



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

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, FEBRUARY 13, 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 Piuser

ROLL CALL: Chairman Sanchez
Vice Chairman Frantz
Commissioner Joshan
Commissioner Piuser
Commissioner Wiebe

APPROVAL OF AGENDA:

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: January 9, 2024.

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. **2023-2031 Housing Element Update:** Planning Commission conduct a public hearing; and adopt Resolution No. 24-434, a Resolution of the Planning Commission of the City of Shafter, recommending to the City Council that the City of Shafter (1) adopt the General Plan Amendment to repeal the 2015-2022 Shafter Housing Element and adopt the Housing Element of the Shafter General Plan for the period of 2023-2031, as provided in Exhibit "A", and (2) adopt the Mitigated Negative Declaration, as provided in Exhibit "B", in compliance with State Housing Element Law. (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., February 8, 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 February 13, 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, JANUARY 9, 2024**

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Chairman Sanchez

INVOCATION: Vice Chairman Frantz

ROLL CALL:

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

APPROVAL OF AGENDA:

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

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.

NAYS: NONE.

ABSENT: WIEBE.

ABSTENTIONS: NONE.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: November 14, 2023.

MOVED (FRANTZ) AND SECONDED (PIUSER) COMMISSIONERS APPROVED THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 14, 2023 AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.

NAYS: NONE.

ABSENT: WIEBE.

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. Conditional Use Permit 23-139 (Wireless Telecommunications Tower):** Senior Planner Cazares made introductory comments. A notice of public hearing was properly advertised.

Chairman Sanchez opened the public hearing.

Via Zoom: Jeremy Siegel, representing APC Towers, spoke in favor of the project and made himself available for questions.

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

MOVED (PIUSER) AND SECONDED (FRANTZ) COMMISSIONERS CONDUCTED A PUBLIC HEARING; ADOPTED 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. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.

NAYS: NONE.

ABSENT: WIEBE.

ABSTENTIONS: NONE.

- 2. Conditional Use Permit 23-137 (102 S. Beech Avenue):** 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 (FRANTZ) AND SECONDED (PIUSER) COMMISSIONERS CONDUCTED A PUBLIC HEARING; AND ADOPTED 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". MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.

NAYS: NONE.

ABSENT: WIEBE.

ABSTENTIONS: NONE.

COMMISSIONER REPORTS:

Planning Director Esselman reported an email was sent to the Commission inviting them to attend the Planning Commissioners Academy scheduled for March 6-8, 2024.

ADJOURNMENT:

*MOVED (FRANTZ) AND SECONDED (PIUSER) COMMISSIONERS ADJOURNED THE MEETING AT 6:21 P.M.
MOTION CARRIED WITH NO OPPOSITION WITH COMMISSIONER WIEBE ABSENT.*

John Sanchez, Chairman

ATTEST:

Vanessa Uribe, Deputy City Clerk

DATE: February 13, 2024
TO: Planning Commission
FROM: Planning Department
SUBJECT: 2023-2031 Housing Element Update

RECOMMENDATION:

Planning Commission conduct a public hearing; and adopt Resolution No. 24-434, a Resolution of the Planning Commission of the City of Shafter, recommending to the City Council that the City of Shafter (1) adopt the General Plan Amendment to repeal the 2015-2022 Shafter Housing Element and adopt the Housing Element of the Shafter General Plan for the period of 2023-2031, as provided in Exhibit "A", and (2) adopt the Mitigated Negative Declaration, as provided in Exhibit "B", in compliance with State Housing Element Law.

APPLICANT

City of Shafter
336 Pacific Avenue
Shafter, CA 93263

OWNER

City of Shafter
336 Pacific Avenue
Shafter, CA 93263

LOCATION: The project encompasses the entire City limits.

PROJECT ANALYSIS:

Staff has conducted research and has prepared an update to the Shafter Housing Element. California's Government Code section 65580 mandates each jurisdiction to prepare a Housing Element that is incorporated into its General Plan. This is to ensure adequate planning for projected housing demand throughout the state. Unlike other elements of the General Plan, the Housing Element must be updated by deadlines set forth by the California Department of Housing and Community Development (HCD). The process begins with the HCD advising a region of its Regional Housing Needs Allocation (RHNA), which is the estimated number of housing units that a jurisdiction must adequately plan to accommodate over the planning period of usually eight years. This allocation is further subdivided among five household income categories: extremely low, very low, low, moderate, and above moderate, with affordable housing income limits determined by the U.S. Department of Housing and Urban Development (HUD) and adjusted for family size.

The Kern County Council of Governments is responsible for the public process by which this regional allocation is apportioned to each jurisdiction within its boundaries. The policies outlined in the Housing Element Update (HEU) must not only demonstrate how the allocated number of units can be accommodated, but also address the removal of governmental barriers to housing production, ensure the jurisdiction's housing stock is maintained, and guarantee that housing is available to all economic classes of the community on an equitable basis. Sufficient capacity to accommodate the number of

PUBLIC HEARING

housing units identified in the RHNA must be demonstrated in the HEU.

The deadline set for the HCD certification for all jurisdictions within Kern County is December 31, 2023, but there is a 120-day grace period to receive the certification.

The organization of the HEU is divided into five chapters and three appendices as follows (see **Exhibit A of Exhibit 1**):

- Chapter 1 - Introduction
- Chapter 2 – Housing Needs Assessment
 - Population Characteristics
 - Household Characteristics
 - Employment
 - Housing Stock Characteristics
 - Special Needs
 - Assisted Housing at Risk of Conversion
 - Future Growth Needs
 - Affirmatively Furthering Fair Housing
- Chapter 3 – Resources and Opportunities
 - Land Resources
 - Financial and Administrative Resources
 - Energy Conservation Opportunities
- Chapter 4 – Constraints
 - Governmental Constraints
 - Non-Governmental Constraints
- Chapter 5 – Housing Action Plan
 - Goals and Policies
 - Housing Programs
- Appendix A – Evaluation of Prior Housing Element
- Appendix B – Residential Sites Inventory
- Appendix C – Public Participation

Public Participation

Community outreach began on October 10, 2022. The following is a list of significant dates and events during the public participation process:

- October 1, 2022: Invitations and outreach
- October 10, 2022: Survey open to the public
- November 28, 2022: 1st HEU public workshop
- December 2, 2022: Information tent at Christmas parade
- March 7, 2023: City Council study session
- April 3, 2023: 30-day draft review period begins

- April 17, 2023: 2nd HEU public workshop

HCD Review

One key distinction between the Housing Element and other components of the General Plan lies in the level of oversight imposed by the State. Recognizing the significance of maintaining an adequate housing supply throughout the state, the State legislature has granted authority to HCD to review housing elements and provide assessments on their compliance with State regulations. When HCD determines that a housing element complies with these regulations, it issues a certification, which holds significant importance in bolstering a city's eligibility for grant funds and supporting local land use authority. HCD conducts reviews of Housing Elements both prior to and after their final adoption by the City Council.

On May 16, 2023, the City submitted a draft Housing Element to the HCD. On August 14, 2023, HCD issued a letter (see **Exhibit 2**) outlining their findings. While acknowledging that the draft Housing Element addressed numerous statutory requirements, HCD identified the need for revisions to ensure compliance with the State law.

In response to HCD's comments, staff has prepared a revised draft HEU and publicly circulated the revised draft for the required seven days, from October 9, 2023, through October 17, 2023, before submitting the revised draft to HCD. **Exhibit 3** provides a summation of the changes made to the revised draft HEU in response to HCD's comments.

HCD had additional comments on the revised draft during face-to-face meetings between HCD and staff that occurred in November and early December 2023. Therefore, staff prepared a second revised draft HEU and publicly circulated this draft for an additional seven days, from December 7, 2023, through December 14, 2023.

On December 18, 2023, HCD issued a second letter (see **Exhibit 4**) outlining their revised findings. While acknowledging that the second revised draft HEU addressed most of the deficiencies outlined in the August 14, 2023 letter, HCD identified the need for additional revisions to ensure compliance with the State law.

HCD had additional comments on the second revised draft and therefore, staff prepared a third revised draft HEU (see **Exhibit A of Exhibit 1**) and publicly circulated this draft for an additional seven days, from January 8, 2024, through January 15, 2024.

State law mandates that the City Council consider HCD's comments, which have been considered in the first through third revised drafts of the HEU and make appropriate findings during the HEU adoption process. Because this action is a general plan amendment, a recommendation from the Planning Commission to the City Council is required.

CEQA:

It has been determined that adopting the Housing Element update would not result in the approval of any development projects, zoning amendments, or physical changes to the environment. Therefore, a Negative Declaration (see **Exhibit B of Exhibit 1**) was deemed appropriate for the project. However, amendments to the Zoning Ordinance will be required after the adoption of the HEU to implement the HEU programs. For these amendments, additional CEQA analysis will be prepared.

ATTACHMENTS

EXHIBIT

Resolution No. 24-434
HCD First Letter
Memorandum
HCD Second Letter

1
2
3
4

RESOLUTION NO. 24-434

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER
RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF SHAFTER
(1) ADOPT THE GENERAL PLAN AMENDMENT TO REPEAL THE 2015-2022
SHAFTER HOUSING ELEMENT AND ADOPT THE HOUSING ELEMENT OF THE
SHAFTER GENERAL PLAN FOR THE PERIOD OF 2023-2031, AS PROVIDED IN
EXHIBIT “A”, AND (2) ADOPT THE MITIGATED NEGATIVE DECLARATION, AS
PROVIDED IN EXHIBIT “B”, IN COMPLIANCE WITH STATE HOUSING ELEMENT
LAW.**

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Shafter’s regional housing need allocation (RHNA) of 3,294 housing units, comprised of 678 very-low income units, 431 low-income units, 604 moderate-income units, and 1,581 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City of Shafter has prepared the Housing Element 2023-2031 (the Housing Element) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the City’s RHNA; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, as provided in Government Code Sections 65352 – 65352.5 the City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, no California Native American tribe requested consultation; and

WHEREAS, the preparation, adoption, and implementation of the Housing Element requires a diligent effort to include all economic segments of the community; and

WHEREAS, the City conducted extensive community outreach over a timeframe of October 1, 2022 through April 17, 2023 including two public workshops; and

WHEREAS, in accordance with Government Code Section 65585(b), on April 3, 2023, the City posted the draft Housing Element and requested public comment for a 30-day review period, and on May 16, 2023, after responding to public comments, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on August 14, 2023, HCD issued a letter outlining their findings and, while acknowledging that the draft Housing Element addressed numerous statutory requirements, HCD identified the need for revisions to ensure compliance with the State law; and

WHEREAS, in response to HCD's letter, the City prepared a revised draft Housing Element and publicly circulated the revised draft for the required seven days, from October 9, 2023, through October 17, 2023, before submitting the revised draft to HCD; and

WHEREAS, HCD had additional comments on the revised draft during face-to-face meetings between HCD and the City that occurred in November and early December 2023 and therefore, the City prepared a second revised draft Housing Element and publicly circulated this draft for an additional seven days, from December 7, 2023, through December 14, 2023; and

WHEREAS, on December 18, 2023, HCD issued a second letter outlining their revised findings and, while acknowledging that the second revised draft Housing Element addressed most of the deficiencies outlined in the initial letter dated August 14, 2023, HCD identified the need for additional revisions to ensure compliance with the State law; and

WHEREAS, HCD had additional comments on the second revised draft and therefore, staff prepared the last revised draft Housing Element and publicly circulated this draft for an additional seven days, from January 8, 2024, through January 15, 2024.

WHEREAS, on January 2, 2024, HCD communicated via email stating that the last revised draft Housing Element is likely in substantial compliance with State Housing Element Law, and will likely comply with State Housing Element Law when it is adopted; and

WHEREAS, the proposed project has undergone a review process in accordance with the California Environmental Quality Act (CEQA), the City has prepared a draft Negative Declaration to assess potential environmental impacts; and

WHEREAS, the draft Negative Declaration did not identify any significant impacts; and

WHEREAS, the draft Negative Declaration was made available for public review from June 2, 2023, to July 2, 2023, and comments were received during the public review period, but did not necessitated changes to the draft Negative Declaration; and

WHEREAS, on February 13, 2024, the Planning Commission of the City of Shafter conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the proposed Housing Element and Negative Declaration, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular meeting on the 13th of February, 2024, found and resolved the following:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. The Housing Element is consistent with the goals, objectives, policies, and programs of the Shafter General Plan and will not result in any internal inconsistencies.
3. The Housing Element will not adversely affect public health, safety, or general welfare.

4. The Housing Element is consistent with the purposes and intent of Title 17 of the Shafter Municipal Code (the Zoning Ordinance).
5. The potential environmental impacts of the Housing Element are insignificant.
6. The Housing Element substantially complies with State Housing Element Law.
7. The Planning Commission recommends that the City Council empower staff to make minor modifications to the Housing Element, if needed, if HCD determines that further modification of the Housing Element is needed to obtain a formal substantial compliance determination with State Housing Element Law.
8. The Planning Commission recommends that the City Council repeal the 2015-2022 Housing Element and adopt the 2023-2031 Housing Element attached hereto as Exhibit “A”, incorporated by this reference.
9. The Planning Commission recommends that the City Council adopt the Negative Declaration attached hereto as Exhibit “B”, incorporated by this reference.

PASSED AND ADOPTED THIS 13th DAY OF FEBRUARY 2024.

John Sanchez, Chairman

ATTEST

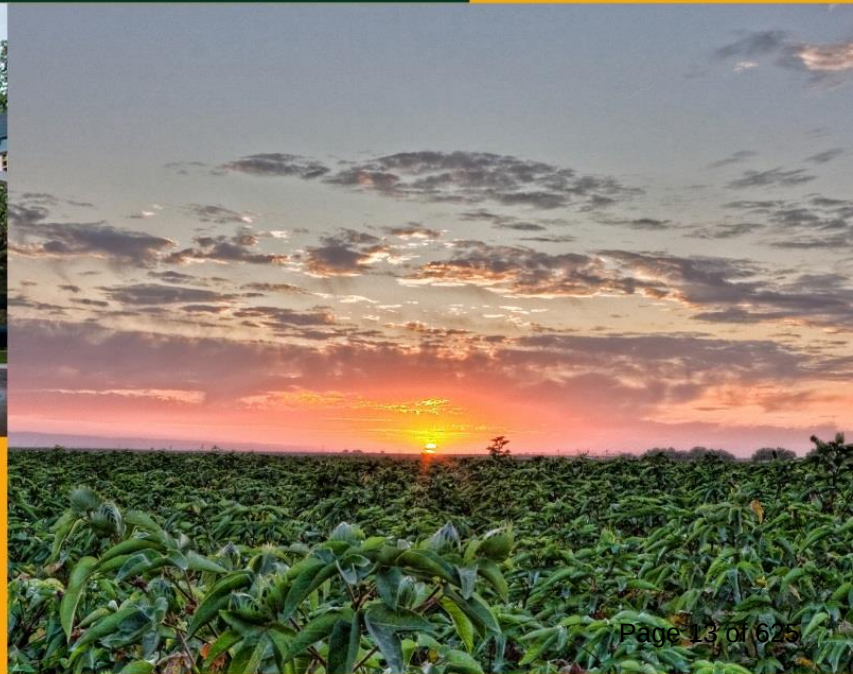
Vanessa Uribe, Deputy City Clerk



City of Shafter 6th Cycle Housing Element Update²⁰²³₂₀₃₁



REVISED DRAFT
January 2024



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I. INTRODUCTION

Community Context

The City of Shafter (City) is situated in the southern portion of the San Joaquin Valley, in the northwest portion of Kern County, and is approximately 38 square miles in size. To the north are the cities of Fresno (100 miles), Sacramento (270 miles), and San Francisco (265 miles). To the south are the cities of Bakersfield (12 miles), Los Angeles (130 miles), and San Diego (240 miles). Agricultural fields and open space, a typical characteristic of towns in the San Joaquin Valley, physically separate much of Shafter from nearby communities. Irrigated agriculture is found throughout the Valley on its highly fertile alluvial soils. Kern County is now experiencing population growth and urbanization around existing cities. This urbanization is creating different circumstances regarding housing than have been experienced in the past.

Shafter's regional location within the San Joaquin Valley is shown in Figure I-1. Shafter's City limits and Sphere of Influence are shown in Figure I-2.

Role of Housing Program¹

The Housing Program of the General Plan identifies and analyzes the City's existing and projected housing needs and includes an outline and work program of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for future growth of all segments of the community. The Housing Program facilitates the development of housing for the community based on predictions and forecasts for growth.

The City is faced with a series of important housing issues that include a balance between employment and housing opportunities, a match between the supply and demand for housing, preserving and enhancing affordability for all segments of the population, preserving the quality of the housing stock, providing new types of housing necessary to accommodate growth and the changing population, and situating future housing growth near existing and future public transit infrastructure. Shafter's Housing Program is an eight-year plan for the period 2023-2031. This Housing Program identifies strategies and programs to focus on: 1) conserving and improving existing affordable housing; 2) providing adequate housing sites; 3) assisting in the development of affordable housing; 4) removing governmental and other constraints to facilitate housing development; and 5) promoting equal housing opportunities.

The Shafter Housing Program consists of the following major components:

- The geographic location of the City and the role of the Housing Program in the City of Shafter (Chapter I).
- An analysis of the City's demographic and housing characteristics and trends (Chapter II).
- An evaluation of resources and opportunities available to address housing issues (Chapter III).
- A review of potential market, governmental, and environmental constraints to meeting the City's identified housing needs (Chapter IV).
- The Housing Action Plan for the 2023-2031 planning period (Chapter V).

¹The City of Shafter refers to each of the elements contained in the General Plan as programs. This term should be regarded as distinct from using the same term to describe programs to affect housing affordability.

- A review of the City's accomplishments during the previous planning period (Appendix A).
- A detailed inventory of the suitable sites for housing development (Appendix B).
- Record of the community engagement activities and public participation (Appendix C).

The City of Shafter is expected to:

- Identify and analyze current and projected housing needs of all economic segments of the community based on the regional housing needs analysis.
- Assess current and anticipated constraints to meeting regional housing needs due to both marketplace and governmental operations.
- Determine the availability of land suitable for residential land use and seek opportunities for energy conservation in residential developments.
- Set forth policies, programs, and objectives that create an eight-year schedule of actions to meet housing needs by way of removing governmental and non-governmental constraints on the production of housing, the administration of land use and development controls by offering concessions and incentives, and utilizing federal and state financing and subsidy programs.
- Assess and address emergency housing and homeless housing for the community.

California State Housing Law (California Government Code Article 10.6) establishes the requirements for a Housing Element (Housing Program or Program) of the General Plan. The California Legislature (Legislature) has determined that a primary housing goal for the State is ensuring every resident has a decent home and suitable living environment. Section 65580 of the Government Code describes the following goals in detail:

- (a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and suitable living environment for every Californian, including farmworkers, is a priority of the highest order.
- (b) The early attainment of this goal requires the cooperative participation of government and the private sector to expand housing opportunities and accommodate the housing needs of Californians of all economic levels.
- (c) The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of government.
- (d) Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.
- (e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set-forth in the General Plan and to cooperate with other local governments and the state in addressing regional housing needs.
- (f) Designating and maintaining a supply of land and adequate sites suitable, feasible, and available for the development of housing sufficient to meet the locality's housing need for all income levels is essential to achieving the state's housing goals and the purposes of this article.

Figure I-1
Regional Map – City of Shafter

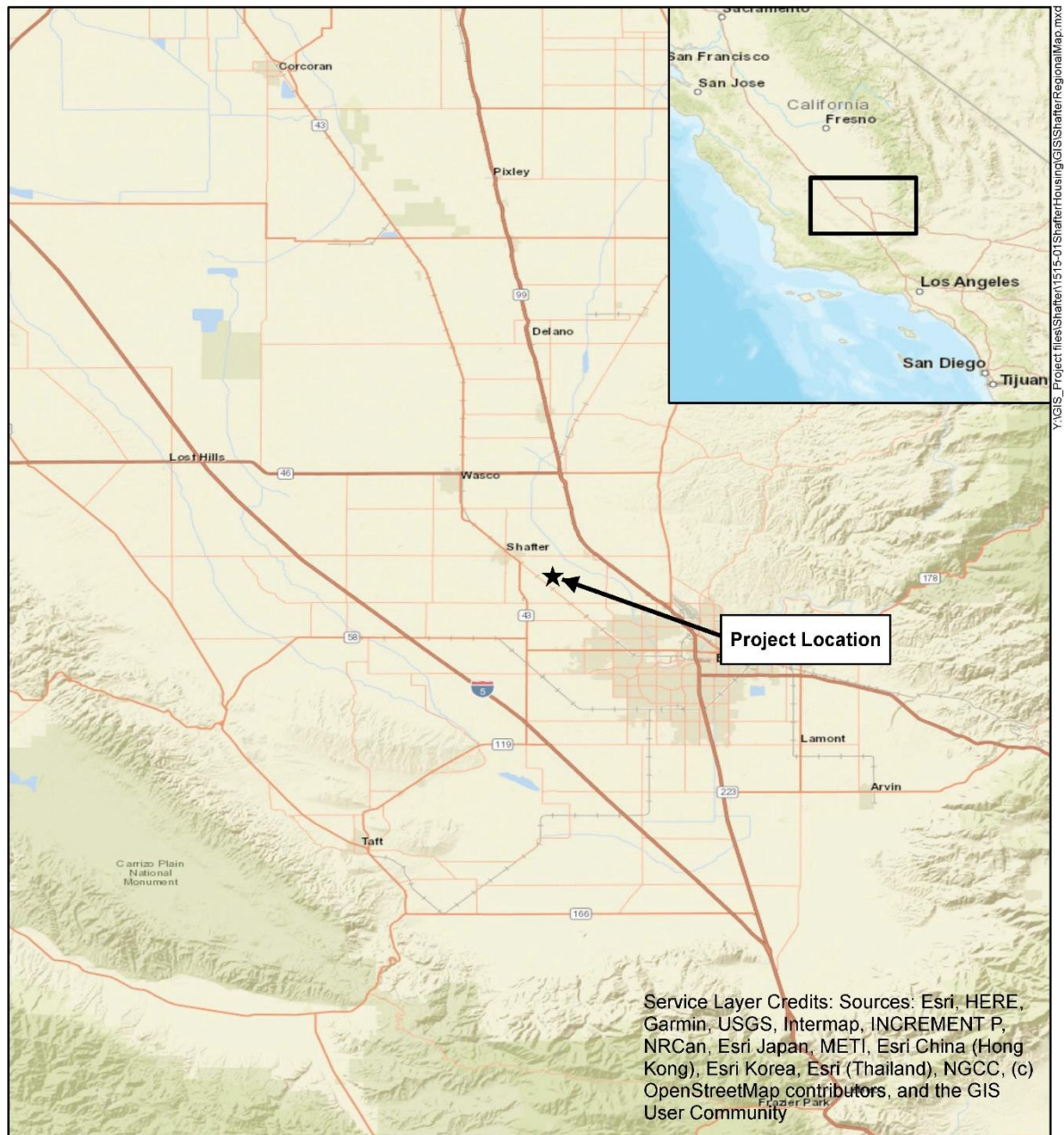


Figure I-1 - Regional Map

City of Shafter 2023-2031 HEU



Figure I-2
Vicinity Map – City of Shafter

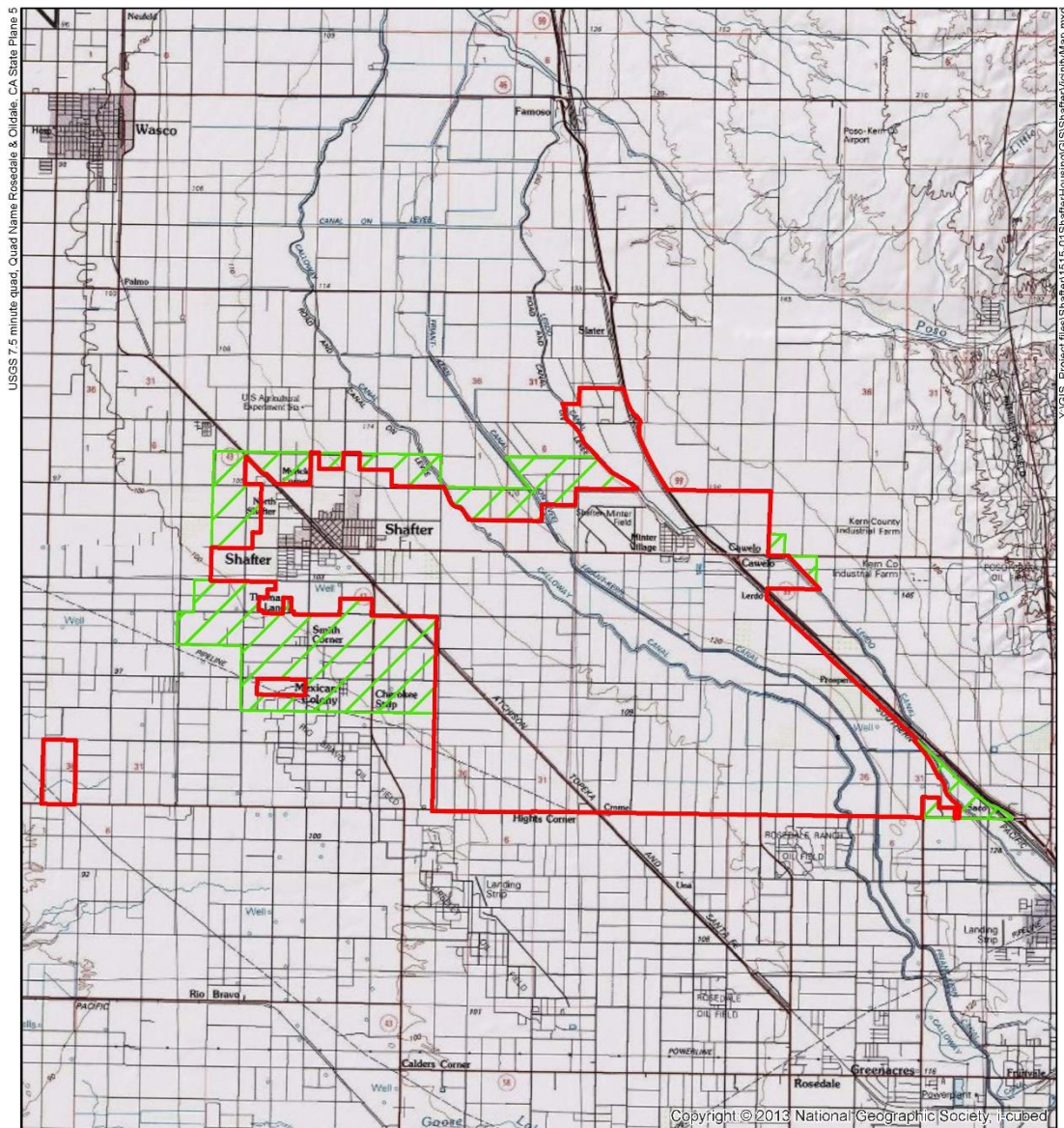


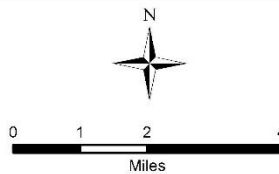
Figure I-2 - Vicinity Map

City of Shafter 2023-2031 HEU

Legend

- City Limits
- Sphere of Influence

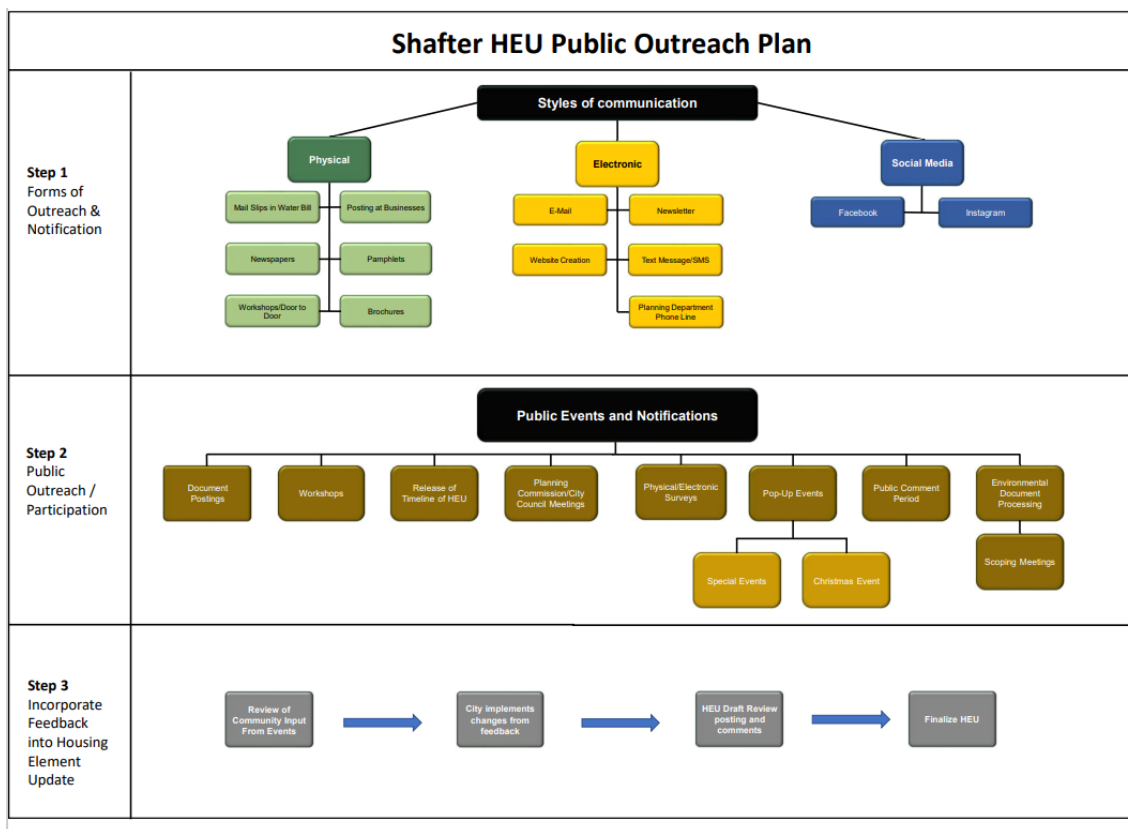
Map Date: 3/17/2023



Public Participation

Section 65583(c)(9) of the Government Code explains that the local government shall make a diligent effort to achieve public participation of all segments of the community in the development of the Housing Program, and the Program shall describe this effort. Meaningful community participation is also required in connection with the City's Assessment of Fair Housing (AFH). Residents, businesses, and interest groups were provided the opportunity to participate in the Housing Program Update process and were an important component of the overall program. Details regarding opportunities for public involvement during the preparation and adoption of this Housing Program are provided in Appendix C.

Table I-1
Public Outreach Plan



As part of the 6th Cycle Housing Program Update, a public outreach plan was developed to inform the community of the intent to Update the Housing Program (Table I-1). The Public Outreach Plan included various forms of outreach and notification efforts including physical notification such as mail slips in water bills, posting at businesses, pamphlets, brochures, newspapers articles, workshops, and door-to-door contact. The electronic notification utilizes various automated platforms such as email, newsletters, text messaging, the City's website, the City's Planning Department phone line; and the Social Media notification platforms such as Facebook and Instagram.

Several public outreach participation methods were used (i.e., public workshops, pop-up events, electronic and physical surveys, public comment periods, special events, and a Christmas event) to discuss the Shafter Housing Program Update and solicit input from the community. Copies of the draft Housing Program were disseminated for review throughout the community at locations including City Hall, Shafter Public Library, and the City's website.

Following the public workshops, the Planning Commission hearing, and City Council meeting, the draft Housing Program was submitted to the California Department of Housing and Community Development (HCD) for review. The Housing Program was revised to address comments received by HCD. The Housing Program was adopted at a public hearing held by the City Council. All public hearings were duly noticed, posted in the local newspaper, and meetings were streamed live on social media platforms to increase a broader outreach to the community. For further information regarding the public participation program as well as to view samples of the surveys, and tools used for engagement and obtaining feedback, please see Appendix C.

Relationship to Other General Plan Programs

California State law (Government Code 65302) states that “the General Plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals.” State law also requires that the General Plan include eight mandatory programs (elements) but allows flexibility in how each local jurisdiction structures these programs. The Shafter General Plan is organized into six “Programs”. These Programs include:

- 1) Land Use
- 2) Transportation
- 3) Public Services and Facilities
- 4) Housing
- 5) Environmental Management
- 6) Environmental Hazards

The Housing Program builds upon the other General Plan Programs and is consistent with the policies and proposals set forth by the General Plan. Examples of inter-program consistency include residential development capacities established in the Land Use Program that are incorporated within the Housing Program and the discussion of environmental constraints in the Housing Program that are based upon information from the Land Use and Environmental Management Programs.

As the General Plan is amended over time, the Housing Program will be reviewed for consistency, and amended as necessary to maintain an internally consistent Plan to comply with State law. In the near future, the City will begin a comprehensive update of the General Plan, which will include an updated discussion of Public Safety and a new Environmental Justice Element. These Elements seek to identify and reduce potential hazards, prioritizing the needs of disadvantaged communities to guide zoning and development regulations in the City.

II. HOUSING NEEDS ASSESSMENT

This chapter examines the City of Shafter's general population growth trends and household characteristics, such as age, employment, household composition and size, household income, and special needs. Characteristics of the existing housing stock (e.g., number of units and type, occupancy, age, condition, and costs) are also addressed. Source data for this chapter was collected from the U.S. Census, California Department of Finance (DOF), California Employment Development Department (EDD), and the Kern County Council of Governments (COG) GIS Database.

This chapter also discusses the City's projected housing need or Regional Housing Needs Allocation (RHNA). The RHNA is mandated by the State Housing Law (SHL) Program as part of the periodic process of updating local housing programs in the General Plan. The SHL Program was established to assure the availability of affordable housing and uniform statewide code enforcement to protect the health, safety, and general welfare of the public and occupants of housing and accessory buildings. To fulfill this obligation, SHL may propose legislation and regulations. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods. Communities use the RHNA in land use planning, prioritizing local resource allocation, and deciding how to address identified existing and future housing needs resulting from the population, employment, and household growth. The RHNA does not necessarily encourage or promote growth, but it ensures that communities, the region, and subregion can plan to accommodate population growth in ways that enhance the quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs. For purposes of this Housing Element, US 2020 Census data was used as it provides the most comprehensive and most recent set of data on communities, population trends, and growth projections.

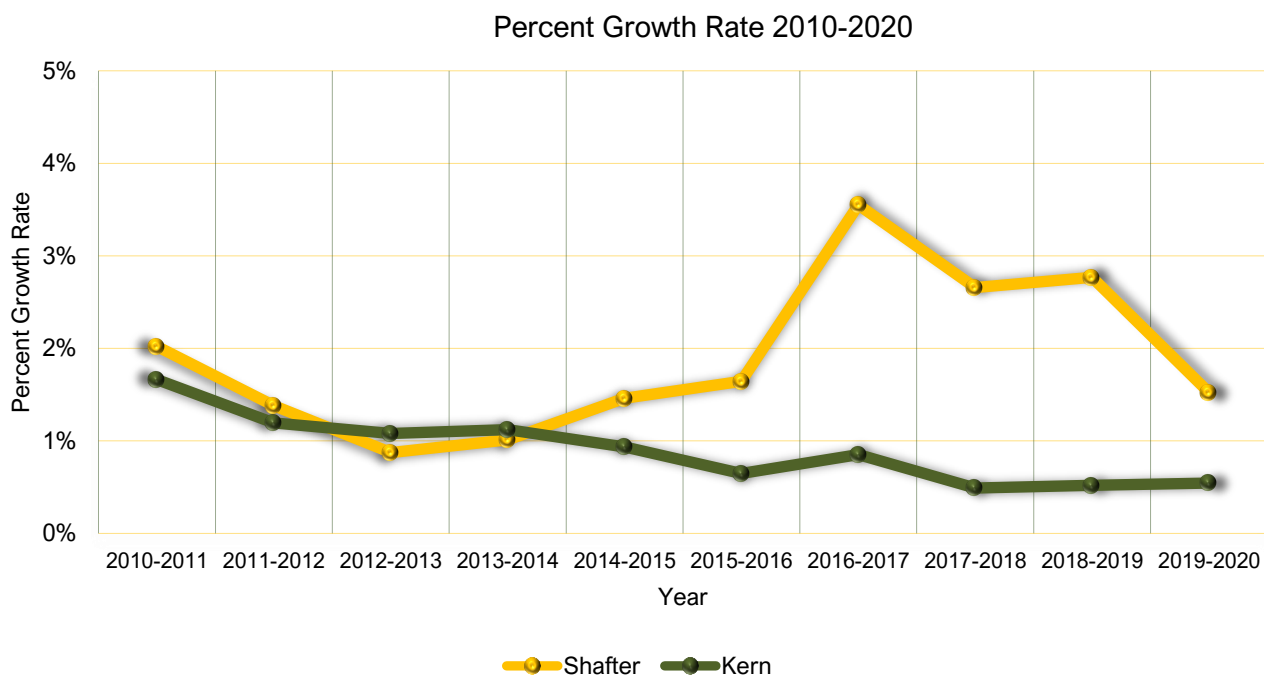
A. Population Characteristics

1. Population Growth Trends

According to the 2020 Census, the population of Shafter in 2020 was 19,743 persons while the population of Kern County was 909,235 persons during the same period². Between 2010 to 2020 the population of the City of Shafter has grown a total of 18% compared to Kern County's 9% overall population growth. Shafter's steady increase in population over the last decade results in the need for additional housing. The City of Shafter has been increasing in population at a faster rate than Kern County over the same 2010-2020 period with the greatest spike in growth of approximately 3.5% taking place between 2016-2017 in Shafter (Table II-1).

