Industrial District, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City.
2. The Planning Commission finds the proposed use would not impair the integrity and character of the Industrial District in which the conditional use permit is to be established.
3. The Planning Commission finds that the project is suitable for the type and intensity of the use proposed for the conditional use permit.
4. The Planning Commission finds that there is adequate provision for water, sanitation, public utilities, and services to ensure public health and safety.
5. The proposed conditional use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.
6. The Planning Commission finds that the proposed conditional use permit (CUP 23-139) is Categorically Exempt from CEQA and therefore, will not have a significant impact on the environment.
7. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

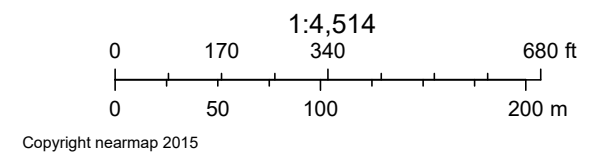
ATTACHMENTS

EXHIBIT

Vicinity Map	1
Preliminary Site Plans	2
Monopine Photo-simulations	3
Resolution No. 23-433	4



10/23/2023, 4:08:46 PM



CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. 2022 CALIFORNIA ADMINISTRATIVE CODE	6. 2022 CALIFORNIA FIRE CODE
2. 2022 CALIFORNIA BUILDING CODE	7. ANY LOCAL BUILDING CODE AMENDMENTS
3. 2022 CALIFORNIA ELECTRIC CODE	8. CITY/COUNTY ORDINANCES
4. 2022 CALIFORNIA MECHANICAL CODE	9. ANSI / TIA-222 STRUCTURAL CODE
5. 2022 CALIFORNIA PLUMBING CODE	10. NFPA 780 - LIGHTNING PROTECTION CODE

HANDICAP REQUIREMENTS:
FACILITY IS UNIMANNED AND NOT FOR HUMAN HABITATION, AND IS EXEMPTED FROM ACCESSIBILITY REQUIREMENTS IN ACCORDANCE WITH 2016 CALIFORNIA BUILDING CODE SECTION 11B-203.5.

THIS FACILITY IS UNIMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE. NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

1.	2022 CALIFORNIA ADMINISTRATIVE CODE	6.	2022 CALIFORNIA FIRE CODE
2.	2022 CALIFORNIA BUILDING CODE	7.	ANY LOCAL BUILDING CODE AMENDMENTS
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GENERAL NOTES

THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE. NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROVIDED.

IF CONTRACTOR ENCOUNTERS CONDITIONS IN FIELD, EITHER UNFORESEEN OR IN SOME MANNER IN CONFLICT WITH THESE DRAWINGS, THE CONTRACTOR SHALL NOTIFY THE REGISTERED DESIGN PROFESSIONAL OF SUCH CONDITIONS IN WRITING AND SHALL ACKNOWLEDGE ANY WORK DONE OUTSIDE OF JURISDICTIONAL PERMITTED PLANS IS DONE AT CONTRACTORS OWN RISK.

FOR "SPECIAL INSPECTIONS" SPECIFIC TO THIS PROJECT PURSUANT TO CBC SECTION 1704.3, SEE SHEET T-4, "STATEMENT OF SPECIAL INSPECTIONS"

SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

FULL SIZE = 24"x36". ANY OTHER SIZE PRINT IS NOT ORIGINAL SCALE.

ALL INDICATED DIMENSIONS SHALL TAKE PRECEDENT OVER SCALED DIMENSIONS.

FOR "SPECIAL INSPECTIONS" SPECIFIC TO THIS PROJECT PURSUANT TO CBC SECTION 1704.3, SEE SHEET T-4, "STATEMENT OF SPECIAL INSPECTIONS"

FULL SIZE = 24"x36". ANY OTHER SIZE PRINT IS NOT ORIGINAL SCALE

ALL INDICATED DIMENSIONS SHALL TAKE PRECEDENT OVER SCALED DIMENSIONS.



SITE INFORMATION	
PROPERTY OWNER: STEVE AND WINDI PORTENGA	TOWER OWNER: APC TOWERS
PHONE: (661) 589-4237	ADDRESS: 8601 SIX FORKS RD, SUITE 250 RALEIGH, NC 27615
COUNTY: KERN COUNTY	
ZONING JURISDICTION: CITY OF SHAFTER	TOWER CO SITE ID: CA-1217
ZONING DISTRICT: INDUSTRIAL (I)	TOWER APP NUMBER: --
PARCEL NUMBER: 091-280-06-00	LATITUDE (NAD 83): 35° 26' 47.85" N
OCCUPANCY GROUP: U	LONGITUDE (NAD 83): 119° 12' 26.32" W
CONSTRUCTION TYPE: II-B	
POWER COMPANY: PG&E	
TELEPHONE COMPANY: AT&T AND SPECTRUM	
LEASE AREA: 900 SQFT	

COUNTY: KERN COUNTY 

ZONING JURISDICTION: CITY OF SHAFTER

ZONING DISTRICT: INDUSTRIAL (I)

PARCEL NUMBER: 091-280-06-00

OCCUPANCY GROUP: U

CONSTRUCTION TYPE: II-B

POWER COMPANY: PG&E

TELEPHONE COMPANY: AT&T AND SPECTRUM

LEASE AREA: 900 SQFT

PROJECT TEAM					
<u>PROJECT MANAGER:</u>		<u>SITE ACQUISITION:</u>		<u>A&E CONTACT:</u>	
APC TOWERS		EUKON GROUP		EUKON GROUP	
8601 SIX FORKS ROAD, SUITE 250		65 POST, SUITE 1000		65 POST, SUITE 1000	
RALEIGH, NC 27615		IRVINE, CA 92618		IRVINE, CA 92618	
CONTACT: ABIGAIL JOHNSON		CONTACT: JEREMY SIEGEL		CONTACT: RICH BRUNET	
PHONE: (919) 346-8799		PHONE: (714) 366-8047		PHONE: (949) 899-5597	
EMAIL: ajohnson@apctowers.com		EMAIL: jeremy.siegel@eukongroup.com		EMAIL: rich.brunet@eukongroup.com	
<u>RF ENGINEER:</u>		<u>ZONING:</u>		<u>CONSTRUCTION:</u>	
-		EUKON GROUP		-	
		65 POST, SUITE 1000			
		IRVINE, CA 92618			
		CONTACT: JEREMY SIEGEL			
		PHONE: (714) 366-8047			
		EMAIL: jeremy.siegel@eukongroup.com			

<u>PROJECT MANAGER:</u> APC TOWERS 8601 SIX FORKS ROAD, SUITE 250 RALEIGH, NC 27615 CONTACT: ABIGAIL JOHNSON PHONE: (919) 346-8799 EMAIL: ajohnson@apctowers.com	<u>SITE ACQUISITION:</u> EUKON GROUP 65 POST, SUITE 1000 IRVINE, CA 92618 CONTACT: JEREMY SIEGEL PHONE: (714) 366-8047 EMAIL: jeremy.siegel@eukongroup.com	<u>A&E CONTACT:</u> EUKON GROUP 65 POST, SUITE 1000 IRVINE, CA 92618 CONTACT: RICH BRUNET PHONE: (949) 899-5597 EMAIL: rich.brunet@eukongroup.com
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<u>RF ENGINEER:</u>	<u>ZONING:</u>	<u>CONSTRUCTION:</u>
-	EUKON GROUP 65 POST, SUITE 1000 IRVINE, CA 92618 CONTACT: JEREMY SIEGEL PHONE: (714) 366-8047 EMAIL: jeremy.siegel@eukongroup.com	-

The logo for APC Towers. It features the letters "APC" in a bold, blue, sans-serif font. A dark blue swoosh or arc is positioned over the "A" and "P". To the right of "APC", the word "Towers" is written in a dark blue, serif font.

The figure consists of two side-by-side maps. The left map, titled "VICINITY MAP", shows a regional overview with a yellow star and a black arrow pointing to the "SITE". The right map, titled "AERIAL VIEW", provides a detailed satellite view of the site, marked with a black star and a black arrow. Surrounding features include "Amazon Office Crystal Yard", "Signco Graphics", "Hernandez Masonry", "MRC Global", "Pentecostal Church of God", and "Bakersfield Quality Distribution".

DRIVING DIRECTIONS	
DIRECTIONS FROM MEADOWS FIELD AIRPORT AT 3707 WINGS WAY, BAKERSFIELD, CA 93308	
1.	SLIGHT RIGHT TOWARD WINGS WAY
2.	AT THE TRAFFIC CIRCLE, TAKE THE 3RD EXIT ONTO WINGS WAY.
3.	TURN LEFT ONTO MERLE HAGGARD DR.
4.	CONTINUE ONTO 7TH STANDARD RD
5.	TURN RIGHT ONTO GALPIN ST.
6.	TURN LEFT ONTO SANTA FE WAY
7.	DESTINATION WILL BE ON THE LEFT.

DIRECTIONS FROM MEADOWS FIELD AIRPORT AT 3707 WINGS WAY, BAKERSFIELD, CA 93308

1. SLIGHT RIGHT TOWARD WINGS WAY
2. AT THE TRAFFIC CIRCLE, TAKE THE 3RD EXIT ONTO WINGS WAY.
3. TURN LEFT ONTO MERLE HAGGARD DR.
4. CONTINUE ONTO 7TH STANDARD RD
5. TURN RIGHT ONTO GALPIN ST.
6. TURN LEFT ONTO SANTA FE WAY
7. DESTINATION WILL BE ON THE LEFT.

APPROVALS	
THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS & AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE ZONING DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT & MAY IMPOSE CHANGES OR MODIFICATIONS.	
APPROVED BY:	DATE:
APC OPERATIONS: _____	
SAQ MANAGER: _____	
PROJECT MANAGER: _____	
ZONING VENDOR: _____	
LEASING VENDOR: _____	
ZONING MANAGER: _____	
PROPERTY OWNER: _____	

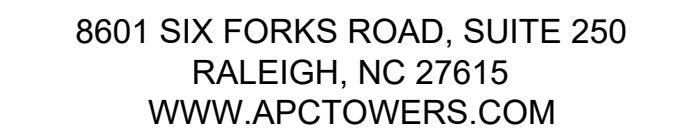
APPROVED BY:		DATE:
APC OPERATIONS:		
SAQ MANAGER:		
PROJECT MANAGER:		
ZONING VENDOR:		
LEASING VENDOR:		
ZONING MANAGER:		
PROPERTY OWNER:		

PROJECT DESCRIPTION

APC PROPOSES TO INSTALL A WIRELESS COMMUNICATIONS FACILITY. THE SCOPE WILL CONSIST OF THE FOLLOWING:

- (1) PROPOSED 80'-0" HIGH MONOPINE
- (1) PROPOSED METERING H-FRAME
- (1) PROPOSED PG&E TRANSFORMER
- (1) PROPOSED COMMUNITY FIBER VAULT
- (1) PROPOSED 8' HIGH CMU ENCLOSURE
- (2) UTILITY TRENCHES
- (1) PROPOSED GENERAC 25KW GENERATOR

- (1) PROPOSED 80'-0" HIGH MONOPINE
- (1) PROPOSED METERING H-FRAME
- (1) PROPOSED PG&E TRANSFORMER
- (1) PROPOSED COMMUNITY FIBER VAULT
- (1) PROPOSED 8' HIGH CMU ENCLOSURE
- (2) UTILITY TRENCHES
- (1) PROPOSED GENERAC 25kW GENERATOR

[illegible][illegible]

NOT FOR
CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF THE LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

DRAWN BY:	UTILITIES CHECKED BY:	A&E CHECKED BY:
FE	GD	RB

[illegible]

PROJECT INFORMATION

CA-1217

3751 SANTA FE WAY
SHAFTER, CA 93263

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T-1

SURVEY DATE
06/23/2023

BASIS OF BEARING

BEARINGS SHOWN HEREON ARE BASED UPON THE CALIFORNIA ZONE FIVE STATE PLANE COORDINATE SYSTEM BASED ON THE NORTH AMERICAN DATUM OF 1983(2011) (EPOCH 2019.25). DETERMINED BY GLOBAL POSITIONING SYSTEM EQUIPMENT ON THE SMARTNET REFERENCE NETWORK.

BENCHMARK

PROJECT ELEVATIONS ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS 'GEOID 12B' MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY OBSERVATIONS OF THE 'SMARTNET' REAL TIME NETWORK. ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.

GRID-TO-GROUND SCALE FACTOR NOTE

ALL BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA ZONE FIVE STATE PLANE COORDINATE ZONE GRID. TO DERIVE GROUND DISTANCES DIVIDE BY 1.00000810

FLOOD_ZONE

THIS PROJECT APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X", ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP(S), MAP ID #06029C1800E, DATED 09/26/2008

UTILITY NOTES

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/ OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

SURVEYOR'S NOTES

CONTOURS DERIVED FROM DIRECT FIELD OBSERVATIONS AND FOLLOW THE CURRENT NATIONAL MAP STANDARDS FOR VERTICAL ACCURACY.

THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.

SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

LESSOR'S LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

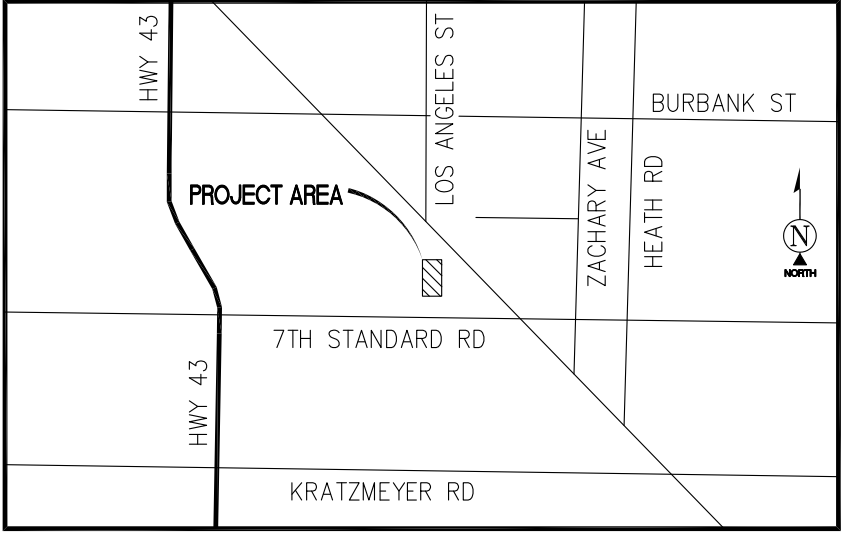
PARCEL 2 OF PARCEL MAP 141, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, AS PER MAP RECORDED OCTOBER 19, 1971 IN BOOK 2 PAGE 2 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND AS PER CERTIFICATE OF COMPLIANCE NO. 941 RECORDED SEPTEMBER 26, 1985 IN BOOK 5801 PAGE 263 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF SAID A.T. AND S.F. CENTERLINE AND THE WEST LINE OF SAID SECTION 32 SAID POINT DISTANT ALONG THE WEST LINE SOUTH 1°10'28" WEST 78.01 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 32; THENCE CONTINUING SOUTH 1°10'28" WEST ALONG SAID WEST LINE 558.97 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°10'28" WEST ALONG SAID WEST LINE 91.50 FEET; THENCE SOUTH 88°49'32" EAST 683.73 FEET TO SAID CENTERLINE; THENCE NORTH 45°15'22" WEST ALONG SAID CENTERLINE 132.75 FEET; THENCE NORTH 88°49'32" WEST 587.55 FEET TO THE TRUE POINT OF BEGINNING.