² <https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/state/california/county/kern-county>.

Table II-1
Population Trends 2010-2020 –Shafter and Kern County

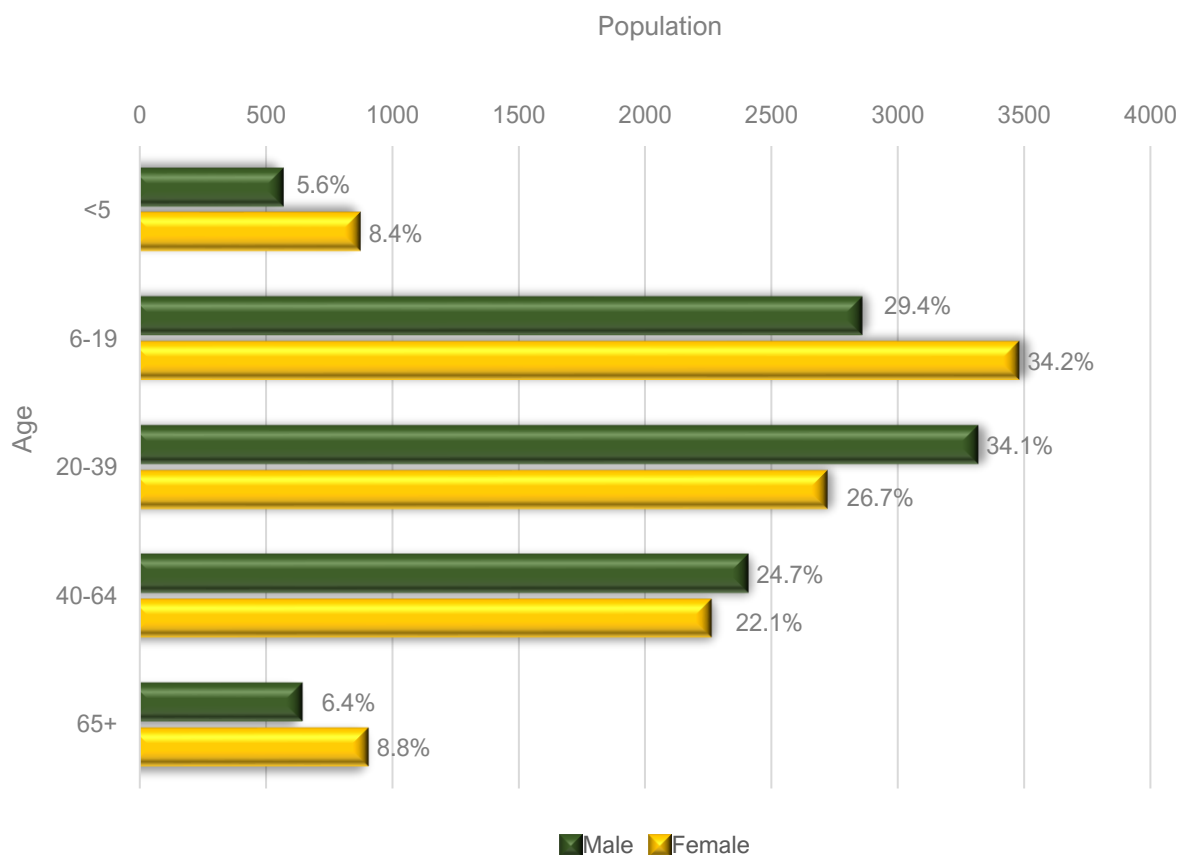


American Community Survey 2015-2020 5-year estimates

2. Demographics by Age and Gender

Housing needs are influenced by the age characteristics of the population. Understanding age distribution in the community is important because it affects the housing market. A declining number of young children can result in a change in the types of housing units sought after. Childless adults tend to have a higher joint income and prefer certain amenities and therefore, increase the demand for condominiums. An elderly population creates a demand for units with common recreation facilities and easy access to commercial, medical, and transportation facilities. Different age groups require different accommodations based on lifestyle, family type, income level, and housing preferences. Table II-2 provides a comparison of the City of Shafter's population by age group and gender. According to the 2020 Census, the total population of Shafter is 19,743 people, with 48.9% male and 51.1% female. The population of male residents under the age of five in Shafter is 5.6% while the female population under five is 8.4%. The population percentage between the ages of six and 19 years is 29.4% males and 34.2% females, respectively, followed by the 20 to 39 age categories consisting of 34.1% males and 26.7% females. The male and female population percentages between the ages 40 and 64 years are 24.7% males and 22.1% females, respectively, and the senior citizen population (65 years-and-above) makes up 6.4% males and 8.8% females, respectively.

Table II-2
Population by Age and Gender – Shafter



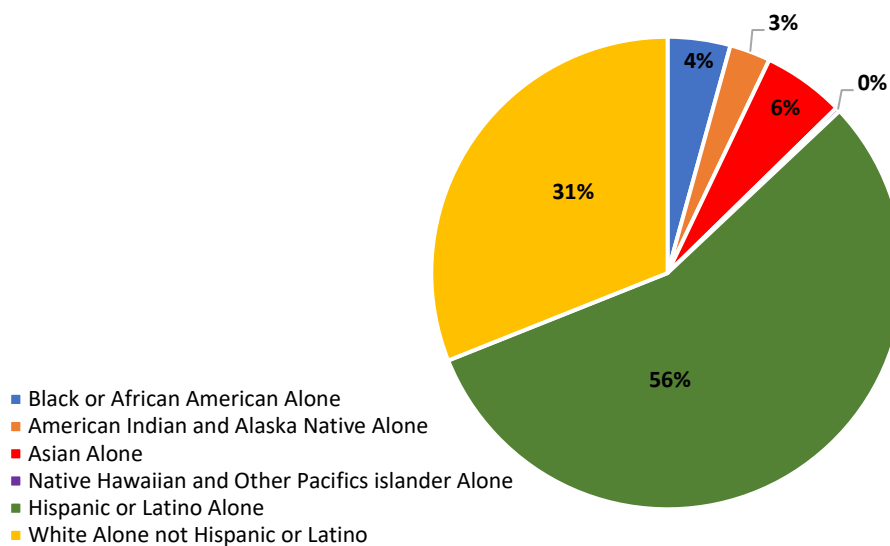
American Community Survey 2015-2020 5-year estimates

3. Demographics by Race

According to 2020 Census data, the largest minority population represented in Kern County and the City of Shafter is Hispanic or Latino, which make up 56.1% of the population in Kern County and 84.2% in the City of Shafter. The second greatest population is the White Alone-Not Hispanic/Latino population which represents 31% of the population in Kern County compared to 13% in the City of Shafter (Table II-3) (Table II-4). The 2020 US Census data defines Hispanic or Latin populations as persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race and defines the White Alone populations as persons having origins in any of the original peoples of Europe, the Middle East, or North Africa, such as persons of Irish, German, Italian, Lebanese, Arab, Moroccan, or Caucasian descent.

Table II-3
Demographics by Race – Kern County

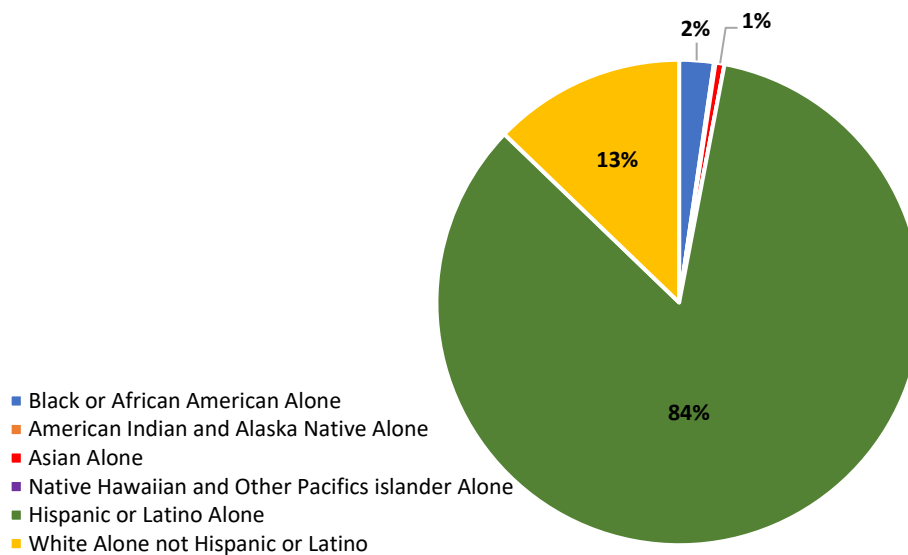
Kern County Ethnicity Percentages



American Community Survey 2015-2020 5-year estimates

Table II-4
Demographics by Race –Shafter

City of Shafter Ethnicity Percentages



American Community Survey 2015-2020 5-year estimates

Figures II-1 and Figure II-2 below, provide a visual comparison of non-white population distribution throughout Kern County and the City of Shafter, non-white refers to a person whose origin is not predominantly European.

Figure II-1
Racial Demographics (2016-2020) Percent Non-White-Kern County

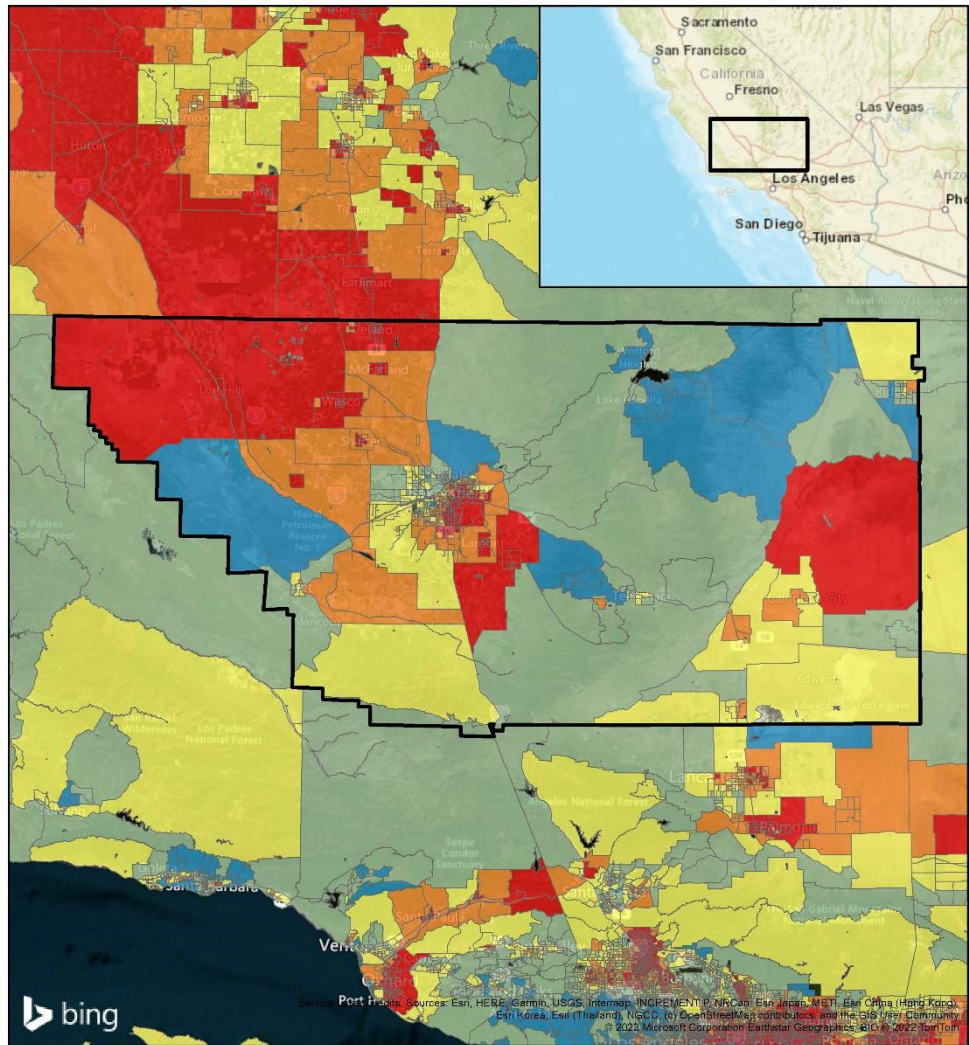
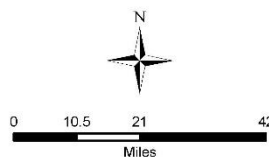
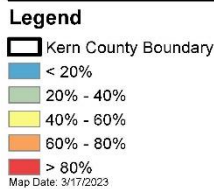


Figure II-1 - Racial Demographics (ACS 2016-2020) -
Percent Non-White (Kern County)



City of Shafter 2023-2031 HEU

Figure II-2
Racial Demographics (2016-2020) Percent Non-White-Shafter

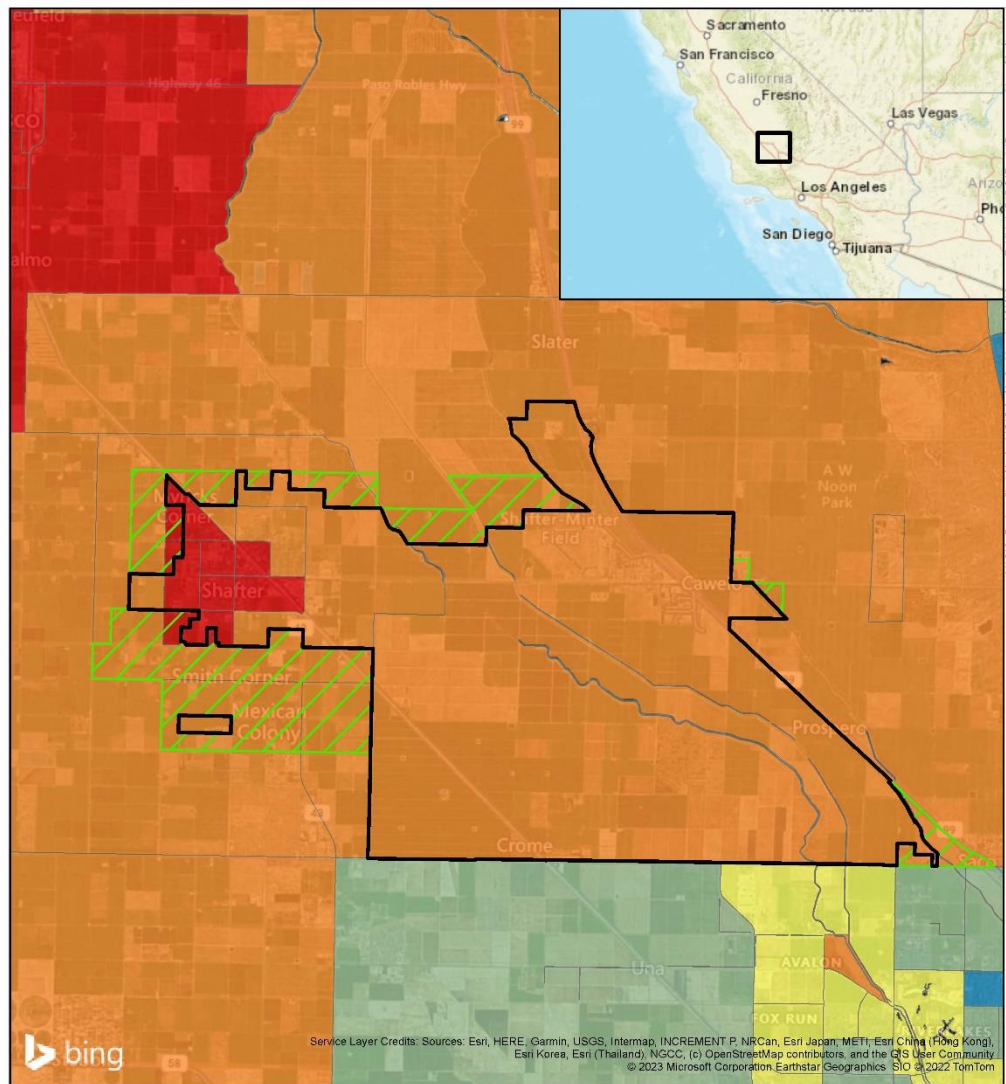
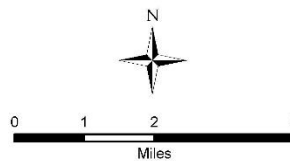


Figure II-2 - Racial Demographics (ACS 2016-2020) -
Percent Non-White (Shafter)

Legend

- City Limits
- Sphere of Influence
- < 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%
- > 80%

Map Date: 3/17/2023



City of Shafter 2023-2031 HEU

Figure II-1 above, shows the highest concentration of non-white population (>80% non-white) occurring in three locations in Kern County: in the northwestern boundary of the county, at the eastern perimeter of the county, and adjacent to the City of Bakersfield. Figure II-2 above, shows that the City of Shafter is predominately non-white (60-80% non-white) with the majority of non-white populations (>80% non-white) being concentrated in the westernmost section of the city and adjacent to the city center. The City of Shafter has no areas within the city limits that are considered less than 60% non-white.

Figure II-3 and Figure II-4 below, provide a visual comparison of the predominantly Hispanic population in both Kern County and Shafter, respectively. Hispanic refers to people, cultures, or countries related to Spain, or the Spanish language. Figure II-3 shows the largest concentration of the Hispanic population (80-100% Hispanic) concentrated in the northwestern perimeter of Kern County and directly adjacent to the City of Bakersfield. Figure II-4 shows the greatest concentration of Hispanics (80-100%) located in the northwestern section of the City in the downtown district.

Figure II-3
Predominant Population (2016-2020) Percent Hispanic-Kern County

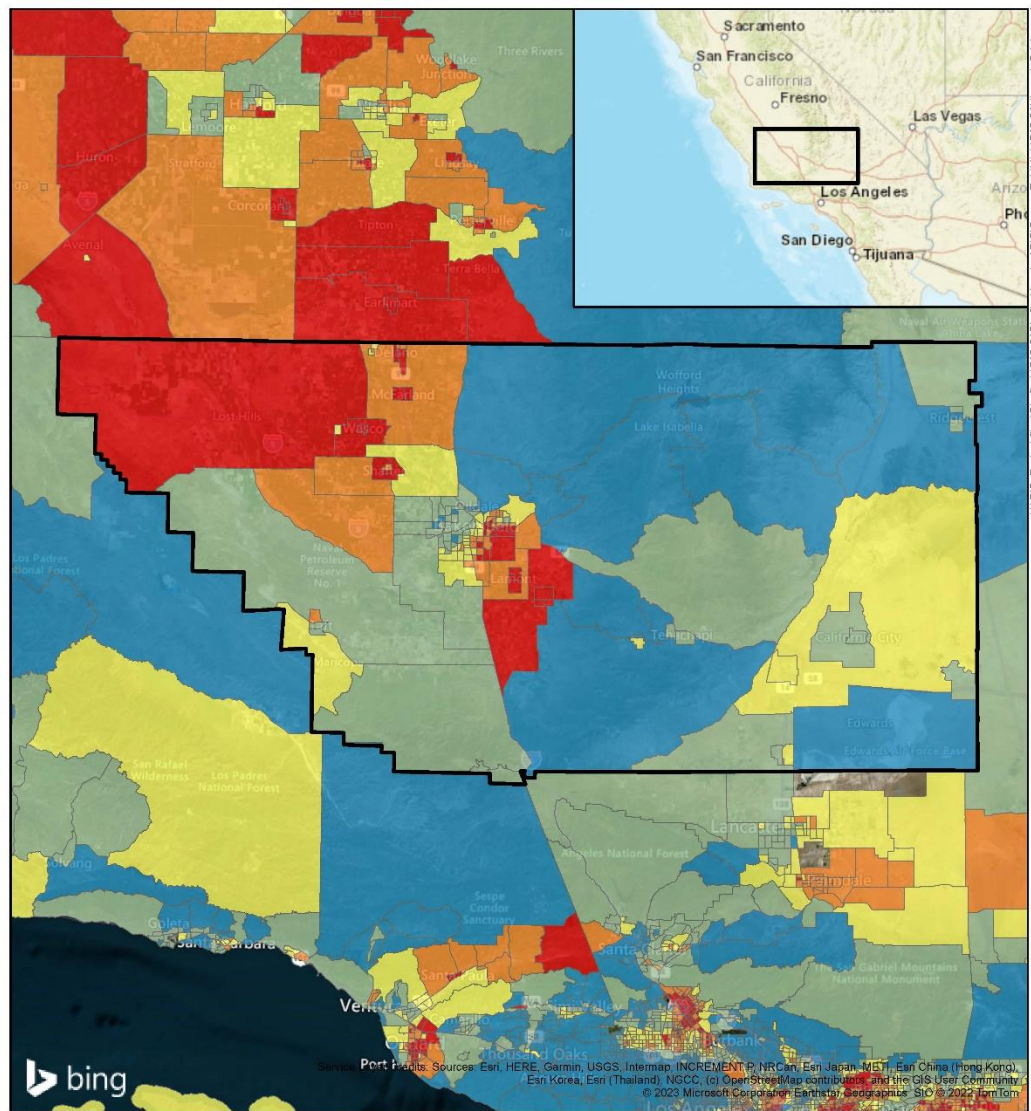
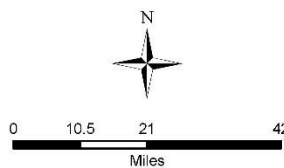


Figure II-3 - Predominant Population (ACS 2016-2020)
Percent Hispanic (Kern County)

Legend

- Kern County Boundary
- < 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%
- 80% - 100%

Map Date: 3/17/2023



City of Shafter 2023-2031 HEU

Figure II-4
Predominant Population (2016-2020) Percent Hispanic-Shafter

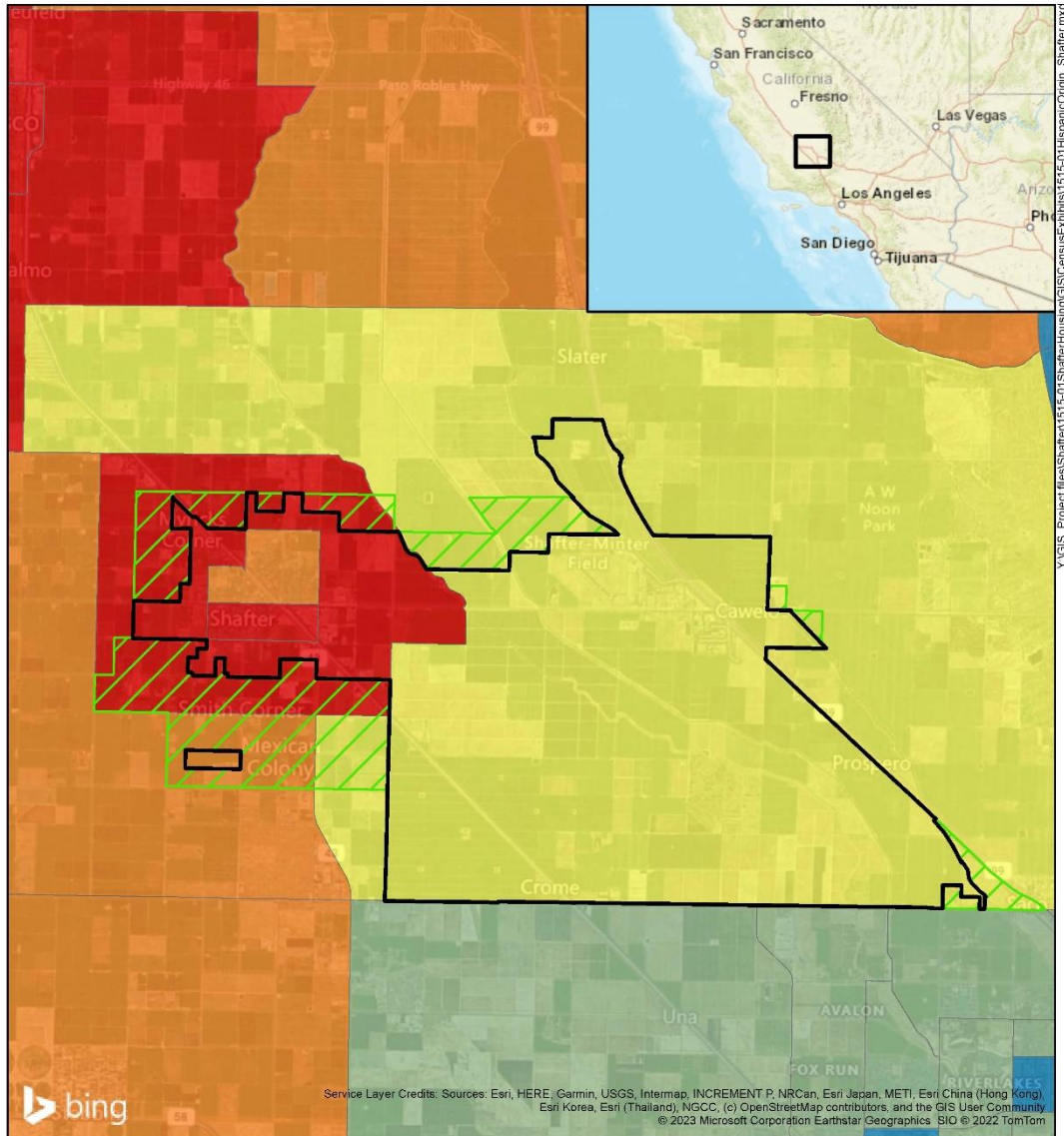
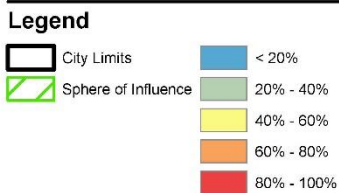
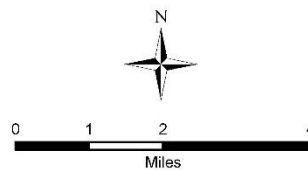


Figure II-4 - Predominant Population (ACS 2016-2020)
Percent Hispanic (Shafter)

City of Shafter 2023-2031 HEU



Map Date: 3/17/2023



B. Household Characteristics

1. Overcrowding

The U.S. 2020 Census defines “Overcrowding” as a housing unit occupied by more than one person per room in a unit (including bedrooms, living room, and dining room, but excludes hallways, kitchens, and bathrooms). A unit is a single unit within a larger housing structure that can be used by an individual or household to eat, sleep, and live. Overcrowding is also often closely related to household income and high housing costs. Overcrowding results when several people share living spaces because of a lack of affordable housing and/or a lack of adequate housing. Housing is generally considered affordable if a household spends no more than 30% of its gross income on housing costs, including utilities, mortgage principal, and interest. Adequate housing, is defined as structurally sound housing accommodations that is ready for immediate occupancy, is sufficient in size to accommodate all the residents, and includes electricity, heating, and sanitary facilities, all of which are in good condition. According to the 2020 Census, the City of Shafter has a total of 2,925 owner-occupied units and 2,184 renter-occupied units, for a combined total of 5,109 residential units. A household is considered overcrowded when there are more than 1.0 occupants per room and is considered severely overcrowded when there are more than 1.5 persons per room. Table II-5 summarizes the incidence of overcrowding and severe overcrowding for owner occupied and renter occupied units within the City of Shafter.

Table II-5
Overcrowded Units – Shafter

Occupancy	Overcrowded Units (1.0 to 1.50 persons/room)		Severely Overcrowded Units (>1.51 persons/room)		Total Overcrowded Occupied Units	
	Count	Percent of Total Occupied Units	Count	Percent of Total Occupied Units	Count	Percent of Total Occupied Units
Owner Occupied	195	6.6%	96	3.2%	291	9.9%
Renter Occupied	272	12.4%	58	2.6%	330	15.1%
Total	467	19%	154	5.8%	621	25%

American Community Survey 2015-2020 5-year estimates

2. Household Income

As shown above on Table II-5, overcrowding (1-1.5 persons per room) was more prevalent among renter-occupied units (12.4%) than for owner-occupied units (6.6%). Severely overcrowded (more than 1.5 persons per room) units were slightly greater with owner-occupied households (3.2%) compared to renter-occupied units (2.6%). Overall, the total number of overcrowded and severely overcrowded renter-occupied units was greater (15.1%) than the total number of overcrowded and severely overcrowded owner-occupied units (9.9%) in Shafter. In comparison, overcrowding in Kern County consisted of 6.7% overcrowded households and 3.4% severely overcrowded households.³ California state law establishes five income categories for purposes of housing programs based on an area's (i.e., county) Housing Area Median Family Income also known as HAMFI. HAMFI is a region's median family income as calculated by the Department of Housing and Urban Development (HUD) for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. As part of HUD's requirements, each jurisdiction needs to prepare a Comprehensive Housing Affordability Strategy (CHAS) that is meant to serve as a guide for housing and community development activities, particularly those funded by HUD. HAMFI's five income thresholds are categorized as follows: extremely low (30% or less of HAMFI), very low (31-50% of HAMFI), low (51-80% of HAMFI), moderate (81-120% of HAMFI) and above moderate (over 120% of HAMFI).

Household income is a primary factor affecting housing needs in a community, particularly for extremely low-income households. In 2020, the median income for Shafter was \$47,433.⁴ According to 2020 Census data (as shown below in Table II – 6), 15.2% of households in Shafter were within the extremely low-income (ELI) category with 16.9% identified as having very low household (VL) incomes, 21.2% of households identifying as low-income (LI) households, 13.2% identifying as moderate income (MI) household incomes and 33.4% identifying above moderate-income (AMI) households. As seen in Table II-6, typically, renters are more likely than owners to fall within the extremely low, very low, and low categories.

³ American Community Survey 2015-2020 5-year estimates

⁴ American Community Survey 2015-2020 5-year estimates

Table II-6
Income Category Households - Shafter

Household Income Category	Household Income Distribution	Number of Owners	Number of Renters	Total Owner and Renter Households	Total Percentage of Households
Extremely Low	< 30% HAMFI	195	540	735	15.2%
Very Low	31% to 50% HAMFI	205	610	815	16.9%
Low	51% to 80% HAMFI	360	655	1,015	21.1%
Moderate	81% to 120% HAMFI	425	210	635	13.2%
Above Moderate	>120% HAMFI	1,335	270	1,605	33.4%
	Total	2,515	2,290	4,805	100%

HUD CHAS, 2014-2018. HAMFI refers to Housing Urban Development Area Median Family Income

3. Housing Affordability and Overpayment

Housing Affordability Criteria

Housing affordability is based on the relationship between household income and housing expenses. According to the U.S. Department of Housing and Urban Development and the California Department of Housing and Community Development (HCD), housing is considered “affordable” if the monthly housing cost is no more than 30% of a household’s gross income.

Table II-7 demonstrates affordable rent levels and estimated affordable purchase prices for housing in Kern County by income category. Income categories are established each year by HUD for each metropolitan and non-metropolitan county. The basis for HUD’s median family income is derived from the American Community Survey (ACS) which relies on data from the Bureau of Labor Statistics (BLS). As demonstrated in Table II-7, the monthly income for a four-person household that is categorized as an “Extremely Low Income (ELI)” household with an annual income of \$27,750 (as established by HUD) and has a household monthly income of \$2,313 is determined by dividing \$27,750 (annual income) by 12 months of the year, resulting in a monthly income of \$2,313. The maximum monthly rent for a four-person household would then be 30% of the monthly income (\$2,313) which results in a maximum monthly rent of \$694.

Maximum home purchase prices are more difficult to determine due to variations in mortgage interest rates and qualifying procedures as set by lenders, down payment amounts, special tax assessments, homeowner association fees, property insurance rates, etc. With this caveat, the maximum affordable home purchase price for each income category household in Kern County is described in Table II-7 and has been estimated

based on typical conditions. For purposes of this housing program's calculation, the following assumptions were used:

- 30% of gross income for rent or principal, interest, taxes & insurance plus utilities;
- \$0 down payment;
- 5.5% mortgage loan interest rate;
- 1.2% taxes and
- \$800.00 in annual insurance

Table II-7
Income Categories and Affordable Housing Costs – Kern County

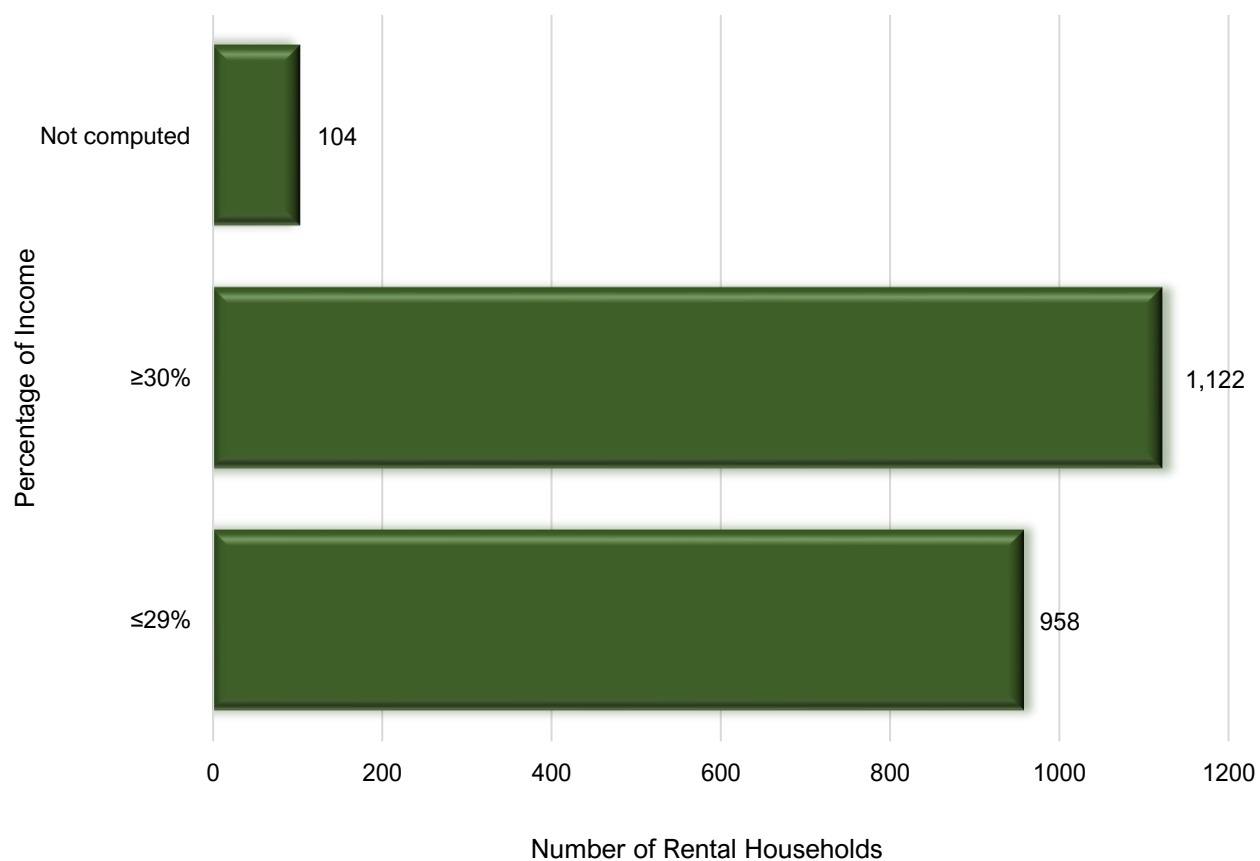
Income Category	1-Person	2-Person	3-Person	4-Person
Extremely Low Income				
Annual Income	16,350	18,700	23,030	27,750
Monthly Income	1,363	1,558	1,919	2,313
Max. Monthly Rent	409	467	576	694
Max. Sales Price	45,644	53,483	67,927	83,672
Very Low Income				
Annual Income	27,300	31,200	35,100	38,950
Monthly Income	2,275	2,600	2,925	3,246
Max. Monthly Rent	683	780	878	974
Max. Sales Price	82,171	95,180	108,190	121,032
Low Income				
Annual Income	43,650	49,850	56,100	62,300
Monthly Income	3,638	4,154	4,675	5,192
Max. Monthly Rent	1,091	1,246	1,403	1,558
Max. Sales Price	136,710	157,392	178,240	198,922
Moderate Income				
Annual Income	67,450	77,100	86,700	96,350
Monthly Income	5,621	6,425	7,225	8,029
Max. Monthly Rent	1,686	1,928	2,168	2,409
Max. Sales Price	216,101	248,291	280,315	312,505
Assumptions: -30% of gross income for rent or principal, interest, taxes & insurance plus utility allowance. -0 down payment, 5.5% interest rate 1.2% taxes & \$800.00 annual insurance. Source: Cal. HCD Mortgage calculator: https://www.zillow.com/mortgage-calculator/house-affordability				

Rental Housing

National housing guidelines as established by HUD advise not to spend more than 30% of your monthly income on rent, this is known as the “30% Rule”. To calculate how much income a household should spend on rent, multiply the monthly gross income by 30%.

As demonstrated in Table II-8 below, of the City of Shafter’s 2,184 renter households, 958 households (43.8%) spend less than or equal to 30% of their gross income on monthly housing costs while 1,122 renter households (51.3%) spend 30% and greater of their monthly income on rent. Households that were not calculated include 104 households (4.9%). Overall, the percentage of renter households that spend 30% or greater of their monthly income on rent is 7.5% higher than renter households that spend less than 30% of their monthly income on rent.

Table II-8
Number of Households and Percentage of Income Households Spend on Rent - Shafter

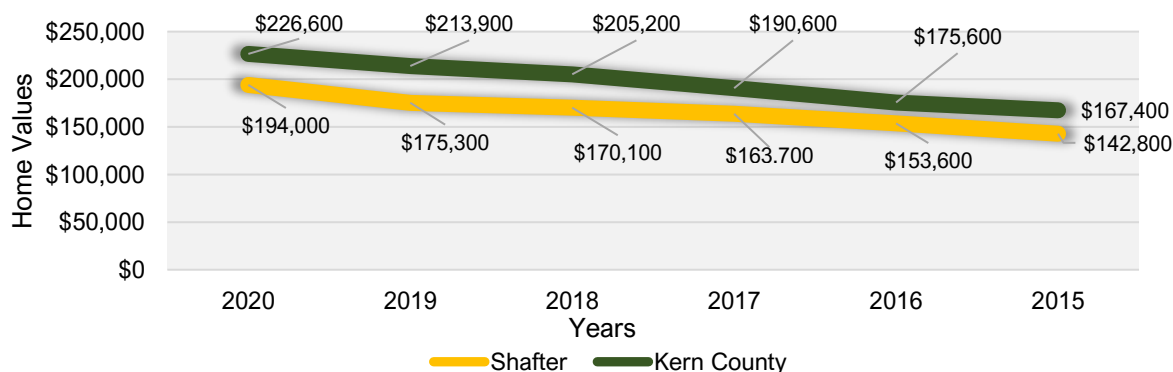


American Community Survey 2015-2020 5-year estimates

Median Home Values

Median home value trends for existing homes in Shafter during 2015-2020 are shown below in Table II-9. Between 2015 and 2020, median home values in Shafter increased by 35.8% while prices in Kern County increased by 59.2% during the same period. According to the 2015-2020 American Community Surveys data, prices in Shafter ranged from an average low of \$142,800 in 2015 to an average high of \$194,000 in 2020. During the same period, Kern County went from an average low of \$167,400 in 2015 to an average high of \$226,600 in 2020. This data demonstrates that homeownership creates generational wealth through the appreciation of homeownership.

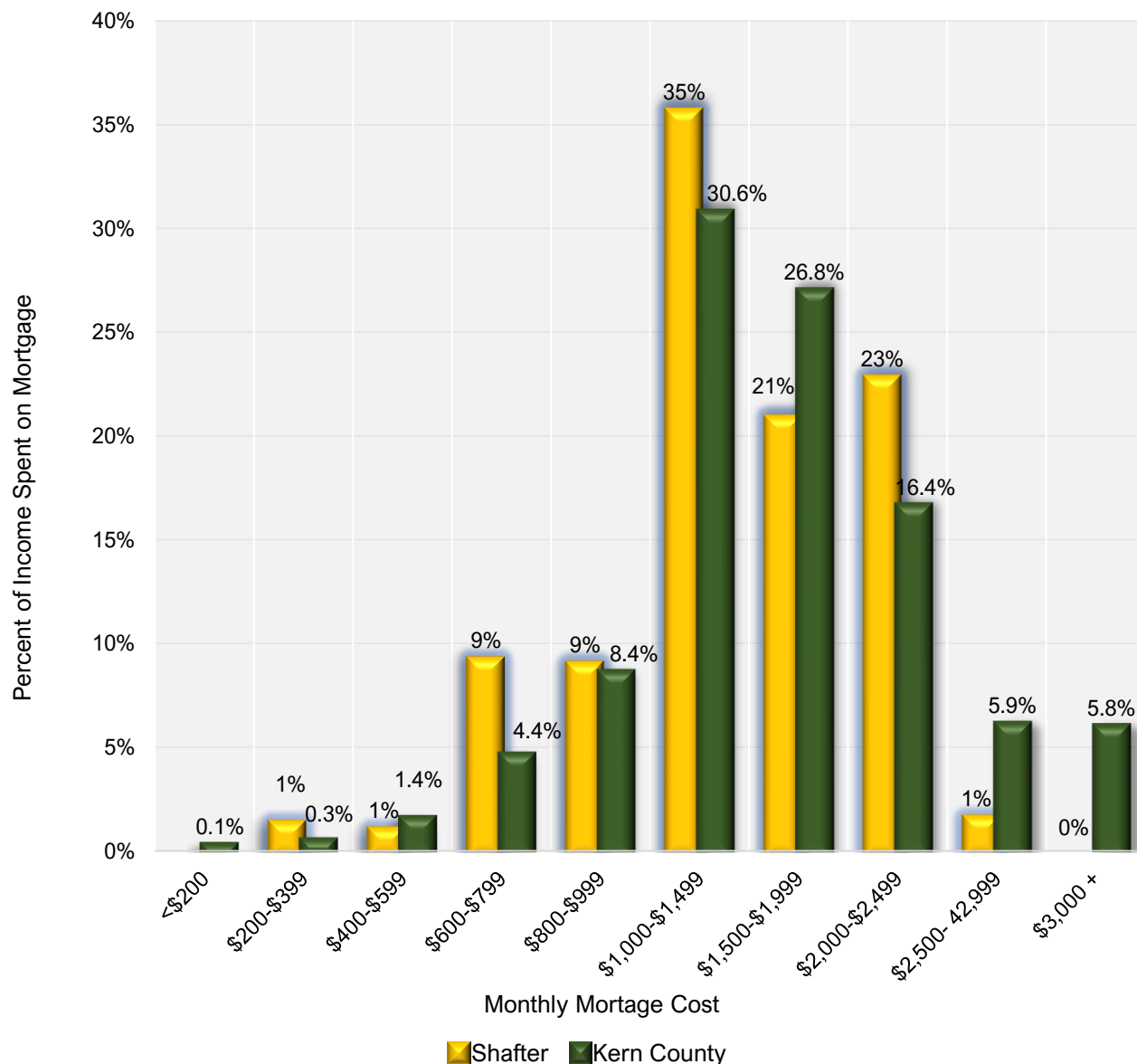
Table II-9
Median Home Values for Existing Homes – Shafter and Kern County



American Community Survey 2015-2020 5-year estimates

Table II-10 compares typical monthly mortgage costs and percent of income spent to pay monthly mortgage costs in Shafter compared to Kern County as a whole. The highest percentage of homeowners in Kern County and the City of Shafter (30.6% and 35% respectively) pay between \$1,000-\$1,500 in monthly mortgage costs.

Table II-10
Monthly Mortgage Cost and Percent of Income Spent on Mortgage –
Shafter and Kern County

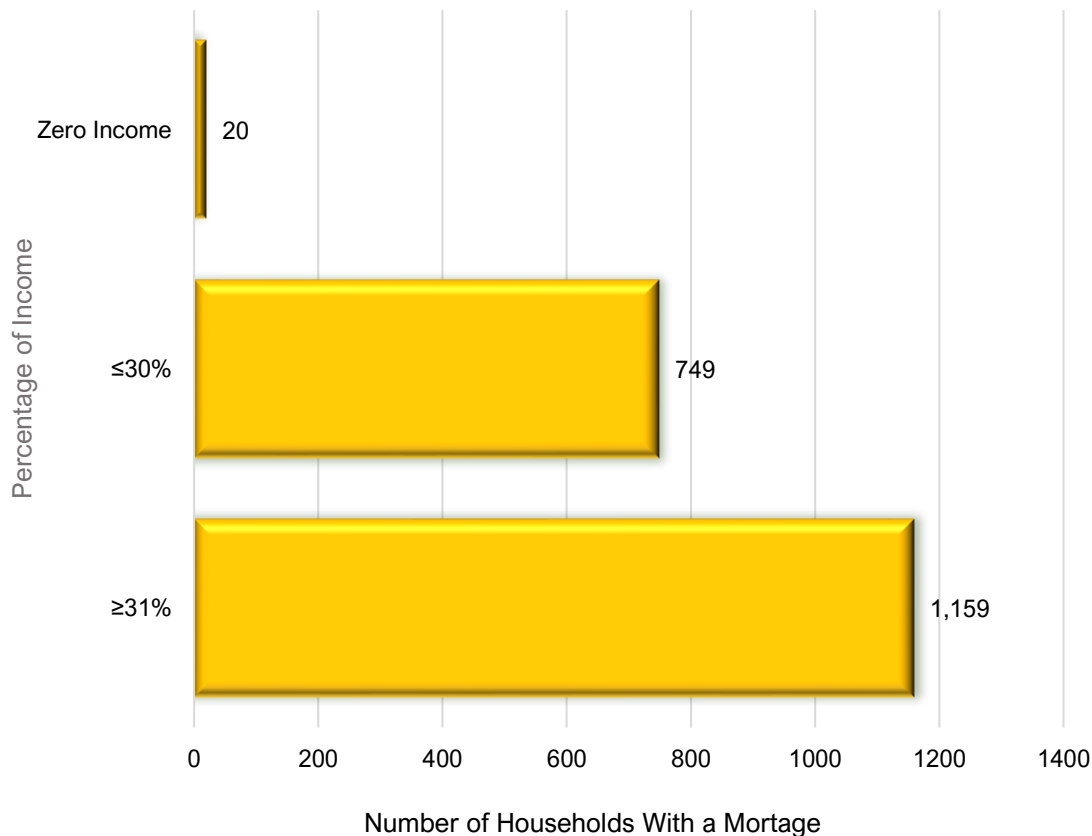


American Community Survey 2015-2020 5-year estimates.

As demonstrated in Table II-11, of the City of Shafter's 1,928 owner-occupied households with mortgages, 1,159 households (60.1%) spend less than or equal to 29% of their gross income on monthly housing costs while 749 households (38.8%) spend 30% and greater of their monthly income on housing costs. Overall, the percentage of households with a

mortgage that spend 30% or greater of their monthly income on rent is 21.3% lower than households with a mortgage that spend less than 30% of their monthly income on rent. There were 20 households (1%) that reported zero income.

Table II-11
Number of Households and Percentage of Income Spent on Monthly Mortgage – Shafter



American Community Survey 2015-2020 5-year estimates.

According to State housing policy, as established by HUD, overpaying occurs when housing costs exceed 30% of gross household income. In 2020, the median household income for Shafter was \$47,433. Table II-12 on the following page displays recent estimates for overpayment by income category for Shafter residents and demonstrates that overpayment is more frequent for households at extremely low and very low-income levels than those households in higher income categories. According to the data, there are 400 renter households in Shafter in the Extremely Low renter category that spend 30% and above of their monthly income on rent while 330 renter households spend 50% and above of their monthly income on rent. Therefore, a continued emphasis for the City

to implement programs that can provide more affordable housing to assist in alleviating this cost burden and providing more options for lower income families. Programs and implementation will be discussed further in Chapter V of this HEU.

Table II-12
Overpayment by Income Category – Shafter

Owners Household Income	Owners >30% Cost Burden	Owners Cost Burden >50%	Total
Extremely Low Income ($\leq 30\%$ HAMFI)	145	105	195
Very Low Income ($> 30\%$ to $\leq 50\%$ HAMFI)	150	60	205
Low Income ($> 50\%$ to $\leq 80\%$ HAMFI)	210	20	360
Moderate Income ($> 80\%$ to $\leq 100\%$ HAMFI)	135	20	425
Above Moderate Income ($> 100\%$ HAMFI)	140	10	1,335
Total	780	215	2,515
Renters Household Income	Renters >30% Cost Burden	Renters' Cost Burden >50%	Total
Extremely Low Income ($\leq 30\%$ HAMFI)	400	330	540
Very Low Income ($> 30\%$ to $\leq 50\%$ HAMFI)	460	180	610
Low Income ($> 50\%$ to $\leq 80\%$ HAMFI)	270	35	655
Moderate Income ($> 80\%$ to $\leq 100\%$ HAMFI)	30		210
Above Moderate Income ($> 100\%$ HAMFI)			270
Total	1,160	545	2,290

HUD CHAS, 2014-2018. HAMFI refers to Housing Urban Development Area Median Family Income.

C. Employment

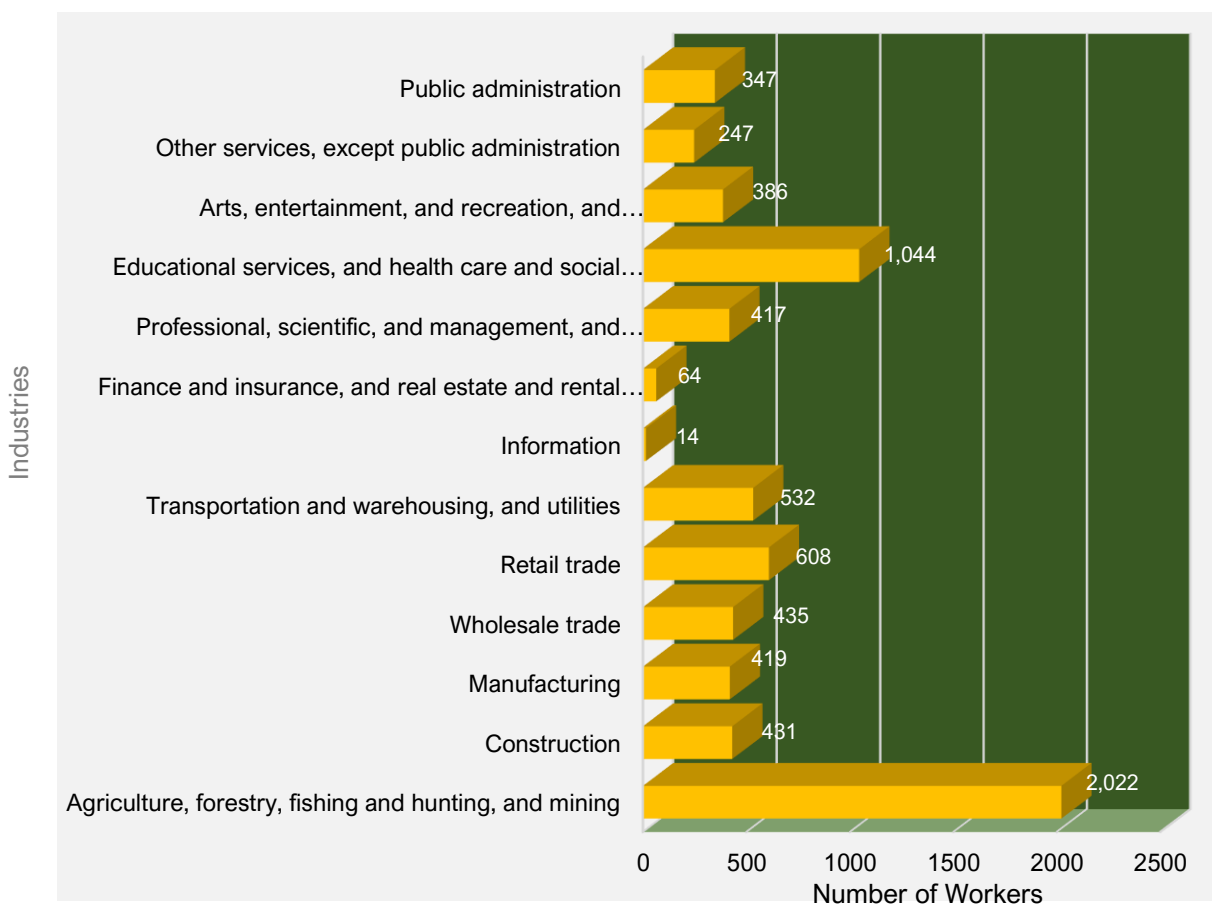
Employment is a key factor affecting housing needs within a community. The jobs available in each employment sector and the wages for these jobs affect the type and size of housing residents can afford.

According to 2020 Census data, Shafter had 6,966 workers living within its borders who work across 13 major sectors (Table II-13). The most prevalent industry in Shafter is agriculture, which employs about 2,022 people (29% of the total workforce). The second most prevalent industry in Shafter is educational services, health care, and social services which employ 1,044 people (15% of the total workforce).

With limited supply and rising housing costs, renters and homeowners face severe housing affordability issues. A higher share of renters who spend 30% and greater of their monthly income

on rent face severe housing costs burdens when compared to homeowners who have extremely low to very low incomes.

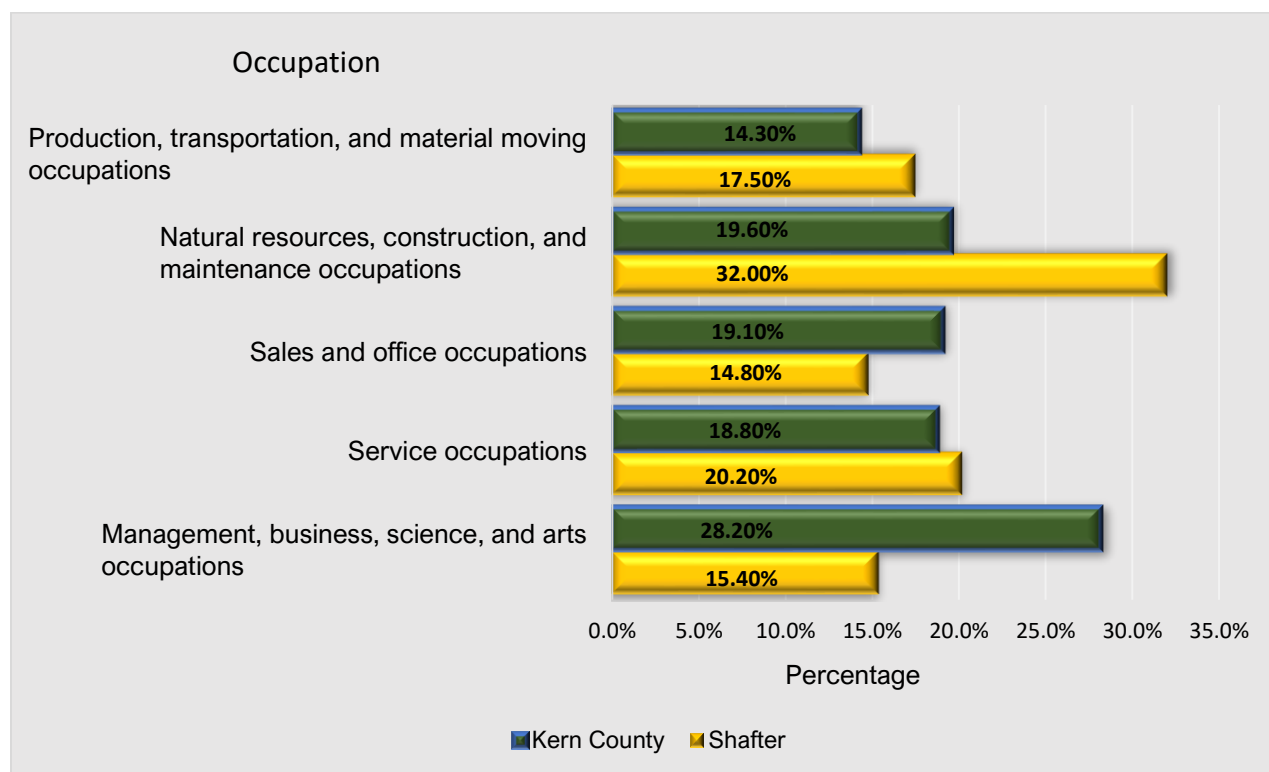
Table II-13
Employment by Industry – Shafter



American Community Survey 2015-2020 5-year estimates

In addition to analyzing the industries in which the residents of Shafter work, it is also possible to analyze the types of jobs they hold. The most prevalent occupational category in Shafter is natural resources, construction, and maintenance occupations, in which 2,232 (32%) employees work. The second most prevalent occupational category is service occupations, which employ about 1,404 people (20.2%) in Shafter. In contrast, Kern County's most prevalent occupational category is management occupations which employ about 97,672 people (28.2%) followed by natural services, construction, and maintenance occupations, which employ about 67,988 people (19.6%) (Table II-14).

Table II-14
Employment by Occupation – Shafter and Kern County



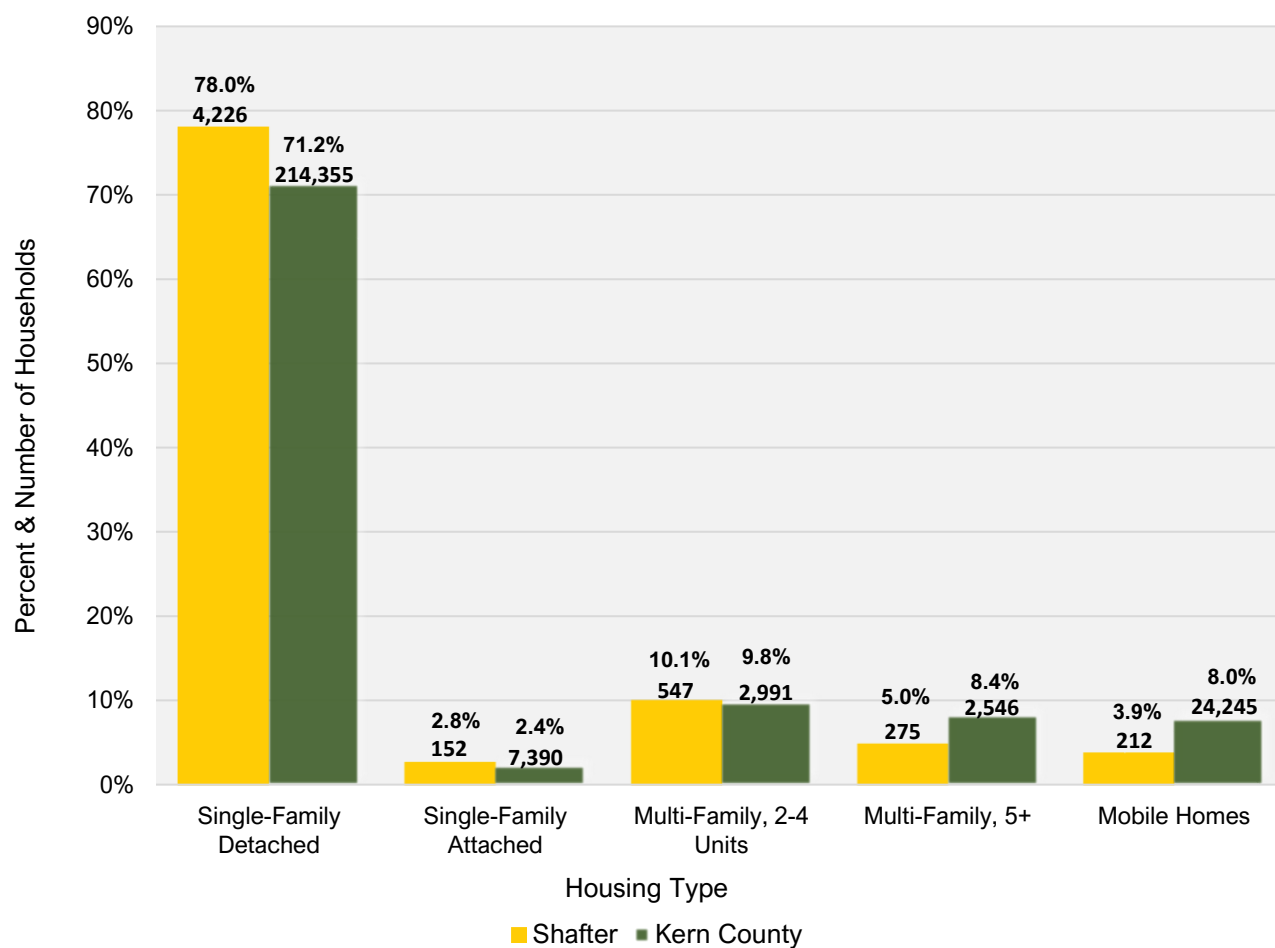
D. Housing Stock Characteristics

This section presents an evaluation of the characteristics of the community's housing stock and helps in identifying and prioritizing the City's housing needs. The factors evaluated include the number and type of housing units, occupancy, vacancy, housing age, and condition. A housing unit is defined as a house, apartment, mobile home, or group of rooms, occupied as separate living quarters, or, if vacant, intended for occupancy as separate living quarters.

1. Housing Type and Occupancy

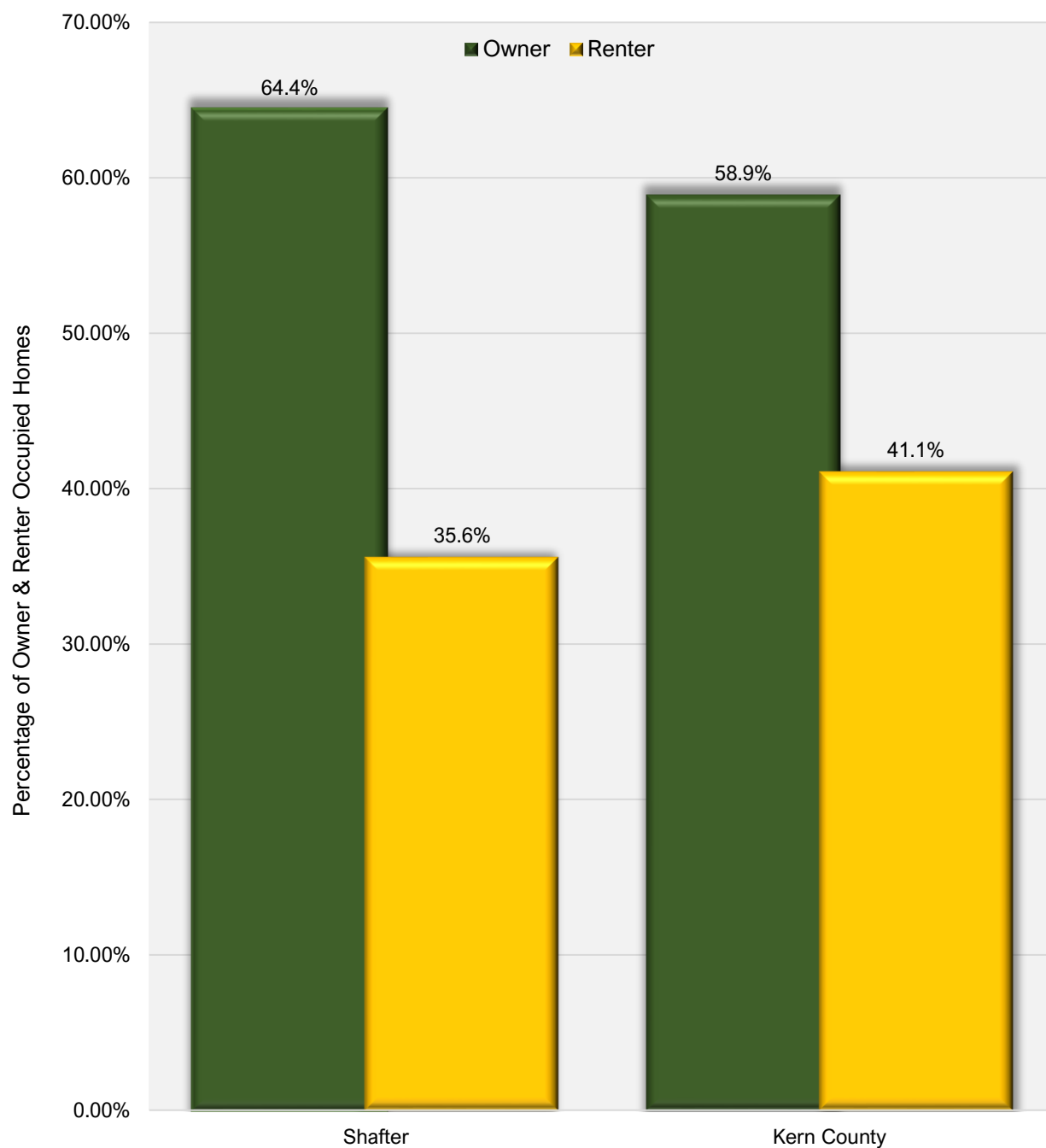
According to the 2020 Census data, Shafter's housing stock consisted of 5,412 units, of which, about 78% were single-family homes as compared to Kern County which had 71.2% of single-family homes. Multi-family homes (combined 2-4 units and 5+ units) comprised 822 units in Shafter (15.1%) and 5,537 units in Kern County (18.2%). Mobile homes in Shafter consist of 212 units (3.9%) and 24,245 units (8%) in Kern County (Table II-15). As seen in Table II-15 on the following page, 64.4% of homes in Shafter were owner-occupied as compared to 58.9% in Kern County.

Table II-15
Housing by Type – Shafter and Kern County



American Community Survey 2015-2020 5-year estimates.

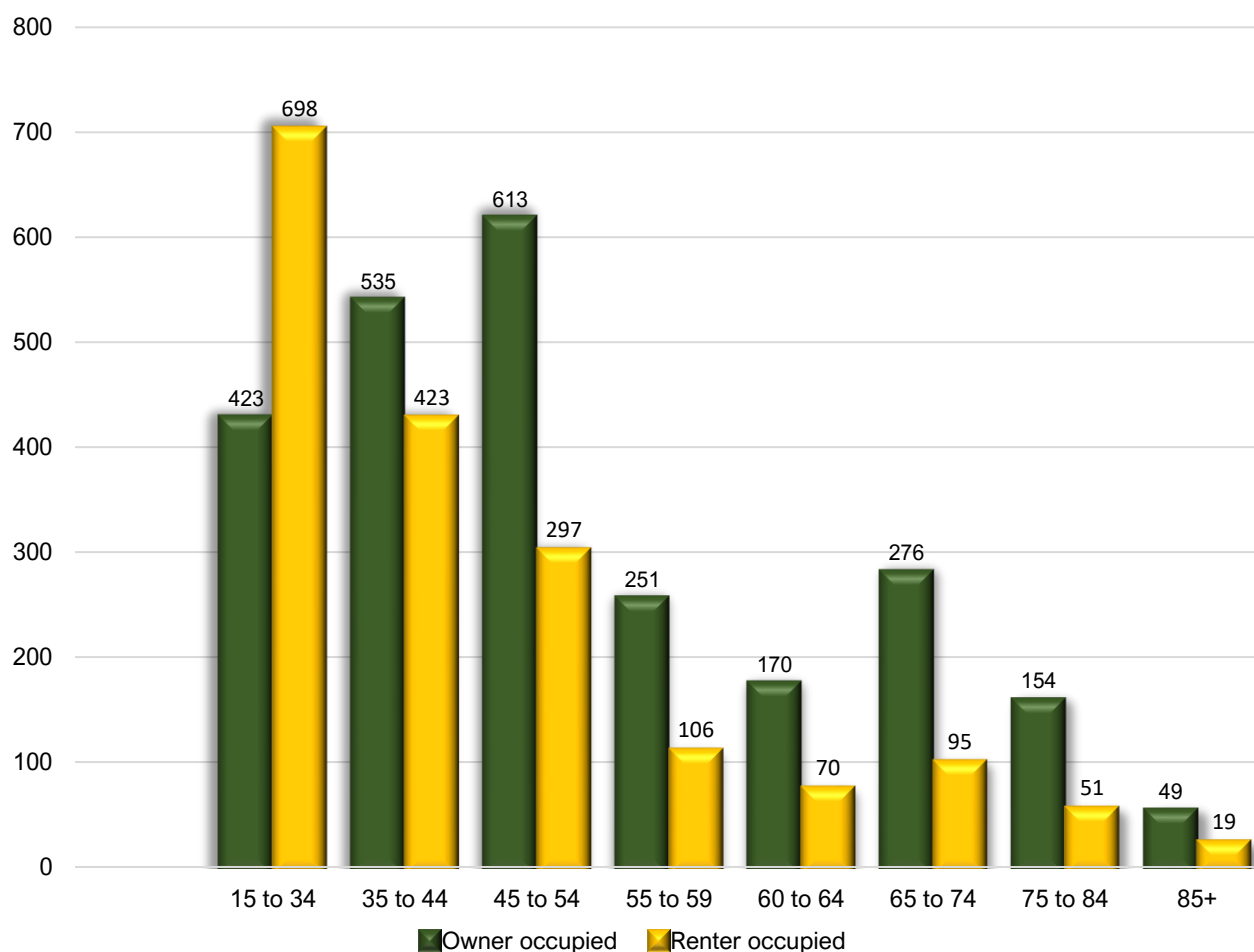
Table II-16
Housing by Occupancy – Shafter and Kern County



American Community Survey 2015-2020 5-year estimates.

In many places, housing occupancy varies based on the age of the householder. In Shafter, the age group where renters outnumber owners the most is the 15-34 age range while the age group where owners outnumber renters is the 45-54 age range (Table II-17).

Table II-17
Housing Occupancy by Age of Householder – Shafter

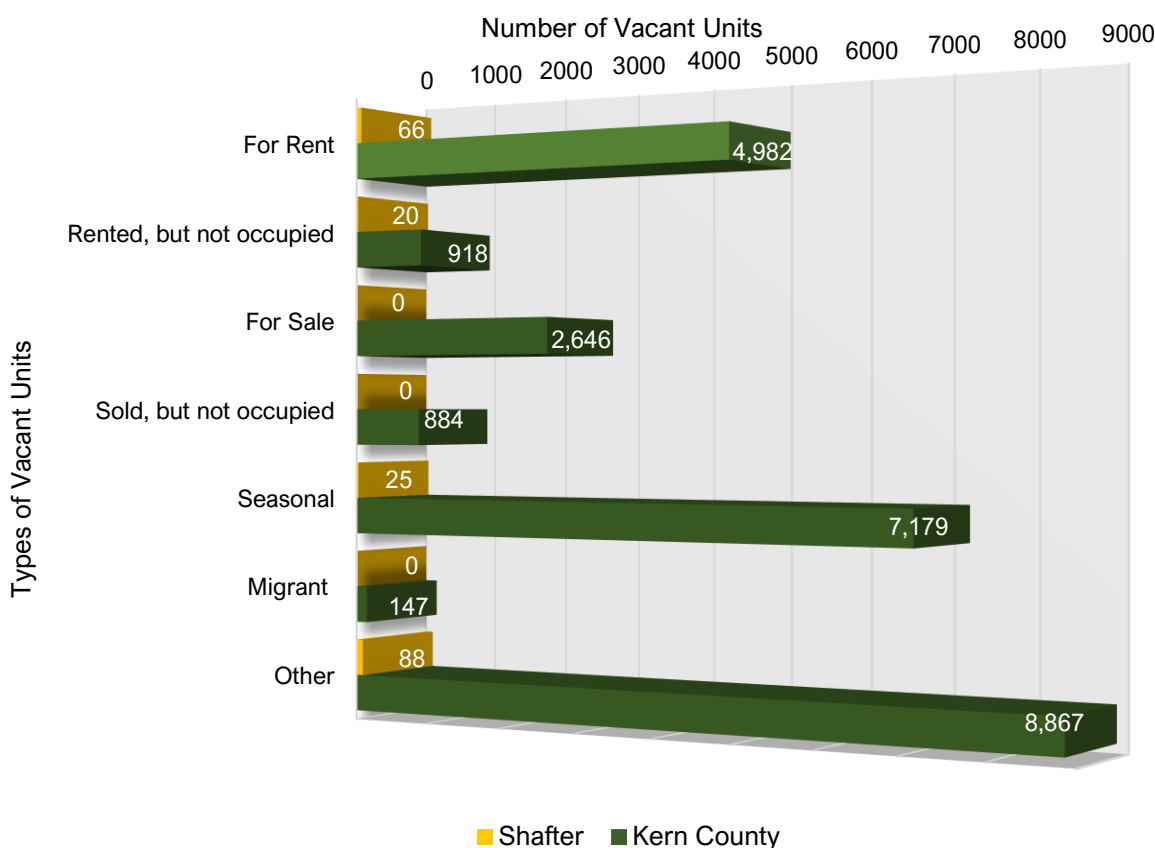


American Community Survey 2015-2020 5-year estimates

Table II-18 on the following page shows data for vacant units in Shafter and Kern County. The first category consists of “For Rent,” this category consists of units that are for rent but remain vacant due to unforeseen market factors such as a lack of demand for rentals or issues related to the rental units themselves. The “Rented, not occupied” category consists of units that have been rented with active leases but due to a variety of situations, the occupants of these rental units are not currently occupying these units. The “For sale only” category consists of units that have been on the market pending sale but due to

unforeseen market factors, continue to remain for sale. The “Sold, not occupied” category consists of units that have been sold but are undergoing renovations and/or repairs and remain vacant until such renovations or repairs have been completed. Homes identified as “Seasonal” are typically second homes that are not used regularly or are intended as short-term rentals. The largest category of vacant units in Shafter were units designated as “Other” these are units that do not fit into any other year-round category including units that are not for rent or sale; being used for storage; being renovated or repaired; a foreclosure or situations where elderly persons are living in a nursing home or with family members. The “For Rent” category of vacant units trails behind the “Other” category with 66 vacant units available.