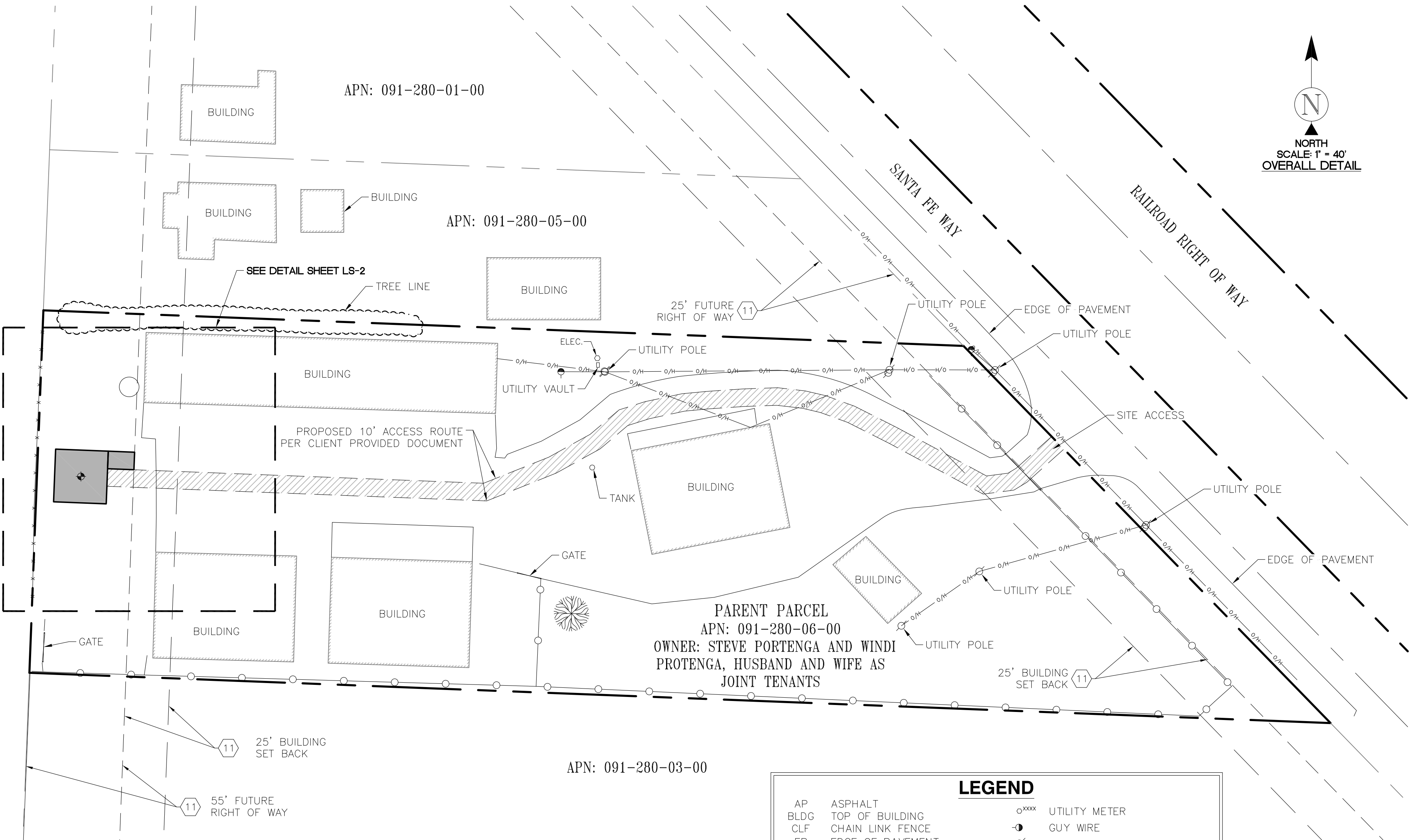
TAX ID: 091-280-06-00-4

BEING THE SAME PROPERTY CONVEYED TO STEVE PORTENGA AND WINDI PORTENGA, HUSBAND AND WIFE AS JOINT TENANTS, GRANTEE, FROM PAUL YAMAMOTO, A SINGLE MAN, GRANTOR, BY GRANT DEED RECORDED 01/15/2019, AS DOCUMENT NO. 219005025 OF THE KERN COUNTY RECORDS.

POSITION OF GEODETIC COORDINATES
LATITUDE 35° 26' 47.85" (35.446625) NORTH (NAD83)
LONGITUDE 119° 12' 26.32" (119.207311) WEST (NAD83)
GROUND ELEVATION @ 339.0' (NAVD88)



VICINITY MAP
N.T.S.



LEGEND			
AP	ASPHALT	o-xxxx	UTILITY METER
BLDG	TOP OF BUILDING	o	GUY WIRE
CLF	CHAIN LINK FENCE	o	UTILITY POLE
EP	EDGE OF PAVEMENT	o	POSITION OF GEODETIC COORDINATES
NG	NATURAL GRADE	o	SPOT ELEVATION
P.O.B.	POINT OF BEGINNING	o	CHAIN LINK FENCE
P.O.C.	POINT OF COMMENCEMENT	o	BARBED WIRE FENCE
P.O.T.	POINT OF TERMINUS	o	TREE LINE
		o	EXISTING BUILDINGS
		o	OVERHEAD LINES
		o	STREET CENTERLINES
		o	RIGHT OF WAY LINES
		o	SUBJECT PROPERTY LINE
		o	ADJACENT PROPERTY LINE
		o	EASEMENT LINES
		o	SETBACK LINES
		o	TIE LINES
		o	LEASE AREA LIMITS
		o	MAJOR CONTOUR INTERVAL
		o	MINOR CONTOUR INTERVAL

APC Towers
8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE: (919) 926-9838
WWW.APCTOWERS.COM

PROJECT INFORMATION:

CITY OF SHAFTER
SV14246 CA-1217
3751 SANTA FE WAY
SHAFTER, CA 93263

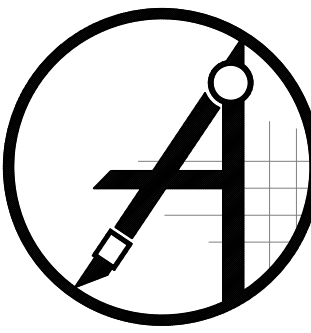
ORIGINAL ISSUE DATE:

06/27/2023

REV.: DATE: DESCRIPTION: BY:

0	06/27/23	PRELIM SUBMITTAL	PD

SURVEY PREPARED BY:



428 MAIN STREET
SUITE 206
HUNTINGTON BEACH, CA 92648
PH. (480) 659-4072
www.ambitconsulting.us

ambit consulting

CONSULTANT:

PRELIMINARY

DRAWN BY: CHK.: APV.:

PD	SB	XX
----	----	----

LICENSER:



SHEET TITLE:

SITE SURVEY

SHEET NUMBER:

LS-1

SCHEDULE "B" NOTE

REFERENCE IS MADE TO THE TITLE REPORT ORDER #01-23007395-01T, ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED MARCH 9, 2023. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED.

ITEMIZED NOTES:

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I--REQUIREMENTS ARE MET. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
2. FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
3. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
4. MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
5. ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
6. DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(C). (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
7. QUANTITY OF ACREAGE/SQUARE FOOTAGE AS SET FORTH IN SCHEDULE A, IF ANY. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
8. TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR AND ALL SUBSEQUENT YEARS. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
9. UNPATENTED MINING CLAIMS; RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
10. OIL, GAS, COAL AND OTHER MINERAL INTERESTS TOGETHER WITH THE RIGHTS APPURTENANT THERETO WHETHER CREATED BY DEED, LEASE, GRANT, RESERVATION, SEVERANCE, SUFFERANCE OR EXCEPTION. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
11. SUBJECT TO COVENANTS, RESTRICTIONS, RESERVATIONS, EASEMENTS, AND RIGHTS OF WAY AND BUILDING SETBACKS, IF ANY, AS SHOWN ON THE PARCEL MAP NO. 141, AS RECORDED IN PLAT BOOK 2, PAGE 2, RECORDED DATE 10/12/1971 IN KERN COUNTY RECORDS. (AS SHOWN ON SURVEY)
12. SUBJECT TO RESERVATION AS SET FORTH IN DEED RECORDED 07/28/1982 IN BOOK 5476, PAGE 1169 OF THE KERN COUNTY RECORDS. (SHOWN AS PARENT PARCEL)
13. CERTIFICATE OF COMPLIANCE, RECORDED 09/26/1985, IN BOOK 5801, PAGE 263 OF THE KERN COUNTY RECORDS. (SHOWN AS PARENT PARCEL)
14. SUBJECT TO RESERVATION AS SET FORTH IN DEED RECORDED 09/22/1992 IN BOOK 6734, PAGE 741 OF THE KERN COUNTY RECORDS. (THE EXCEPTION DOES NOT HAVE SUFFICIENT DATA TO DETERMINE IF IT AFFECTS)
15. SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS TO SECURE AN INDEBTEDNESS OF THE AMOUNT STATED BELOW AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF,
AMOUNT: \$480,000.00
TRUSTOR: STEVE PORTENGA AND WINDI PORTENGA
TRUSTEE: TIGOR TITLE COMPANY
BENEFICIARY: PAUL YAMAMOTO
DATED: 01/07/2019
RECORDED: 01/15/2019
DOC#/BOOK--PAGE: 219005026
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)



LEGEND			
AP	ASPHALT	oxxx	UTILITY METER
BLDG	TOP OF BUILDING	o	GUY WIRE
CLF	CHAIN LINK FENCE	o	UTILITY POLE
EP	EDGE OF PAVEMENT	o	POSITION OF GEODETIC COORDINATES
NG	NATURAL GRADE	o	SPOT ELEVATION
P.O.B.	POINT OF BEGINNING	o	
P.O.C.	POINT OF COMMENCEMENT	o	
P.O.T.	POINT OF TERMINUS	o	
		o	CHAIN LINK FENCE
		o	BARBED WIRE FENCE
		o	TREE LINE
		o	EXISTING BUILDINGS
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		o	SETBACK LINES
		o	TIE LINES
		o	LEASE AREA LIMITS
		o	MAJOR CONTOUR INTERVAL
		o	MINOR CONTOUR INTERVAL

APCTowers

8601 SIX FORKS ROAD, SUITE 250
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PHONE: (919) 926-9838
WWW.APCTOWERS.COM

PROJECT INFORMATION:

CITY OF SHAFTER
SV14246 CA-1217
3751 SANTA FE WAY
SHAFTER, CA 93263

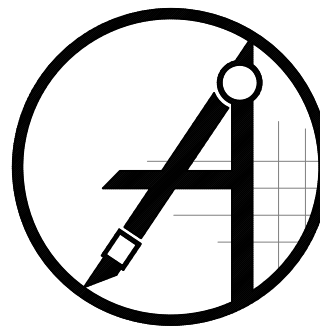
ORIGINAL ISSUE DATE:

06/27/2023

REV.:DATE:DESCRIPTION:BY:

0	06/27/23	PRELIM SUBMITTAL	PD

SURVEY PREPARED BY:



428 MAIN STREET
SUITE 206
HUNTINGTON BEACH, CA 92648
PH. (480) 659-4072
www.ambitconsulting.us

ambit consulting

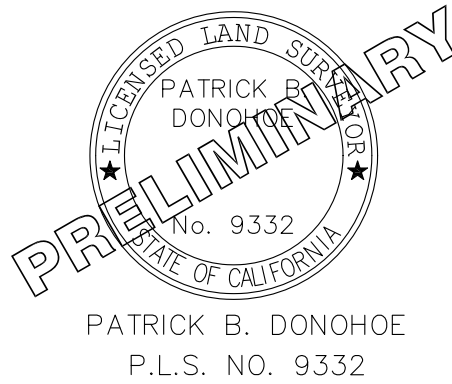
CONSULTANT:

PRELIMINARY

DRAWN BY:CHK.:APV.:

PD	SB	XX
----	----	----

LICENSER:

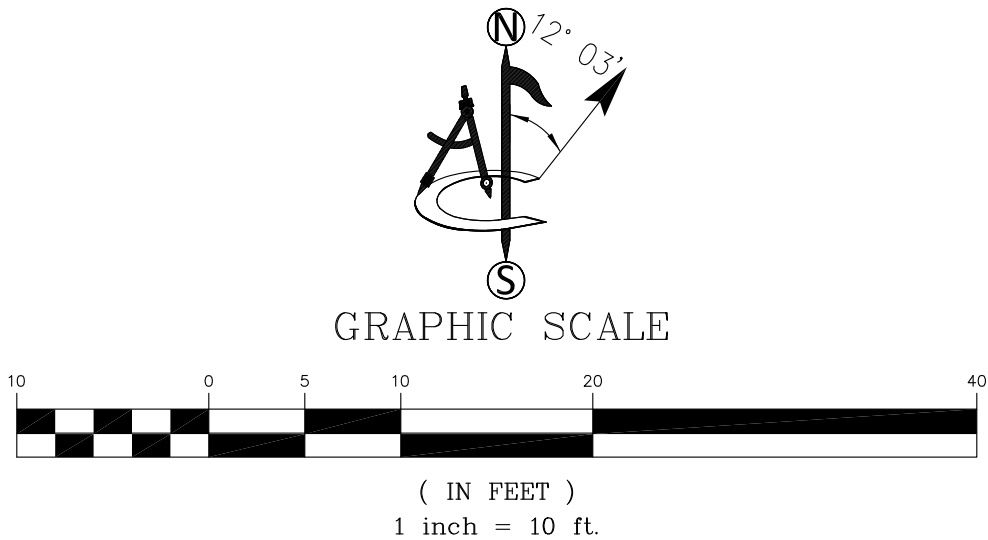


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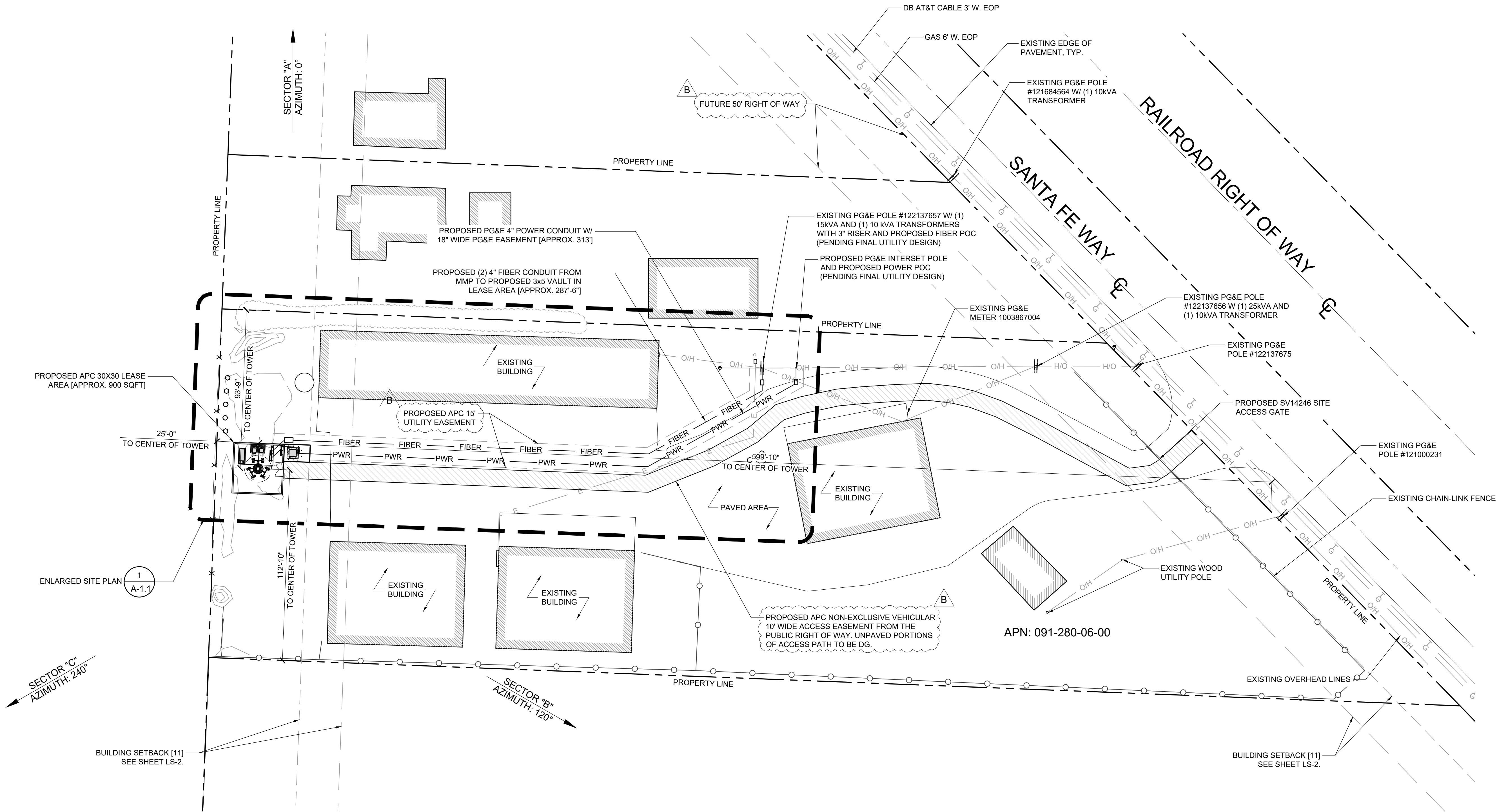
SURVEY DETAIL

SHEET NUMBER:

LS-2



- NOTES:
1. IF DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS.
 2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
 3. UTILITY DESIGNS AND ROUTES ARE PRELIMINARY PENDING FINAL DESIGN BY UTILITY PROVIDER.
 4. THIS SITE PLAN IS NOT INTENDED TO BE A LAND SURVEY.