Table II-18
Vacant Units by Type and Number of Available Units –
Shafter and Kern County



American Community Survey 2015-2020 5-year estimates.

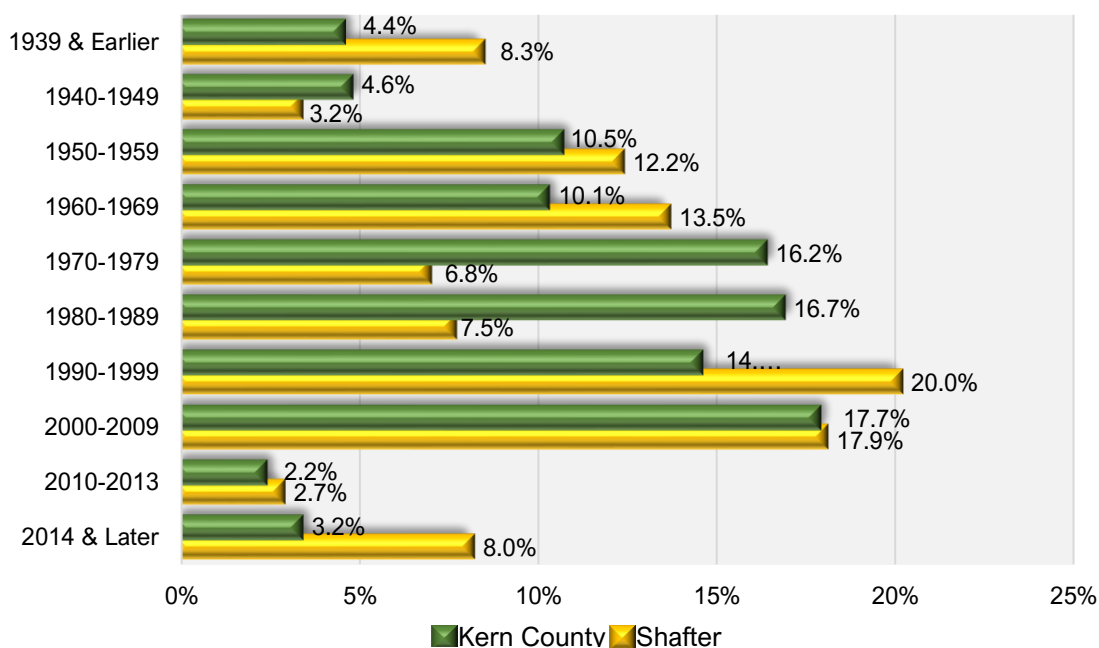
The data presented previously in Table II-18 is based on the American Community Survey between 2015-2020. As of 2022, the City of Shafter currently has approximately 57 vacant homes for sale.

2. Housing Age and Conditions

Housing age is often an important indicator of housing conditions. Housing units built before 1978, and before stringent limits on the amount of lead in paint was imposed, may have interior or exterior building components coated with lead-based paint. Housing units built before 1970 are the most likely to need rehabilitation, have lead-based paints, and be in a deteriorated condition. Lead-based paints become dangerous when they peel off walls or are pulverized by windows and doors opening and closing and if ingested or inhaled by people. Lead-based paint is especially hazardous to children under the age of six and pregnant women. Elevated levels of exposure to lead may cause lead poisoning and other issues such as anemia and impaired brain and nervous system functions.

Table II-19 shows the age distribution of the housing stock in Shafter compared to Kern County as a whole. This table shows the highest share of housing units in Kern County were constructed between 2000-2009 (17.7%) with the highest number of units constructed in Shafter occurring between 1990-1999 (20%). In Kern County, 62.5% of the housing stock was built before 1990 while 23.1% was built after 1999. In comparison, 20% of housing units in Shafter were constructed between 1990-1999, with 51.5% of the housing built prior to 1990 and 28.6% were built after 1999. These findings suggest that there may be a need for maintenance and rehabilitation of homes in Shafter for housing units built prior to 1990 (greater than 30 years old). Remediation of lead-based paint may also be necessary due to 37.2% of the homes in the City of Shafter being built prior to 1970.

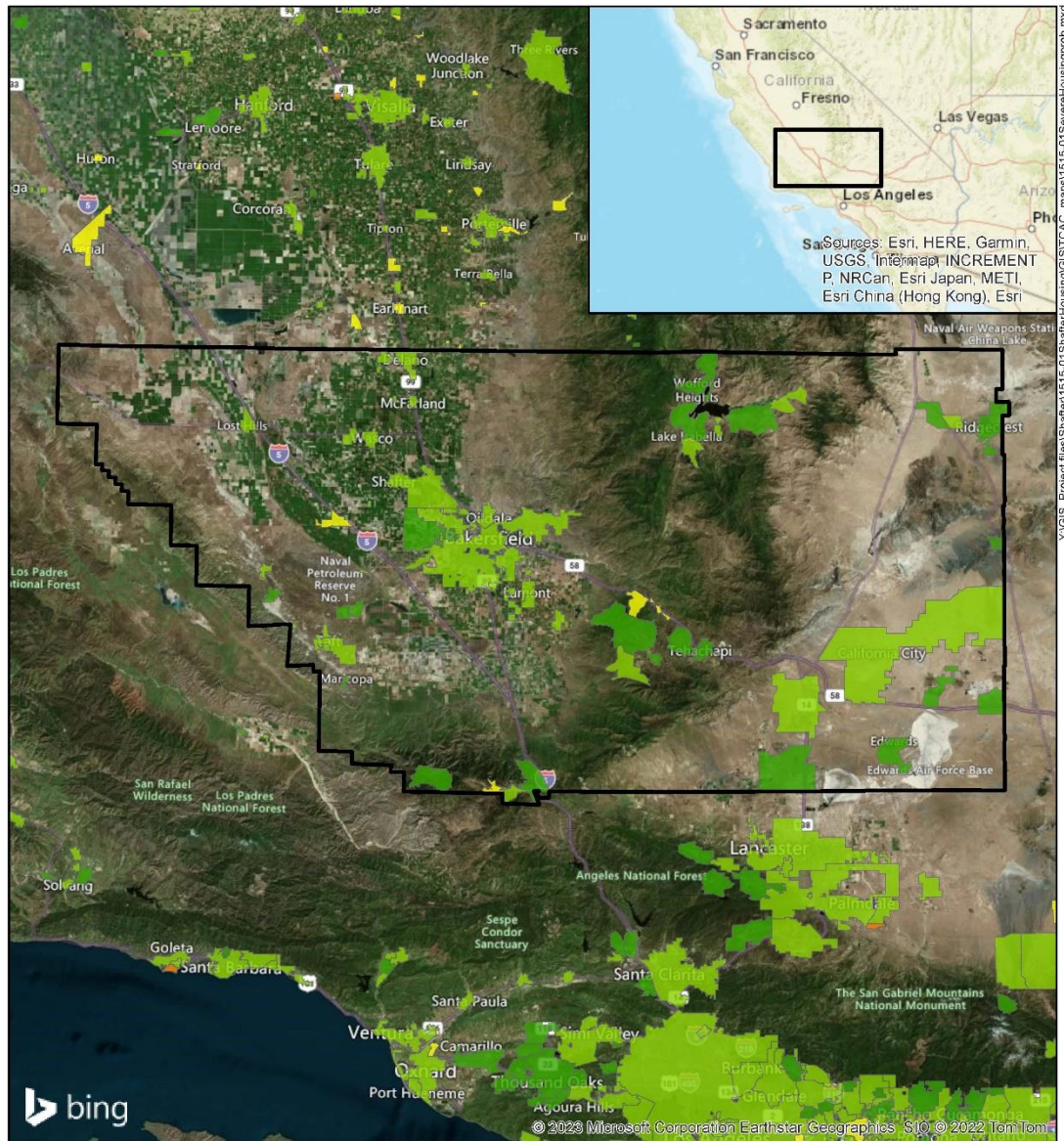
Table II-19
Age of Housing Stock – Shafter and Kern County



Typically, housing units over 30 years of age are likely to need rehabilitation work on major components of the structure, such as roofing, siding, plumbing, and electrical. The City of Shafter Building Official estimates that between 10 and 30 units require rehabilitation or replacement. Most of these units are in the City's historic core. According to the 2022-2023 County of Kern Annual Action Plan, Community Development Block Grant (CDBG) funding has been allocated for 2023-2031 for housing units in Shafter that need some level of rehabilitation and/or may require replacement citywide.

Figures II-5 and Figure II-6 depict the percentage of housing units with severe housing problems existing by census tract within Kern County and the City of Shafter, respectively. According to the U.S. Department of Housing and Urban Development, severe housing problems include housing units with at least one of the following problems: lack of complete kitchen facilities, lack of plumbing facilities, overcrowding, or severely cost-burdened occupants.

Figure II-5
Households with Severe Housing Problems - Kern County



Legend

▬ Kern County Boundary

Percent of Households with Severe Housing Problems

- < 20%
 - 20% - 40%
 - 40% - 60%
 - 60% - 80%
 - 80% - 100%
- Map Date: 3/18/2023

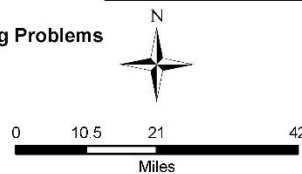


Figure II-5 - Households with Severe Housing Problems (Kern County)

City of Shafter 2023-2031 HEU



Figure II-6
Households with Severe Housing Problems - Shafter

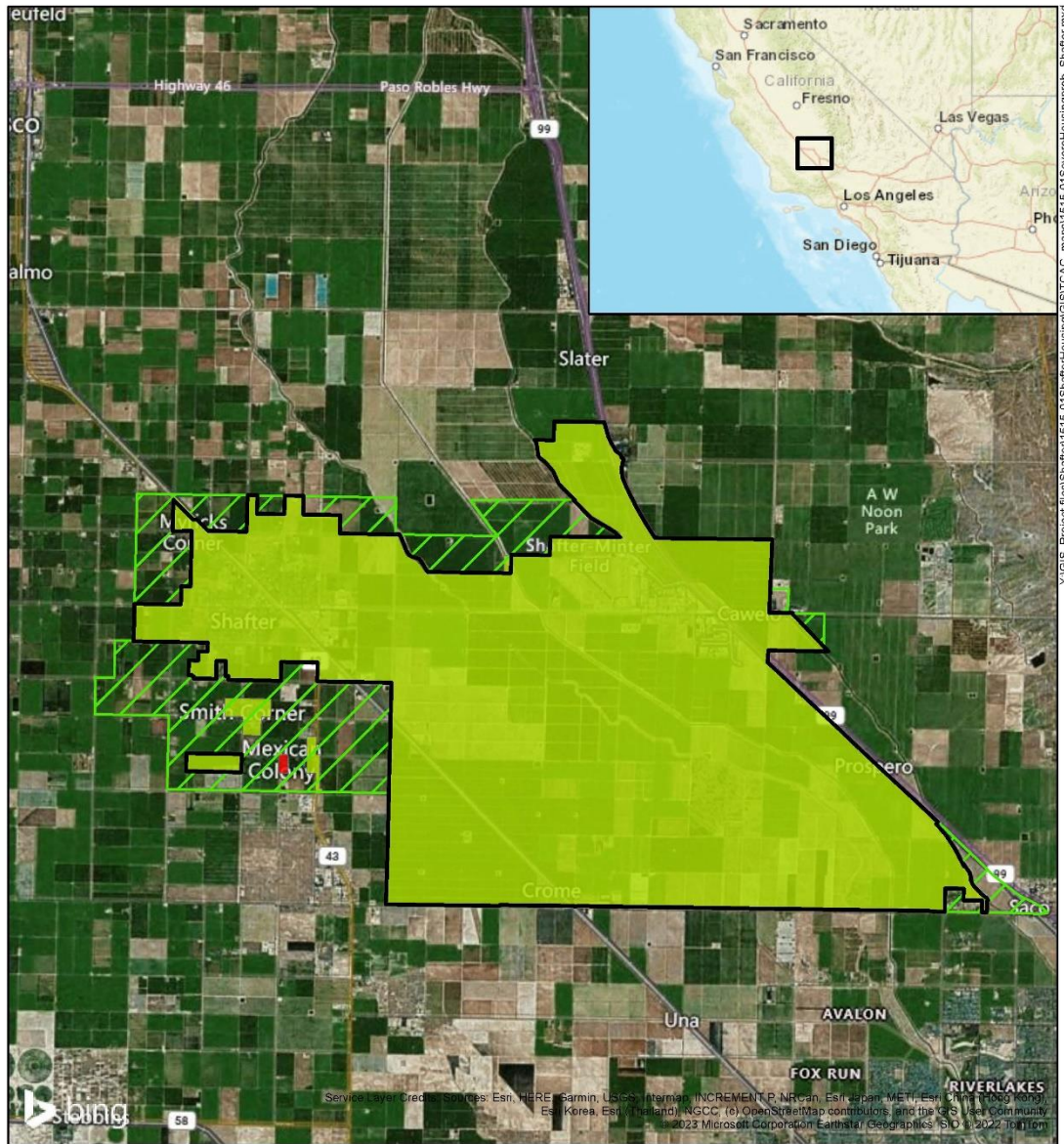


Figure II-6 - Households with Severe Housing Problems (Shafter)

City of Shafter 2023-2031 HEU

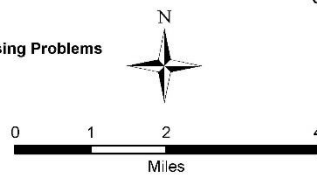
Legend

- City Limits
- Sphere of Influence

Percent of Households with Severe Housing Problems

- < 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%

Map Date: 3/18/2023



E. Special Needs

Certain groups have greater difficulty in finding decent, affordable housing due to exceptional circumstances. Such circumstances may be related to one's employment and income, family characteristics, disability, or other conditions. As a result, some Shafter residents may experience a higher prevalence of overpayment for housing, overcrowding, or other housing problems.

State Housing Program law defines "special needs" as groups to include persons with disabilities, the elderly, large households, female-headed households with children, homeless people, and farm workers. This section contains a discussion of the housing needs facing each of these groups.

1. Extremely Low-Income (ELI) Households

The category "extremely low-income households" is a subset of "very low-income households," and is defined as 30% (or less) of the area median income. Many of the extremely low-income households will fall within a Special Needs category (disabled, seniors, large families, or female-headed households) and require supportive housing services. Most, if not all, extremely low-income households will require rental housing. The extremely low-income households will likely face housing problems such as overpaying, overcrowding, and/or accessibility issues as a result of their limited incomes.

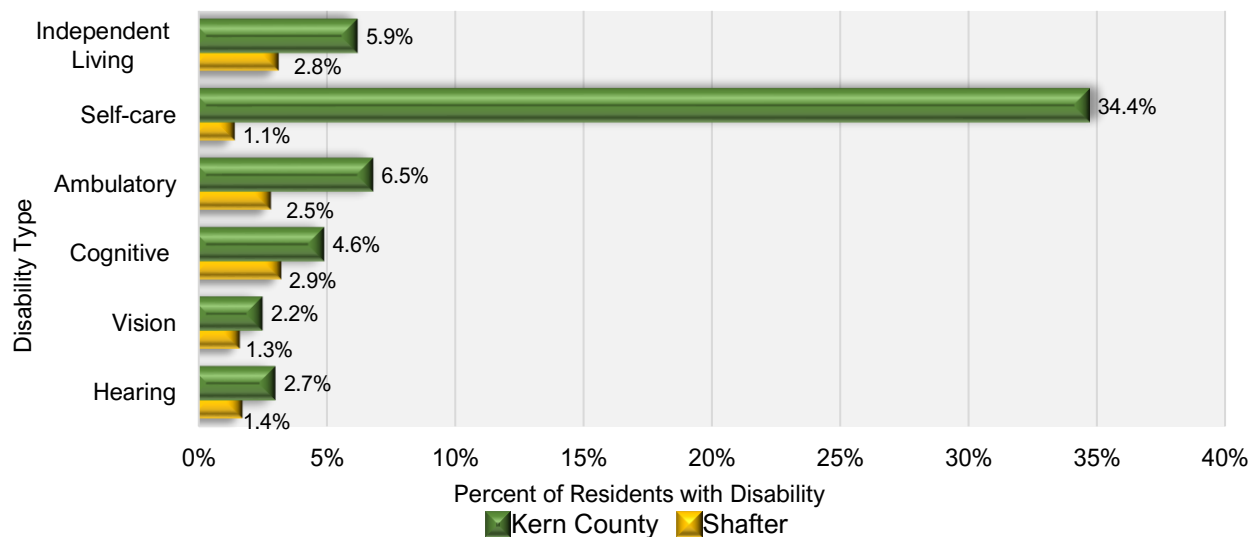
In the 2020 Census, approximately 735 ELI households resided in the City, representing 15.2% of the total households. According to the data, of the 735 ELI, 195 households were owner occupied while 540 households were renters. ELI households are disproportionately impacted by housing costs. The lack of affordable housing also leads to other challenging circumstances when considering the cost of transportation, health care and food. According to the data, there are 400 renter households in Shafter in the Extremely Low renter category that spend 30% and above of their monthly income on rent while 330 renter households spend 50% and above of their monthly income on rent. Per HCD guidelines, 50% of the City's very low-income RHNA number qualifies as extremely low income. The City's Very Low-Income allocation is 678 units. Therefore, the City is estimating approximately 50% of its very low-income regional housing needs to be an extremely low-income housing need. In other words, of the 678 very low-income housing needed, the City is estimating 339 units for extremely low-income households.

2. Persons with Disabilities

According to 2020 Census estimates, the most prevalent types of disabilities for Shafter residents were cognitive, independent living, and ambulatory disabilities (Table II-20). Cognitive disabilities are also referred to as developmental disabilities and can affect a person's performance in any of the following areas: memory, attention, problem solving, math calculations, and reading. People with independent living disabilities rely on communities for adults ages 55 and older, who do not need assistance with activities of daily living (ADLs) but are looking for a living environment that offers additional support, onsite amenities, and socializing opportunities and activities. ADLs, which include tasks relating to mobility, personal hygiene, eating, and dressing, often serve as benchmarks for the level of care someone may need as they age. Ambulatory disability means an impairment that prevents or impedes walking. Housing opportunities for those with disabilities can be maximized through housing assistance programs and providing

universal design features such as widened doorways, ramps, lowered countertops, single-level units, and ground floor units for people required to use wheelchairs. The largest category of disabilities in Shafter is cognitive (2.9%) with independent living close behind (2.8%) and ambulatory (2.5%). The provision of housing programs that serve persons with these types of disabilities will be discussed in further detail in Chapter V of this HEU.

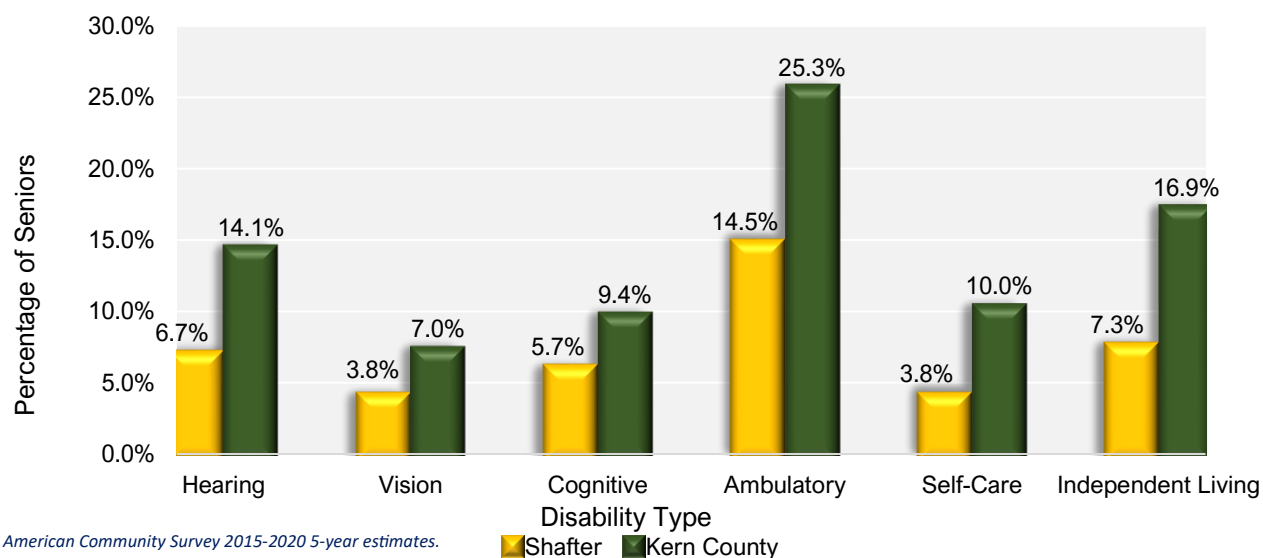
Table II-20
Disabilities by Type – Shafter and Kern County



American Community Survey 2015-2020 5-year estimates.

In Shafter, the most commonly occurring disability among seniors 65-and-older was an ambulatory disability which is experienced by 14.5% of Shafter's seniors compared to 25.3% of Kern County's senior population. Second was "Independent Living" with 7.3% of seniors in Shafter living independently and 16.9% for Kern County (Table II-21).

Table II-21
Disabilities by Type for Seniors 65+ –Shafter and Kern County



Developmental Disabilities

As defined by federal law, “developmental disability” means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age 22;
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency; and
- Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The 2020 Census does not record developmental disabilities as a separate category of disability. However, according to the U.S. Administration on Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.5%. Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is

the transition from the person's living situation as a child to an appropriate level of independence as an adult.

The City of Shafter has one Adult Residential Facility (ARF) that provides 24-hour a day non-medical care and supervision for clients with developmental disabilities (ages 18-59) and senior citizens (60 years of age or older) under specified requirements. The Mariposa ARF, located in the City of Shafter, provides housing to Shafter residents in a nonmedical fac that provides rooms, meals, housekeeping, supervision, storage and distribution of medication, and personal care assistance with basic activities like hygiene, dressing, eating, bathing, and transportation.

The following information from the California Department of Developmental Services (DDS) provides a count of developmentally disabled residents as of December 2021 that reside within Shafter's zip code (Table II-22).

Table II-22
Developmental Disabilities by Age–
Shafter

0-17 Years	18+ Years	Total
174	121	295

<https://www.dds.ca.gov/>

DDS currently provides community-based services to persons with developmental disabilities and their families through a statewide system of 21 regional centers, four (4) developmental centers, and two (2) community-based facilities. The Kern Regional Center (KRC) located in the City of Bakersfield (<https://kernrc.org/>) provides services to over 10,000 clients with disabilities in Kern, Inyo, and Mono Counties.

KRC's purpose is to provide support and services to individuals with developmental disabilities to help them achieve an independent, productive, and satisfying life. Any person suspected of having a developmental disability (intellectual disability, cerebral palsy, epilepsy, autism, or other handicapping condition found to be closely related to intellectual disability or to require similar care) is eligible to receive a free diagnosis and assessment for services. To be eligible for ongoing services, the person must be found to have a developmental disability that occurred prior to the age of eighteen and which constitutes a substantial handicap.

In addition, early intervention services can be provided to infants between birth and three years of age who are believed to be at elevated risk of having a developmental disability. Further, prenatal diagnosis and other genetic counseling services can be provided to pregnant women who are believed to be at risk of giving birth to a child with a developmental disability.

The Lanterman Developmental Disabilities Services Act of 1969 defines the rights of persons with developmental disabilities and establishes a service system to meet the individualized needs of consumers and when appropriate, their families, throughout the state. Therefore, regional centers are required by law to provide services in the most cost-effective way possible. They must use all other resources, including generic resources, before using any regional center funds. A generic resource is a service provided by an agency that has a legal responsibility to provide services to the public and receives public funds for providing those services. Some generic agencies may include the local school district, county social services department, Medi-Cal, Social Security Administration, Department of Rehabilitation, and others. Other resources may include natural support. Natural support is help that disabled persons may get from family, friends, or others at little or no cost.

3. Elderly

The 2020 Census defines elderly households as those occupied by people 65 years and older. There are a total of 5,109 households in the City of Shafter. Of these, Shafter's elderly population (65 and over) occupy a total of 1,014 households, representing approximately 19.8% of the total households in the City of Shafter (Table II-23). In Shafter, 80% of the elderly are homeowners and 19.6% are renters.

Many elderly people are dependent on fixed incomes or have disabilities. Elderly homeowners may be physically unable to maintain their homes or cope with living alone. The housing needs of this group can be addressed through smaller units, accessory dwelling units on lots with existing homes, shared living arrangements, congregate housing, and housing assistance programs.

Table II-23
Elderly Households by Age and Occupancy – Shafter

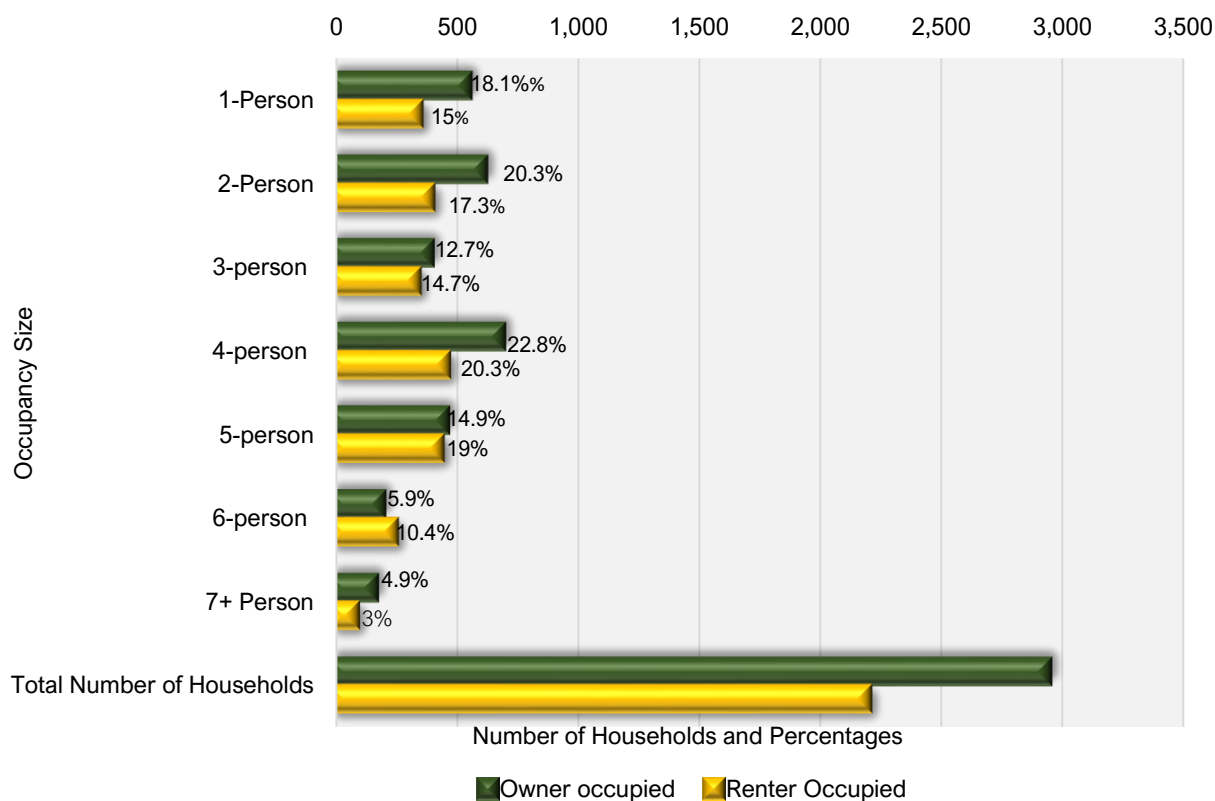
Owners		
Age	Owners	Total Percent
65-74	446	44%
75-84	212	20.9%
85+	157	15.5%
Total Owners	815	80.4%
Renters		
Age	Renters	Total Percent
65-74	88	8.7%
75-84	30	2.9%
85+	81	8%
Total Renters	199	19.6%
Total Owners/Renters	1,014	100%

American Community Survey 2015-2020 5-year estimates.

4. Large Households

Household size is an indicator of a need for larger housing units. Large households are defined as those with five or more members. Table II-24 on the following page illustrates the range of household sizes in Shafter for owners and renters. The most commonly occurring household size is households with four or more persons comprising 22.8% of owners and 20.3% of renters. This indicates a significant demand for large households both in the rental and sale market. City programs targeting overcrowded conditions are discussed further in Chapter V of this HEU. Two-person owner households (20.3%) and 19% renter households are the second most commonly occurring household size in Shafter.

Table II-24
Households Size by Occupancy – Shafter

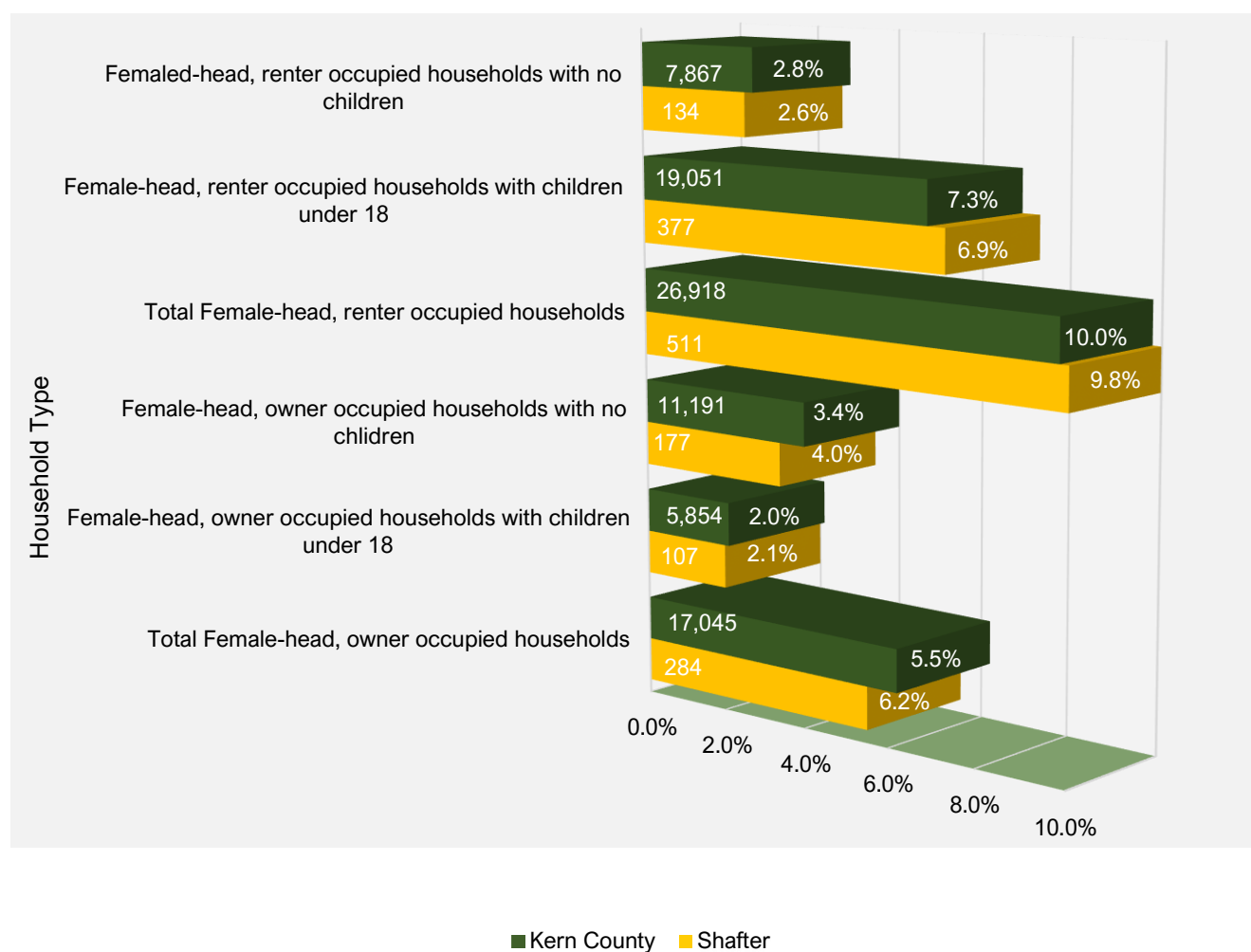


American Community Survey 2015-2020 5-year estimates

5. Female-Headed Households

Of Shafter's 5,109 total households, 5.5% were owner occupied female-headed households compared to 6.2% for Kern County. Renter occupied female-headed households were 10% in Shafter compared to Kern County's 9.8% female headed households. Shafter had a combined total of 15% (owner and renter) occupied female headed households with children under 18 while Kern County had a combined total of 9% female headed households with children under 18 (Table II-25). Based on the data on the next page, the various categories of female head of households in Shafter, are like those seen in Kern County with near similar percentages.

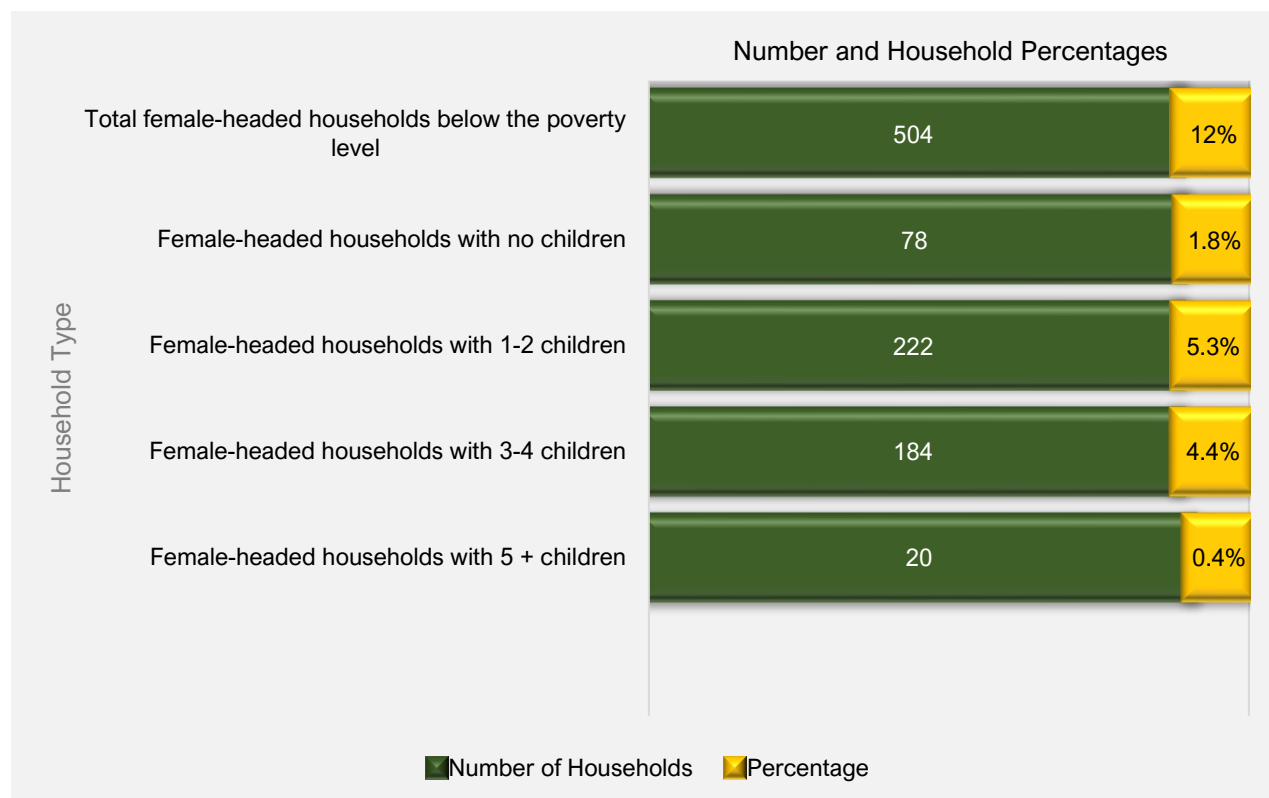
Table II-25
Female-Head of Household Type by Occupancy – Shafter



American Community Survey 2015-2020 5-year estimates.