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OF THE LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

DRAWN BY:	UTILITIES CHECKED BY:	A&E CHECKED BY:
FE	GD	RB

ZONING DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	07/31/23	90% ZONING DRAWINGS
B	10/30/23	ZONING COMMENTS

PROJECT INFORMATION

CA-1217

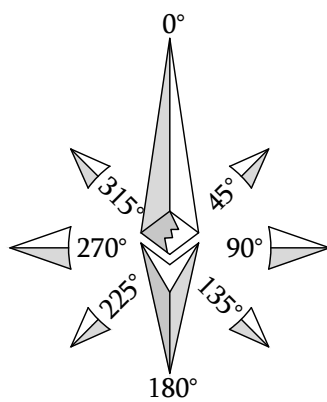
3751 SANTA FE WAY
SHAFTER, CA 93263

SHEET TITLE

SITE PLAN

SHEET NUMBER

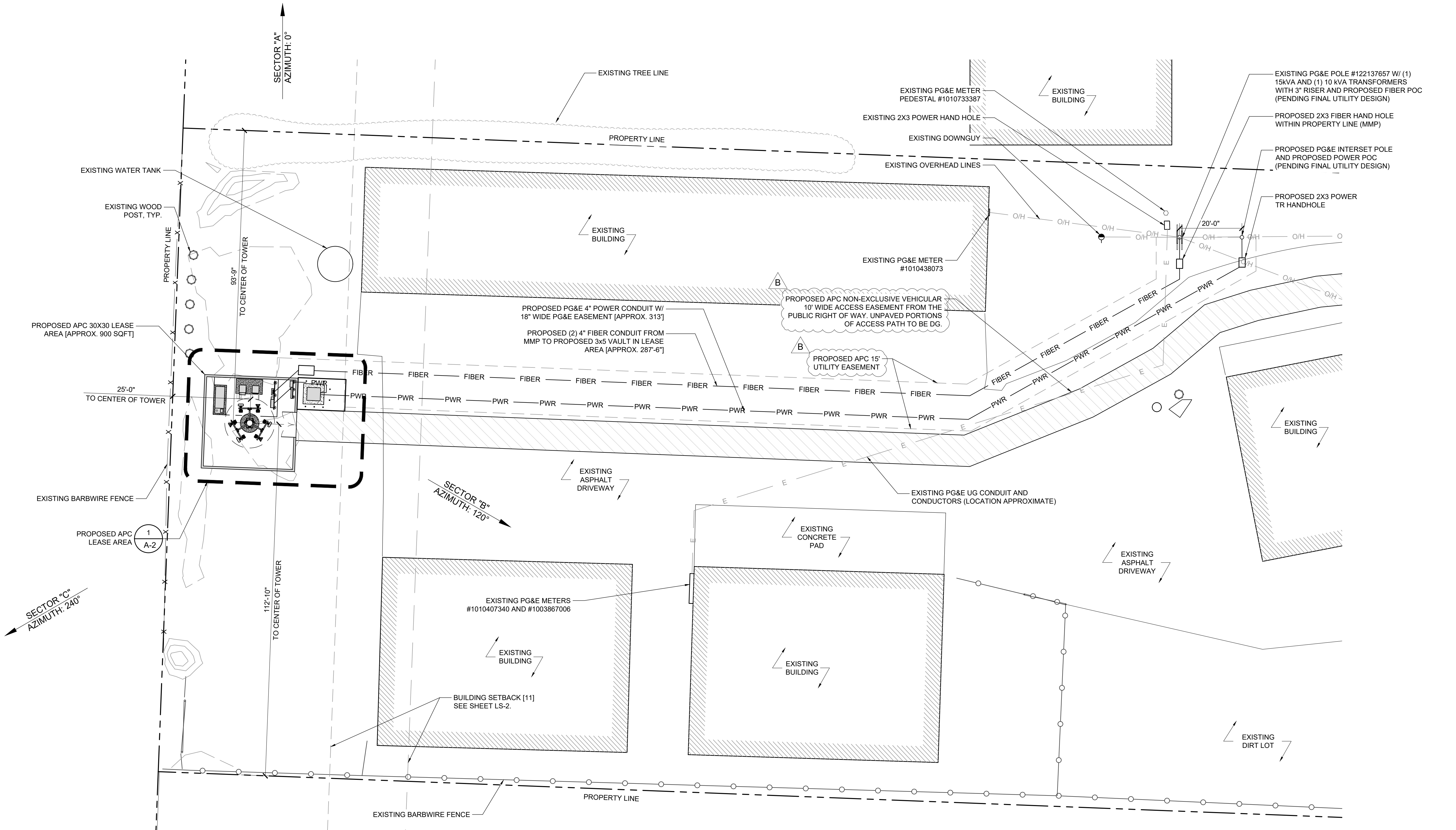
A-1



SCALE	32'	0	16'	32'	64'	128'
1/32"=1'-0"						

1

- NOTES:
1. IF DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS.
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FE	GD	RB

ZONING DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	07/31/23	90% ZONING DRAWINGS
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PROJECT INFORMATION

CA-1217

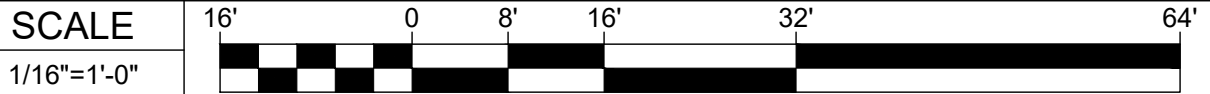
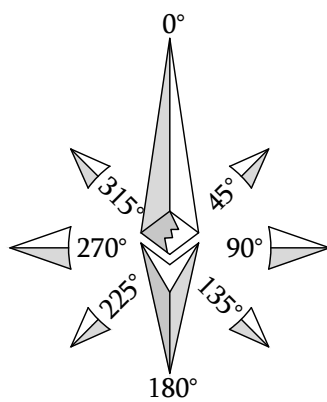
3751 SANTA FE WAY
SHAFTER, CA 93263

SHEET TITLE

SITE PLAN

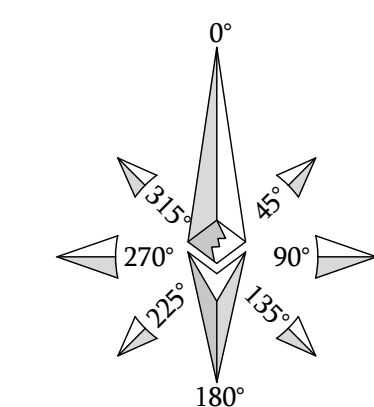
SHEET NUMBER

A-1.1



1

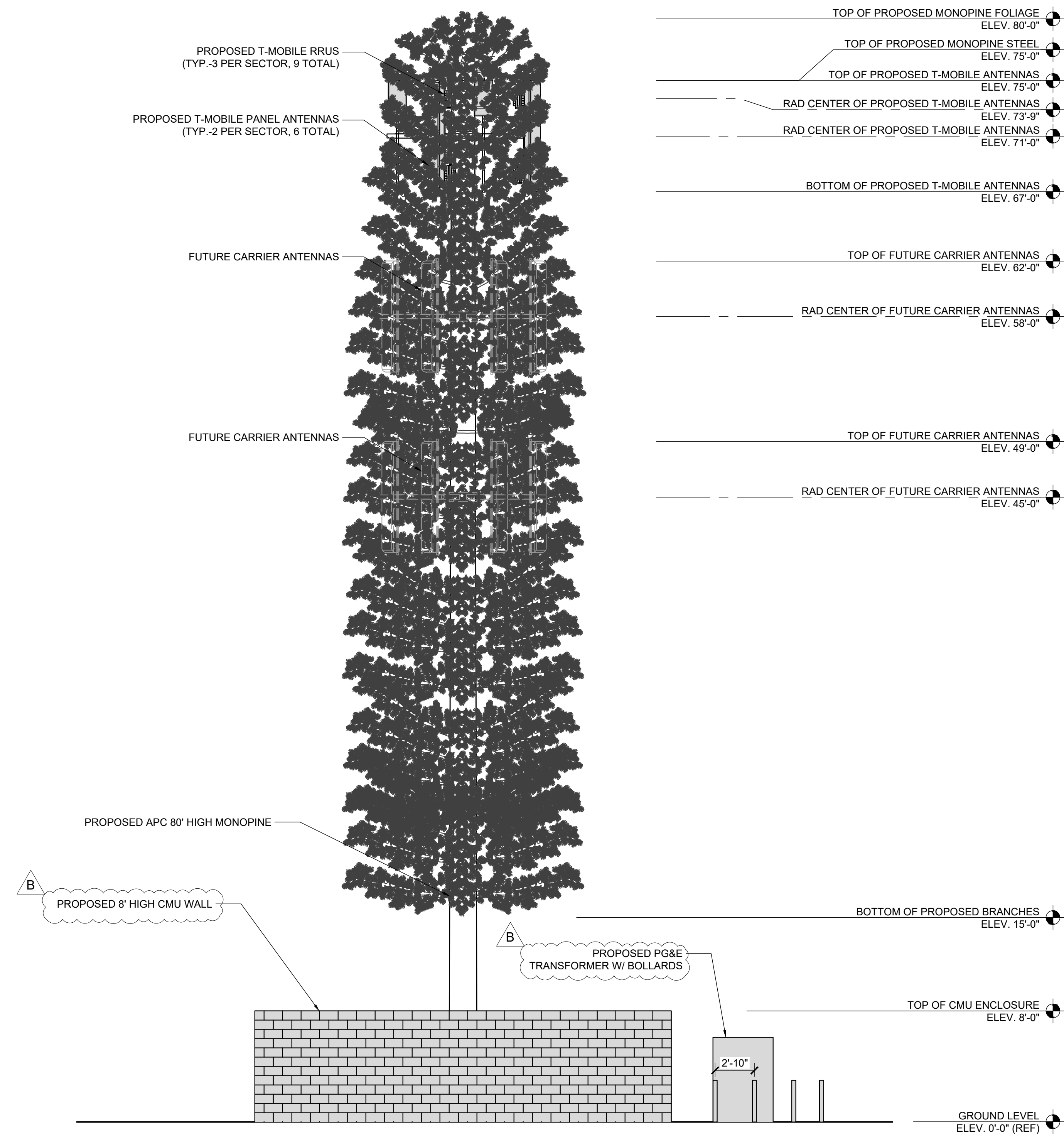
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2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS



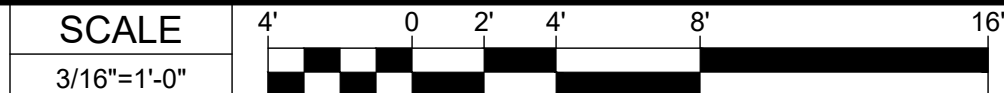
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1/2"=1'-0"						

A-2

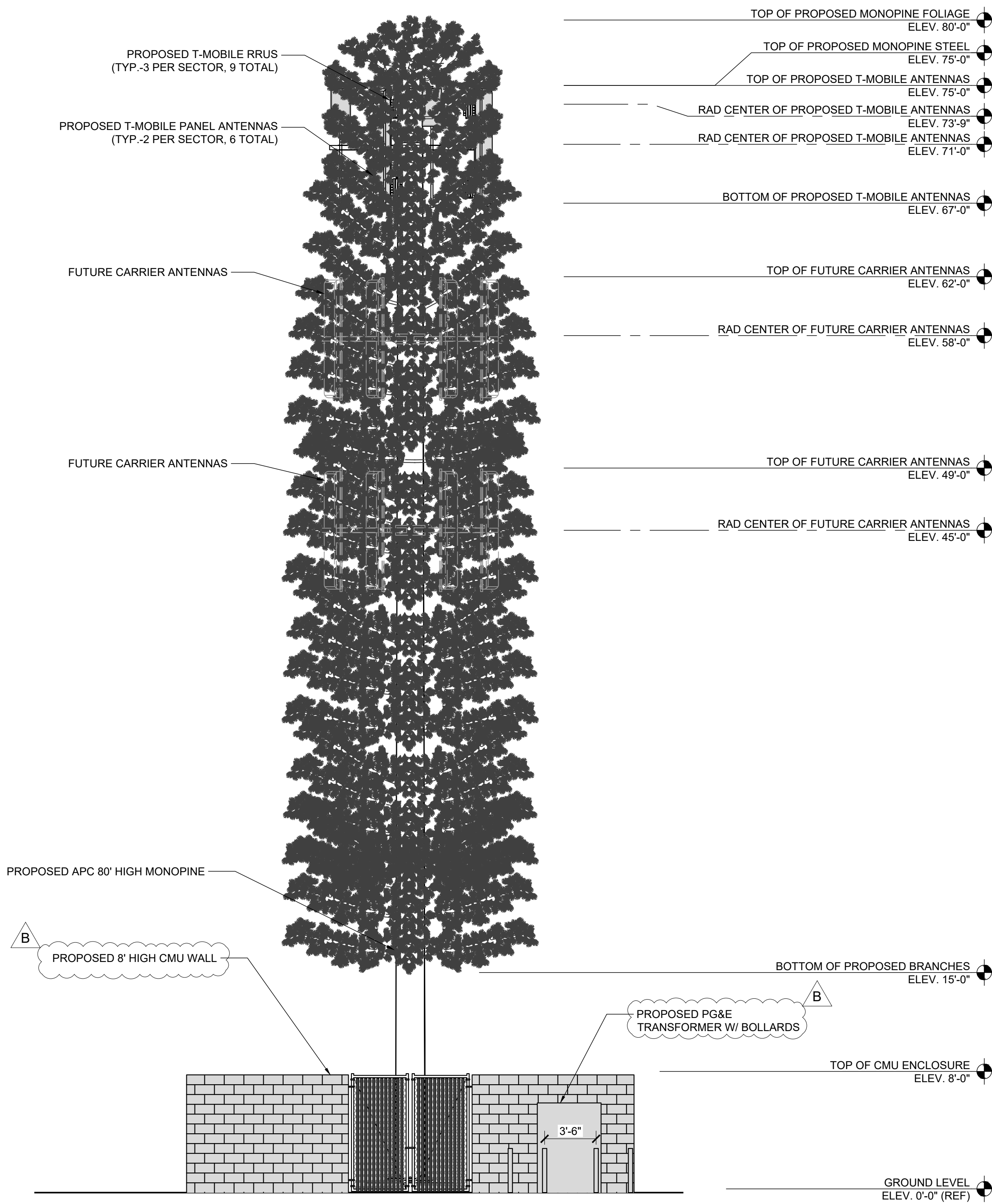
- NOTE:
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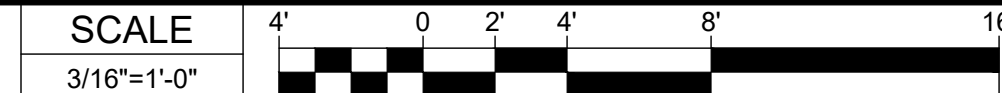
PROPOSED EAST ELEVATION



2



PROPOSED SOUTH ELEVATION



1



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OF THE LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

DRAWN BY:	UTILITIES CHECKED BY:	A&E CHECKED BY:
FE	GD	RB

ZONING DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	07/31/23	90% ZONING DRAWINGS
B	10/30/23	ZONING COMMENTS

PROJECT INFORMATION

CA-1217

3751 SANTA FE WAY
SHAFTER, CA 93263

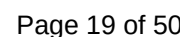
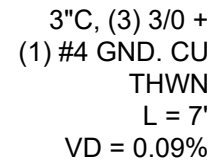
SHEET TITLE

ELEVATIONS

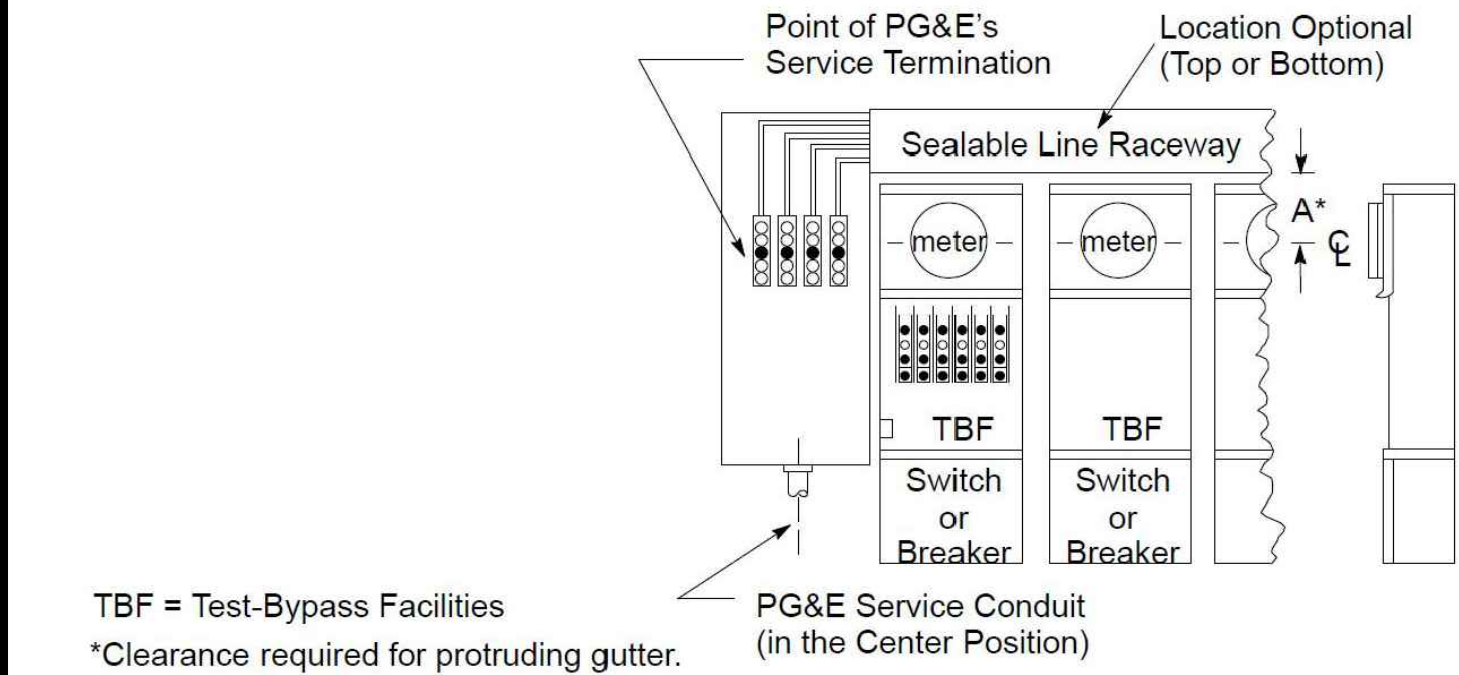
SHEET NUMBER

A-4

1. FOR WIRING FROM LOAD CENTER TO EQUIPMENT REFER TO DRAWINGS PROVIDED BY MANUFACTURER.
2. FOR COMPLETE INTERNAL WIRING AND ARRANGEMENT REFER TO DRAWINGS PROVIDED BY MANUFACTURER.
3. AIC RATING FOR NEW METER AND/OR PANEL BOARDS MUST MATCH OR EXCEED THE RATINGS AS DETERMINED BELOW:
 - AIC RATING AS REQUIRED BY THE SERVICE PROVIDER.
 - AIC RATINGS AS OF PROPOSED LOAD/METERS/SWITCH GEAR EQUIPMENT.