Poverty thresholds, as defined by the 2020 Census, vary by household type. According to the Census, 23.4% of Shafter's population is categorized as living in poverty. In the United States, in 2021, a single individual was considered in poverty with an income below \$12,880/year while the threshold for a family of four was \$26,500/year. There is a total of 1,590 female-headed households in Shafter and of those 504 households are female-heads of households living below the poverty level in Shafter (Table II-26).

Table II-26
Percent Living in Poverty for Female-Headed Households with Children – Shafter



American Community Survey 2015-2020 5-year estimates

Based on the data presented above in Table II-26, when compared with the overall female head of households in Shafter, single female head of households that live below the poverty level (12%) comprise the largest segment of this population. Therefore, City programs geared towards meeting the needs of this segment of the population would require consideration. Such programs are discussed further in Chapter V of this HEU.

6. Farm Workers

Farm workers are traditionally defined as persons whose primary income is from seasonal agricultural work. There are, however, farm workers that work in processing plants, or other related activities year-round. During harvest seasons, the workload increases and is supplemented by seasonal labor, often supplied by a labor contractor. Some of these farm workers travel great distances to work on farms during the harvest season and are unable to return to their primary residence at the end of their workday, but due to the high cost of housing and low wages, a substantial number of farm workers have difficulty finding affordable, safe, and sanitary housing where they work. Estimating the number of farm workers at a given time is difficult due to high turnover, their length of employment whether it be seasonal or permanent employment, and the type of employment such as laborers in processing plants or field laborers. According to the latest data available, in 2021, the California Department of Agriculture and Natural Resources estimated there were 150,300 farm workers in various farming categories which included workers in tree nut farming, grape vineyards, vegetable and melon farming and other non-citrus fruit farming.

According to the latest 2017 data from the U.S. Department of Agriculture (USDA) 2017 Agricultural Census identified 20,469 farm workers on 845 farms within Kern County and 50,700 farm workers on 2,160 farms in the tri-county area.

According to a 2022 study conducted by the Community and Labor Center at the University of California Merced, California farm workers generally experience substandard housing (e.g., older homes, apartments, mobile homes, motels, garages, or other similar spaces), often requiring repairs such as new roofs, plumbing, heating and cooling systems, and termite clean-up. Poor ventilation and crowded spaces put farm workers at increased risk for respiratory illnesses such as asthma and infectious diseases like tuberculosis and COVID-19. Farm workers tend to live in large, overcrowded households with low incomes and several household problems, arrangements associated with decreased mental health. Farm workers' households were larger than the California average (3.0 persons per household), with a median household size of four persons per household. Farm workers in the University of California Merced study were differentiated based on employment status which consisted of an H2-A visa. For example, H2-A workers are required to live on premises paid for by an employer, farm workers without an H2-A visa in their study were most likely to be renters (92%), to live in single-family homes (55%), and very few renters relied on employers to pay any or all their rent (2%).

According to 2020 Census estimates, 2,022 residents of Shafter (20%) were employed in agricultural, forestry, or fishing and hunting in comparison to Kern County which has 14.7% of residents working in agricultural, forestry, or fishing and hunting (Table II-27). According to the City's zoning records, Shafter is surrounded by 9,528 acres of agricultural/open space. Therefore, due to the substantial percentage of the farmworker population residing in the City (20%), programs that provide affordable farm worker housing will be discussed further in Chapter V of this HEU.

Table II-27
Employment in the Agricultural Industry – Shafter

	Percent of Workers:	Total Number of Workers:	Industry:
Shafter	20.0%	2,022	Agriculture, forestry, fishing, hunting, and mining.
Kern County	14.7%	50,819	Agriculture, forestry, fishing, hunting, and mining.

American Community Survey 2015-2020 5-year estimates

The Farmworker Housing Program of Kern County is subsidized by USDA and was developed to provide housing for persons who derive a minimum of \$5,753 of their annual income from farm labor. The Housing Authority of Kern County (HACK) manages nine housing complexes under the Farmworker Housing Program. In Shafter, HACK operates a total of 99 housing units funded by the USDA.

7. Homeless Persons

Homelessness is a continuing problem throughout California and urban areas nationwide. The Bakersfield-Kern Regional Homeless Collaborative (BKRHC) is an Independent 501(C)3 nonprofit organization that works to reduce the impacts of homelessness in Kern County through collaborative planning and action that expands access to permanent affordable housing and supportive services. The BKRHC, serves as the Collaborative Applicant and Fiscal Agent on behalf of Bakersfield/Kern County Continuum of Care (CoC). BKRHC includes homelessness service providers, government agencies, advocacy groups, businesses and currently and formerly homeless persons, who bring their expertise from working hands-on, every day with homeless individuals and families to help them obtain permanent housing and get the supportive services they need to reach their full potential. The collaborative does not provide any services directly to persons experiencing homelessness. Rather, BKRHC works to coordinate programs and services across the continuum of care, so that people experiencing homelessness have the resources and support they need to achieve stability in permanent housing. BKRHC is responsible for developing and coordinating the implementation of the Bakersfield-Kern region's 10-Year Plan to End Homelessness.

The BKRHC conducts a Point in Time (PIT) Count. The PIT Count is not a census of persons experiencing homelessness but provides a snapshot view of the number of persons experiencing homelessness observed in a 24-hour period. The PIT Count is held in January, the month statistically known to have the highest number of homelessness observations. The most recent PIT was conducted from January 24th through January 27th and comprised a single night shelter count and a three-day unsheltered count. The count resulted in 931 sheltered and 1,017 unsheltered individuals in Kern County. Children (under 18 years) and youth (aged 18 – 24) comprised 6.42% and 6.16% of the total sheltered and unsheltered homeless populations respectively, while adults (aged 25 and older) comprised the remaining 87.42% of the population. Specifically, nearly half of the entire homeless population in Kern County consisted of adults between the ages of

25 – 44 and 5.24% of individuals experiencing sheltered or unsheltered homelessness were considered elderly (102 individuals aged 65 or older). Males made up 67.2% of the homeless population. Females accounted for 32.3% of the total population, while individuals identifying as no one specific gender represented 0.4% and transgender individuals comprised the remaining 0.1% of the population. In terms of race, white represented the largest category with 77.2% followed by Hispanic population at 40.6%.

Due to the transient nature of the homeless, the precise number of homeless individuals in Shafter is difficult to determine, however, the PIT count from January 24th through January 27th and comprised a three-day unsheltered counted, identified 0 unsheltered people in the City of Shafter.

The BKRHC serves as the local CoC and is a valuable resource for outreach to the homeless community. The City's Development Services Department requires staff representation at CoC meetings as policy to gain input from the BKRHC on the needs, priorities, and fund project performance. As homeless subgroups each have unique needs, the CoC Governing Board includes at least one representative from the Homeless or Formerly Homeless Population; one Veterans Affairs/Homeless Veterans Service Provider Representative; and one McKinney-Vento Liaison/Local Education Agency Representative/or Educational Services to Homeless Children & Youth Representative. BKRHC also maintains a by-name list and participates in prioritizing chronically homeless individuals and families to ensure beds are utilized. Thirty-six Housing Choice Vouchers (HCVs) per year are designated by the local Public Housing Authority for the most vulnerable chronically homeless. In addition, the BKRHC participates in the Supportive Services for Veteran Families (SSVF) Community Plan responsible for planning City of Bakersfield FY2021-22 Action Plan 47 and coordinating efforts to prevent and end homelessness among veterans. BKRHC helps low-income persons and families avoid becoming homeless, especially extremely low-income individuals by engaging a county wide task force involving political leaders, governmental agencies, homeless service providers, and other stakeholders.

Shelter assistance for the homeless is not available in Shafter; however, there are several homeless shelters located in Bakersfield, approximately 20 miles south of Shafter, that people experiencing homelessness may be referred to. The Brundage Lane Navigation Center (BLNC) in Bakersfield is a 150-bed year-round emergency homeless shelter established by the City of Bakersfield and operated by non-profit Mercy House, Inc. The 67,000-square-foot facility includes a 7,900- square-foot service provider wing which includes three medical exam rooms, space for mental health professionals, offices for case workers, and a pet exam room. In January 2023, the BLNC completed a major expansion that added 119 additional beds, including 20 recuperative care beds. The Bakersfield Homeless Center located at 1600 East Truxtun Avenue has 110 beds for single women and 134 beds in semi-private rooms for families. The Mission at Kern County, located at 816 East 21st Street, has 240 beds for single men. In total, 753 beds are available for those experiencing homelessness. The Park 20th project is dedicated to house homeless veterans and provides a 56-unit low-income apartment complex for veterans. The housing project aims to house homeless veterans and uses Veterans Administration housing

vouchers to pay as much as 100% of their rent for at least 45% of its housing, or 25 units. The City of Bakersfield's Homeless Services Division administers federal, State, and local funding for homeless service providers. The division works in collaboration with the Bakersfield Kern Regional Homeless Collaborative to assess, meet, and report on the current needs in the City of Bakersfield. The City of Bakersfield is also dedicated to a five-year goal of serving 3,000 people who experience homelessness with shelter assistance and 200 households with Rapid Re-housing or Homelessness Prevention assistance. These goals are supported by the City's Emergency Solutions Grant (ESG) program. The City funds the following programs/activities to help meet the needs of the homeless community. In 2019, the State of California, in response to the growing number of individuals experiencing homelessness and the impact of a lack of permanent and transitional housing to support individuals experiencing homelessness, created Project Homekey. To date, this program has housed over 8,264 individuals across the state by investing in 120 unique project sites. The City of Bakersfield currently has 151 units supported through Project Homekey, including the conversion of two former hotels and an additional 166 units under construction. Once completed, these projects will add 317 units of affordable housing to support individuals transitioning out of homelessness. In summary, 753 beds, 317 affordable units, and an additional 56 low-income units for veterans provides 1,126 temporary or transitional housing opportunities for individuals experiencing homelessness.

F. Assisted Housing at Risk of Conversion

According to the California Housing Partnership (CHP), half of California's six million renter households are lower income households, with more than one million of them falling into the extremely low-income renter household category. Furthermore, renters in California need to earn 2.8 times the state minimum wage to afford the average asking rent in California, which increased by 11% since last year. It is estimated that two million Californians with low incomes lack affordable homes. When housing costs are factored in, California has the highest percentage of people living in poverty of any state in the nation.

"Assisted housing at risk of conversion" are housing projects that are at risk of losing their low-income affordability restrictions within the ten-year period between 2024 to 2033 (Table II-28). CHP identifies at-risk homes as those with Very High- and High-risk levels.

The CHP categorizes at-risk housing projects by varying degrees of risk levels, and they include the following:

- Very High Risk - Includes affordable homes that are at risk of converting to market rate within the next year that does not have a known overlapping subsidy that would extend affordability and are not owned by a stable non-profit, mission-drive developer/owner.
- High Risk - Includes affordable homes that are at-risk of converting to market rate within the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a stable non-profit, mission driven developer/owner.
- Moderate Risk - Includes affordable homes that are at-risk of converting to market rate within the next 5-10 years that do not have a known overlapping subsidy that would

- extend affordability and are not owned by a stable non-profit, mission driven developer/owner.
- Low Risk - Includes affordable homes that are at-risk of converting to market rate within the next 10+ years and are owned by a stable non-profit, mission driven developer/owner.

The lack of affordable housing has dire consequences for citizens and their communities. Being cost-burdened increases the risk of homelessness, perpetuates intergenerational poverty, and increases reliance on expensive social programs funded by taxpayers. Affordable housing is usually created using subsidies from various sources, including federal, state, and local governments; financial institutions; and charitable foundations.

Preserving existing affordable housing offers many advantages over new construction. First, preserving affordable housing enables people to stay in their homes and neighborhoods, where they developed social connections and relationships within their communities. Second, the cost of preserving existing housing as affordable often is less than the cost of creating newly constructed affordable housing and is a faster process than constructing new development, thus making preservation a cost-effective strategy. Finally, the preservation of affordable housing is usually easier than constructing new developments considering existing buildings already conform to local land-use ordinances, and the surrounding City infrastructure – like sidewalks, schools, and sewer systems are typically already in place and equipped to support the buildings residents.

The typical cost to construct new housing units (not including the cost of acquiring land and preparing the site including off-street parking), assuming an average unit size of approximately 915 square feet, is \$108,475 per unit. The cost of acquisition, rehabilitation, and preservation of affordable housing units can vary widely based on the extent of rehabilitation needed, and whether the entire property or just the affordability deed restriction is acquired; costs range from \$72,916 to \$300,000 per unit.

For cities to maintain affordable housing affordability, there are a few strategies that can be used to preserve affordable housing:

- Developing a tracking system or a database of affordable housing units within their jurisdictions. Being able to spot at-risk housing on time before they are no longer eligible for federal, state, or local programs or preventing these units from falling into disrepair is a key component of a successful housing affordability program.
- Preventing the affordable housing units from falling into the hands of new owners that could raise rents to market levels is critical. The Tenant to Purchase Act (TOPA) would allow cities and towns the local option of providing tenants in multi-family buildings the right to match a third-party offer when their homes are being sold.
- Code enforcement is another strategy for the preservation of affordable housing by preventing buildings from falling into disrepair and not just to issue citations for code violations, but to connect people to resources that will help them bring their buildings up to code and preserve affordable units that are in a state of disrepair that could eventually lead them to become uninhabitable or force the owner to sell. Having code enforcement software, the City would be able to enforce its municipal codes which would make the process thorough and more efficient for City workers involved with code enforcement.

Table II-28 displays the California Housing Preservation Database data on federal and state funded At-Risk housing units that are at-risk of converting to market rate within the next 10+ years. Also included on Table II-28 are At Risk housing units for low- and moderate-income residents included in the Covenants, Conditions and Restrictions (CC&R's) for each property that were funded by the now dissolved Shafter Community Redevelopment Agency.

Housing units included in the North Shafter/North Park Sewer Project as listed in Table II-28, are units included as part of a utility grant to expand the City of Shafter's wastewater collection system in an area of the City not currently served by sewer. The CC&Rs for rental units within the North Shafter/North Park Sewer Project do not include a buy-out option, however, owner-occupied within the Project do have a prorated buy-out clause in the CC&Rs which may result in the potential for the homeowner to pay off their property at any time before the expiration date. However, during the past 12 years, only a small fraction of owners has bought their way out of the agreement. The risk levels for these housing units are assumed to be low and are identified in Table II-28 as "Low*".

Table II-28
At Risk Affordable Housing Units – Shafter

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
State and Federal At-Risk Housing Units				
Casa Amelia Cadena Apartments	455 E. Ash Avenue, Shafter	2061	80	Low
Tulare Arms Apartments	225 West Tulare Avenue, Shafter	2067	47	Low
Hudson Park Apartments I & II	431 East Ash Street, Shafter	2065	82	Low
Skyway Apartments	500 State St, Shafter	2075	24	Low
Westside Village (Site A)	550 Santa Maria Way, Shafter	2069	80	Low
Shafter Kern Housing Authority	300 Terra Vista Lane, Shafter	2033	173	Low
Shafter At -Risk Housing Units				
Miguel & Maria Montoya	160, 162, 166, 182, 186 & 190 W. Orange Avenue, Shafter (26-181-17 & 18)	2060	6	Low
N. Shafter/N. Park Sewer Project	536 Klassen Drive, Shafter	2055	1	Low
N. Shafter/N. Park Sewer Project	526 Klassen Drive, Shafter	2055	1	Low
N. Shafter/N. Park Sewer Project	516 Klassen Drive, Shafter	2055	1	Low
N. Shafter/N. Park Sewer Project	474, 480, 499. 490 Klassen Drive, Shafter	2066	4	Low
N. Shafter/N. Park Sewer Project	835 N Central Valley Highway, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	835 N Central Valley Highway, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	472 Klassen Drive, Shafter	2055	1	Low *

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
Shafter At-Risk Housing Units (Table II-28 Continued)				
N. Shafter/N. Park Sewer Project	470 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	444 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	460 Klassen Drive, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	401 Klassen Drive, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	415 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	431 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	445 Klassen Drive, Shafter	2066	5	Low
N. Shafter/N. Park Sewer Project	465 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	485 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	515 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	545 Klassen Drive, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	543 Klassen Drive, Shafter	2065	3	Low
N. Shafter/N. Park Sewer Project	565 Klassen Drive, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	581 Klassen Drive, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	544, 566, 570, 572, 576, 578 Klassen Drive, Shafter	2065	6	Low
N. Shafter/N. Park Sewer Project	479 Klassen Drive, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	475 Klassen Drive, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	527 English Lane, Shafter	2066	1	Low
N. Shafter/N. Park Sewer Project	508 Sunny St, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	512 Sunny St, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	516 Sunny St, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	532 & 534 Sunny St, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	513 Sunny St, Shafter	2067	1	Low
N. Shafter/N. Park Sewer Project	469 Sunny St, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	453 Sunny St, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	556 Prince Lane, Shafter	2055	1	Low *

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
Shafter At-Risk Housing Units (Table II-28 Continued)				
N. Shafter/N. Park Sewer Project	524 & 524 1/2 Prince Lane, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	516 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	502 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	464 Prince Lane, Shafter	2057	1	Low *
N. Shafter/N. Park Sewer Project	456 Prince Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	416 Prince Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	400 Prince Lane, Shafter	2055	2	Low *
N. Shafter/N. Park Sewer Project	396 Prince Lane, Shafter	2056	1	Low *
N. Shafter/N. Park Sewer Project	721 N Central Valley Highway, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	442 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	438 Prince Lane, Shafter	2056	1	Low *
N. Shafter/N. Park Sewer Project	514 Prince Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	533 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	525 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	517 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	501 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	457 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	457 Prince Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	425 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	417 Prince Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	625 McCrumb Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	424 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	424 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	432 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	440 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	456 Gibson Lane, Shafter	2065	1	Low

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
Shafter At-Risk Housing Units (Table II-28 Continued)				
N. Shafter/N. Park Sewer Project	524 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	530 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	542 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	542, 544, 546 Gibson Lane, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	550 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	550 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	465 Prince Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	514 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	472 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	416 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	412 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	605 McCrumb Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	525 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	517 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	465 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	457 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	449 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	441 Gibson Lane, Shafter	2056	1	Low *
N. Shafter/N. Park Sewer Project	433 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	425 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	417 Gibson Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	409 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	401 Gibson Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	566 McCrumb Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	570 McCrumb Lane, Shafter	2067	1	Low
N. Shafter/N. Park Sewer Project	330 Venable Lane, Shafter	2066	1	Low

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
Shafter At-Risk Housing Units (Table II-28 Continued)				
N. Shafter/N. Park Sewer Project	316 Venable Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	312 Venable Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	563 Hicks Lane, Shafter	2057	1	Low *
N. Shafter/N. Park Sewer Project	559 Hicks Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	555 Hicks Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	551 Hicks Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	562 Hicks Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	653 N Central Valley Highway, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	568 Hicks Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	554 Hicks Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	550 Hicks Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	304 W Tulare Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	298 & 300 W Tulare, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	204 Voth Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	216 Voth Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	224 & 232 Voth Lane, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	225 Voth Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	205 & 207 Voth Lane, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	203 Voth Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	120 W Tulare Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	160 W Tulare Avenue, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	160 1/2 W Tulare Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	164 W Tulare Avenue, Shafter	2057	1	Low *
N. Shafter/N. Park Sewer Project	200 W Tulare Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	216 W Tulare Avenue, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	242 W Tulare Avenue, Shafter	2055	1	Low *

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
Shafter At-Risk Housing Units (Table II-28 Continued)				
N. Shafter/N. Park Sewer Project	211 Voth Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	625 & 605 N Central Valley Highway, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	1217 Park Lane, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	1211 Park Lane, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	790 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	780 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	760 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	740 Mayer Lane, Shafter	2068	1	Low
N. Shafter/N. Park Sewer Project	707 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	715 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	739 Mayer Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	745 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1141 Cagle Lane, Shafter	2056	1	Low *
N. Shafter/N. Park Sewer Project	1133 Cagle Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1129 Cagle Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1106 Park Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1114 Park Lane, Shafter	2058	1	Low *
N. Shafter/N. Park Sewer Project	759 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	767 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1143 Park Lane, Shafter	2066	1	Low
N. Shafter/N. Park Sewer Project	1135 Park Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1117 Park Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1103 Park Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	757 Mayer Lane, Shafter	2058	1	Low *
N. Shafter/N. Park Sewer Project	746 Mayer Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1089 Park Lane, Shafter	2055	1	Low *

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
Shafter At-Risk Housing Units (Table II-28 Continued)				
N. Shafter/N. Park Sewer Project	1088 Park Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1082 Park Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1074 Park Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	738 W Fresno Avenue, Shafter	2057	1	Low *
N. Shafter/N. Park Sewer Project	800 W Fresno Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1053 Park Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1057 Park Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1059 Park Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1067 Park Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1081 Park Lane, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1087 Park Lane, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1055 Park Lane, Shafter	2067	1	Low
N. Shafter/N. Park Sewer Project	1065 Alamo Road, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1065 Alamo Road, Shafter	2068	1	Low
N. Shafter/N. Park Sewer Project	1057 Alamo Road, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1057 Alamo Road, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1049 Alamo Road, Shafter	2067	1	Low
N. Shafter/N. Park Sewer Project	1039 Alamo Road, Shafter	2067	1	Low
N. Shafter/N. Park Sewer Project	1031 Alamo Road, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1056 Alamo Road, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1048 Alamo Road, Shafter	2067	1	Low
N. Shafter/N. Park Sewer Project	1024 Alamo Road, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	1083 N Central Valley Highway, Shafter	2065	2	Low
N. Shafter/N. Park Sewer Project	648 W Fresno Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	654 W Fresno Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	656 W Fresno Avenue, Shafter	2065	1	Low

Name	Address	Sunset Year	Number of Units at Risk	Risk Level
Shafter At-Risk Housing Units (Table II-28 Continued)				
N. Shafter/N. Park Sewer Project	680 W Fresno Avenue, Shafter	2055	1	Low *
N. Shafter/N. Park Sewer Project	696 W Fresno Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	700 W Fresno Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	718 W Fresno Avenue, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1021 Alamo Road, Shafter	2065	1	Low
N. Shafter/N. Park Sewer Project	1081 N Central Valley Highway, Shafter	2065	3	Low
* Properties identified with risks levels identified as "Low *" are owner-occupied units within the N. Shafter/N. Park Sewer Project that have a prorated buy-out clause in the CC&Rs which may result in the potential for the homeowner to pay off their property at any time before the expiration date. Source: California Housing Partnership Preservation Database, July 2022.				

In summary, the above table is a list of subsidized affordable rental housing in the City of Shafter and their associated risk levels. A review of the assisted housing inventory maintained by California Housing Partnership indicated that although there is one complex identified as low risk of conversion within the next 10 years, no assisted units in Shafter are subject to a very high, high, or moderate conversion within the next ten years. Chapter V of this HEU contains a program for preserving such units.

G Future Growth Needs

1. Overview of the Regional Housing Needs Assessment

The Regional Housing Needs Assessment (RHNA) is a key requirement for local governments to plan for anticipated growth. The RHNA quantifies the anticipated need for housing within each jurisdiction for the 6th Housing Program cycle on an eight and one-half year projection planning period. This planning period extends from 2023 to 2031. On August 31, 2021, the California Department of Housing and Community Development (HCD) provided the Kern Council of Governments (Kern COG) with its RHNA determination. Due to a discrepancy in the rounding of numbers, on January 9, 2023, Kern COG sent a letter to the City of Shafter requesting an adjustment be made to its moderate-income unit count from 603 moderate income units to 604 moderate income units. The City of Shafter's RHNA allocation was adjusted from 3,293 to 3,294 total units. With these revisions, Kern COG's regional housing needs remained at 57,650 units for this projection period. Kern COG works with local governments and communities to determine how they will address this need through the process of updating the Housing Programs of their General Plans.

Kern COG tentatively adopted the RHNA for the 6th cycle on July 21, 2022. The need for housing is determined by the forecasted growth in households as well as existing need due to overcrowding and overpayment. Each new household created by a child moving out of a parent's home or by a family moving to a community creates the need for a

housing unit. The housing need for new households is then adjusted to maintain a desirable level of vacancy to promote housing choice and mobility. An adjustment is also made to account for units lost due to demolition, natural disaster, or conversion to non-housing uses. Total housing need is then distributed among four income categories based on the county's income distribution, with adjustments to avoid an over-concentration of lower-income households in any community. More information about the RHNA process may be found on KERN COG's website at <https://www.kerncog.org/?s=RHNA>.

2. 2023-2031 Shafter Growth Needs

The total housing growth need for the City of Shafter during the 2023-2031 planning period is 3,294 units. This total is distributed by income category as shown in Table II-29 below.

Table II-29
2023-2031 Regional Housing Needs Allocation – Shafter

Very Low Income	Low Income	Moderate Income	Above Moderate Income	RHNA Total
678*	431	604	1,581	3,294

*Per state law, half of the very-low units can be assumed to be in the extremely low category instead of using available US Census Data for calculation⁵

Source: HCD 2022

H. Affirmatively Furthering Fair Housing (AFFH)

1. Introduction

HCD's mission is "to promote safe, affordable homes and vibrant, inclusive, sustainable communities for all Californians." When housing choice and access are limited because of race, sexual orientation, or disability status, there are far-reaching impacts on access to job opportunity, access to quality education, and on one's mental and physical health. To continue to ensure equal housing programs are enforced, California State Legislature passed Assembly Bill 686 (AB 686) in 2018, expanding protections and requirements in the Fair Employment and Housing Act (FEHA). This addition now requires state and local public agencies to address, combat, and relieve disparities from past patterns of segregation to create more inclusive communities. AB 686 protects the requirement to affirmatively further fair housing in California. Public agencies are required to examine

⁵ <https://www.hcd.ca.gov/extremely-low-income-housing-needs>

existing and future policies, plans, programs, rules, practices, and other related activities and make proactive changes to promote inclusive communities.

To meet the housing needs of all segments of the community, the Housing Program must promote housing opportunities for all people.

Pursuant to Government Code Section 65583, cities and counties are required to take deliberate action to relieve patterns of segregation and foster inclusive communities. Housing Programs are now required to include the following:

- **Inclusive and Equitable Outreach:** Housing Programs must make diligent efforts to equitably include all community stakeholders in the Housing Program participation process.
- **Fair Housing Assessment:** All Housing Programs must include an assessment of fair housing. This assessment should include an analysis of the following four fair housing issues: 1) integration and segregation patterns and trends, 2) racially or ethnically concentrated areas of poverty, 3) disparities in access to opportunity, and 4) disproportionate housing needs, including displacement risk.
- **Analysis of Sites Inventory:** Local jurisdictions must evaluate and address how particular sites available for housing development will meet the needs of households at all income levels. The Housing Programs must analyze and conclude whether the identified sites improve or exacerbate conditions for fair housing.
- **Identification of Contributing Factors:** Based on findings from the previous steps, Housing Programs must identify, evaluate, and prioritize the contributing factors related to fair housing issues.
- **Priorities, Goals, and Actions to AFFH:** Local jurisdictions must adopt fair housing goals and actions that are significant, meaningful, and sufficient to overcome identified patterns of segregation and affirmatively further fair housing. The Housing Program should include metrics and milestones for evaluating progress and fair housing results.

The assessment of fair housing practices examines existing conditions and demographic patterns, concentrated areas of poverty within the City, concentrated areas of low- and median-income housing, and areas of low and high opportunity to identify segregated living patterns and replace them with integrated and balanced living patterns.

The purpose of this analysis is to replace segregated living patterns with truly integrated and balanced living patterns to transform racially and ethnically concentrated areas of poverty into areas of opportunity. Community amenities and access to opportunities are inherently spatial in nature and are not always readily accessible or attainable due to the diverse types of social, cultural, and economic barriers in our society. Ensuring that sites for housing, particularly lower-income units, are in high resource areas rather than concentrated in areas of high segregation and poverty requires jurisdictions to plan for housing regarding the accessibility of numerous opportunities, including jobs, transportation, good education, and health services.

2. Fair Housing Enforcement and Outreach Capacity

Fair housing complaints can be used as an indicator to identify characteristics of households experiencing discrimination in housing. Pursuant to the California Fair Employment and Housing Act Government Code Section 12921(a), the opportunity to seek, obtain, and hold housing cannot be determined by an individual's "race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, genetic information, or any other basis prohibited by Section 51 of the Civil Code."

Fair housing issues that may arise in any jurisdiction include, but are not limited to:

- housing design that makes a dwelling unit inaccessible to an individual with a disability;
- discrimination against an individual based on race, national origin, familial status, disability, religion, sex, or other characteristics when renting or selling a housing unit; and
- disproportionate housing needs, including cost burden, overcrowding, substandard housing, and risk of displacement.

The City refers discrimination complaints to the Kern County Planning and Natural Resources Fair Housing Coordinator to conduct outreach related to fair housing. The following resources are available to Shafter residents:

- **Kern County Planning and Natural Resources Department Fair Housing Coordinator:** The City partners with the Kern County Fair Housing Coordinator to implement various outreach and marketing programs to inform the public of fair housing laws and to assist with housing-related problems where appropriate. The City refers fair housing questions and complaints to the Fair Housing Coordinator who can investigate complaints, assist in mediation, and provide referrals to appropriate investigative/enforcement agencies. The Coordinator distributes 200 informational flyers per month to housing providers and advertises its toll-free telephone number throughout the County. The Coordinator has prepared a housing resource guide containing information about housing-related services provided throughout Kern County. The guides are "regionalized" and distributed throughout the various portions of the county.⁶
- **Interim Housing Operations:** The Bakersfield Kern Regional Homeless Collaborative prepared a 10-year plan to combat and end homelessness in Kern County. The Collaborative provides a public resource directory for residents who are in need of homeless services. The directory has an extensive list of both governmental services such as The Housing Authority of Kern County and other private charity groups.
- **Eviction Prevention:** The Bakersfield Kern Regional Homeless Collaborative directory also provides a list of both governmental and private charity groups that

⁶ 5th edition City of Shafter Housing Element

provide financial support as well as legal services for low-income individuals. The City also works to provide referral services to FHF for fair housing services and complaints regarding evictions.

- **Payee Services:** Provides support and management of Supplemental Security Income (SSI) benefits, cash disbursement, and bill payment for people who are not able to independently take care of their own finances, which includes triage and basic needs support, giving clients' money as requested, payment of rent, and other living expenses, ongoing case management support, and independent living support.
- **Back Office Operations:** Back Office Operations can assist with providing a security deposit and move-in assistance; ongoing rapid re-housing monthly rent payments and landlord relations; unit inspections for new eviction prevention cases and rapid re-housing placements; and subcontractor relations and payments.

According to Kern County Fair Housing Coordinator, no fair housing complaints were submitted from the City of Shafter during the previous housing cycle. While this can be considered a positive sign, it is also equally likely residents do not have adequate information or know their rights regarding fair housing to submit complaints. This is evidenced in the online survey published to Shafter's residents. When asked the question "Do you know how to file a fair housing complaint under the Fair Housing Act?" 78.2% of respondents stated they do not know how to file a fair housing complaint. The City has programs to assist and educate its residents on their rights as it pertains to fair housing. Also Kern County Fair Housing Coordinator has information and a hotline for residents to access at any time.

3. Integration and Segregation

In February 2017, the Department of Housing and Community Development and the California Tax Credit Allocation Committee (TCAC) collaborated with independent organizations and research centers, collectively known as the "research partners," with the objective of providing evidence-based policy recommendations to further HCD's fair housing goals.

One of the outcomes of this collaboration was the creation of Opportunity Maps designed to support new policies focused on improving access to high-opportunity areas for families with children residing in housing financed with 9% Low Income Housing Tax Credits (LIHTCs).

Opportunity mapping "is a way to measure and visualize place-based characteristics linked to critical life outcomes, such as educational attainment, earnings from employment, and economic mobility. Opportunity maps can be used to inform how to target investments and policies in a way that is conscious of the independent and inter-related effects that research has shown places have on economic, educational, and health outcomes." To create an objective mapping tool, the Task Force used a hybrid approach by accounting for regional differences in assessing the opportunity for most places, while applying more rigid standards for high-poverty, racially segregated areas in all regions. To produce the opportunity map that shows areas of racially segregated and prevalent

poverty areas, the Task Force filtered areas that met “consistent standards for both poverty (30% of the population below the federal poverty line) and racial segregation (overrepresentation of people of color relative to the county) into a “High Segregation & Poverty” category. The share of each region that falls into the High Segregation & Poverty category varies from region to region.” Figures II-7 and II-8 on the following page display areas of high segregation and poverty for Kern County and the City of Shafter, respectively. Kern County has multiple areas scattered throughout the county determined to be areas of high segregation and poverty (Figure II-7) while the City, has two areas within the City boundary that are determined to be areas of high segregation and poverty (Figure II-8). The two areas are directly adjacent to each other and are bounded by South Schnadt Street to the West, West Los Angeles Ave to the South, South Beech Ave to the East, and East Lerdo Hwy to the North. Additionally, the City’s sphere of influence does encompass another larger area that is considered an area of high segregation and poverty.

The two “High Segregation and Poverty” areas in the City correlate with areas that are predominantly non-white Hispanic, have a high population of single female households, a low median income and high poverty rate, and lower opportunities compared to the rest of the City. The high segregation areas do have parks and schools nearby to them however there is little access to grocery stores and healthier food options.

Localized Perspective

The two adjacent “High Segregation and Poverty” areas in the City are found within the southern portion of its historic core as described above. These areas include an elementary school, two City parks, skate park, vacant and developed areas zoned for both single-family and multi-family residential, and vacant and developed areas zoned commercial and industrial adjacent to Santa Fe Way.

The median income of the area is low, and the demographic of the area is predominantly non-white Hispanic. The housing types are single-family residential and some existing multi-family generally adjacent to E. Ash Avenue, including an apartment complex. Currently, Tract 6290 is being developed with market rate homes west of the vacant commercial areas along Santa Fe Way between E. Ashe Avenue and E. Los Angeles Avenue.

The areas include housing that was present when the City was originally incorporated in 1938 all the way to the present day with the development of Tract 6290. Areas within the two subject areas were annexed in every decade from the 1940s through 1970s, and the last annexation in the area occurred in 1992.

The condition of housing in the area varies from excellent to poor, generally based on the age of the housing. Overall, the condition of the neighborhoods is fair with all neighborhoods connected to water and sewer and with curb, gutter, and sidewalks throughout and therefore, the citizens of these areas have safe routes to schools.

As is the case throughout the City, the residents of these areas have access to a Dial-A-Ride program for public transportation. The City does not currently have fixed-route

service within any portion of the City. The residents of these areas have the same opportunity to use the Dial-A-Ride program as any other resident in the City.

All residents also have access to a regional fixed route that picks up and drops off passengers at a bus stop located at Stringham Park in the historic core on James Street; this regional bus route can take passengers to Bakersfield and other cities throughout Kern County.

In comparison to other areas in the City's historic core, the areas are similar in condition. In comparison to the specific plan areas along 7th Standard in the southeast of the City, the conditions are not as good with the specific plan areas having more recreational opportunities.