- NOTES:
- IF DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS.
 - CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
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PG&E METER SERVICE ELEVATION

SCALE
NONE

2



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DRAWN BY:	UTILITIES CHECKED BY:	A&E CHECKED BY:
FE	GD	RB

ZONING DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	07/31/23	90% ZONING DRAWINGS
B	10/30/23	ZONING COMMENTS

PROJECT INFORMATION

CA-1217

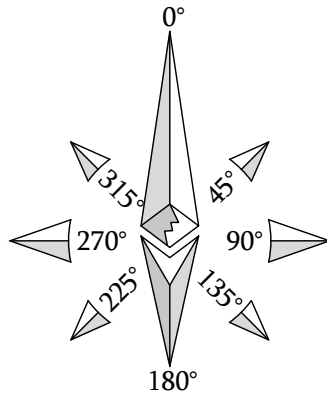
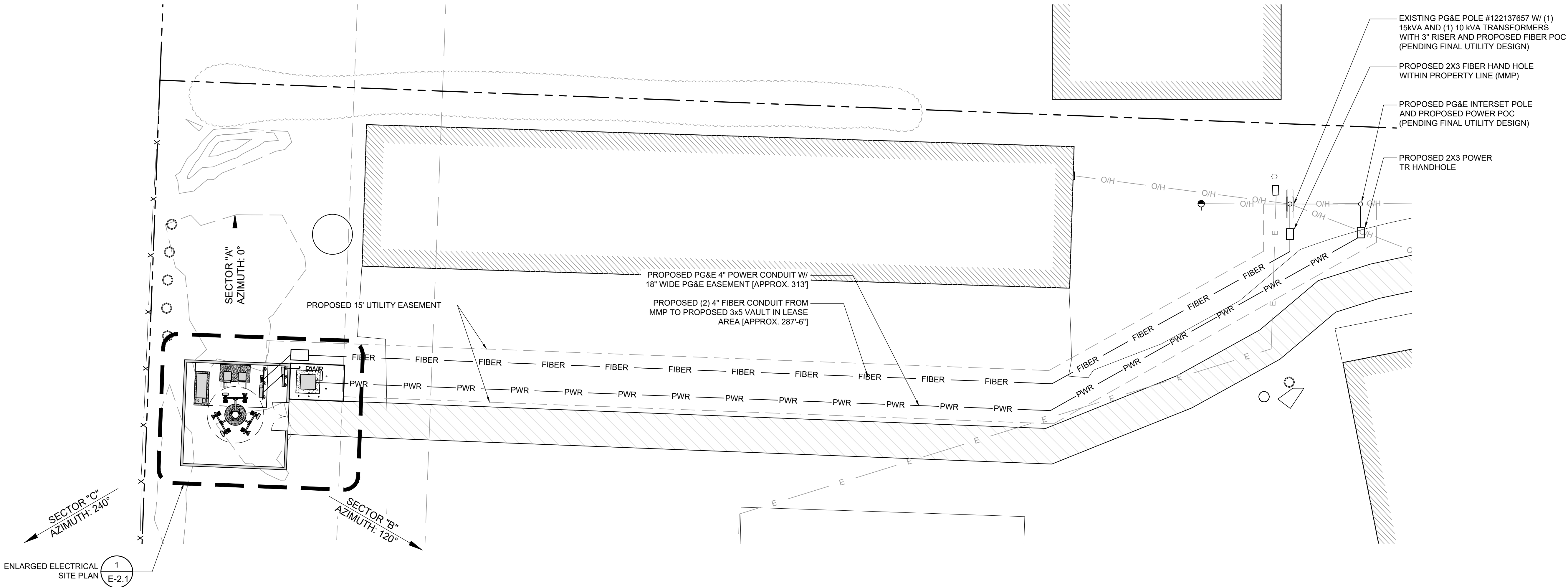
3751 SANTA FE WAY
SHAFTER, CA 93263

SHEET TITLE

ELECTRICAL
SITE PLAN

SHEET NUMBER

E-2

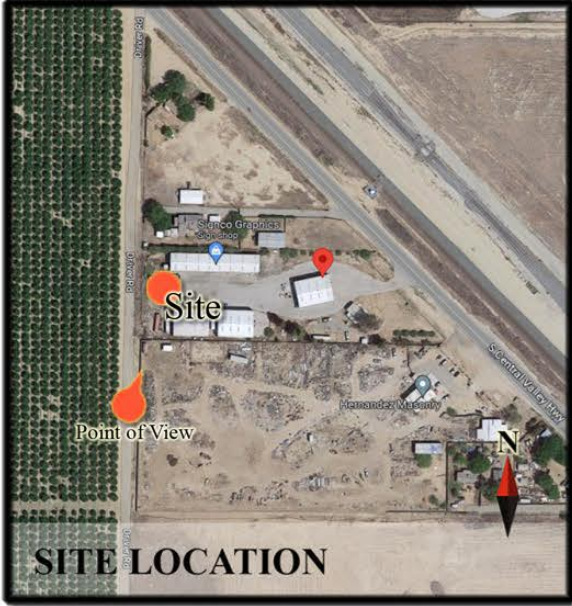


SCALE

1 1/16"=1'-0"



1

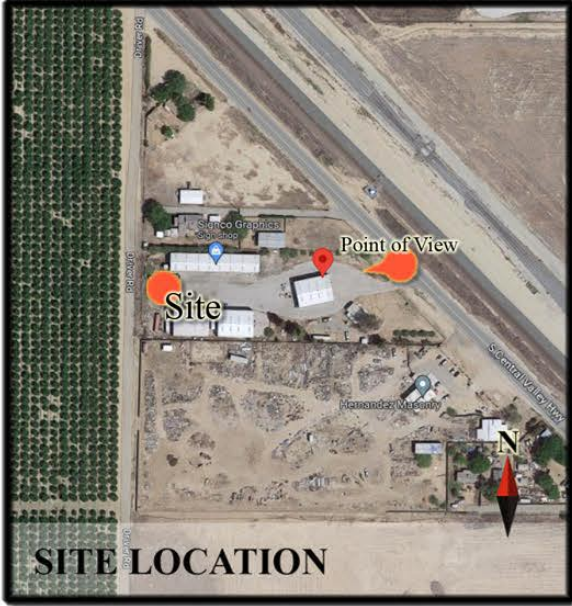


SITE COORDINATES

Latitude: 35° 26' 47.85"
Longitude: -119° 12' 26.32"

SHEET NUMBER

1
3



SITE COORDINATES

Latitude: 35° 26' 47.85"
Longitude: -119° 12' 26.32"

SHEET NUMBER

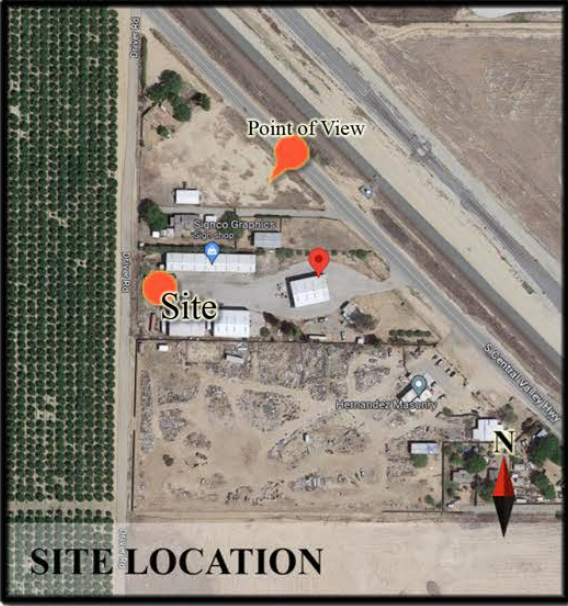
2
3



PROPOSED VIEW NORTH-EAST



EXISTING VIEW NORTH-EAST



SITE LOCATION

SITE COORDINATES

Latitude: 35° 26' 47.85"
Longitude: -119° 12' 26.32"

SHEET NUMBER

3
3

RESOLUTION NO. 23-433

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 23-139 TO ALLOW AN 80-FOOT MONOPINE WIRELESS TELECOMMUNICATIONS TOWER LOCATED ON ACCESSOR'S PARCEL NUMBER (APN) 091-280-06.

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on January 9, 2024, studied and considered the proposed request for a Conditional Use Permit (CUP No. 23-139) to permit an 80-foot monopine wireless telecommunications tower located on Accessor's Parcel Number (APN) 091-280-06 as shown in Exhibit "A"; and

WHEREAS, the Planning Commission has determined that the proposed Conditional Use Permit (CUP No. 23-139) is exempt from CEQA under Section 15332 of the CEQA Guidelines because the Project is consistent with the Shafter General Plan designation and occurs within City limits and on a site not greater than 5 acres, the site has no value as habitat, project approval would not result in any significant traffic, noise, air quality, or water quality effects, and the project can be served by all required utilities and public services; and

WHEREAS, a timely and properly noticed public hearing for CUP No. 23-139 was held by the Planning Commission of the City of Shafter at a regular meeting on January 9, 2024, at which hearing evidence, oral and documentary, was admitted on behalf of said Project; and

WHEREAS, the Planning Commission finds that the proposed use is permitted within the Industrial (I) District, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City; and

WHEREAS, the Planning Commission finds the proposed use would not impair the integrity and character of the Industrial District in which the conditional use permit is to be established; and

WHEREAS, the Planning Commission finds that the project site is suitable for the type and intensity of use proposed under the Conditional Use Permit; and

WHEREAS, the Planning Commission finds that there is adequate provision for water, sanitation, public utilities, and services to ensure public health and safety for the Conditional Use Permit; and

WHEREAS, the Conditional Use Permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity of the project site; and

WHEREAS, the Planning Commission finds that the attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 9th day of January 2024, approves Conditional Use Permit No. 23-139 to permit an 80-foot monopine wireless telecommunications tower, as illustrated in Exhibit “A”, for property located on Assessor Parcel Number 091-280-06, and as described in Planning Commission Resolution No. 23-433, with conditions of approval as provided in Exhibit “B”.

PASSED AND ADOPTED THIS 9TH DAY OF JANUARY 2024.

John Sanchez, Chairman

ATTEST

Vanessa Uribe, Deputy City Clerk

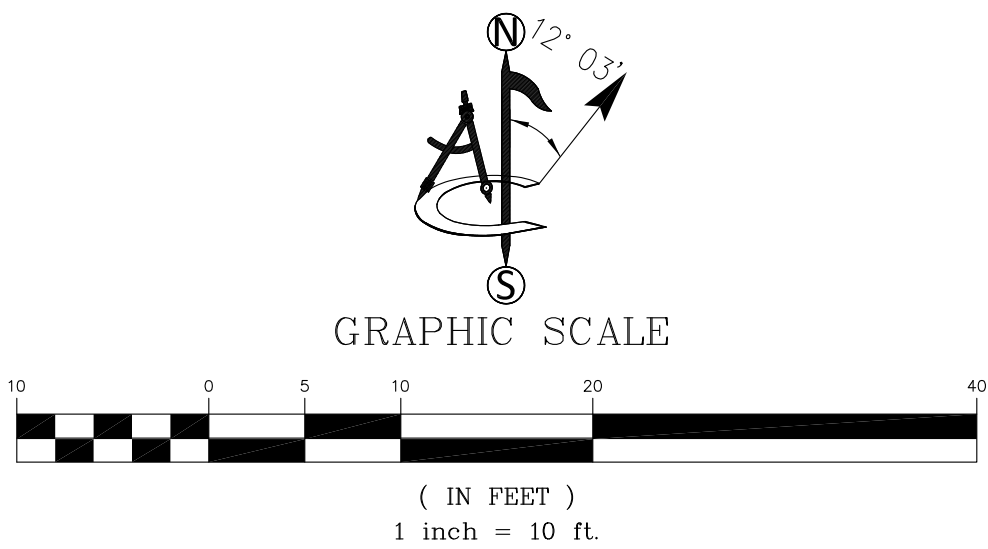
Page 27 of 50

SCHEDULE "B" NOTE

REFERENCE IS MADE TO THE TITLE REPORT ORDER #01-23007395-01T, ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED MARCH 9, 2023. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED.

ITEMIZED NOTES:

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I--REQUIREMENTS ARE MET. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
2. FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
3. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
4. MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
5. ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
6. DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(C). (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
7. QUANTITY OF ACREAGE/SQUARE FOOTAGE AS SET FORTH IN SCHEDULE A, IF ANY. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
8. TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR AND ALL SUBSEQUENT YEARS. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
9. UNPATENTED MINING CLAIMS; RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
10. OIL, GAS, COAL AND OTHER MINERAL INTERESTS TOGETHER WITH THE RIGHTS APPURTENANT THERETO WHETHER CREATED BY DEED, LEASE, GRANT, RESERVATION, SEVERANCE, SUFFERANCE OR EXCEPTION. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)
11. SUBJECT TO COVENANTS, RESTRICTIONS, RESERVATIONS, EASEMENTS, AND RIGHTS OF WAY AND BUILDING SETBACKS, IF ANY, AS SHOWN ON THE PARCEL MAP NO. 141, AS RECORDED IN PLAT BOOK 2, PAGE 2, RECORDED DATE 10/12/1971 IN KERN COUNTY RECORDS. (AS SHOWN ON SURVEY)
12. SUBJECT TO RESERVATION AS SET FORTH IN DEED RECORDED 07/28/1982 IN BOOK 5476, PAGE 1169 OF THE KERN COUNTY RECORDS. (SHOWN AS PARENT PARCEL)
13. CERTIFICATE OF COMPLIANCE, RECORDED 09/26/1985, IN BOOK 5801, PAGE 263 OF THE KERN COUNTY RECORDS. (SHOWN AS PARENT PARCEL)
14. SUBJECT TO RESERVATION AS SET FORTH IN DEED RECORDED 09/22/1992 IN BOOK 6734, PAGE 741 OF THE KERN COUNTY RECORDS. (THE EXCEPTION DOES NOT HAVE SUFFICIENT DATA TO DETERMINE IF IT AFFECTS)
15. SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS TO SECURE AN INDEBTEDNESS OF THE AMOUNT STATED BELOW AND ANY OTHER AMOUNTS PAYABLE UNDER THE TERMS THEREOF.
AMOUNT: \$480,000.00
TRUSTOR: STEVE PORTENGA AND WINDI PORTENGA
TRUSTEE: TIGOR TITLE COMPANY
BENEFICIARY: PAUL YAMAMOTO
DATED: 01/07/2019
RECORDED: 01/15/2019
DOC#/BOOK--PAGE: 219005026
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)



LEGEND			
AP	ASPHALT	oxxx	UTILITY METER
BLDG	TOP OF BUILDING	o	GUY WIRE
CLF	CHAIN LINK FENCE	o	UTILITY POLE
EP	EDGE OF PAVEMENT	o	POSITION OF GEODETIC COORDINATES
NG	NATURAL GRADE	o	SPOT ELEVATION
P.O.B.	POINT OF BEGINNING	o	CHAIN LINK FENCE
P.O.C.	POINT OF COMMENCEMENT	o	BARBED WIRE FENCE
P.O.T.	POINT OF TERMINUS	o	TREE LINE
		o	EXISTING BUILDINGS
		o	OVERHEAD LINES
		o	STREET CENTERLINES
		o	RIGHT OF WAY LINES
		o	SUBJECT PROPERTY LINE
		o	ADJACENT PROPERTY LINE
		o	EASEMENT LINES
		o	SETBACK LINES
		o	TIE LINES
		o	LEASE AREA LIMITS
		o	MAJOR CONTOUR INTERVAL
		o	MINOR CONTOUR INTERVAL

APCTowers

8601 SIX FORKS ROAD, SUITE 250
RALEIGH, NC 27615
PHONE: (919) 926-9838
WWW.APCTOWERS.COM

PROJECT INFORMATION:

CITY OF SHAFTER
SV14246 CA-1217
3751 SANTA FE WAY
SHAFTER, CA 93263

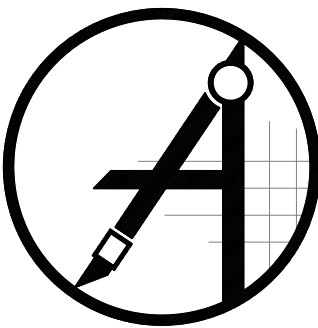
ORIGINAL ISSUE DATE:

06/27/2023

REV.:DATE:DESCRIPTION:BY:

0	06/27/23	PRELIM SUBMITTAL	PD

SURVEY PREPARED BY:



428 MAIN STREET
SUITE 206
HUNTINGTON BEACH, CA 92648
PH. (480) 659-4072
www.ambitconsulting.us

ambit consulting

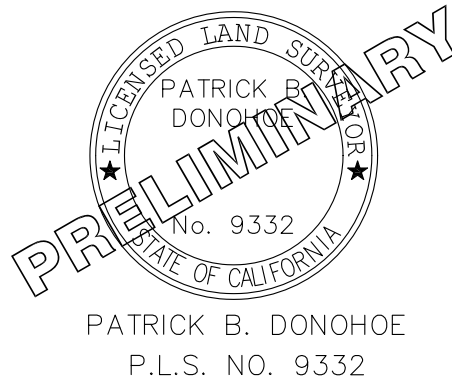
CONSULTANT:

PRELIMINARY

DRAWN BY:CHK.:APV.:

PD	SB	XX
----	----	----

LICENSER:



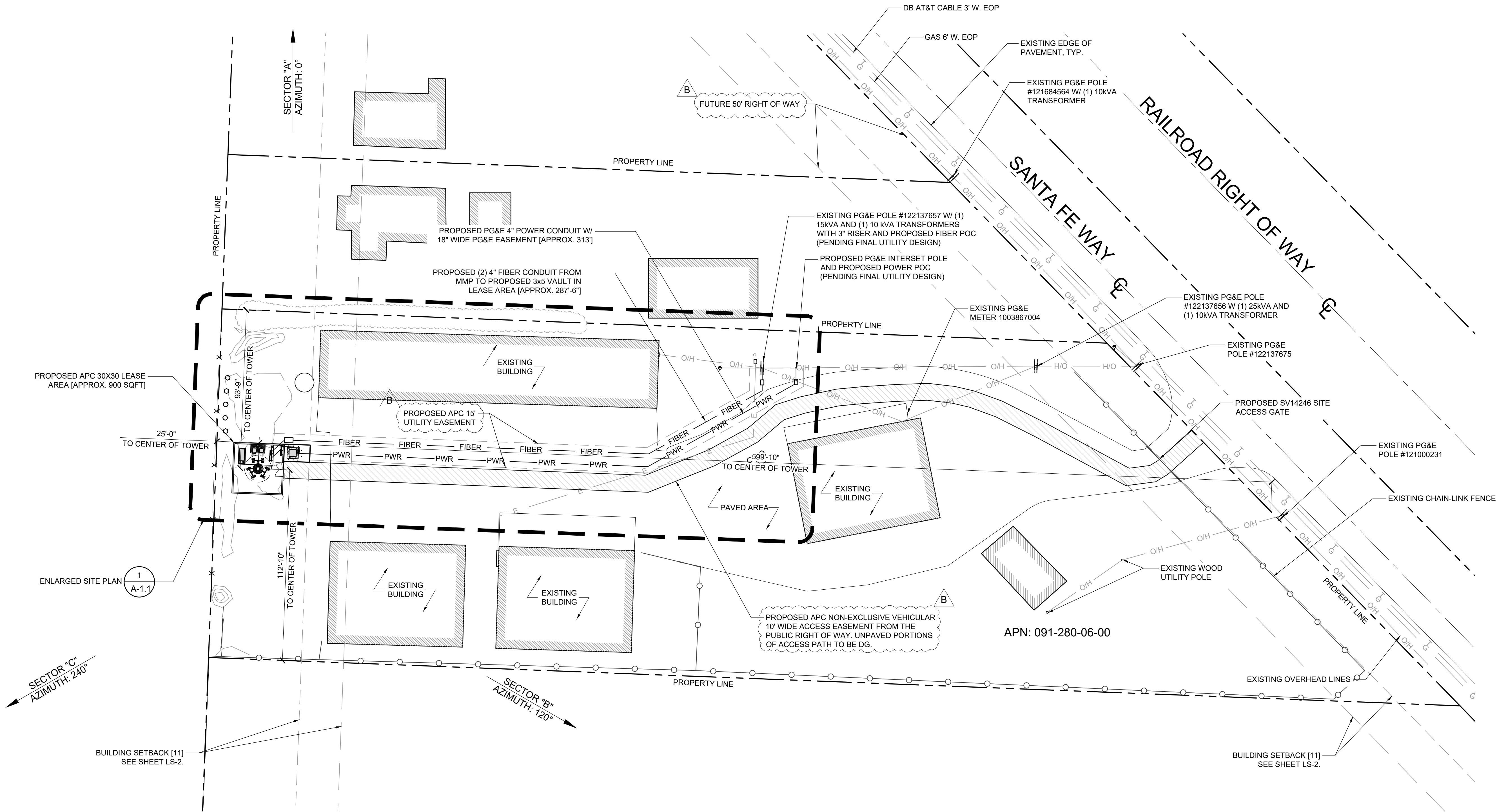
SHEET TITLE:

SURVEY DETAIL

SHEET NUMBER:

LS-2

- NOTES:
1. IF DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS.
 2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
 3. UTILITY DESIGNS AND ROUTES ARE PRELIMINARY PENDING FINAL DESIGN BY UTILITY PROVIDER.
 4. THIS SITE PLAN IS NOT INTENDED TO BE A LAND SURVEY.



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TO ALTER THIS DOCUMENT.

DRAWN BY:	UTILITIES CHECKED BY:	A&E CHECKED BY:
FE	GD	RB

ZONING DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	07/31/23	90% ZONING DRAWINGS
B	10/30/23	ZONING COMMENTS

PROJECT INFORMATION

CA-1217

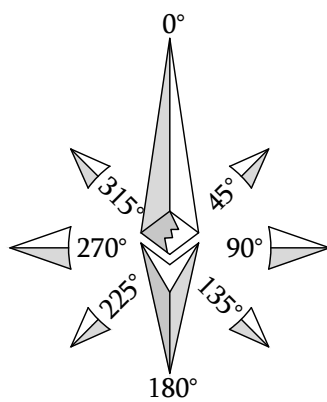
3751 SANTA FE WAY
SHAFTER, CA 93263

SHEET TITLE

SITE PLAN

SHEET NUMBER

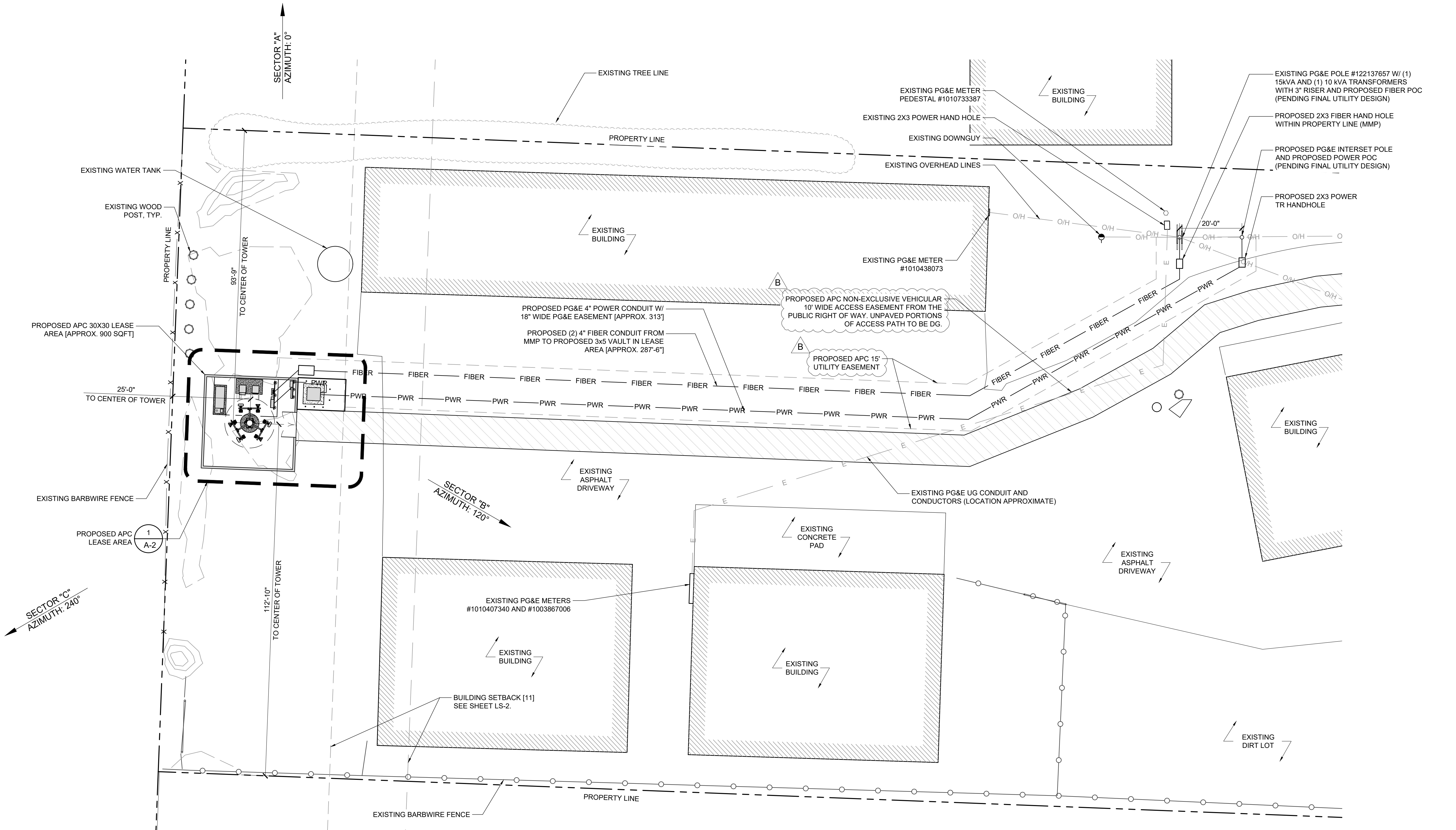
A-1



SCALE	32'	0	16'	32'	64'	128'
1/32"=1'-0"						

1

- NOTES:
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PROJECT INFORMATION

CA-1217

3751 SANTA FE WAY
SHAFTER, CA 93263

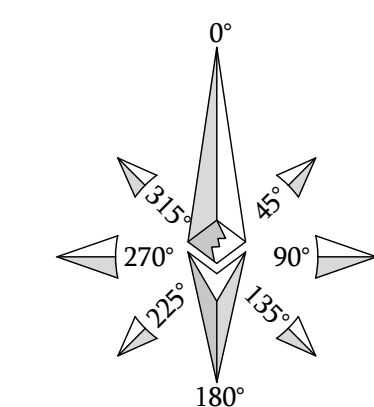
SHEET TITLE

SITE PLAN

SHEET NUMBER

A-1.1

1. IF DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS.
2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS



SCALE	2'	0	1'	2'	4'	8'
1/2"=1'-0"						

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FE	GD	RB

ZONING DRAWINGS

[illegible]

PROJECT INFORMATION

CA-1217

3751 SANTA FE WAY
SHAFTER, CA 93263

SHEET TITLE

EQUIPMENT PLAN

SHEET NUMBER

A-2

EUKON AT&T_90CD_MONOPINE TEMPLATE_V2_11-18-22

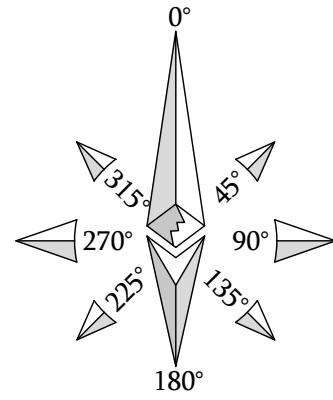
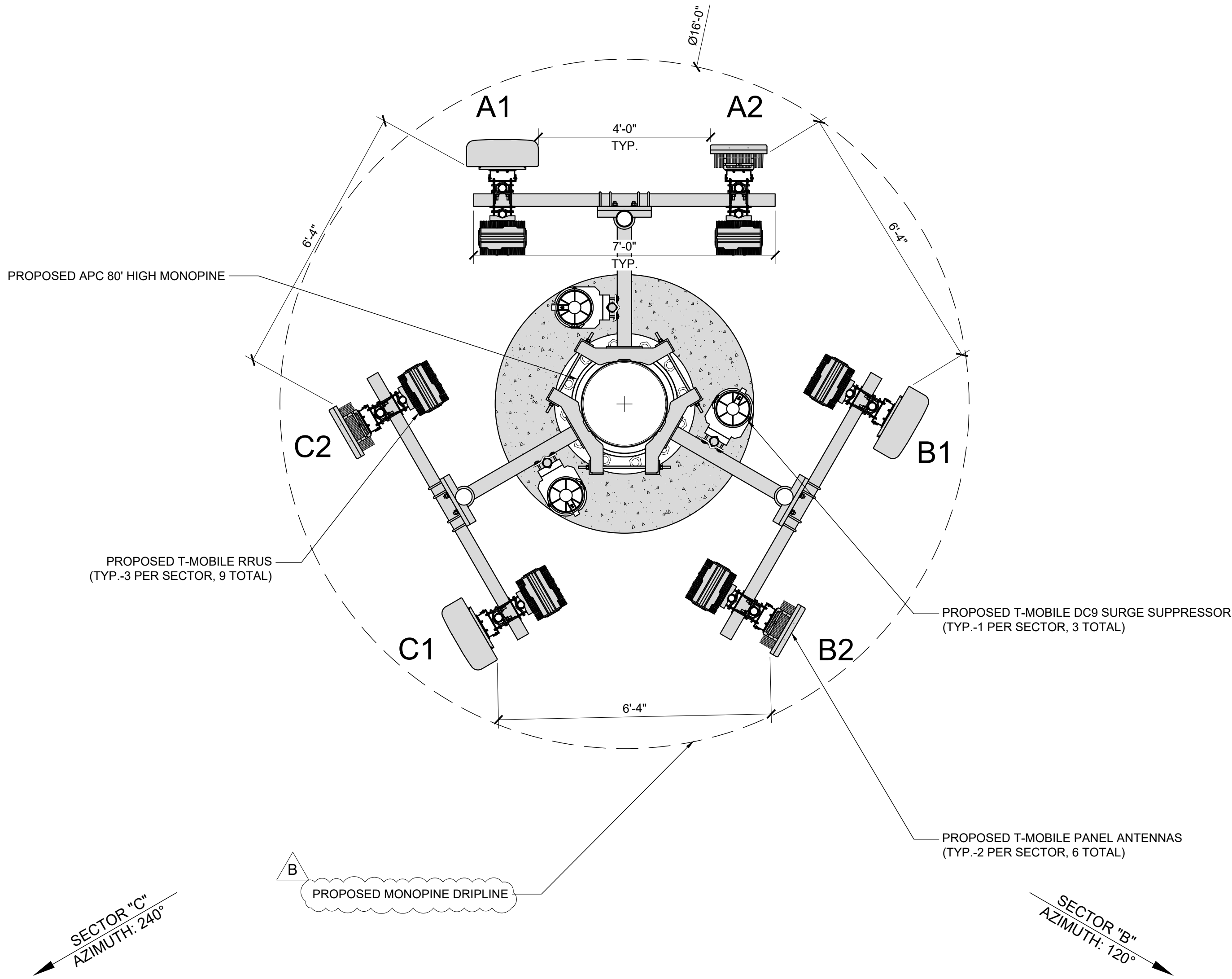
	ANTENNA SCHEDULE (VERIFY WITH CURRENT RFDS)						
	SECTOR	TECHNOLOGY	ANTENNA MODEL	ANTENNA SIZE	ANTENNA AZIMUTH	RAD CENTER	TRANSMISSION CABLE LENGTH
ALPHA SECTOR	A1	LTE	PANEL ANTENNA	8'-0"	0°	71'-0"	-
	A2	NR	AIR ANTENNA	2'-7"	0°	73'-9"	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
BETA SECTOR	B1	LTE	PANEL ANTENNA	8'-0"	120°	71'-0"	-
	B2	NR	AIR ANTENNA	2'-7"	120°	73'-9"	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
GAMMA SECTOR	C1	LTE	PANEL ANTENNA	8'-0"	240°	71'-0"	-
	C2	NR	AIR ANTENNA	2'-7"	240°	73'-9"	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-

- NOTES TO CONTRACTOR:
- CONTRACTOR IS TO REFER TO T-MOBILE'S MOST CURRENT RADIO FREQUENCY DATA SHEET (RFDS) PRIOR TO CONSTRUCTION.
 - CABLE LENGTHS WERE DETERMINED BASED ON A VISUAL INSPECTION DURING SITE WALK. CONTRACTOR TO VERIFY ACTUAL LENGTH DURING PRE-CONSTRUCTION WALK.
 - CONTRACTOR TO USE ROSENBERGER FIBER LINE HANGER COMPONENTS (OR ENGINEER APPROVED EQUAL).
 - CONTRACTOR TO USE CABLES SPECIFIED (OR ENGINEER APPROVED EQUAL).