Figure II – 7
TCAC Areas of High Segregation and Poverty (2021) (Kern County)

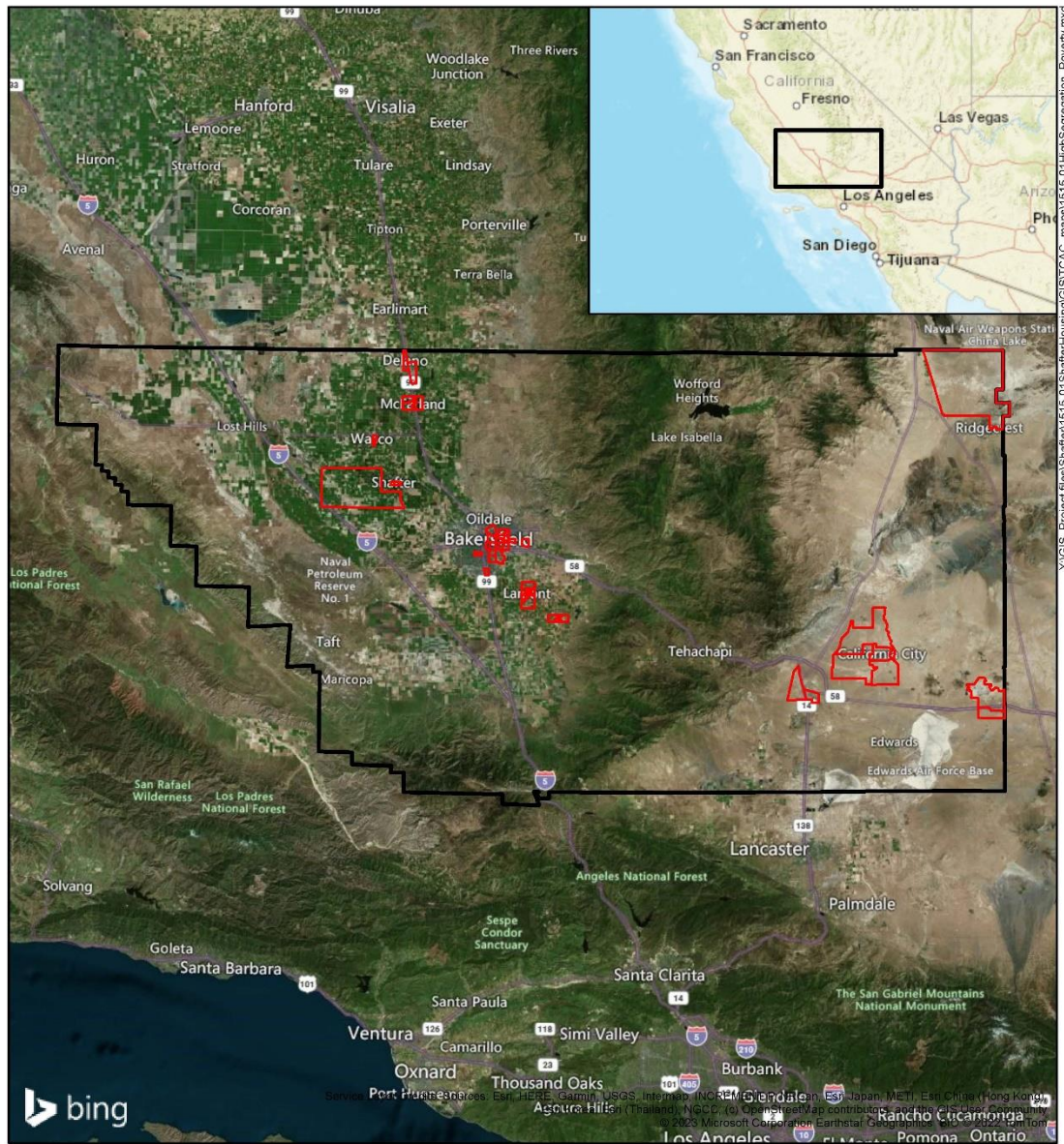
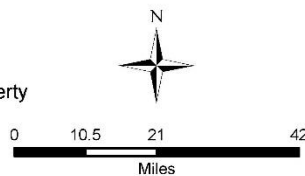


Figure II-7 - TCAC Areas of High Segregation & Poverty (2021) (Kern County)

City of Shafter 2023-2031 HEU

Legend

- Kern County Boundary
- TCAC Area of High Segregation & Poverty



Map Date: 3/18/2023



Figure II – 8
TCAC Areas of High Segregation and Poverty (2021) (Shafter)

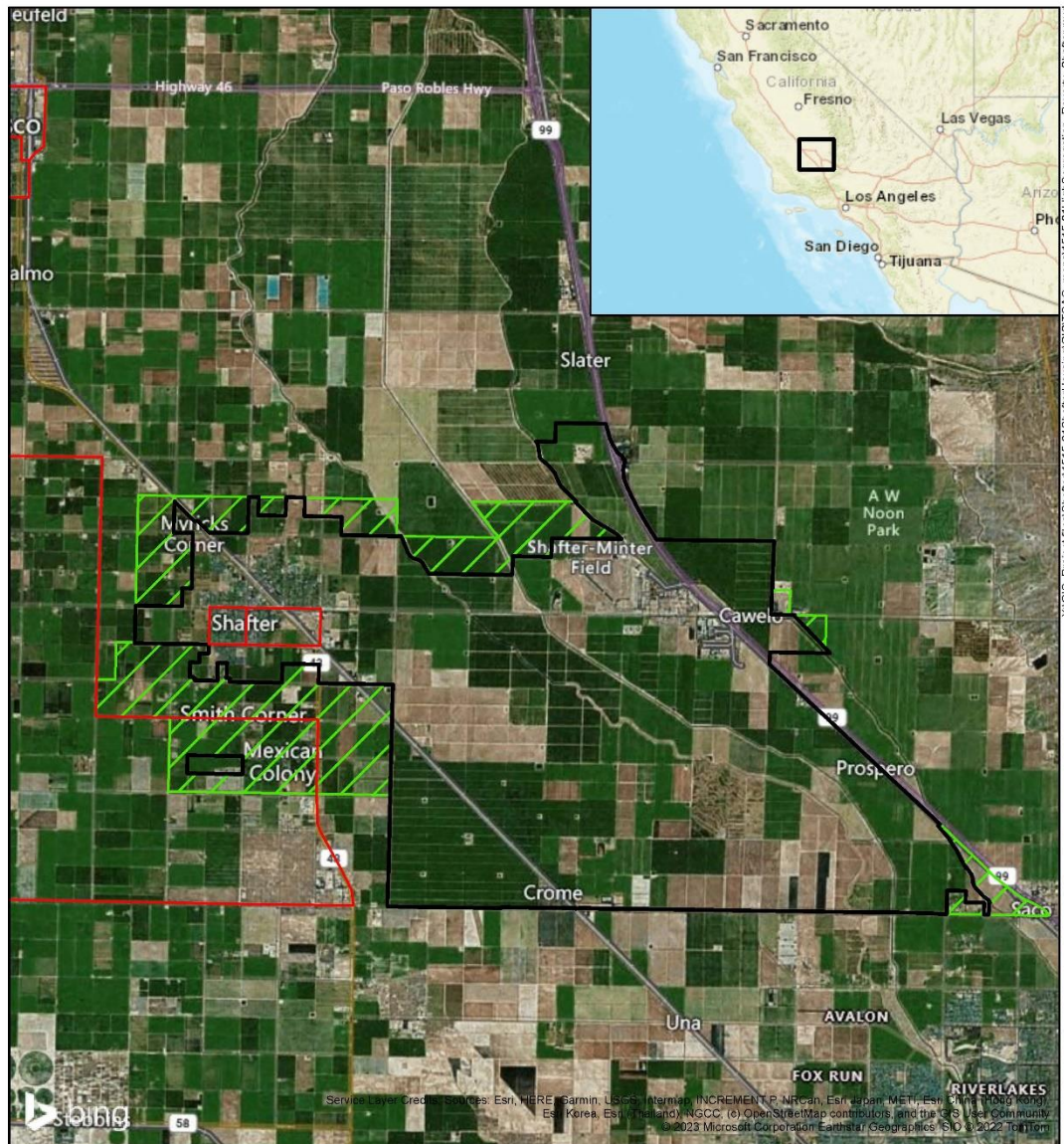
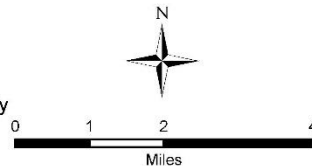


Figure II-8 - TCAC Areas of High Segregation
& Poverty (2021) (Shafter)

City of Shafter 2023-2031 HEU

Legend

- City Limits
- Sphere of Influence
- TCAC Area of High Segregation & Poverty



Map Date: 3/18/2023



4. Disability

Per California Government Code Section 12926, a “disability” includes but is not limited to, any physical or mental disability. Disabilities often prevent a person from working, restrict mobility, and/or make caring for oneself difficult. Disabled persons often need specialized housing depending on the type and severity of disability related to potential limited earning capacity. Housing needs can range from institutional care facilities to facilities that support partial or full independence (e.g., group care facilities). Other support services like daily living skills and employment assistance should also be a part of the disabled housing solution. Examples of housing accessibility can be widened doorways/hallways, wheelchair ramps, modified bathrooms (lowered countertops, grab bars, adjustable shower heads, etc.), and specialized sensory devices such as smoke alarms.

Housing opportunities for disabled persons are impeded by practices in both the private and public sectors. For instance, "denied reasonable modification/accommodation" is often cited as an alleged act in housing discrimination complaints. Additionally, apartment rental ads often state, "no pets allowed," even though disabled persons may have service or companion animals. In the public sector, housing opportunities can be impeded because a community has not adopted a reasonable accommodation procedure, or if adopted, has not made the procedure widely known in the community. HCD identifies disability as the basis for 54% of all housing discrimination complaints. Figures II-9 and II-10 on the following page show the percentage of the population by census tract that has a disability in Kern County and City of Shafter, respectively. Generally, the City does not seem to have a large population of people with disabilities. The highest percentage is between 10% and 20% located in the northwestern area of the City Center. Due to the relatively low population with a disability, it is likely not a constraint to fair housing. The City does provide reasonable accommodation for disabled persons and does provide a contact for complaints and issues with a program, service, or activity of the City of Shafter is not accessible to persons with disabilities.

Localized Perspective

The City complies with the American with Disabilities Act (ADA) including providing accessible government facilities. The City requires new development to adhere to accessibility requirements in the 2022 California Building Code and in compliance with ADA. The City is continually upgrading older sidewalks, pedestrian crossings, or other infrastructure to be compliant with ADA. The City Building Department assists developers in creating modifications for housing accessibility. City policies and practices do not discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings. The City's Police Department undergoes training in interacting with people with mental disabilities or neurodivergent individuals.

Figure II-9
Population with a Disability (ACS 2016-2020) (Kern County)

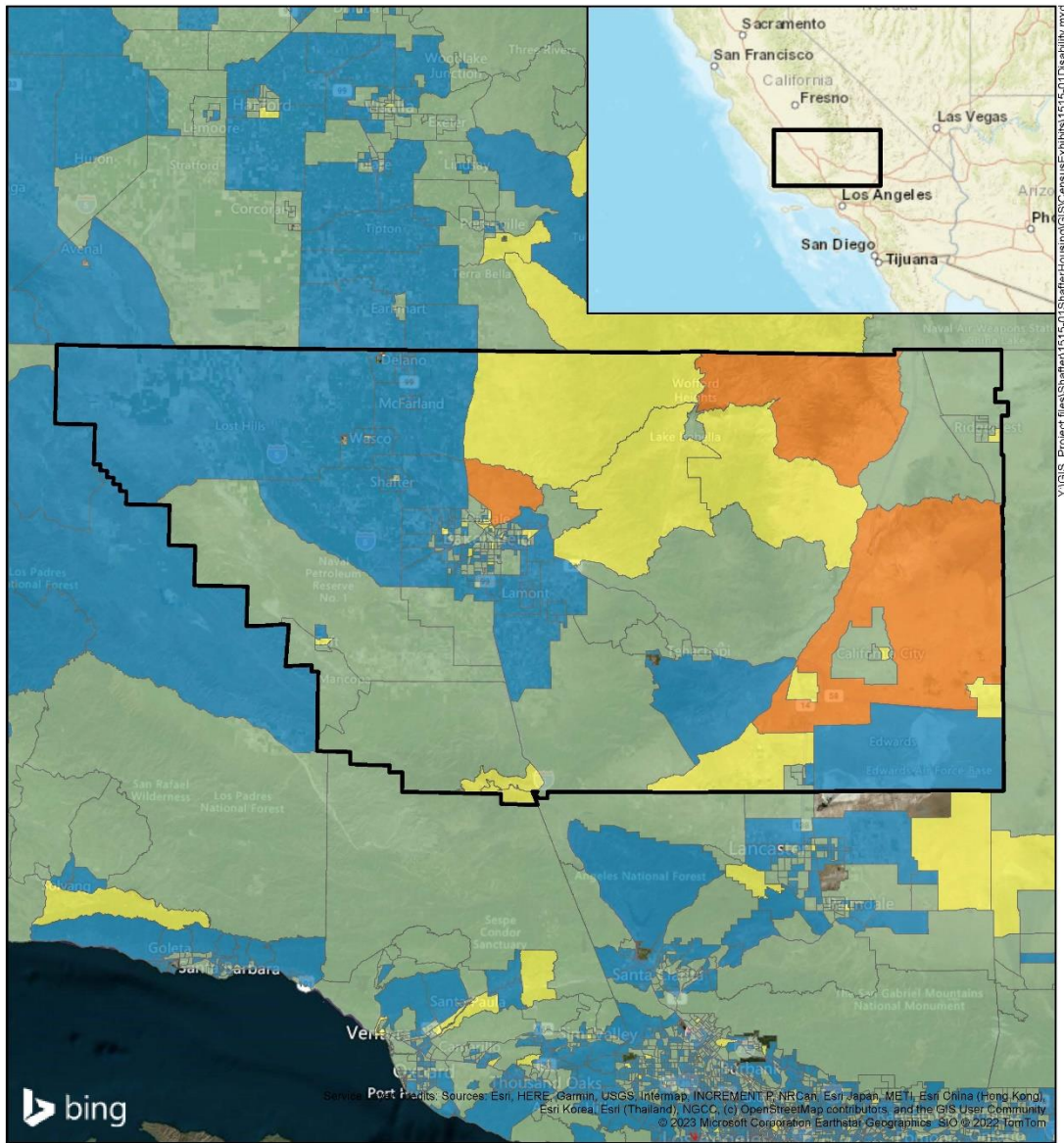


Figure II-9 - Population with a Disability
(ACS 2016-2020) (Kern County)

City of Shafter 2023-2031 HEU

Legend

- Kern County Boundary
 - < 10%
 - 10% - 20%
 - 20% - 30%
 - 30% - 40%
 - > 40%
- Map Date: 3/17/2023

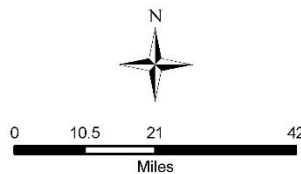


Figure II-10
Population with a Disability (ACS 2016-2020) (Shafter)

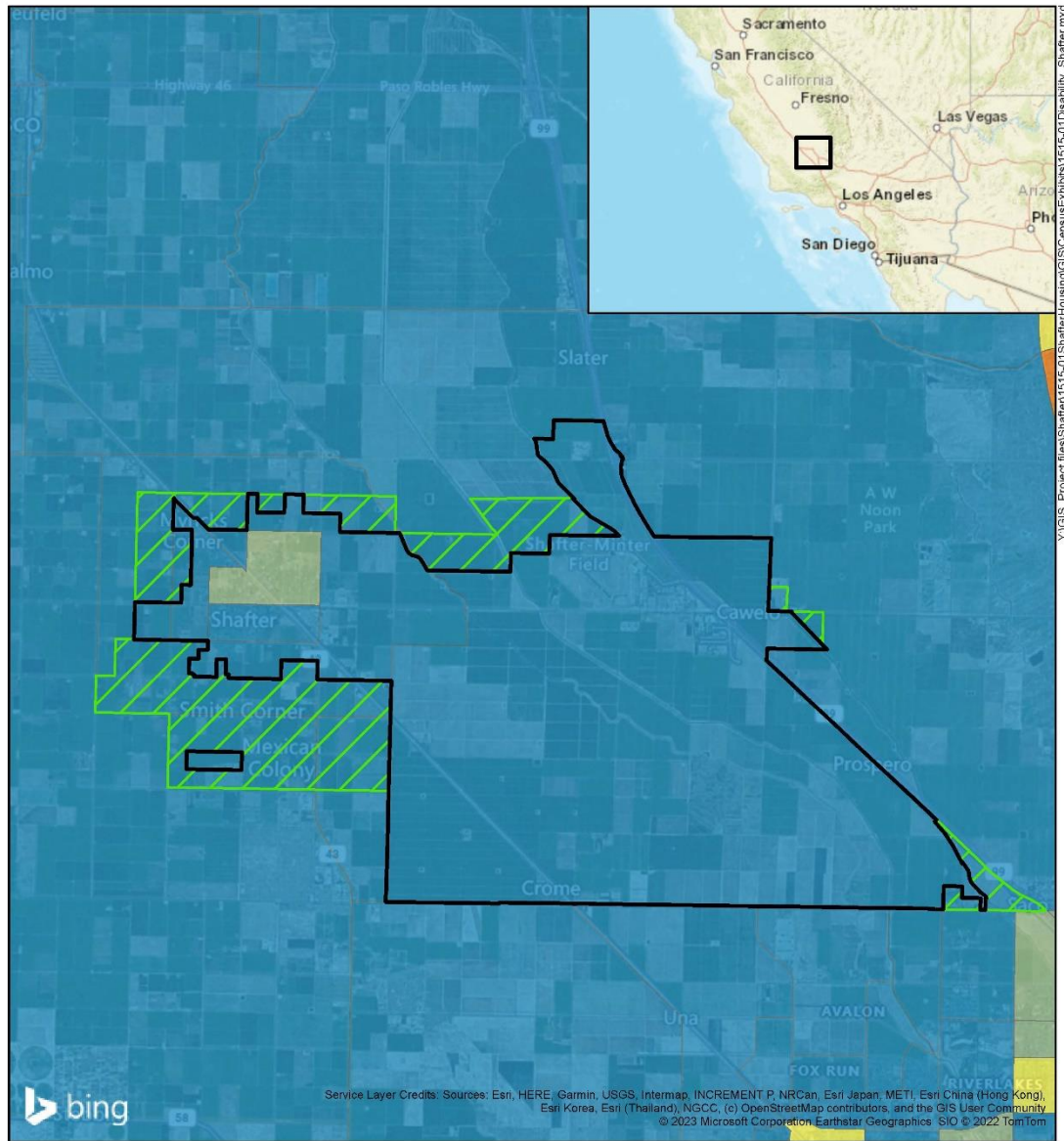


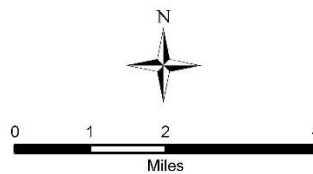
Figure II-10 - Population with a Disability
(ACS 2016-2020) (Shafter)

City of Shafter 2023-2031 HEU

Legend

-  City Limits
-  Sphere of Influence
-  < 10%
-  10% - 20%
-  20% - 30%
-  30% - 40%
-  > 40%

Map Date: 3/17/2023



5. Familial Status

Familial status refers to the presence of children under the age of 18, regardless of whether the child is biologically related to the head of household, and the marital status of the head of household. Families with children may face housing discrimination by landlords who fear that children will cause property damage. Some landlords may have cultural biases against children of the opposite sex sharing a bedroom. Differential treatments, such as limiting the number of children in a complex or confining children to a specific location, are also fair housing concerns. Figures II-11 and II-12 show the percentage of the population that is married with children in Kern County and the City of Shafter, respectively.

Single-parent households are protected by fair housing laws. Female-headed households experience many housing problems such as affordability, overcrowding, insufficient housing choice, and discrimination. Female-headed households with children require special consideration and assistance because of their greater need for affordable housing and accessible daycare, health care, and other supportive services. Figures II-13 and II-14 show the percentage of the population that is single female-headed households in Kern County and the City of Shafter, respectively. The largest concentration of single parent female-headed households is in the previously identified areas of high segregation and poverty. This area of the City is the only area to have a concentration of single female-headed households greater than 20%. As previously mentioned, this area also has a high population concentration of non-white Hispanic, high poverty rate, low median income, and fewer economic, educational, and environmental opportunities compared to the rest of the City.

Localized Perspective

As previously stated, during the last Housing Element cycle, the City did not receive any complaints regarding fair housing law violations. This could be a positive sign that special needs groups and families are being protected in the City of Shafter. The housing survey disseminated between October 2022 and January 2023 requested public input on the local housing needs and the presence of fair housing issues in the City. The two major issues identified from the survey were the affordability and availability of housing. While protected families may not be reporting fair housing issues, the lack of housing options and affordability in the housing stock, make it difficult for protected families to not be subject to housing overpayment or overcrowding, residing in housing that is not suitable for their family size. The City will do its utmost to encourage the development of multi-family homes with multiple bedrooms to help accommodate large families looking for affordable housing options. Housing programs such as Program 1.1.1 and 1.1.2 in Chapter V of this document will help with this goal.

Figure II-11
Percent Married – Couple Households with Children (Kern County)

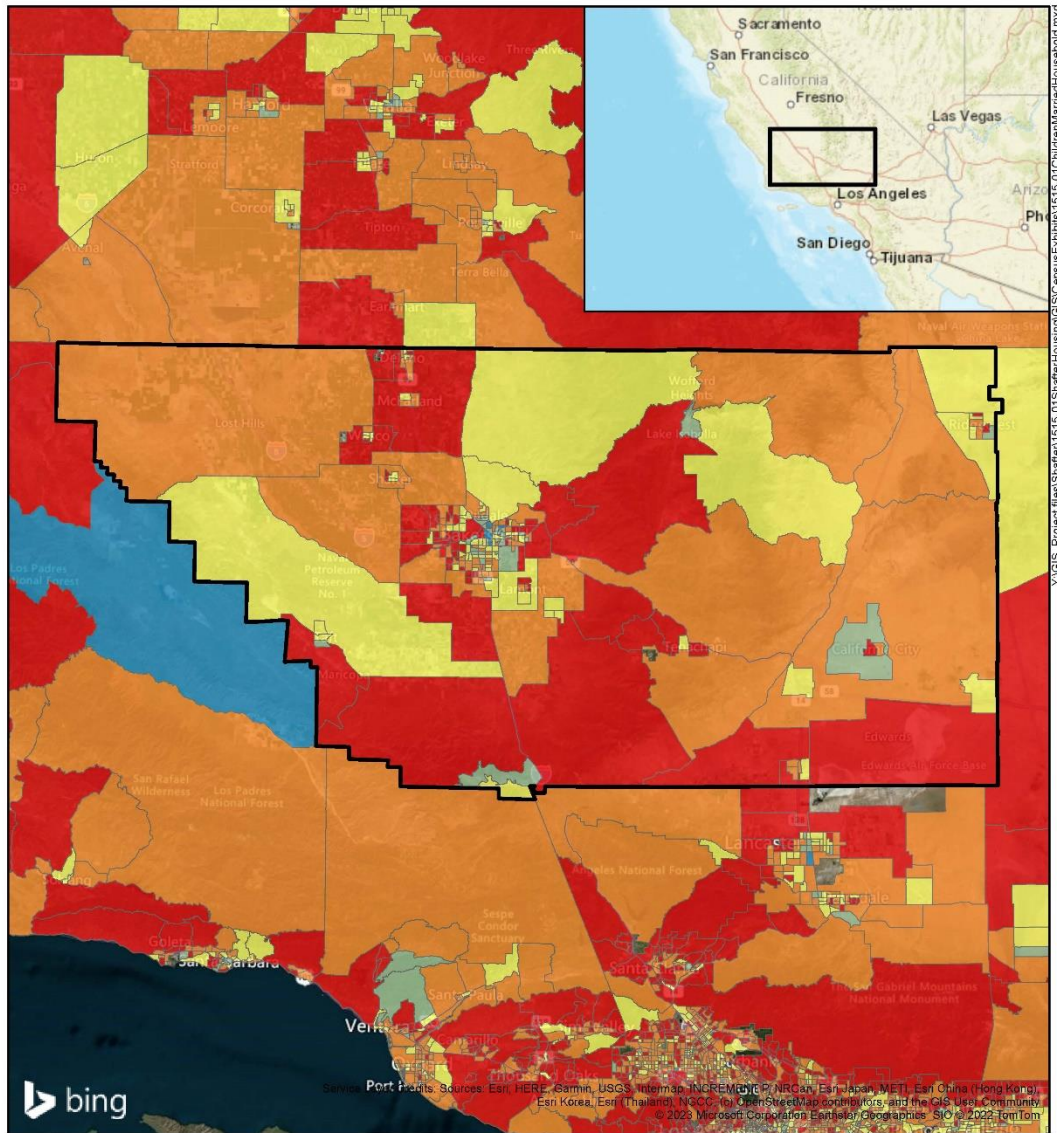
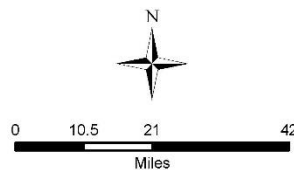


Figure II-11 - Percent Married - Couple Households With Children (Kern County)

Legend

- Kern County Boundary
 - < 20%
 - 20% - 40%
 - 40% - 60%
 - 60% - 80%
 - > 80%
- Map Date: 3/17/2023



City of Shafter 2023-2031 HEU



Figure II-12
Percent Married – Couple Households with Children (Shafter)

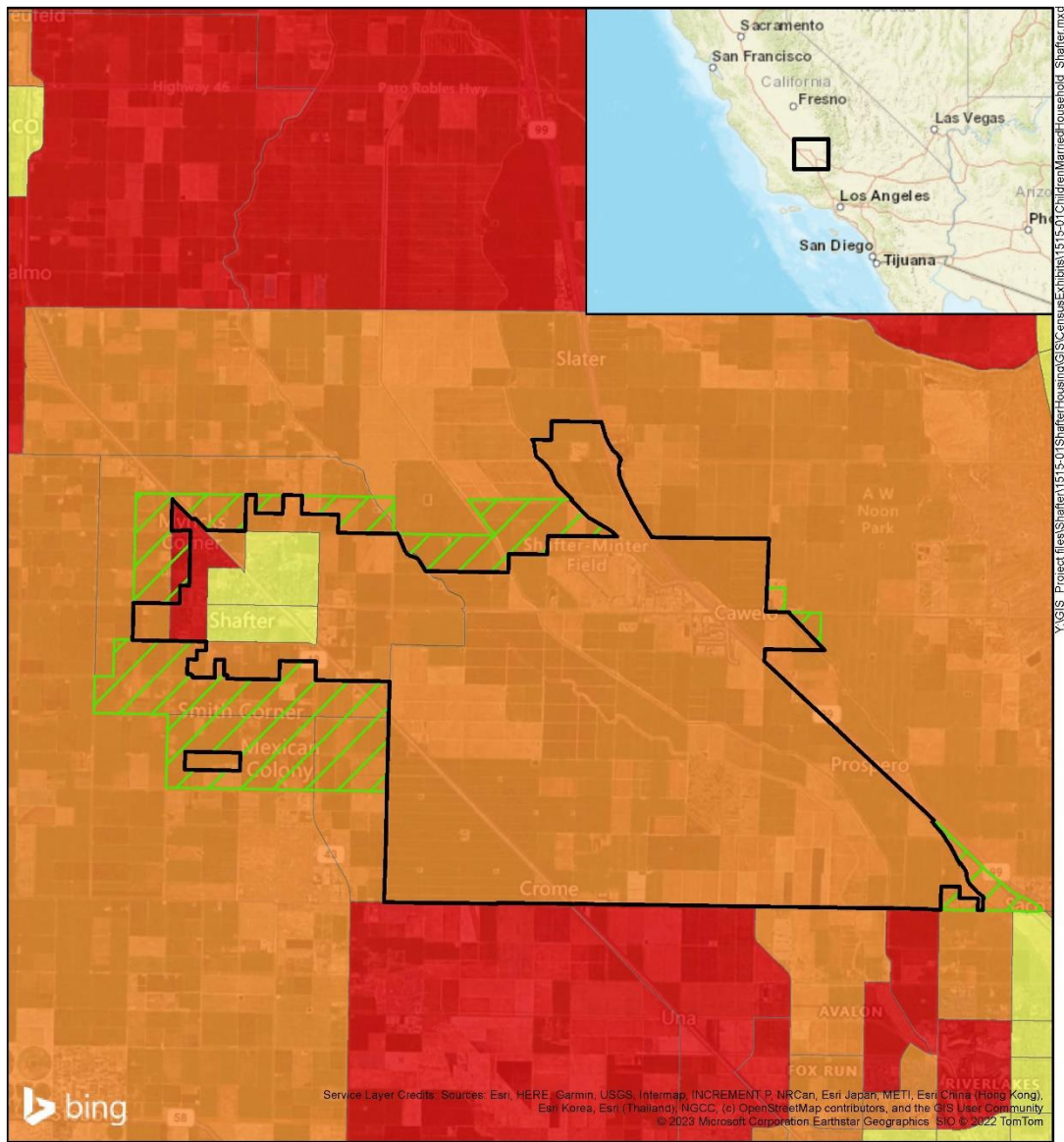
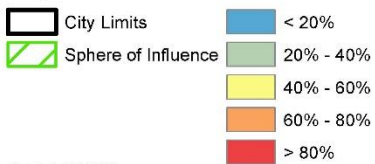


Figure II-12 - Percent Married - Couple Households With Children (Shafter)

City of Shafter 2023-2031 HEU

Legend



Map Date: 3/17/2023

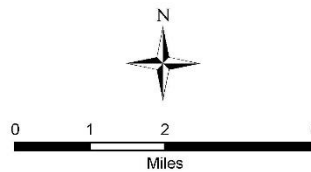


Figure II-13
Percent Female Householder with Children, No Spouse/Partner Present in Households
(Kern County)

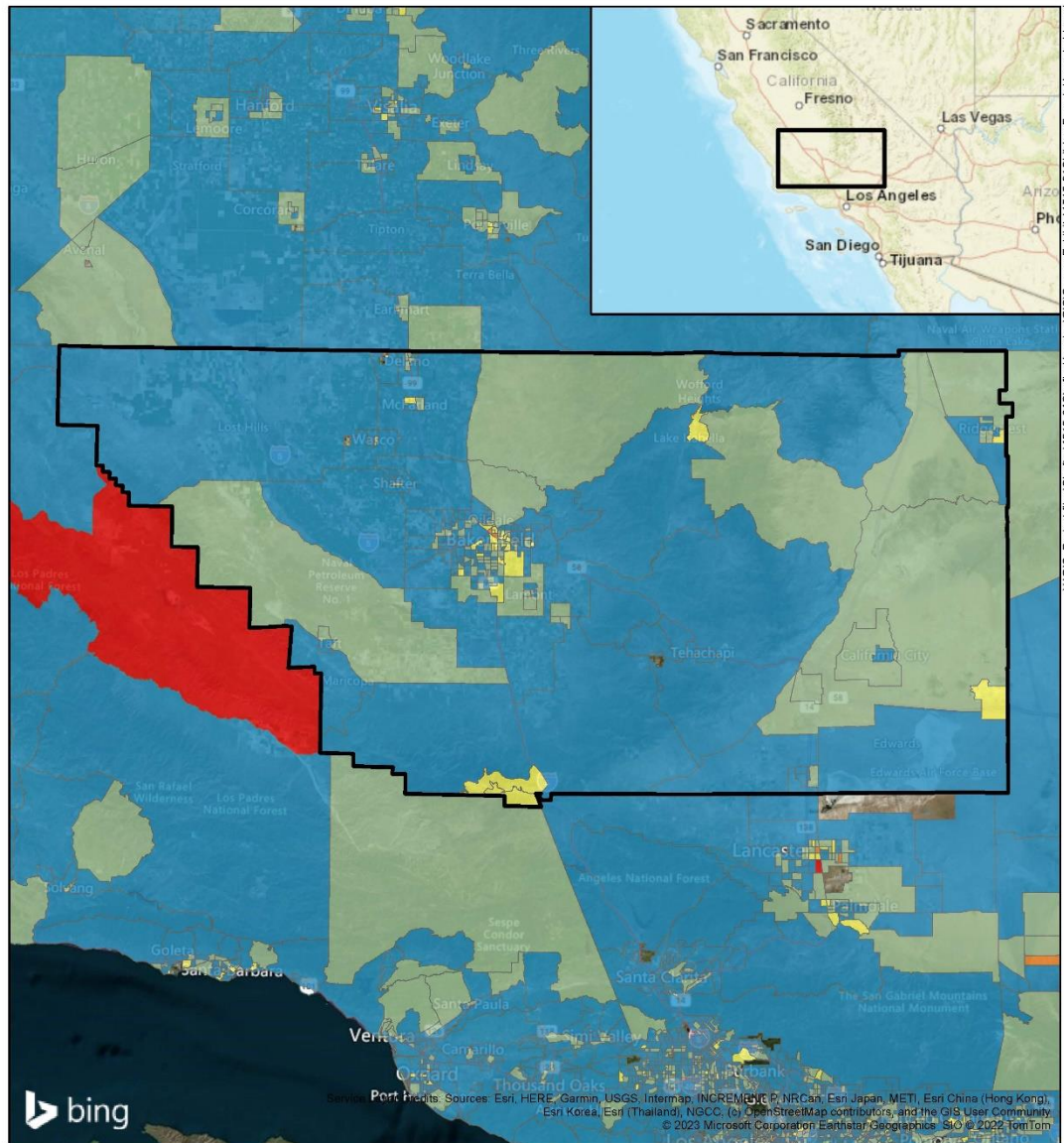


Figure II-13 - Percent Female Householder With Children -
No Spouse/Partner in Households (Kern County)

City of Shafter 2023-2031 HEU

Legend

- Kern County Boundary
 - < 20%
 - 20% - 40%
 - 40% - 60%
 - 60% - 80%
 - > 80%
- Map Date: 3/17/2023

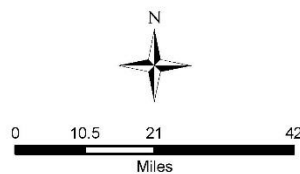


Figure II-14
Percent Female Householder With Children, No Spouse/Partner Present in Households
(Shafter)

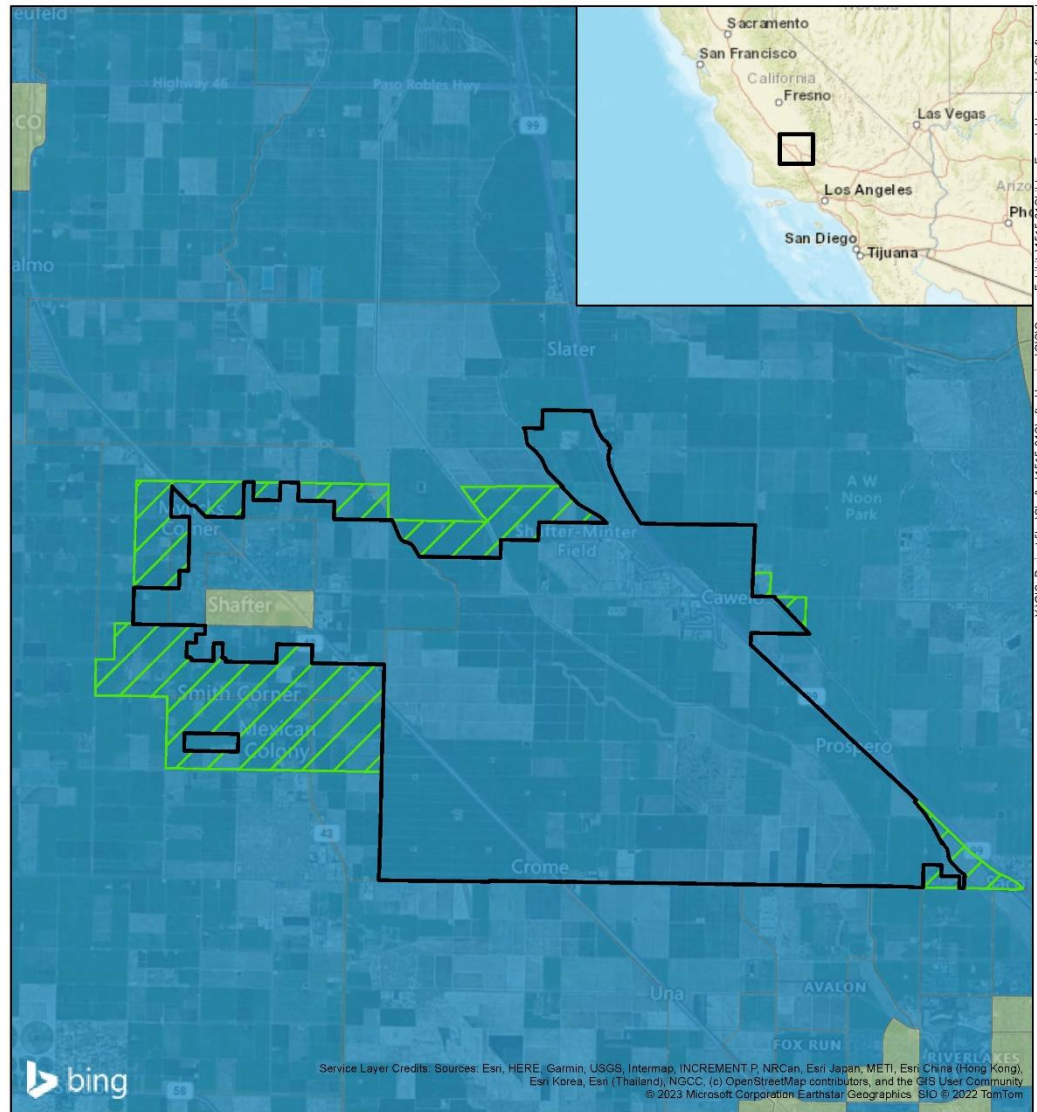
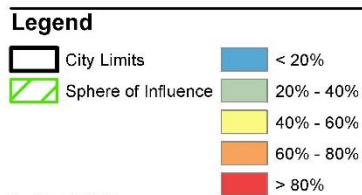
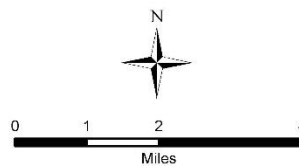


Figure II-14 - Percent Female Householder With Children -
No Spouse/Partner Households (Shafter)

City of Shafter 2023-2031 HEU



Map Date: 3/17/2023



6. Income

Median household income is a key community indicator to determine housing needs. The median income marks the halfway point of a community's income distribution. According to the 2020 Census, the median household income in the United States was \$67,521 which was a decrease of 2.9% from 2019 (\$69,560). In California, the median household income for the same period was \$78,672. In 2020, the median household income for Kern County was \$54,851 and the City of Shafter's median household income was \$47,433. Figures II-15 and II-16 show the median household income of the population by census tracts for Kern County and the City of Shafter, respectively.