- NOTE:
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 - CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
 - ANTENNA AND MW APCSPECIFICATIONS REFER TO ANTENNA SCHEDULE AND TO FINAL CONSTRUCTION RFDS FOR ALL RF DETAILS.

	REMOTE RADIO UNIT SCHEDULE					
	SECTOR	RRU TYPE	RRU LOCATION (DISTANCE FROM ANTENNA)	MINIMUM CLEARANCES		
ALPHA SECTOR	A1	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	A1	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	A2	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	A3					
	A4					
	A5					
	A5					
BETA SECTOR	B1	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	B1	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	B2	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	B3					
	B4					
	B4					
	B5					
GAMMA SECTOR	C1	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	C1	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	C2	(1) ERICSSON RRU (LTE)	±15'	16"	8"	0"
	C3					
	C4					
	C5					
	C5					

SYSTEM	SURGE SUPPRESSION SYSTEM SCHEDULE			
	MFR.	PART NUMBER	QTY	LOCATION
	RAYCAP	DC9-48-60-24-8C-EV	3	MOUNTED ON PROPOSED MONOPINE



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DRAWN BY:	UTILITIES CHECKED BY:	A&E CHECKED BY:
FE	GD	RB

ZONING DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	07/31/23	90% ZONING DRAWINGS
B	10/30/23	ZONING COMMENTS

PROJECT INFORMATION

CA-1217

3751 SANTA FE WAY
SHAFTER, CA 93263

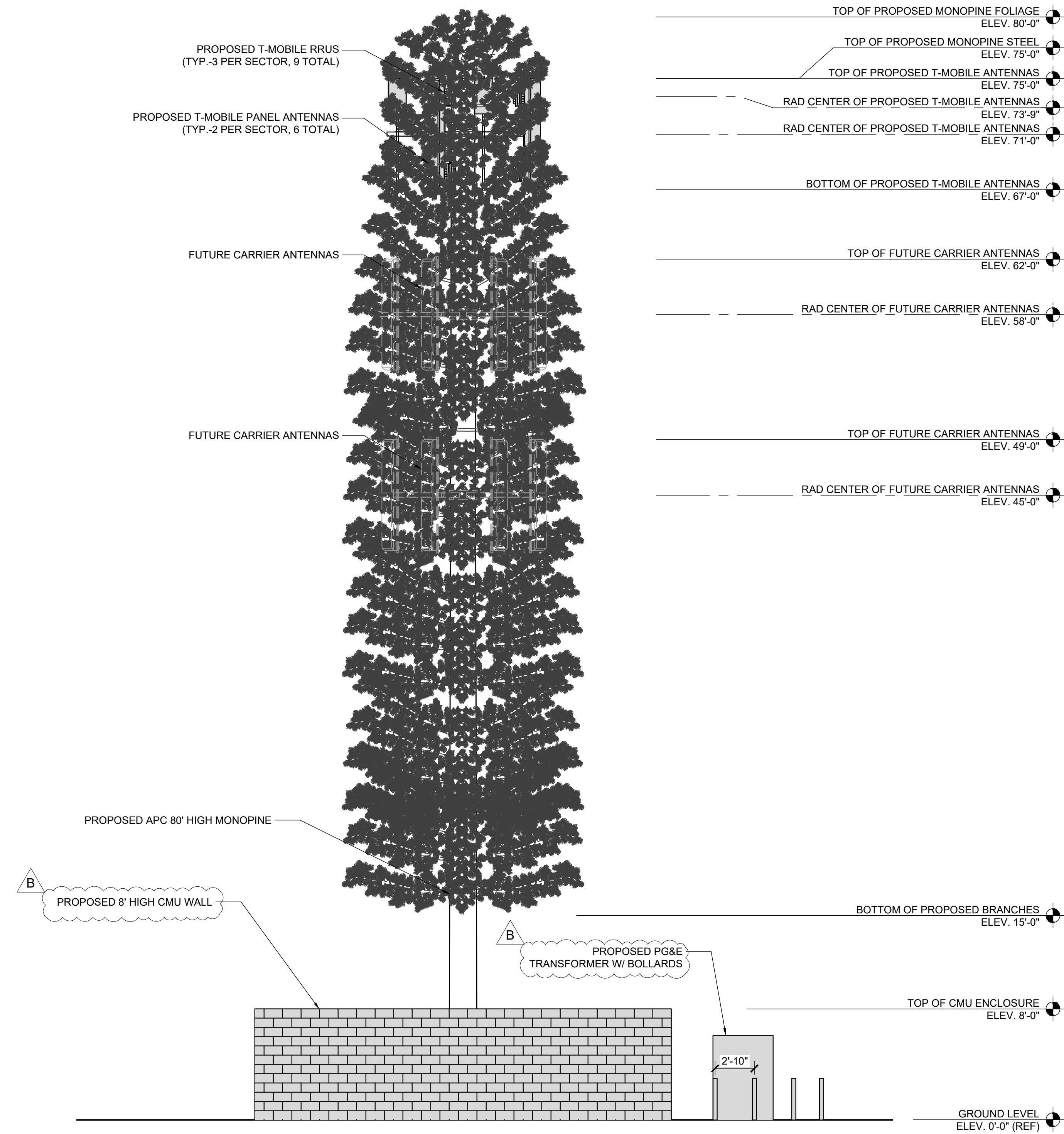
SHEET TITLE

ANTENNA PLAN AND
SCHEDULE

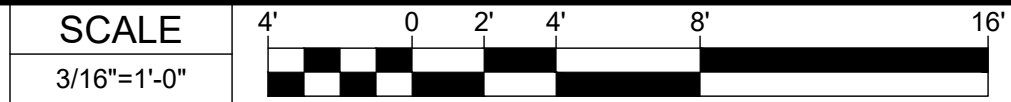
SHEET NUMBER

A-3

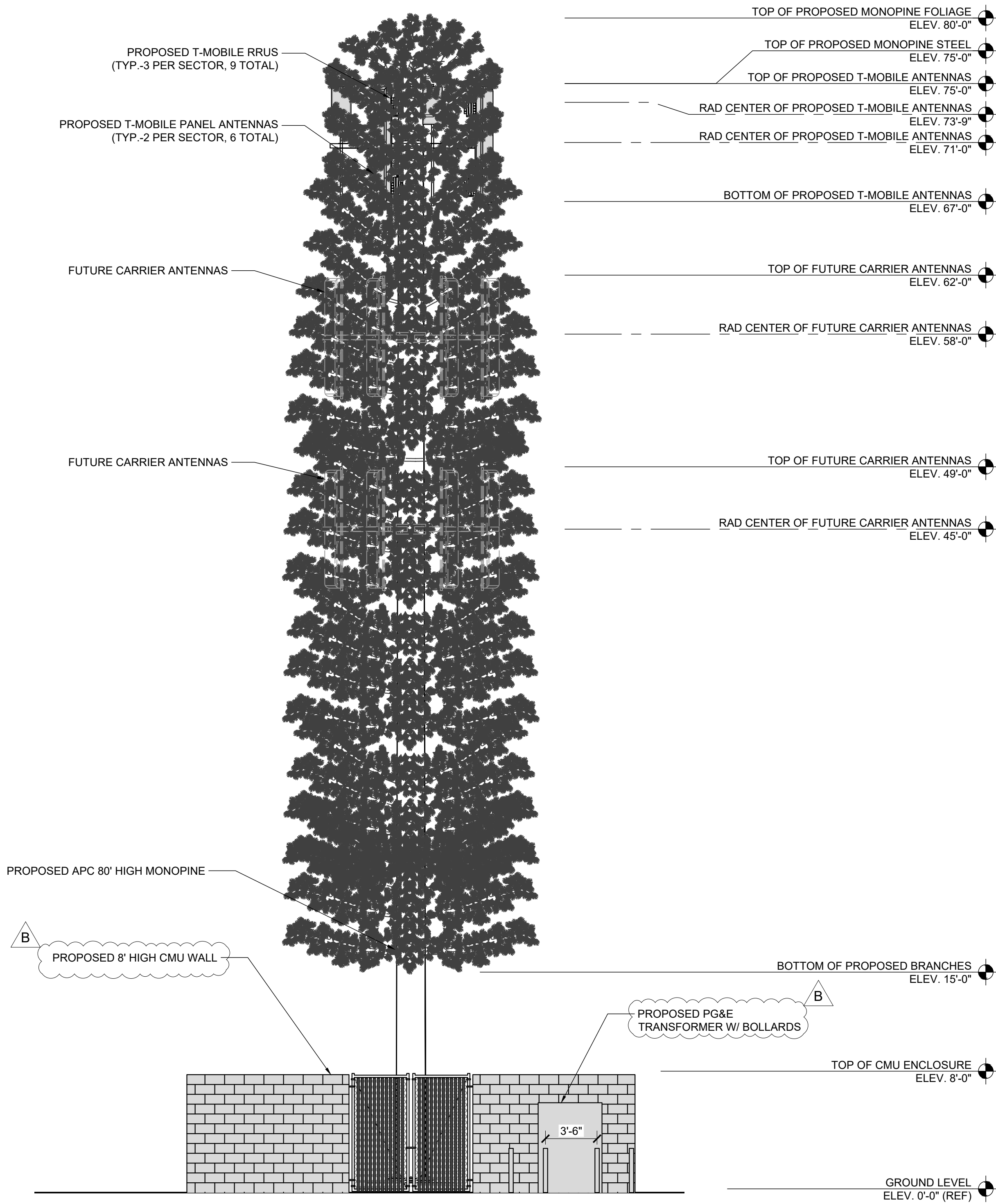
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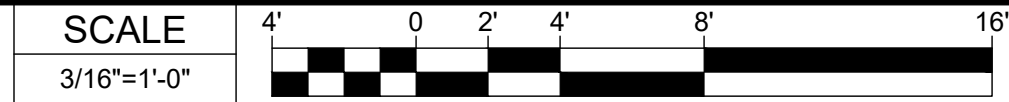
PROPOSED EAST ELEVATION



2



PROPOSED SOUTH ELEVATION



1



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ZONING DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
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B	10/30/23	ZONING COMMENTS

PROJECT INFORMATION

CA-1217

3751 SANTA FE WAY
SHAFTER, CA 93263

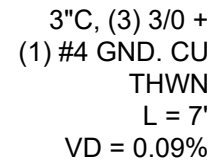
SHEET TITLE

ELEVATIONS

SHEET NUMBER

A-4

1. FOR WIRING FROM LOAD CENTER TO EQUIPMENT REFER TO DRAWINGS PROVIDED BY MANUFACTURER.
2. FOR COMPLETE INTERNAL WIRING AND ARRANGEMENT REFER TO DRAWINGS PROVIDED BY MANUFACTURER.
3. AIC RATING FOR NEW METER AND/OR PANEL BOARDS MUST MATCH OR EXCEED THE RATINGS AS DETERMINED BELOW:
 - AIC RATING AS REQUIRED BY THE SERVICE PROVIDER.
 - AIC RATINGS AS OF PROPOSED LOAD/METERS/SWITCH GEAR EQUIPMENT.



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FE	GD	RB

SCALE	2
NONE	

PANEL PPC																							
MOUNTING		SURFACE		DOUBLE LUG		NO		VOLTS		120 240		MAIN		200A/2P									
								PHASE		1		BUS		200A									
								WIRE		3		A.I.C.		65K SERIES W/ MAIN									
WIRE SIZE	LOCATION	A	B	L C N V	C O N V	K I T	R E C P	M I S C	B K R	C I R C	A/B	C I R C	B K R	M I S C	R E C P	K I T	C O N V	L C L	A	B	LOCATION	WIRE SIZE	
10	SURGE SUPPRESSOR	----					1	30/2	1	A	2	100/2	1						8640		6160 CABINET	1	
10	----		----				1	-	3	B	4	-	1							8640	----	1	
12	GFI RECEPTACLE	360				1		15/1	5	A	6	60/2	1						8400		6101 CABINET	6	
12	GFI RECEPTACLE		360			1		15/1	7	B	8	-	1							8400	----	6	
12	EXTERIOR LIGHT	500		1				20/1	9	A	10	20/1										SPARE	
12	GEN HEATER		480				1	20/1	11	B	12											SPACE	
12	GEN GFI RECEPT.	360				1		20/1	13	A	14											SPACE	
12	GEN BAT. CHARGER		560				1	20/1	15	B	16											SPACE	
	SPACE							-	17	A	18											SPACE	
	SPACE							-	19	B	20											SPACE	
	SPACE							-	21	A	22											SPACE	
	SPACE							-	23	B	24											SPACE	
A= 18260												B= 18440											
W/LCL A= 18385												W/LCL B= 18440											
TOTAL VA=		36700		W/LCL= 36825		W/LCL AMPS= 153		TOTAL LCL=		500		X .25 = 125											
HIGH PHASE VA=		18440		W/LCL= 18440		HIGH PH AMPS= 154		HIGH PHASE LCL=		0		X .25 = 0											
TOTAL KVA=		36.70		W/LCL= 36.83																			

SCALE	3
NONE	

SCALE	1
NONE	

[illegible]

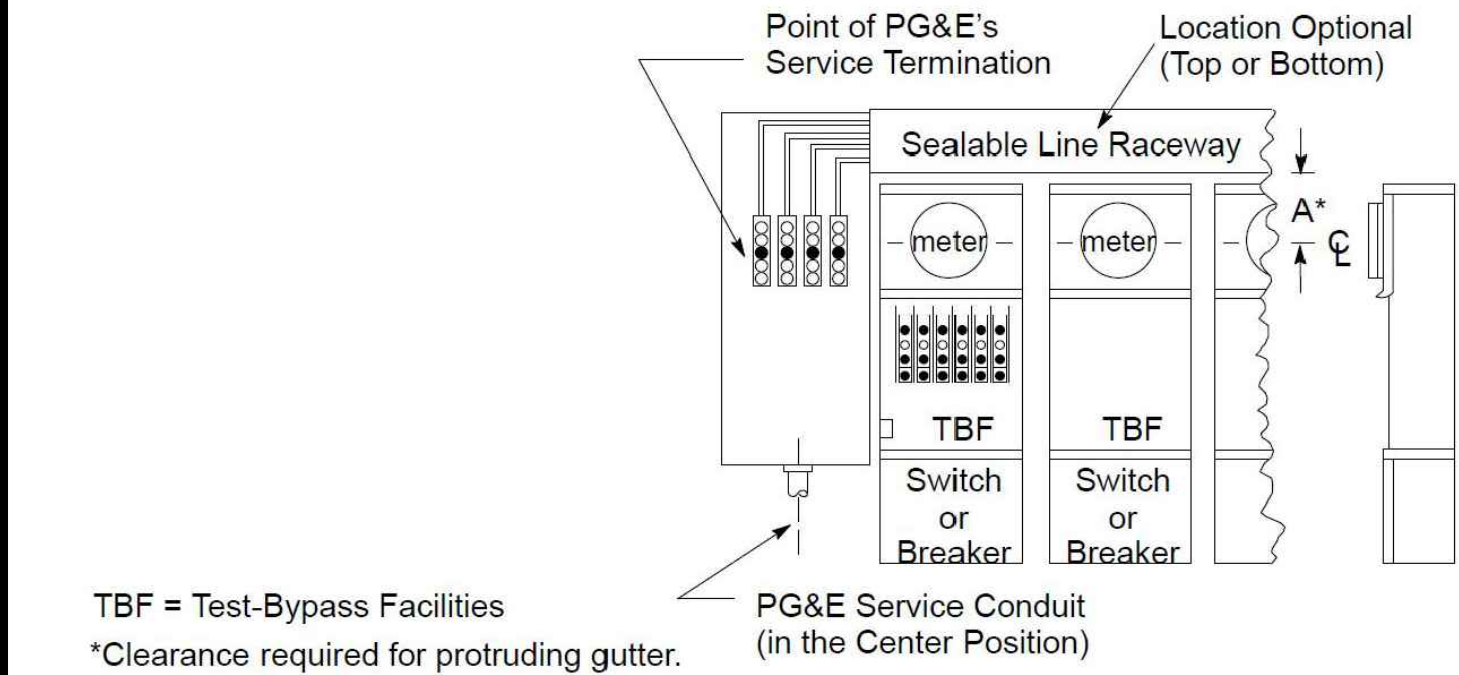
CA-1217

SHEET TITLE

SINGLE-LINE DIAGRAM/AC
PANEL SCHEDULE

E-1

- NOTES:
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PG&E METER SERVICE ELEVATION