The US Census Bureau defines poverty using a "set of money income thresholds that vary by family size and composition." The official poverty thresholds do not differ geographically but are adjusted for inflation using the consumer price index which is an index of the variation in prices paid by typical consumers for retail goods and other items. The definition of poverty also considers money before taxes. The US 2020 Census showed the official poverty rate in the United States to be 11.4% which is up from 10.5% in 2019. In California, the official poverty rate for the same time was 11.5%, similar to the US poverty rate of 11.4%. Figures II-17 and II-18 show the percentage of the population that is below the poverty line per census tracts in Kern County and the City of Shafter, respectively.

The majority of the City had a median income that was consistent with the US national median income and California median income in 2020. The poorest areas are significantly under the national and state median incomes and are concentrated in the City Center. The area with the lowest income area is the previously identified areas of high segregation and poverty.

Localized Perspective

While the City does not have any specific local perspective on the incomes of its residents. The City does note that there are future economic growth and job opportunities in the City due to development plans by the Wonderful Company and other commercial retailers. Such opportunities include the Wonderful commercial logistics centers, a future canning factory, and a future hotel which has been recently determined to be a need in the City. The development of these factories, warehouses and logistic centers, and other commercial buildings will create hundreds of jobs locally for current and future residents of Shafter.

Additionally, to assist the City of Shafter in expanding its economic opportunities, the City has hired Chandlerthinks and expanded its Economic Development Department staff to assist in market research, project cost analysis, grant attraction, and City branding (including includes logo, slogan, and marketing direction).

Figure II-15
Median Income (ACS 2016-2020) (Kern County)

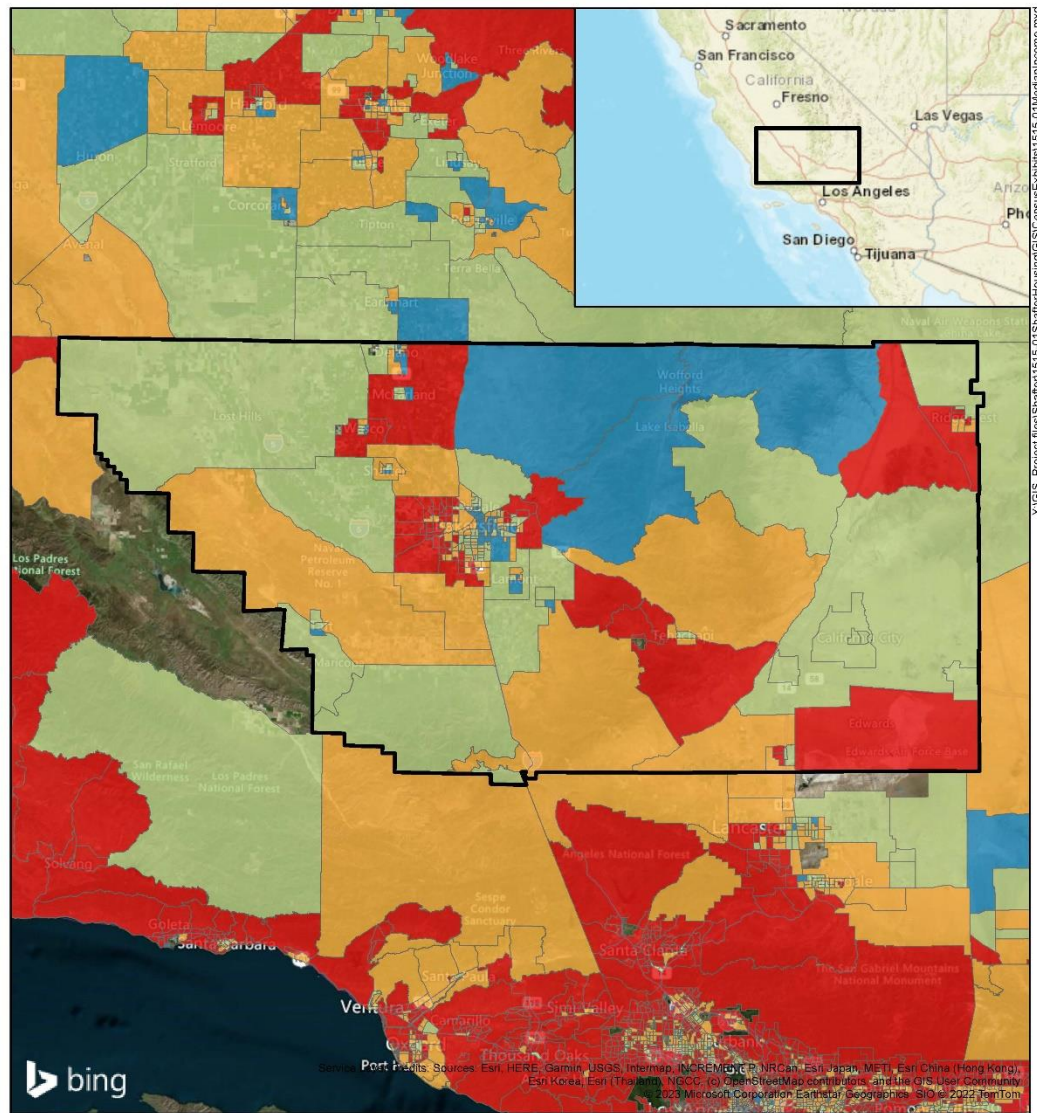


Figure II-15 - Median Household Income
(ACS 2016-2020) (Kern County)

City of Shafter 2023-2031 HEU

Legend

-  Kern County Boundary
-  < \$35,000
-  \$35,000 - \$50,000
-  \$50,000 - \$75,000
-  > \$75,000

Map Date: 3/17/2023

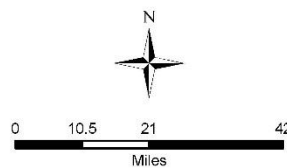


Figure II-16
Median Income (ACS 2016-2020) (Shafter)

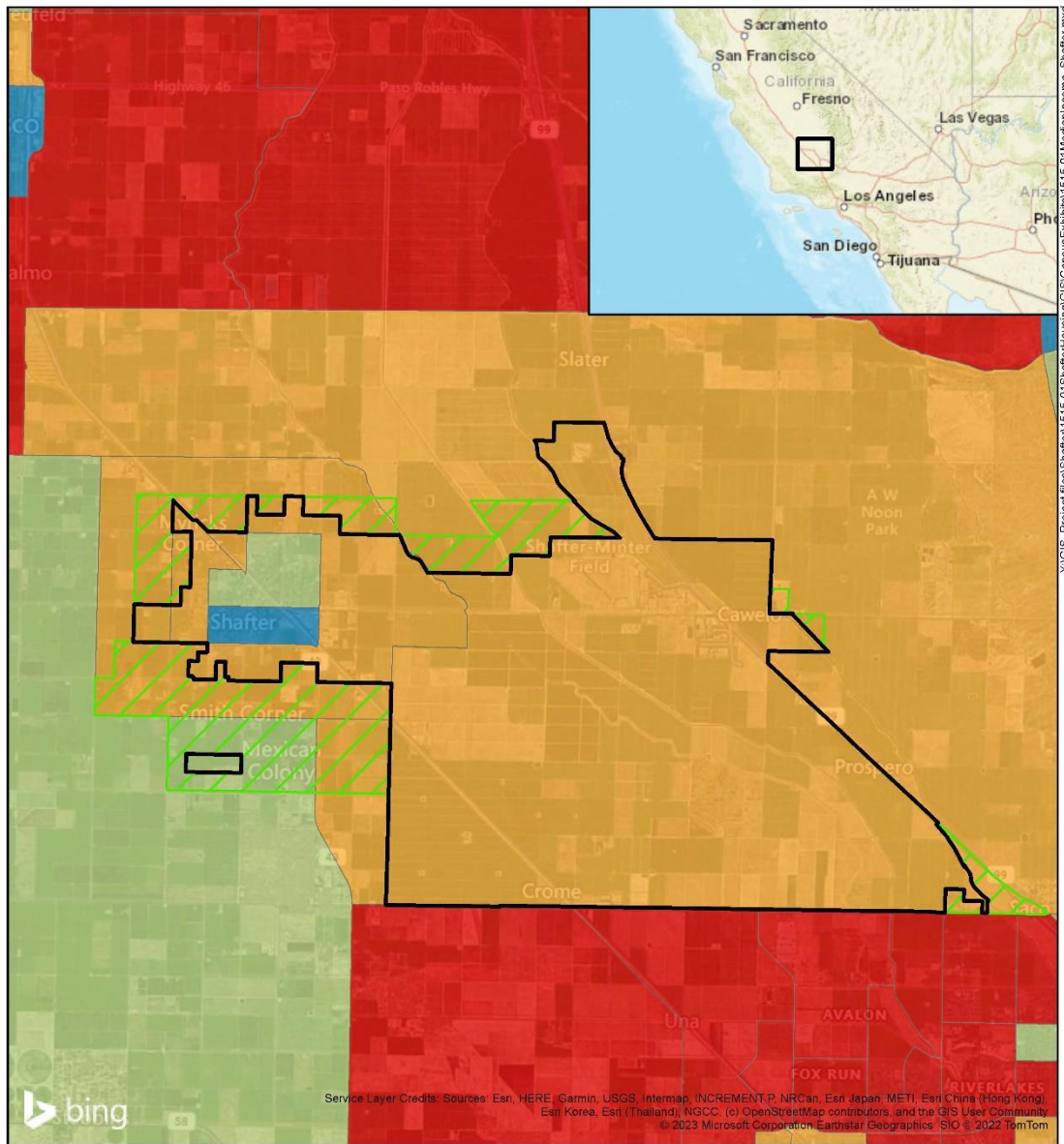


Figure II-16 - Median Household Income
(ACS 2016-2020) (Shafter)

City of Shafter 2023-2031 HEU

Legend

- City Limits
- Sphere of Influence
- < \$35,000
- \$35,000 - \$50,000
- \$50,000 - \$75,000
- > \$75,000

Map Date: 3/17/2023

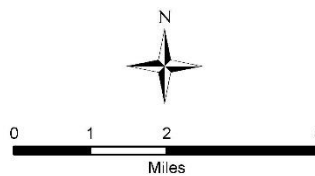


Figure II-17
Poverty Status (ACS 2016-2020) (Kern County)

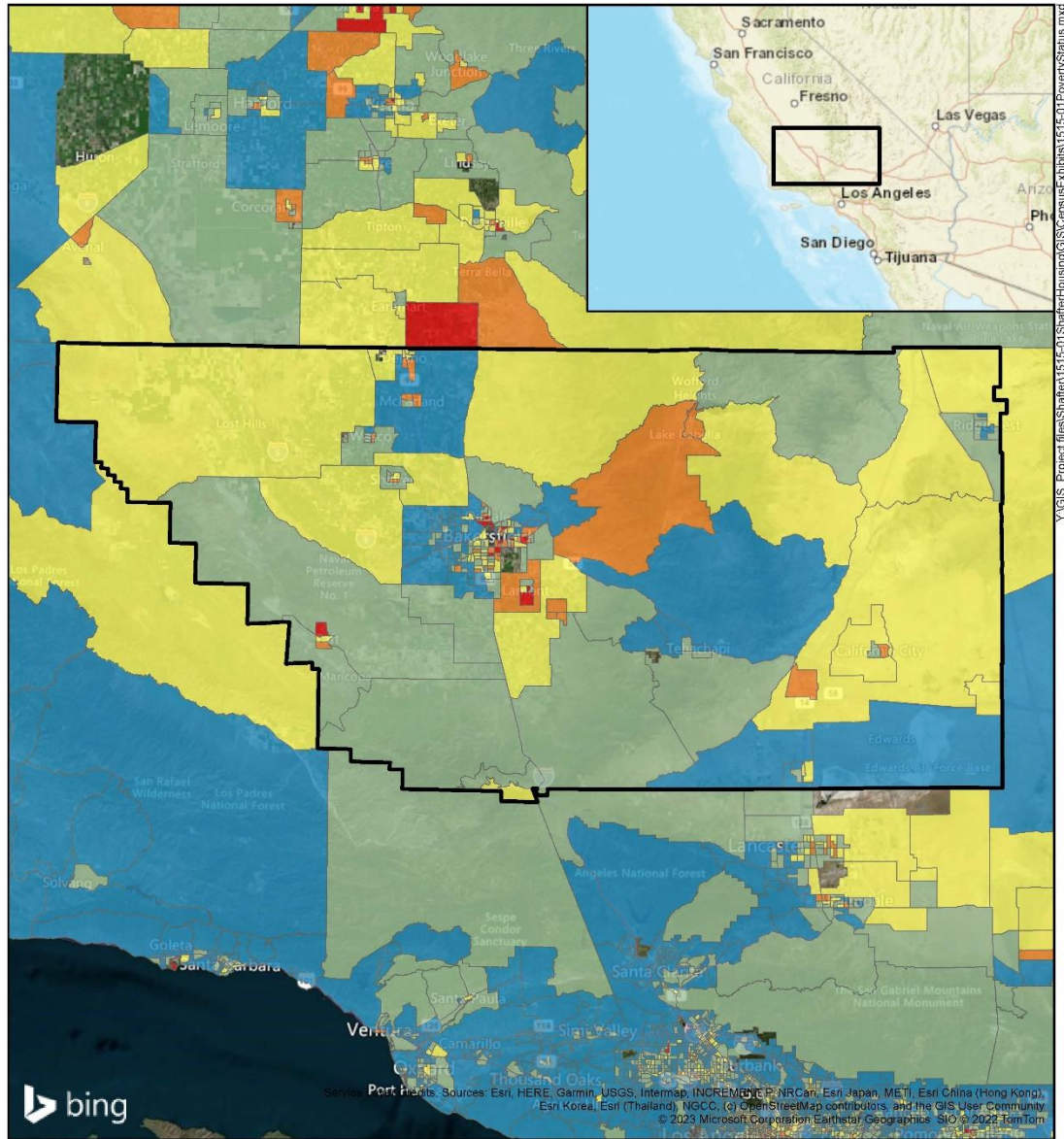


Figure II-17 - Poverty Status (ACS 2016-2020)
(Kern County)

City of Shafter 2023-2031 HEU

Legend

- Kern County Boundary
 - < 10%
 - 10% - 20%
 - 20% - 30%
 - 30% - 40%
 - > 40%
- Map Date: 3/17/2023

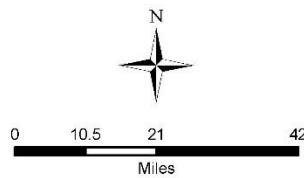


Figure II-18
Poverty Status (ACS 2016-2020) (Shafter)

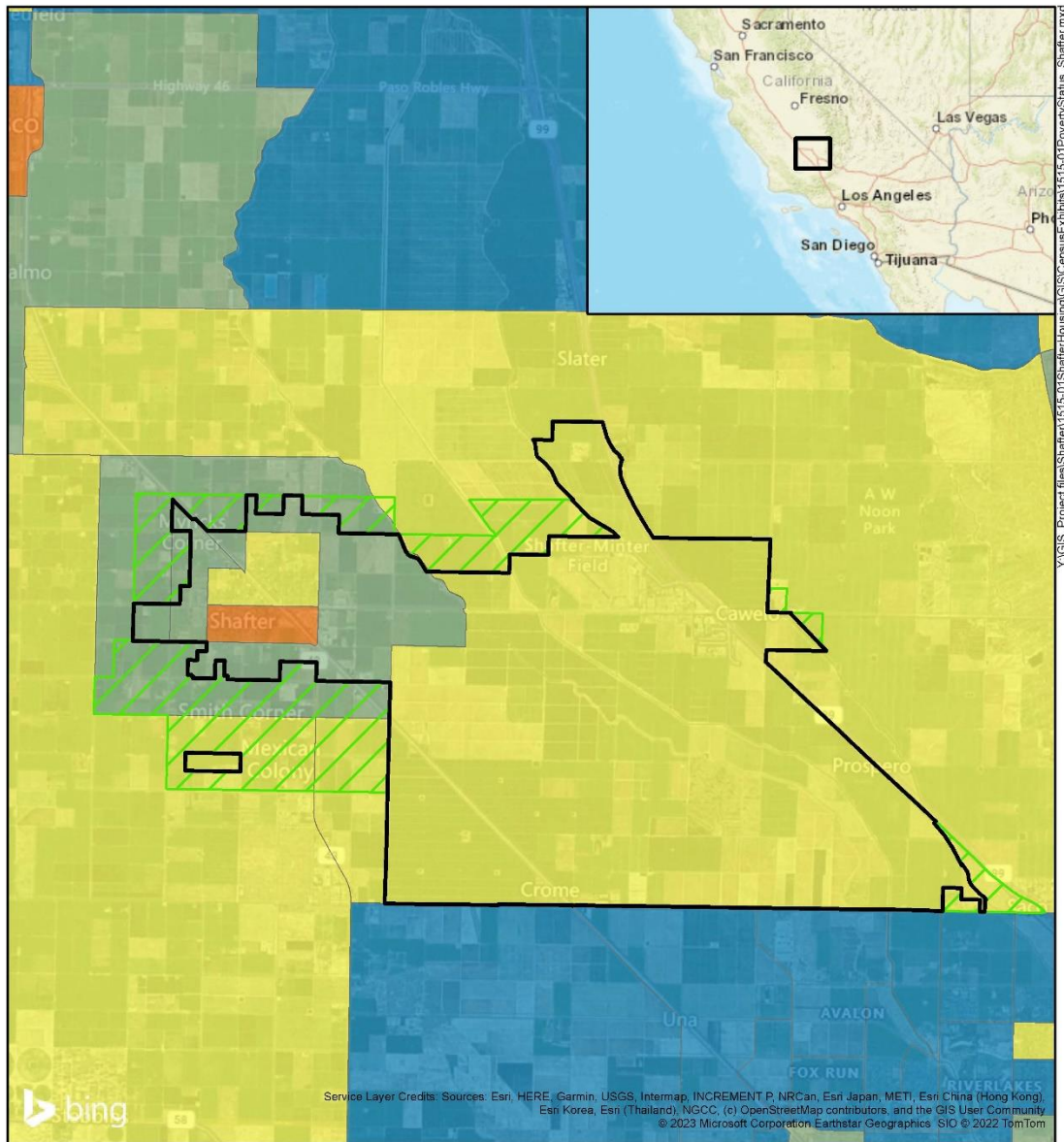
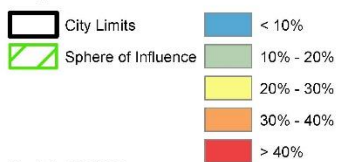
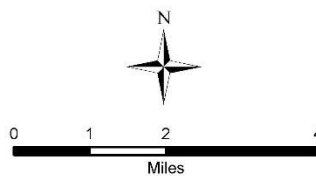


Figure II-18 - Poverty Status (ACS 2016-2020)
(Shafter)

Legend



Map Date: 3/17/2023



City of Shafter 2023-2031 HEU



7. Racially and Ethnically Concentrated Areas

Racially/Ethnically Concentrated Areas of Poverty

HUD defines Racially and Ethnically Concentrated Areas of Poverty (RECAP) as areas that have a non-White population of 50% or more with 40% or more of the population in poverty, or a poverty rate that is greater than three times the average poverty rate in the area. Non-white populations are defined as people whose origin is not predominantly European.

Due to changes in AFFH data, the RECAP data provided by HUD has been replaced with data provided by TCAC. Analysis of the TCAC data identified two areas in the City Center that are considered “High Segregation and Poverty” as previously stated in Chapter II Section H sub-section Integration and Segregation. These two areas are directly adjacent to each other and are bounded by South Schnadt Street to the West, West Los Angeles Ave to the South, South Beech Ave to the East, and East Lerdo Hwy to the North (as shown in Figure II-8). Further analysis is found in Chapter II Section H sub-section Integration and Segregation.

Racially/Ethnically Concentrated Areas of Affluence

Racially/Ethnically Concentrated Areas of Affluence (RCAAs) are identified as neighborhoods in which there are both high concentrations of non-Hispanic White households and high household income rates. According to HUD's policy report, the White population are the most racially segregated group in the United States, and in the same way, neighborhood disadvantage is associated with concentrated poverty and high concentrations of people of color; conversely, distinct advantages are associated with residence in affluent, White communities.

Figures II-19 & II-20 show RCAA areas in Kern County and the City of Shafter, respectively. There are seventeen RCAAs in Kern County as shown in Figure II-19. As shown by Figure II-20 there are no areas within the City of Shafter that are racially/ethnically concentrated areas of affluence.

Figure II-19
Racially Concentrated Areas of Affluence (ACS 2015-2019) (Kern County)

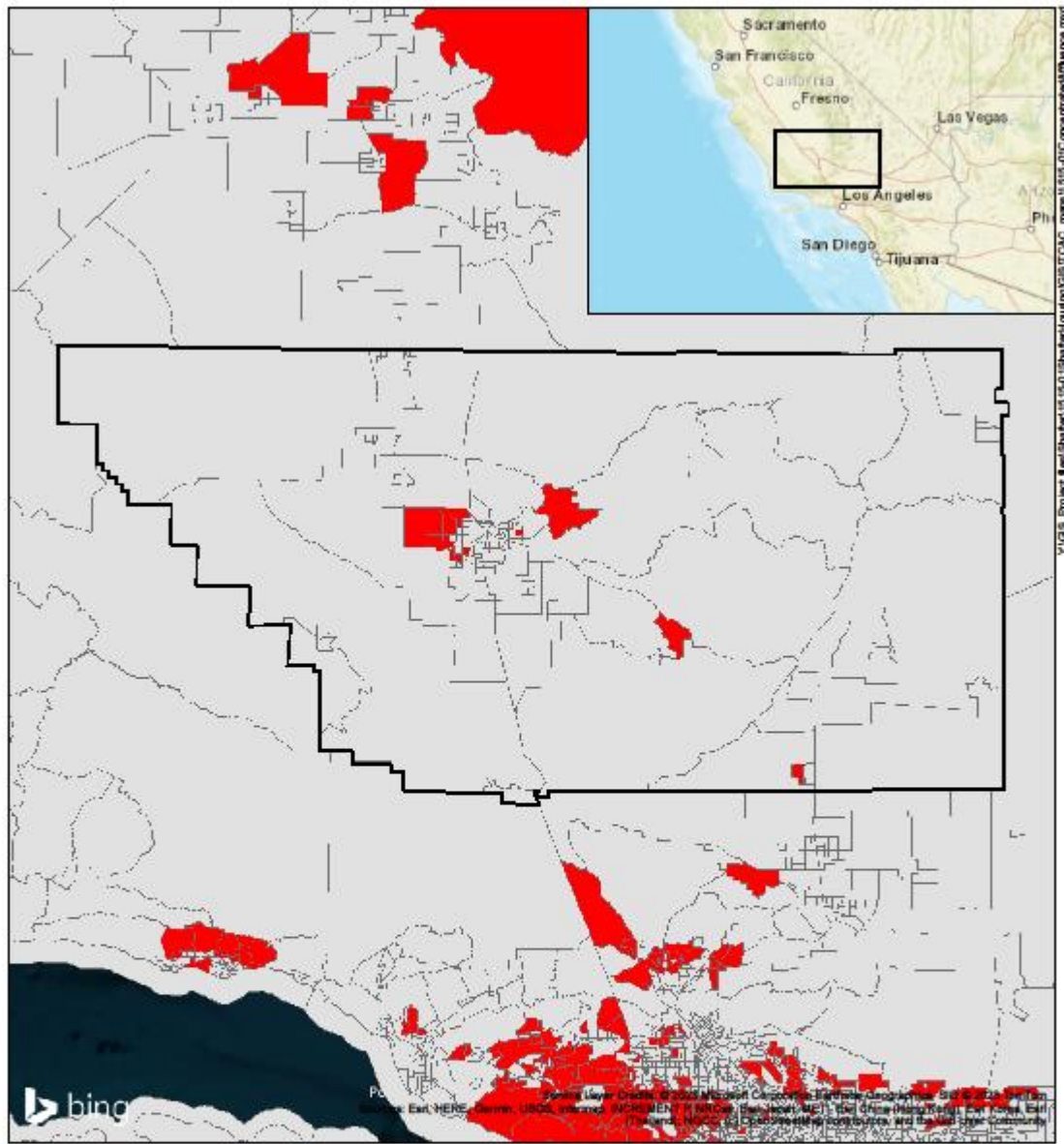
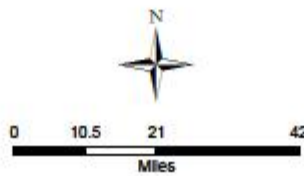


Figure II-19 - Racially Concentrated Areas of Affluence (ACS 2015-2019) (Kern County)

Legend

- Kern County Boundary
- Not a RCAA
- RCAA

Map Date: 8/24/2023



City of Shafter 2023-2031 HEU



Figure II-20
Racially Concentrated Areas of Affluence (ACS 2015-2019) (Shafter)

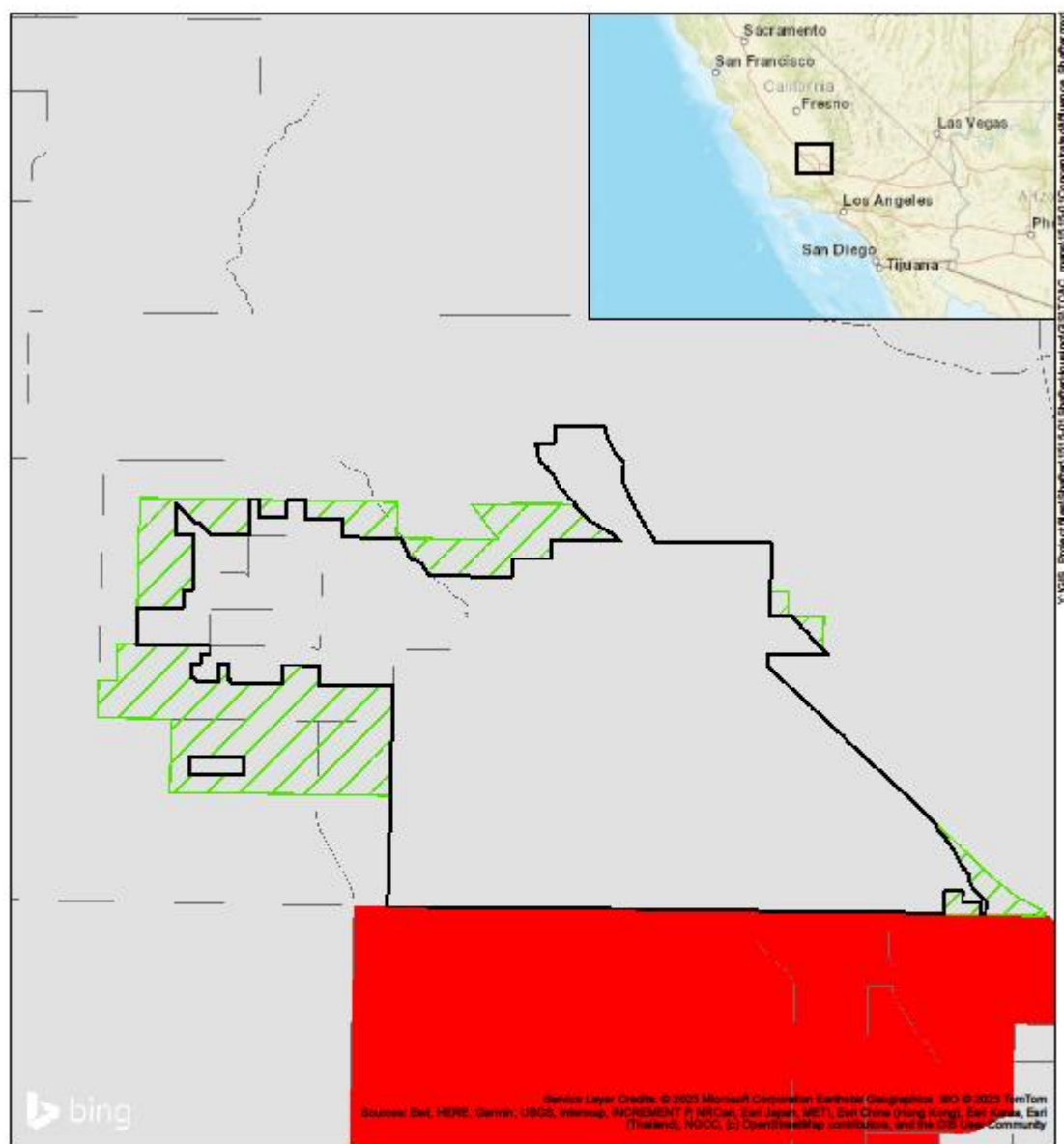
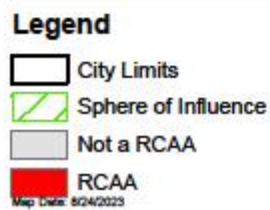


Figure II-20 - Racially Concentrated Areas of Affluence (ACS 2015-2019) (Shafter)

City of Shafter 2023-2031 HEU



8. Access to Opportunity

AFFH defines Access to Opportunity as “a concept to approximate place-based characteristics linked to critical life outcomes. Access to opportunity often means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to ‘high resource’ neighborhoods. This encompasses education, employment, economic development, safe and decent housing, low rates of violent crime, transportation, and other opportunities, including recreation, food and healthy environment (air, water, safe neighborhood, safety from environmental hazards, social services, and cultural institutions).”

TCAC/HCD Opportunity Maps

In February 2017, the Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC) collaborated with independent organizations and research centers, collectively known as the “research partners,” with the objective of providing evidence-based policy recommendations to further HCD’s fair housing goals. One of the outcomes of this collaboration was the creation of Opportunity Maps designed to support new policies focused on improving access to high-opportunity areas for families with children residing in housing financed with 9% Low Income Housing Tax Credits (LIHTCs).

Methodology

These Opportunity Maps utilize composite scores derived from three distinct domains, each consisting of a set of indicators (refer to Table II-30). The maps incorporate a filtering mechanism to identify areas characterized by poverty and racial segregation. The process involves initially filtering census tracts based on poverty criteria, followed by an assessment of racial segregation. To ensure a comprehensive evaluation of opportunity across different regions, the research partners adopted a hybrid approach for the TCAC/HCD Opportunity Map. While accounting for regional variations, they also established stricter standards for areas exhibiting high levels of poverty and racial segregation throughout all regions. The filters used in this methodology encompass the following criteria:

- High Poverty: Tracts where at least 30% of the population falls below the federal poverty line.
- Racial Segregation: Tracts displaying an overrepresentation of people of color relative to the county.

By employing this approach, the Opportunity Maps aim to provide a nuanced understanding of opportunity disparities while considering regional nuances and addressing areas with concentrated poverty and racial segregation.

Table II-30
Domains and List of Indicators for Opportunity Maps

Domain	Indicator
Economic	Poverty Adult Education Employment Job Proximity Median Home Value
Environmental	CalEnviroScreen 4.0 indicators
Education	Math proficiency Reading proficiency High school graduation rates Student poverty rate

Source: California Tax Credit Allocation Committee, Methodology for the 2023 CTCAC/HCD Opportunity Map, January 2023

Regional Impacts

The Kern County map in Figure II-21 identifies that all levels of resources are throughout the county. Most areas of high segregation and poverty that are located inside the county, are centralized in and around the City of Bakersfield.

City Impacts

According to the TCAC/HCD Opportunity Map for the City of Shafter (Figure II-22), Shafter is comprised generally of high or highest resource opportunities, however, there are two tracts of high segregation and poverty as previously identified in previous sections. The two “High Segregation and Poverty” tracts are directly adjacent to each other and are bounded by South Schnadt Street to the West, West Los Angeles Ave to the South, South Beech Ave to the East, and East Lerdo Hwy to the North.

Localized Perspective

The City of Shafter is striving to provide adequate educational resources to its residents. In an effort to protect its educational resources and provide additional educational opportunities, the City has privatized its library, so it is no longer under county control. The library offers classes for younger students and adults. More information is provided below, in the “Education” paragraph of Chapter II Section H sub-section Access to Opportunity.

Future economic growth and job opportunities are being proposed in the City with the proposed development of the Wonderful commercial logistics centers and a future canning factory. The future development of these factories, warehouses, and logistic centers will create hundreds of jobs locally for current and future residents of Shafter. In recent years, the City hired economic consultants to assist the jurisdiction in marketing itself to attract new commercial industries to the City. Further details of economic

opportunities are addressed further in the “Economic” paragraph of Chapter II Section H sub-section Access to Opportunity.

To address environmental factors contributing to negative CalEnviroScreen scores, the City is an AB 617 community and is receiving funding through this bill to assist the community in reducing air pollution. The City is using this funding to provide air filters for its residents, offers rehabilitation of wood-fire fireplaces to replace them with natural gas fireplaces, provide curb, gutter, and bike lanes especially along SR 43 to provide safe travel to schools, implementing multiple urban greening projects throughout the City, and is working on acquiring EV buses and stations for the City’s Dial-A-Ride system. Further details of environmental opportunities are addressed further in the “Environmental” paragraph of Chapter II Section H sub-section Access to Opportunity.