SCALE
NONE

2



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DRAWN BY:	UTILITIES CHECKED BY:	A&E CHECKED BY:
FE	GD	RB

ZONING
DRAWINGS

SUBMITTALS		
REV	DATE	DESCRIPTION
A	07/31/23	90% ZONING DRAWINGS
B	10/30/23	ZONING COMMENTS

PROJECT INFORMATION

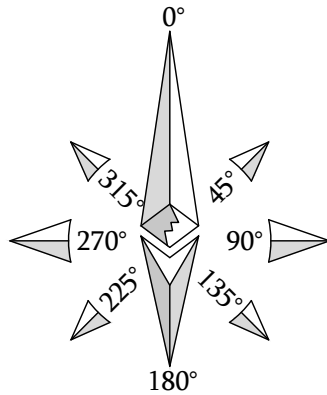
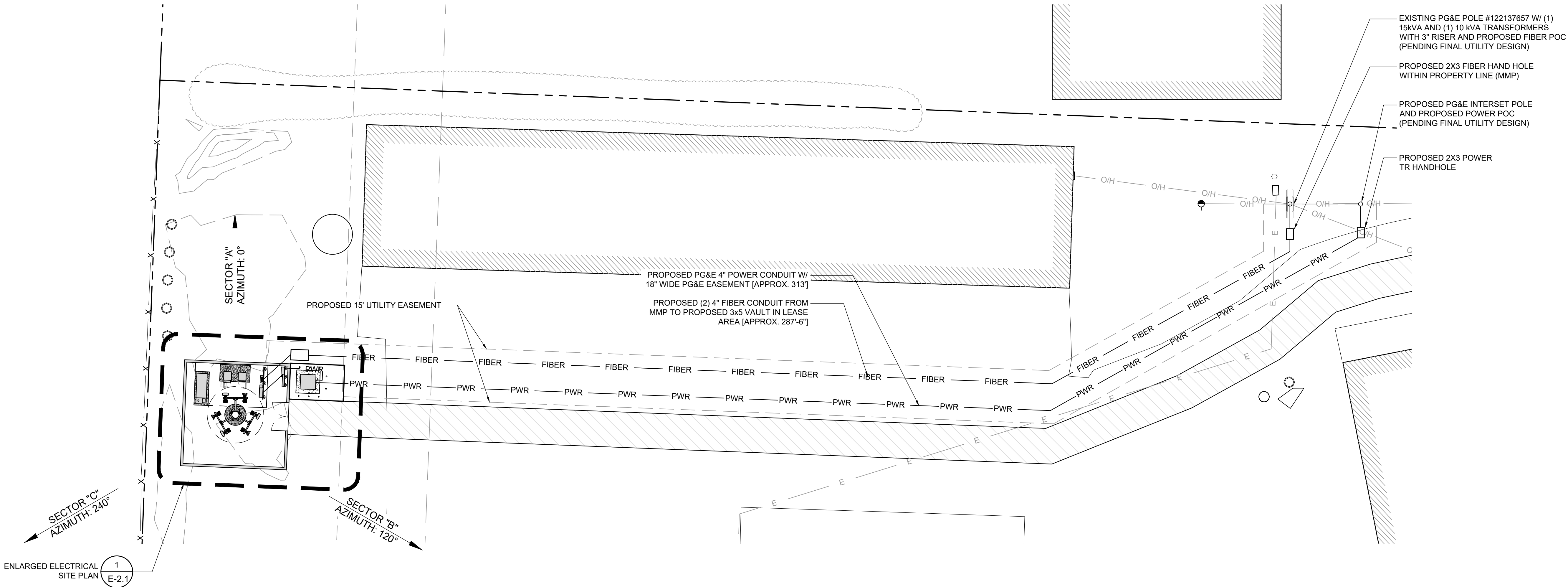
CA-1217

3751 SANTA FE WAY
SHAFTER, CA 93263

SHEET TITLE
ELECTRICAL
SITE PLAN

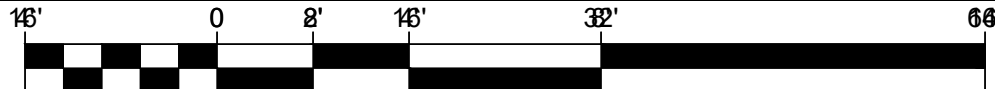
SHEET NUMBER

E-2



SCALE

1 1/16"=1'-0"



1

EXHIBIT B

CONDITIONAL USE PERMIT NO. 23-139 CONDITIONS OF APPROVAL

1. The owner(s) or project proponent(s) (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify, and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers, and employees regarding any legal or administrative action, claim, or proceeding concerning approval of Conditional Use Permit (“CUP”) No. 23-139 (hereinafter referred to as “CUP 23-139”) and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim, or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City’s reasonable approvals. Developer shall also reimburse the City, its agents, legislative bodies, officers, and employees for any judgments, amounts paid in settlements, court costs, and attorneys’ fees which the City, its agents, legislative bodies, officers, and employees may be required to pay or otherwise pay because of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer’s obligations under these conditions of approval (hereinafter referred to as “Conditions”).
2. Developer, or general contractor, shall submit a list of all contractors and/or subcontractors performing work on this project to the City’s Administrative Services Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City prior to the commencement of work.
3. Until all portions of the project have been completed, all vacant and undeveloped land within the boundaries of the project area shall be maintained in a weed-free, clean, and orderly manner by Developer. Should said property not be so maintained, City shall notify Developer that the property is to be cleaned within fourteen (14) days of receipt of said notice. If Developer does not comply within the required time frame, City may then clear the land and bill Developer for expenses incurred and Developer shall promptly pay the City for such expenses.
4. Developer shall comply with all provisions of the City’s Zoning Ordinance, Subdivision and Engineering Design Manual, the latest adopted California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code, and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits. Identification of specific sections of any of the City documents does not negate the Developer’s responsibility to conform to unmentioned sections of the City’s Zoning Ordinance, Subdivision and Engineering Design Manual, California Building Code, and all other applicable ordinances, resolutions, standards, and requirements of the City.

5. Approval of CUP 23-139 shall not vest until all Conditions are met. If within one year after the approval by the City, the development has not been initiated, the procedures and actions which have taken place up to that time shall be null and void and the development project shall be subject to the processing of new permits if it is the Developer's intent to proceed with construction unless Developer applies for and receives approval of an extension of time from the City Planning Commission. One extension of time, not to exceed one additional year, may be granted by the Planning Department not less than 30 days prior to the date of expiration. PLEASE NOTE: This will be the only notice given for the above specific expiration date. The Developer is responsible for initiating an extension request.
6. Construction of the development identified as CUP 23-139 shall be in substantial accordance with all City approved submittals to the City by Developer, including, but not limited to all Conditions of CUP 23-139 and Exhibit "A" (Site Plan) except as otherwise set forth in these conditions of approval.
7. The Developer shall supply verification to City staff of the proposed facility's compliance with all applicable requirements of the American National Standards Institute (ANSI) and Institute of Electrical and Electronics Engineers (IEEE).
8. The Developer shall supply verification of compliance with all applicable requirements of the Federal Aviation Administration (FAA).
9. If prescribed by the City or another approving agency, such as the FAA, safety lights shall be required.
10. The proposed facility shall be designed to co-locate with other carriers. If co-location is not possible, then Developer shall submit evidence prior to construction of the facility. Any changes to the facility to provide for co-location not considered in this CUP shall require the developer to apply to the City for a change of conditions.
11. Where an equipped building accompanies the support structure, it shall be designed, colored, and textured to match adjacent architecture or to blend in with surrounding development, as approved by the Planning Director or his designee.
12. All new utilities shall be underground service.
13. The Developer is responsible for maintaining the facility in an appropriate manner consistent with the original approval of this CUP. Should the use be replaced or discontinued for a period of six months, the approval will lapse, and the developer shall remove the facility from the project site and shall repair any damage to the premises or other land caused by such removal. Upon removal of the facility, the Developer shall restore the premises or other land affected by such removal to its original condition.
14. No new construction, or improvements to the property, shall be permitted without first obtaining the proper permits from Planning, Building, and Engineering Departments of the City.

15. The property and any proposed building(s), as well as any architectural features, shall be kept free of graffiti and shall be maintained in a clean and orderly manner.
16. The project shall comply with the lighting standards for non-residential development per Section 10.140 of the Shafter Zoning Ordinance.
17. Unless otherwise stated, all Conditions shall be completed prior to a final inspection and prior issuance of an occupancy permit.
18. CUP 23-139 shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the Developer and returned to the Planning Department.
19. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer.
20. Any contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
21. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
22. Easements to be given to the City or any other public utility agency for sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
23. Any above-ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the Developer and/or the affected utility company.
24. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the Developer.
25. No final inspection shall be approved until all required improvements have been completed by the Developer and accepted by the City.
26. Prior to the issuance of any Occupancy Permit, all public improvements (street, sewer, water) shall be constructed and approved by the City Engineer and ready for final acceptance.
27. Walls along property line between industrial and residential shall not create an eyesore for the residential owner.
28. Prior to review of any required improvement plans, a grading plan shall be submitted to and approved by the City Engineer.
29. ADA standards shall be adhered to.

30. Developer shall submit detailed drawings for all existing and proposed utility connections to the City Engineer for review and approval prior to issuance of a building permit. No permanent structures shall be constructed over proposed or existing utility easements.
31. During construction, the Developer shall maintain the project, including the adjacent streets in a dust free condition. This condition always applies including weekends, evenings, and nighttime hours. During construction operations, cleanup of soil from public roadways shall be required, if deemed necessary, by the City Engineer.
32. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
33. Prior to issuance of any Occupancy Permit, an address shall be permanently installed and clearly visible from the street in a manner approved by the Planning Director.
34. All conditions of the Kern County Fire Department shall be met prior to occupancy of the building. If no conditions are required, a letter so stating shall be submitted to the City Building Department.
35. Prior to the issuance of any Occupancy Permit, the Developer shall enter a reciprocal access and utilities easement agreement.
36. The Developer shall be responsible for maintaining the facility.
37. Prior to the issuance of a Certificate of Occupancy, a 50-foot-wide easement for streets and public utilities purposes shall be recorded by the Property Owner and dedicated to the City of Shafter on the eastern portion of the site along Santa Fe Way.

DATE: January 9, 2024
TO: Planning Commission
FROM: Planning Department
SUBJECT: Conditional Use Permit 23-137 (102 S. Beech Avenue)

RECOMMENDATION:

Planning Commission conduct a public hearing; and adopt Resolution No. 24-435, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 23-137 to allow for the removal of existing underground storage tanks and install four 12,000-gallon aboveground storage tanks and new fuel dispenser pumps at an existing fleet service station located at 102 S. Beech Avenue (APN 089-230-08) as shown in Exhibit "A".

APPLICANT

Jeffries Bros, Inc.
177 Aviation Street
Shafter, CA 93263

OWNER

JB Oil, Inc.
177 Aviation Street
Shafter, CA 93263

LOCATION: The location of the site is 102 S. Beech Avenue (APN 089-230-08). See **Exhibit 1**.

PROJECT DATA:

1. General Plan Designation: The current land use designation of the site is BP (Business Park). The properties to the north, east, south, and west are also BP.
2. Zoning: The site is zoned BP (Business Park). The properties to the north, east, south, and west are also zoned BP.
3. Acreage: 1.69 total acres

PROJECT ANALYSIS:

Jeffries Bros, Inc., JB Oil, Inc., is requesting a Conditional Use Permit (CUP) to remove existing underground storage tanks and install four 12,000-gallon aboveground storage tanks and new fuel dispenser pumps at an existing fleet service station located at 102 S. Beech Avenue (APN 089-230-08) as shown in **Exhibit 2**.

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that the development or expansion of a "service station" is an allowed use within the BP District with approval of a CUP and compliance with development standards.

CEQA:

This project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15332 (Class 32 – In-fill Development Projects) of the CEQA Guidelines because the project is consistent with the Shafter General Plan designation and occurs within City limits and on a site not greater than 5 acres, the site has no value as habitat, project approval would not result in any significant traffic, noise, air quality, or water quality effects, and the project can be served by all required utilities and public services.

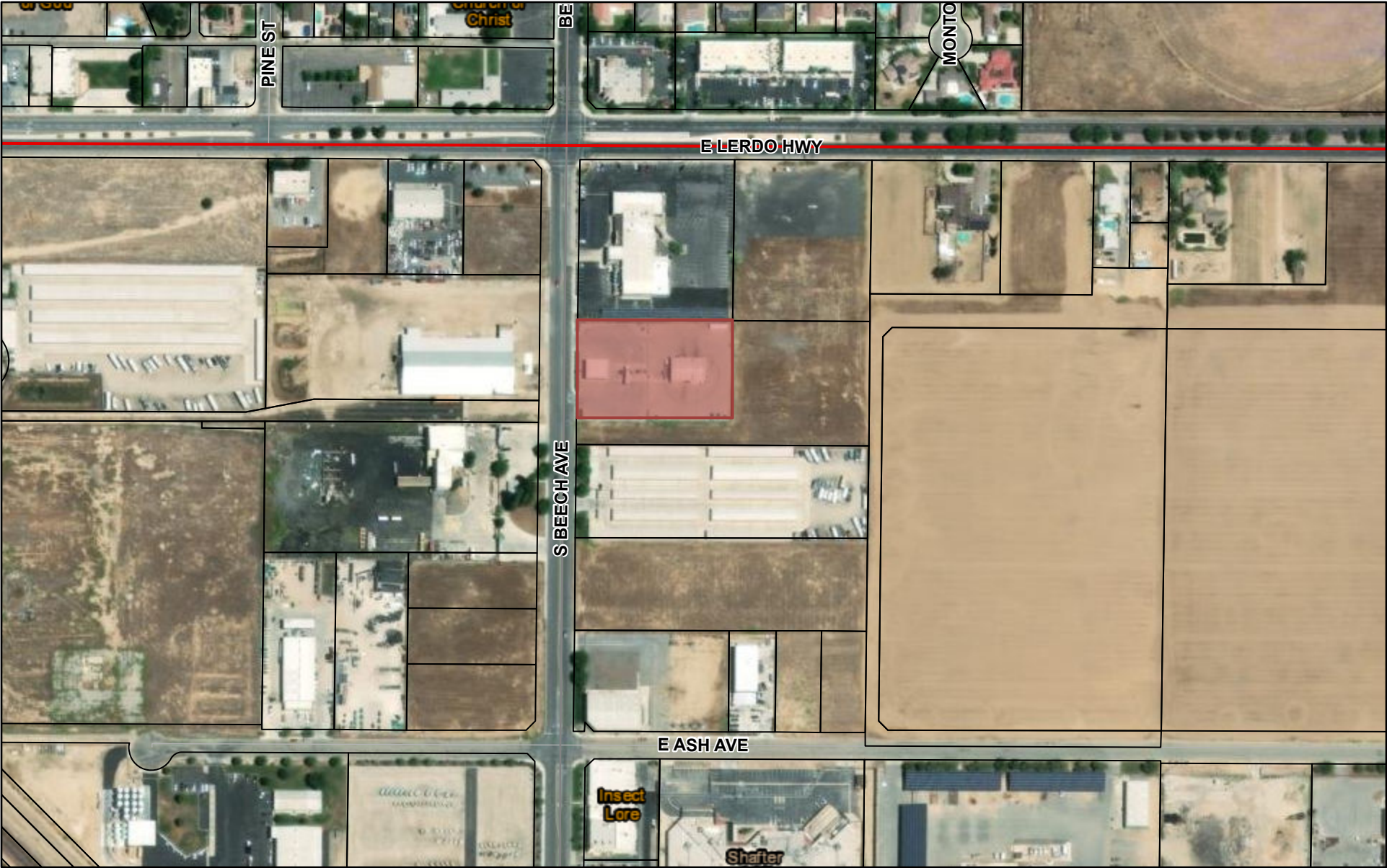
FINDINGS:

1. The Planning Commission finds that the proposed use is permitted within the BP District, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City.
2. The Planning Commission finds the proposed use would not impair the integrity and character of the BP District in which the conditional use permit is to be established.
3. The Planning Commission finds that the project is suitable for the type and intensity of the use proposed for the conditional use permit.
4. The Planning Commission finds that there is adequate provision for water, sanitation, public utilities, and services to ensure public health and safety.
5. The proposed conditional use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.
6. The Planning Commission finds that the proposed conditional use permit (CUP 23-137) is Categorically Exempt from CEQA and therefore, will not have a significant impact on the environment.
7. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

ATTACHMENTS

EXHIBIT

Vicinity Map	1
Preliminary Site Plan	2
Resolution No. 24-435	3



12/19/2023, 10:39:11 AM

 Site

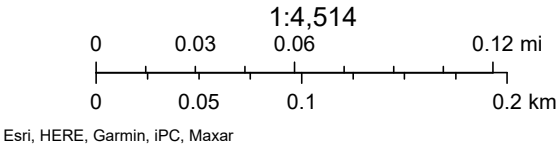
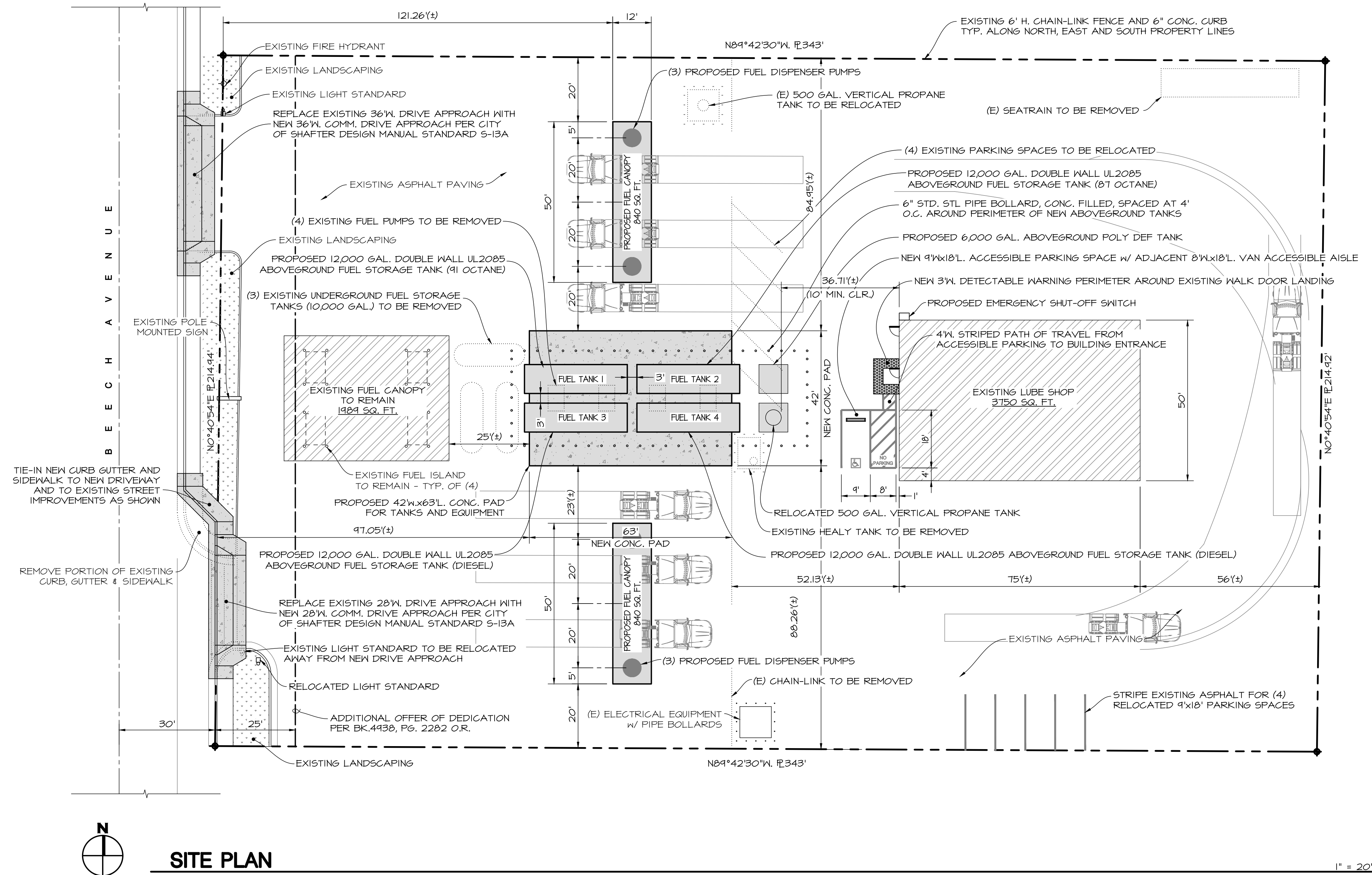


Exhibit 2



SITE PLAN

APN: 089230080
CITY OF SHAFTER ZONING: BUSINESS PARK (BP)

		ENGEL & COMPANY <i>Engineers</i> 4009 UNION AVENUE BAKERSFIELD, CA 93305 www.engelengineers.com (661) 327-7025	DRAWN YH/JG	Site Plan & Notes Proposed Fuel Tanks, Canopies and Equipment Shafter Cardlock 102 South Beech Ave. Shafter, CA Contractor: Cal Valley Equipment	SHEET NO.
			DATE 10/30/2023		
			CHECKED JG		
DATE	ISSUED FOR		APPROVED		A0.1 OF

RESOLUTION NO. 24-435

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 23-137 TO ALLOW FOR THE REMOVAL OF EXISTING UNDERGROUND STORAGE TANKS AND INSTALL FOUR 12,000-GALLON ABOVEGROUND STORAGE TANKS AND NEW FUEL DISPENSER PUMPS AT AN EXISTING FLEET SERVICE STATION LOCATED AT 102 S. BEECH AVENUE (APN 089-230-08) AS SHOWN IN EXHIBIT “A”.

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on January 9, 2024, studied and considered the proposed request for a Conditional Use Permit (CUP No. 23-137) to remove existing underground storage tanks and install four 12,000-gallon aboveground storage tanks and new fuel dispenser pumps at an existing fleet service station located at 102 S. Beech Avenue (APN 089-230-08) (“Project”) as shown in Exhibit “A”; and

WHEREAS, the Planning Commission has determined that the proposed Conditional Use Permit (CUP No. 23-137) is exempt from CEQA under Section 15332 of the CEQA Guidelines because the Project is consistent with the Shafter General Plan designation and occurs within City limits and on a site not greater than 5 acres, the site has no value as habitat, project approval would not result in any significant traffic, noise, air quality, or water quality effects, and the project can be served by all required utilities and public services; and

WHEREAS, a timely and properly noticed public hearing for CUP No. 23-137 was held by the Planning Commission of the City of Shafter at a regular meeting on January 9, 2024, at which hearing evidence, oral and documentary, was admitted on behalf of said Project; and

WHEREAS, the Planning Commission finds that the proposed use is permitted within the Business Park (BP) District, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City; and

WHEREAS, the Planning Commission finds the proposed use would not impair the integrity and character of the BP District in which the conditional use permit is to be established; and

WHEREAS, the Planning Commission finds that the project site is suitable for the type and intensity of use proposed under the conditional use permit; and

WHEREAS, the Planning Commission finds that there is adequate provision for water, sanitation, public utilities, and services to ensure public health and safety for the conditional use permit; and

WHEREAS, the conditional use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity of the project site; and

WHEREAS, the Planning Commission finds that the attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 9th day of January 2024, approves Conditional Use Permit No. 23-137 to remove existing underground storage tanks and install four 12,000-gallon aboveground storage tanks and new fuel dispenser pumps at an existing fleet service station located at 102 S. Beech Avenue (APN 089-230-08), as illustrated in Exhibit “A”, and as described in Planning Commission Resolution No. 24-435, with conditions of approval as provided in Exhibit “B”.

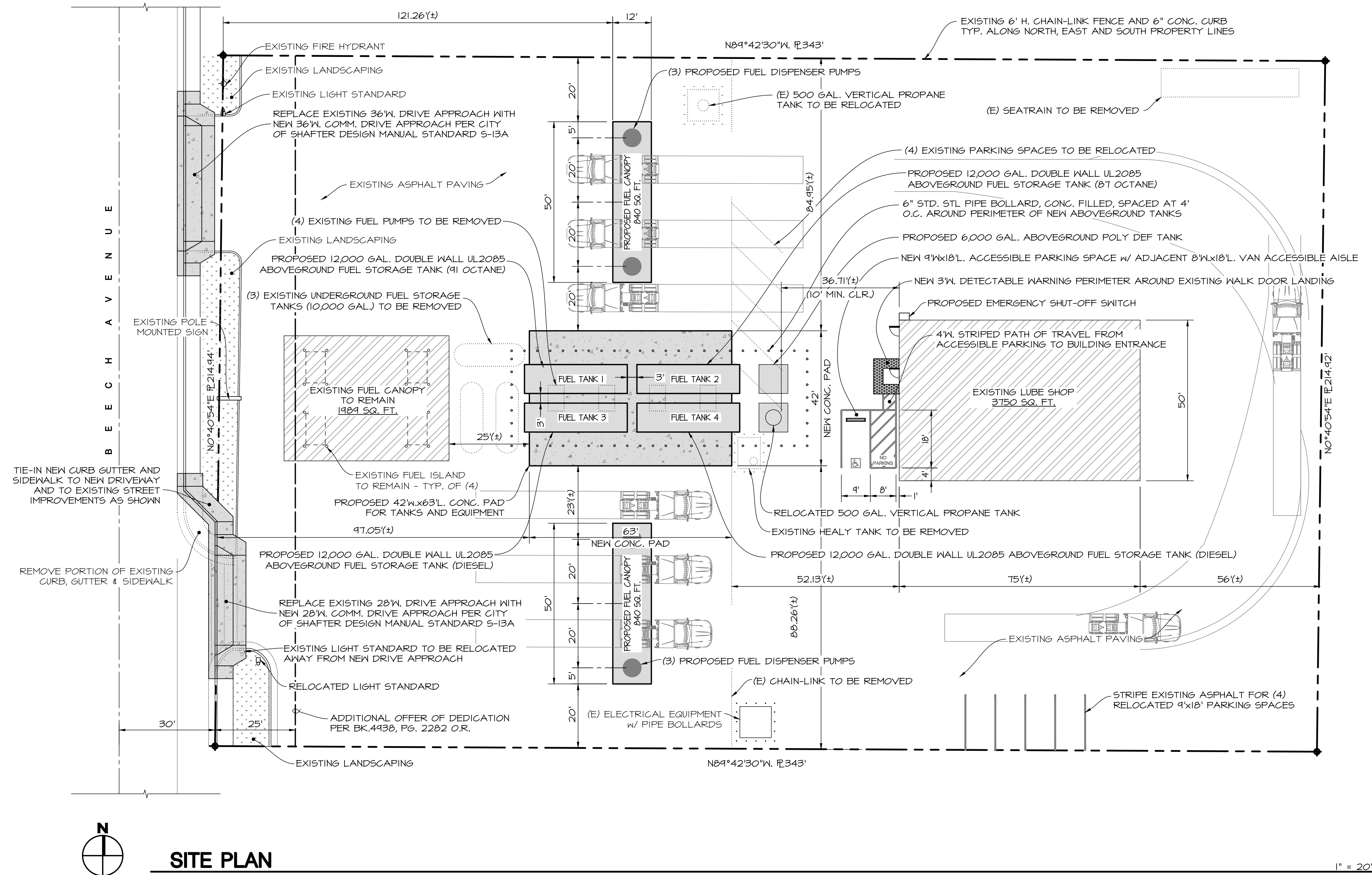
PASSED AND ADOPTED THIS 9th DAY OF JANUARY 2024.

John Sanchez, Chairman

ATTEST

Vanessa Uribe, Deputy City Clerk

Exhibit A



SITE PLAN

APN: 089230080
CITY OF SHAFTER ZONING: BUSINESS PARK (BP)

		ENGEL & COMPANY <i>Engineers</i> 4009 UNION AVENUE BAKERSFIELD, CA 93305 www.engelengineers.com (661) 327-7025	DRAWN VH/JG	Site Plan & Notes Proposed Fuel Tanks, Canopies and Equipment Shafter Cardlock 102 South Beech Ave. Shafter, CA Contractor: Cal Valley Equipment	SHEET NO.	
			DATE 10/30/2023			A0:1 OF
			CHECKED JG			
DATE	ISSUED FOR		APPROVED			

EXHIBIT B

CONDITIONAL USE PERMIT NO. 23-137 CONDITIONS OF APPROVAL

1. The owner(s) or project proponent(s) (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify, and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers, and employees regarding any legal or administrative action, claim, or proceeding concerning approval of Conditional Use Permit (“CUP”) No. 23-137 (hereinafter referred to as “CUP 23-137”) and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim, or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City’s reasonable approvals. Developer shall also reimburse the City, its agents, legislative bodies, officers, and employees for any judgments, amounts paid in settlements, court costs, and attorneys’ fees which the City, its agents, legislative bodies, officers, and employees may be required to pay or otherwise pay because of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer’s obligations under these conditions of approval (hereinafter referred to as “Conditions”).
2. Developer, or general contractor, shall submit a list of all contractors and/or subcontractors performing work on this project to the City’s Administrative Services Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City prior to the commencement of work.
3. Until all portions of the project have been completed, all vacant and undeveloped land within the boundaries of the project area shall be maintained in a weed-free, clean, and orderly manner by Developer. Should said property not be so maintained, City shall notify Developer that the property is to be cleaned within fourteen (14) days of receipt of said notice. If Developer does not comply within the required time frame, City may then clear the land and bill Developer for expenses incurred and Developer shall promptly pay the City for such expenses.
4. Developer shall comply with all provisions of the City’s Zoning Ordinance, Subdivision and Engineering Design Manual, the latest adopted California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code, and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits. Identification of specific sections of any of the City documents does not negate the Developer’s responsibility to conform to unmentioned sections of the City’s Zoning Ordinance, Subdivision and Engineering Design Manual, California Building Code, and all other applicable ordinances, resolutions, standards, and requirements of the City.

5. Approval of CUP 23-137 shall not vest until all Conditions are met. If within one year after the approval by the City, the development has not been initiated, the procedures and actions which have taken place up to that time shall be null and void and the development project shall be subject to the processing of new permits if it is the Developer's intent to proceed with construction unless Developer applies for and receives approval of an extension of time from the City Planning Commission. One extension of time, not to exceed one additional year, may be granted by the Planning Department not less than 30 days prior to the date of expiration. PLEASE NOTE: This will be the only notice given for the above specific expiration date. The Developer is responsible for initiating an extension request.
6. Construction of the development identified as CUP 23-137 shall be in substantial accordance with all City approved submittals to the City by Developer, including, but not limited to all Conditions of CUP 23-137 and Exhibit "A" (Site Plan) of Resolution No. 24-435, except as otherwise set forth in these conditions of approval.
7. The Developer is responsible for maintaining the facility in an appropriate manner consistent with the original approval of this CUP. Should the use be replaced or discontinued for a period of six months, the approval will lapse, and the developer shall remove the four 12,000-gallon aboveground storage tanks, new fuel dispenser pumps, and associated equipment and materials from the project site and shall repair any damage to the premises or other land caused by such removal. Upon removal of the facility, the Developer shall restore the premises or other land affected by such removal to its original condition.
8. No new construction, or improvements to the property, shall be permitted without first obtaining the proper permits from the Planning, Building, and Engineering Departments of the City.
9. All new utilities shall be underground service.
10. The property and any proposed building(s), as well as any architectural features, shall be kept free of graffiti and shall be maintained in a clean and orderly manner.
11. The project shall comply with the lighting standards for non-residential development per Section 10.140 of the Shafter Zoning Ordinance and shall provide adequate lighting for security and shall not unreasonably disturb surrounding properties.
12. Unless otherwise stated, all Conditions shall be completed prior to a final inspection and prior issuance of an occupancy permit.
13. CUP 23-137 shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the Developer and returned to the Planning Department.
14. The Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer.
15. Any contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.

16. The Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
17. Easements to be given to the City or any other public utility agency for sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
18. Any above-ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the Developer and/or the affected utility company.
19. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the Developer.
20. No final inspection shall be approved until all required improvements have been completed by the Developer and accepted by the City.
21. Prior to the issuance of any Occupancy Permit, all public improvements (street, sewer, water) shall be constructed and approved by the City Engineer and ready for final acceptance.
22. ADA standards shall be adhered to.
23. Developer shall submit detailed drawings for all existing and proposed utility connections to the City Engineer for review and approval prior to issuance of a building permit. No permanent structures shall be constructed over proposed or existing utility easements.
24. During construction, the Developer shall maintain the project, including the adjacent streets in a dust free condition. This condition always applies including weekends, evenings, and nighttime hours. During construction operations, cleanup of soil from public roadways shall be required, if deemed necessary, by the City Engineer.
25. All utilities proposed under paving shall be installed prior to paving. The cover over utilities shall be a depth as approved by the City Engineer.
26. The Developer shall provide or update a security plan and have it approved by the Shafter Police Department. Proof of compliance shall be submitted to the City Planning Department prior to issuance of Occupancy Permit.
27. All conditions of the Kern County Fire Department shall be met prior to issuance of Occupancy Permit. If no conditions are required, a letter stating so shall be submitted to the City Building Department.
28. The Developer shall comply with all applicable San Joaquin Valley Air Pollution Control District (SJVAPCD) regulations, including, but not necessarily limited to, Regulation VIII. Proof of compliance shall be submitted to the City Planning Department prior to issuance of Occupancy Permit.

29. The Developer shall comply with all applicable Kern County Environmental Health requirements, including, but not necessarily limited to, the possible need for secondary containment, development of a spill prevention control and countermeasures plan, development of a hazardous materials business plan, and registering with the California Environmental Reporting System (CERS) to obtain a hazardous materials business plan. Proof of compliance shall be submitted to the City Planning Department prior to issuance of Occupancy Permit.
30. The Developer shall log in to CERS to obtain a hazardous materials business plan permit. Once the account has been created or accessed, if already created, the Developer shall select “yes” to the following question: Does your facility have regulated substances stored onsite in quantities greater than the threshold quantities established by the California Accidental Release Prevention Program (CalARP). This question will be found under the section Regulated Substances. The Developer shall obtain the required hazardous materials business plan permit prior to operating the four 12,000-gallon aboveground storage tanks, new fuel dispenser pumps, and associated equipment and materials. Proof of compliance shall be submitted to the City Planning Department prior to issuance of Occupancy Permit.
31. The Developer shall remove a C-train container that is found on APN 089-230-08 prior to the issuance of any Occupancy Permit.
32. The Developer shall obtain a demolition permit from the City Building Department for the removal of the existing underground storage tanks.
33. The site plan as shown in Exhibit “A” of Resolution No. 24-435 is preliminary and used exclusively in the processing of CUP No. 23-137 as it includes basic information, such as building placement, access points, general landscaping, utilities connections, zoning considerations, etc. of sufficient detail to approve the CUP only. Submittal of a final site plan to the Planning, Building, and/or Engineering Department(s) shall be required that is comprehensive and sufficiently detailed to obtain necessary permits and approvals for construction.