Figure II-21
TCAC Opportunity Areas – Composite (2021) (Kern County)

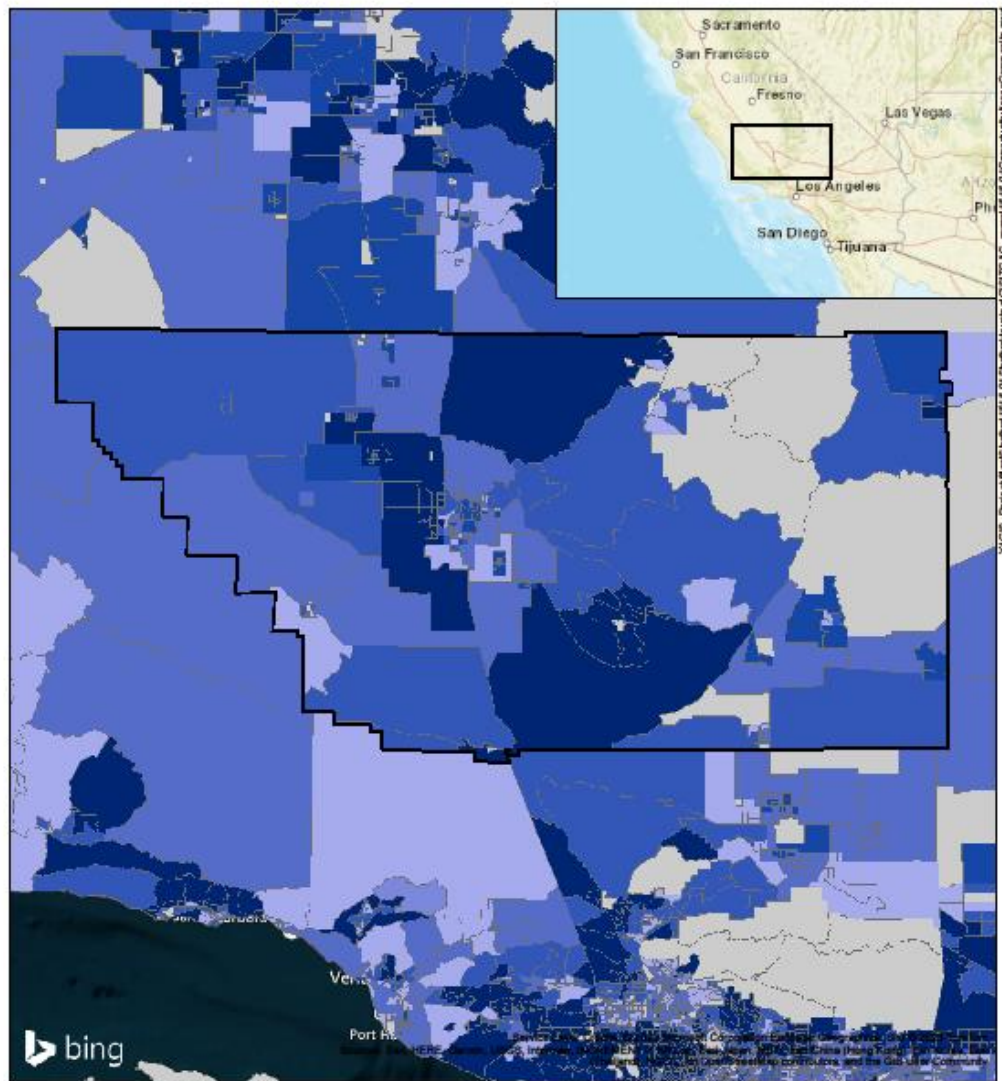
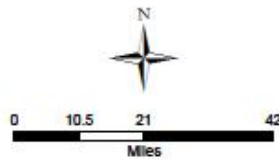


Figure II-21 - TCAC Opportunity Areas - Composite (2021) (Kern County)

Legend

- Kern County Boundary
- Highest Resource
- High Segregation & Poverty
- High Resource
- Moderate Resource (Rapidly Changing)
- Moderate Resource
- Low Resource
- Missing/Insufficient Data

Map Date: 8/24/2023



City of Shafter 2023-2031 HEU

Figure II-22
TCAC Opportunity Areas – Composite (2021) (Shafter)

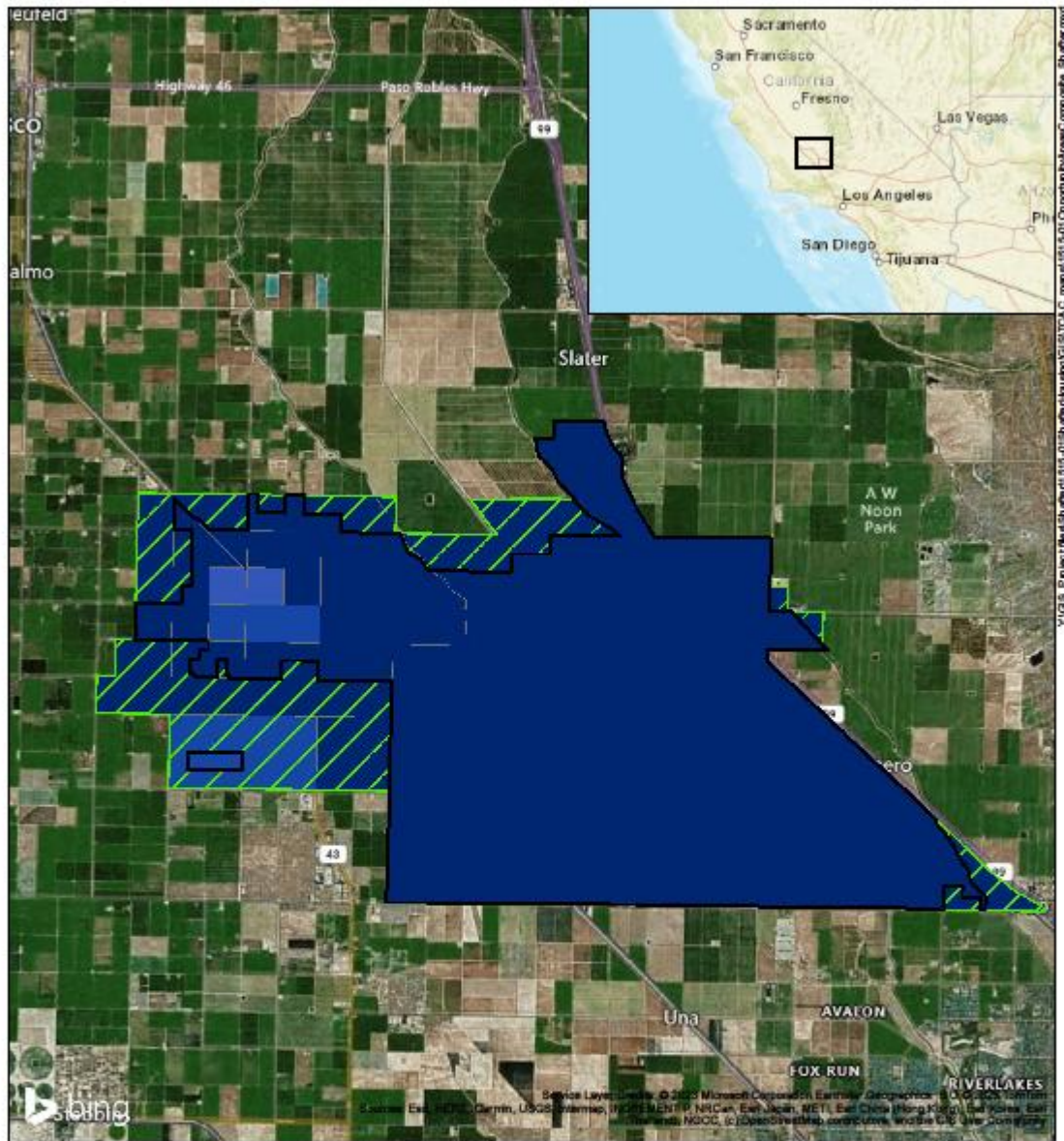


Figure II-22 - TCAC Opportunity Areas -
Composite (2021) (Shafter)

City of Shafter 2023-2031 HEU

Legend

-  City Limits
-  Sphere of Influence
-  Highest Resource
-  High Resource
-  High Segregation & Poverty

Map Date: 8/24/2023



Education

Methodology

The education domain score is calculated using the following indicators: math proficiency, reading proficiency, high school graduation rates, and student poverty rate. Math proficiency uses the percentage of 4th graders who meet or exceed math proficiency levels. Reading proficiency takes the percentage of 4th graders who meet or exceed literacy standards. High school graduation rate uses the percent of high school cohorts that graduated on time. And lastly, student poverty rates are the percent of students not receiving free or reduced-price lunch. Education domain scores are indicators of educational opportunity. The educational domain score ranges from 0 to 100. The higher the score, the higher the educational opportunity.

Regional Impact

The same rating system applies to the Kern County educational domain score. Kern County's educational domain score ranges from less positive educational outcomes (< 0.2) through more positive educational outcomes (1) (Figure II-23).

City Impact

In the City of Shafter, school proficiency indices ranged from 0.61 through 0.8 (Figure II-24) within the City limits. Within the Sphere of influence there is an area that has an index of 0.8 - 1 which is the highest score range. These scores show that the City has high opportunities for education.

Other Relevant Factors

Greatschools.org is a non-profit organization that applies a rating system to schools across the United States. The Great Schools Summary rating is based on three factors: Test Scores, Academic Progress, and Equity. The rating system uses a 1-10 scale, where 10 is the highest rating and 1 is the lowest. Ratings at the lower end of the scale (1-4) signals that a school is "below average", 5-6 indicates that a school is "average", and 7-10 indicates that a school is "above average."

Figure II-25 shows that the schools located in the City of Shafter are rated between 2-4. Meaning that the schools here fall within the "below average" ranges. The Greatschools ratings seem to be contradictory to the TCAC data. This contradiction could simply be that Greatschools has not rated any of the other schools in the City. Additionally, with Bakersfield nearby, students could be going to schools in Bakersfield limiting the information being collected by Greatschools for the City of Shafter.

Area of Segregation Analysis

Within the identified areas of "High Segregation and Poverty", there is only one school, Golden Oak Elementary. This school does have a rating of 4 from Greatschools.org, which is one the highest of the rated schools in the City. While it may be a higher rated

school as compared to the rest of the City, it is still relatively low on the scale and poses a potential issue in the education of a poor minority area.

Familial Status

Due to the low ratings of schools in the area, the correlations between familial status “Percent Married - Couple Households with Children” and “Percent Female Householder with Children - No Spouse/Partner Households” is not very strong. The schools are mostly clustered near the built out residential areas of the City Center. While there is a noticeable shift in the percentage of female led households in the “High Segregation and Poverty” areas, this does not seem to have any significant effect on education scores from GreatSchools or in education opportunities. There are no schools in Shafter’s jurisdiction near the specific plan areas in the southeast.

Disability Analysis

There is one tract with a slightly higher percentage of the population with disability. This area is bounded by Fresno Avenue to the north, E Lerdo Hwy to the south, Beech Ave to the East and Schnaidt St to the West. Multiple schools are located within this tract, with all of the schools scoring 2 on the GreatSchools Rating System indicating that the schools are academically below state average. Due to the below average school ratings and slightly higher percentage of population with disability, there may be a disparity in access to educational opportunities for disabled persons in this tract.

Localized Perspective

The schools in the City of Shafter are multi-jurisdictional. There is no centralized school district. To help provide additional educational opportunities and preserve its educational resources, the City has privatized its library to be owned and operated by the City rather than the County.

In 2014, the City opened the “Shafter Learning Center”, offering enrichment classes, academic support, and computer access to the public at no charge. The Learning Center offers classes in topics like typing, computer programming, robotics, writing, math tutoring, and art for students from first grade through high school. The Center also hosts classes offered by Bakersfield College, the local community college. In 2022, the Learning Center hosted 1,220 classes with an overall attendance of 10,617. The Learning Center has held 46 special events, like author visits, literacy festivals, and art nights that have brought 3,392 people to the facility. In 2022, when Kern County planned to cease funding to the Shafter Library, the City took over operation of the Library and expanded Learning Center services. The Shafter Library & Learning Center is open weekdays from 8am to 7pm. These 55 hours of weekly operation are more than any other library branch in Kern County. The Shafter Library & Learning Center is centrally located, near the Redwood Elementary School and Richland Junior High School.

The City will continue to support the operation of the Learning Center and Library and any future expansion of programs and services.

Figure II-23
TCAC Opportunity Areas - Educational Opportunity (2021) (Kern County)

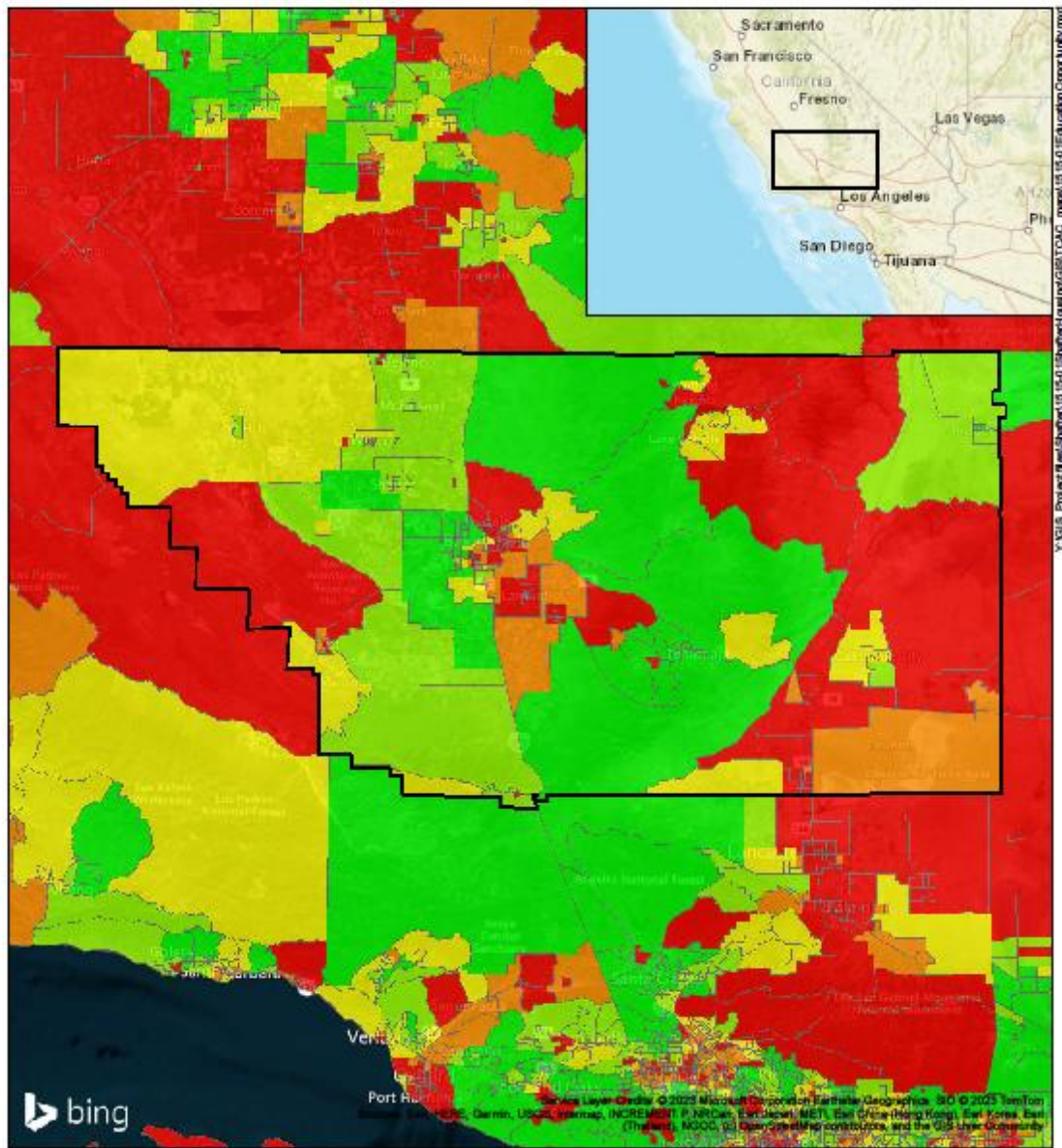


Figure II-23 - TCAC Opportunity Areas - Educational Opportunity (2021) (Kern County)

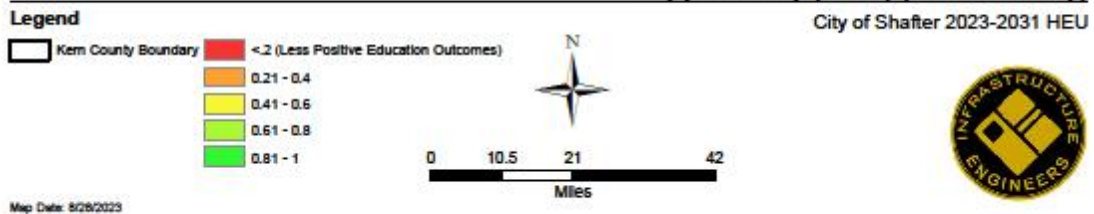


Figure II-24
TCAC Opportunity Areas - Educational Opportunity (2021) (Shafter)

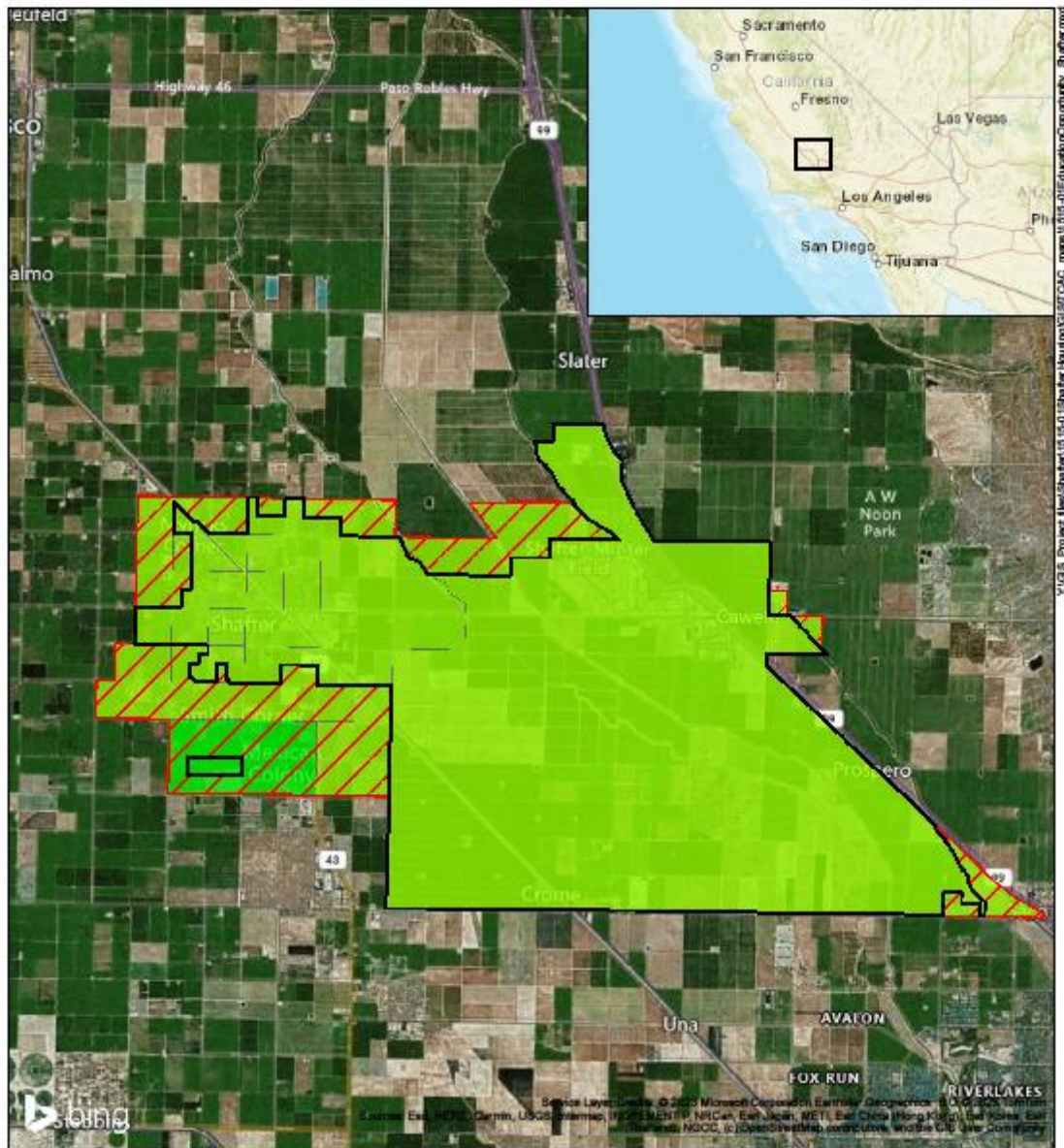


Figure II-24 - TCAC Opportunity Areas - Educational Opportunity (2021) (Shafter)

City of Shafter 2023-2031 HEU

Legend

-  City Limits
 -  Sphere of Influence
 -  0.61 - 0.8
 -  0.81 - 1 (More Positive Education Outcomes)
- Map Date: 8/24/2023

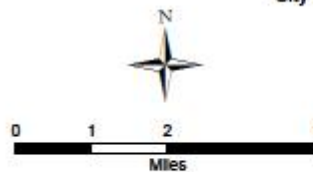
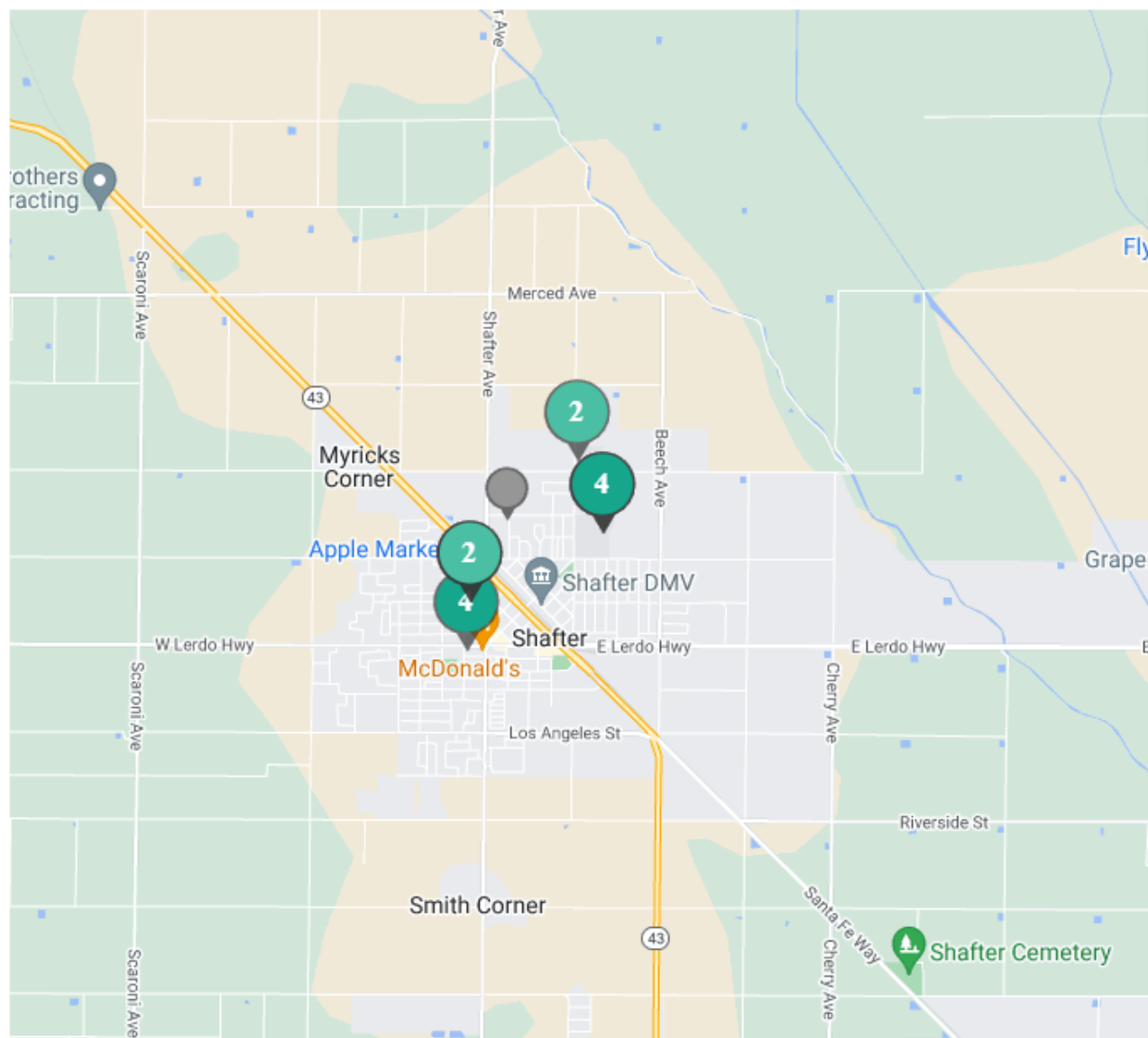


Figure II-25
GreatSchools.Org Ratings (Shafter)



Economic

Methodology

As shown in Table II-30, the economic domain is made up of the following indicators: poverty, adult education, employment, and job proximity. Poverty is measured by the percent of the population with income above 200% of the federal poverty line. Adult education is measured by the percent of adults with a bachelor's degree or above. Employment is measured by percent of adults aged 20-64 who are employed in the civilian labor force or in the armed forces. And lastly, job proximity is measured by the number of jobs filled by workers with less than a BA that falls within a given radius of each census tract population weighted centroid. Economic domain scores are indicators of economic opportunity. The economic domain score ranges from 0 to 1. The higher the score, the higher the economic opportunity.

Regional Impact

Kern County's economic domain score ranges from less positive economic outcomes (0 - 0.2) through more positive educational outcomes (> 0.8 - 1). Higher economic scores generally cluster in more urban areas as compared to more rural areas as seen in Figure II-26.

City impact

In the City of Shafter, economic domain scores range from less positive outcomes to more positive outcomes (Figure II-27). The City Center has the lowest economic scores ranging between 0.2 and 0.4. The two "High Segregation and Poverty" census tracts are two tracts of the City that have the lowest economic scores. The more positive economic score areas are further away from the City Center and encompass the development of the specific plan areas in the southeast corner of the City Limits.

Localized Perspective

The Wonderful Company (Wonderful) is a big developer in the City of Shafter. Their development plans provide the City with economic opportunities. Several projects by Wonderful are underway including commercial logistics buildings and a future canning factory. Sites identified in this housing element for rezone are housing units earmarked by Wonderful to provide housing to its future workers.

With the expansion of the specific plan areas (Gossamer Grove, Marcona Preserve, and Mission Hills) there will likely be expansions of commercial areas in the future to provide nearby resources to the new residents.

In order to assist the City of Shafter in expanding its economic opportunities, the City has hired Chandlerthinks and expanded its Economic Development Department staff to assist in market research, project cost analysis, grant attraction, and City branding (including includes logo, slogan, and marketing direction). The City has begun the process of marketing to commercial developers to build in the City. The City has joined Team California to increase visibility to major retailers, research and create incentive plans for commercial developers to attract new businesses, preliminarily prepare City-

owned parcels to make them shovel ready for development, and reconnect residents to its local businesses through various events such as First Friday street fairs, and the Shafter Business Summit. Through some of this marketing effort, the City is working to acquire a hotel project which has been determined to be a need in the City. The City has hired Kosmont Companies to assist the City in achieving this goal. The City plans to send representatives of the City to the ICSC Western to network and meet with hotel and retail representatives to bring the hotel project and other projects to the City.

Figure II-26
TCAC Opportunity Areas – Economic Score (2021) (Kern County)

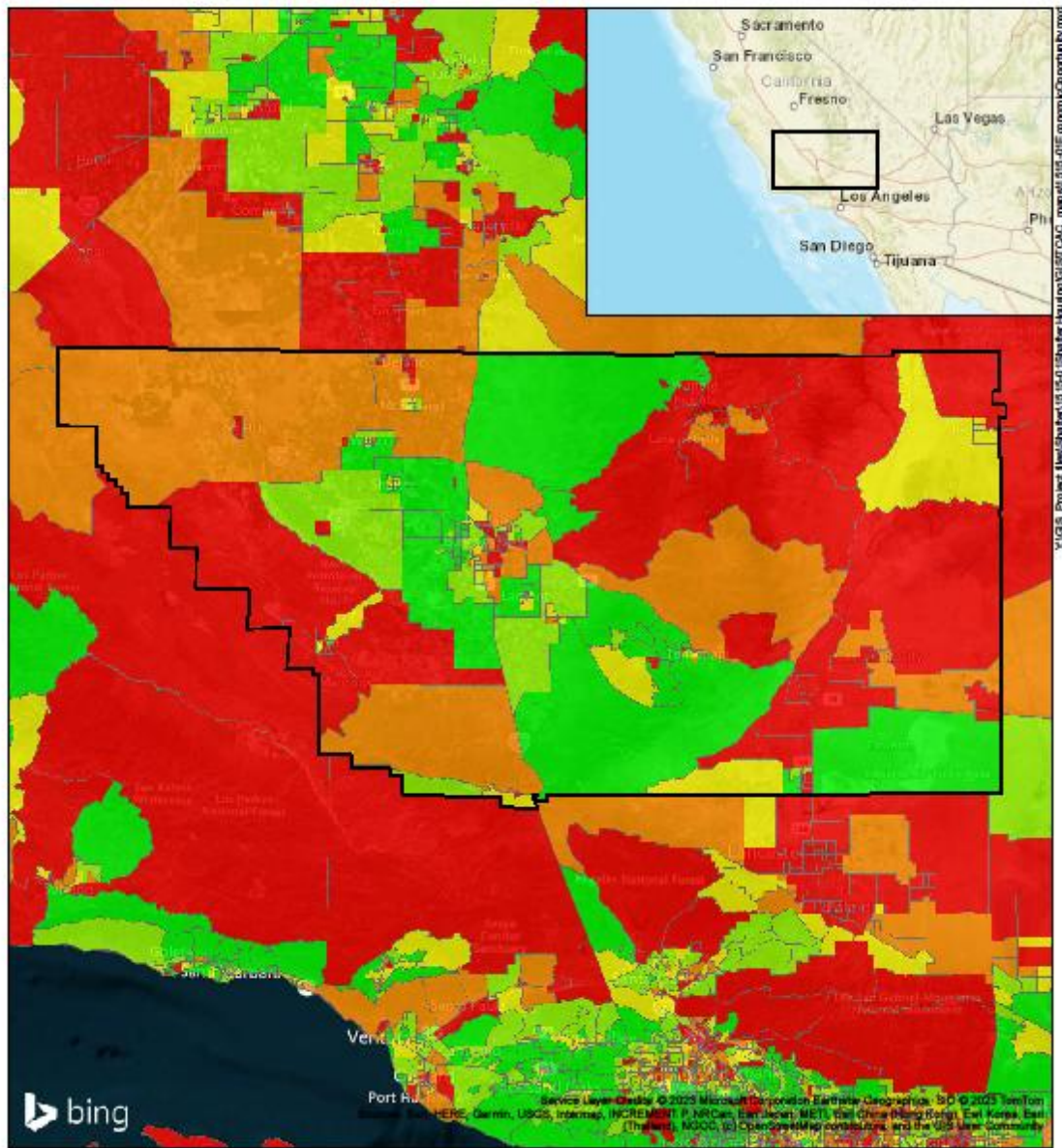


Figure II-26 - TCAC Opportunity Areas - Economic Score (2021) (Kern County)

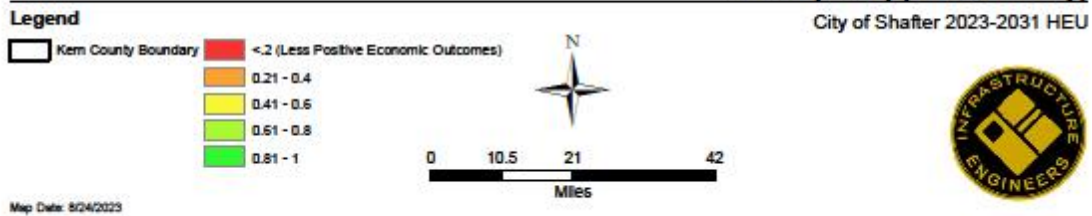


Figure II-27
TCAC Opportunity Areas – Economic Score (2021) (Shafter)

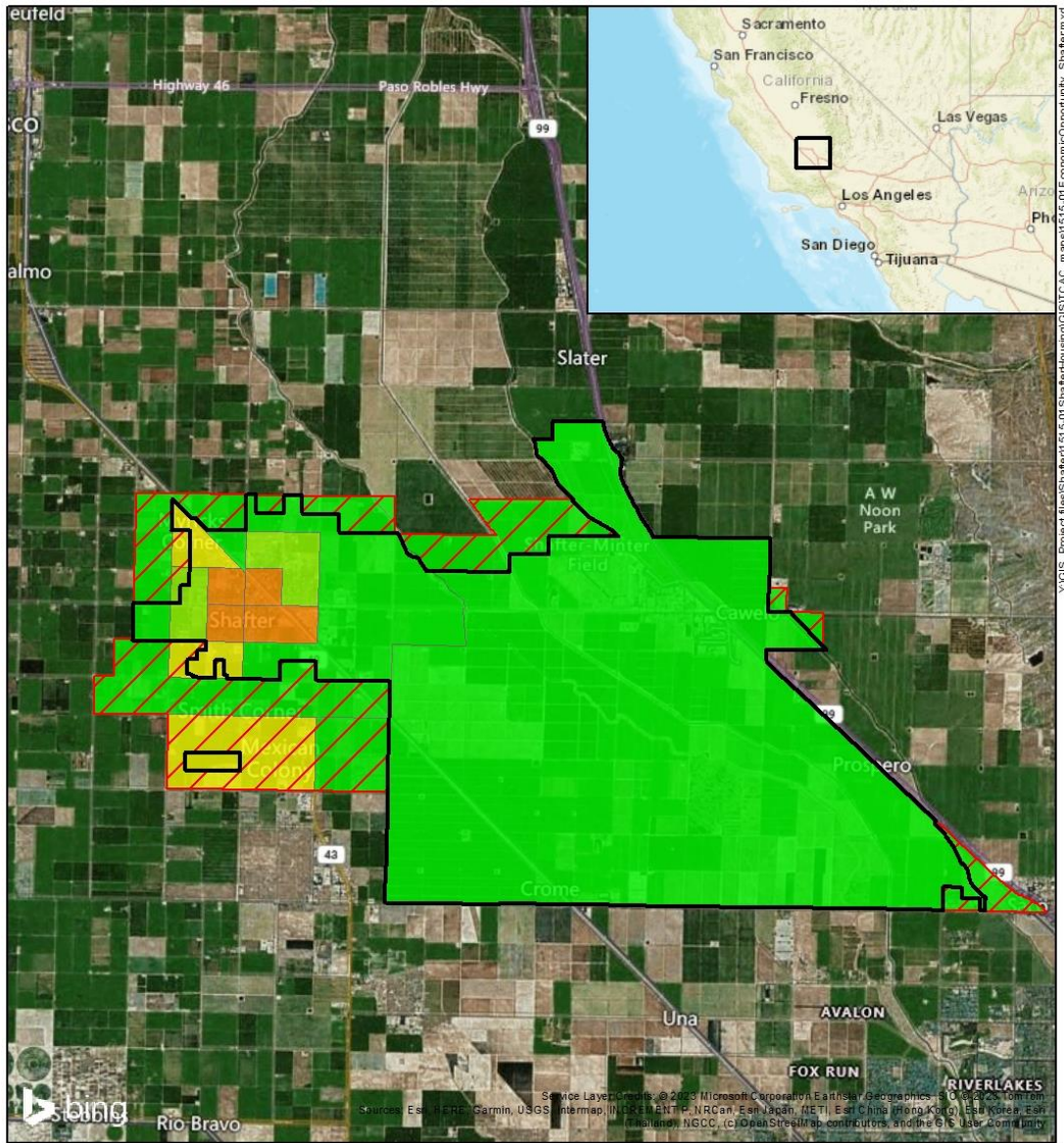
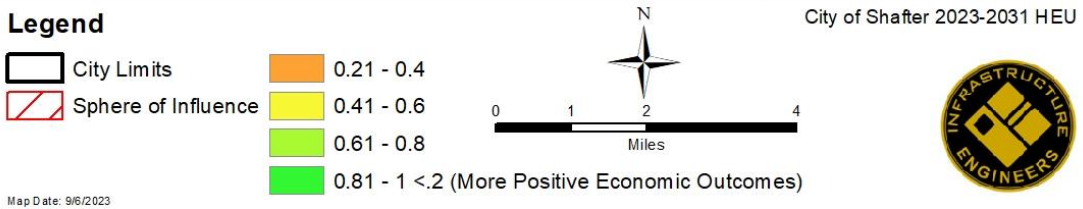


Figure II-27 - TCAC Opportunity Areas -
Economic Score (2021) (Shafter)



Transportation

Transportation provides residents with the ability to access resources such as employment opportunities, community resources, medical care, and recreational opportunities. A lack of accessibility to transportation in a city can impact many aspects of residents' lives. Better transit equates to more employment opportunities, which in turn creates a higher quality workforce within a region. A reliable source of transportation helps to increase household spending flexibility, which contributes to upward mobility. Additionally, increased connection to healthcare facilities and high-quality food options contributes to an overall increase in a community's health.

Methodology

AllTransit™ (Produced by TransitCenter) uses a variety of data to assemble a "Performance Score". The connections to other routes, jobs accessible in a 30-minute transit ride, and the number of workers using transit to travel are all considered when calculating the Performance Score of a given city. Performance Scores are calculated on a scale from 1 to 10, with 10 being the most ideal.

Regional Impact

According to the most recent data posted (2023), Kern County has an AllTransit Performance Score of 3.1 (Figure II-28). A low combination of trips per week are made and the number of jobs accessible results in few people taking transit to work. Trips per week may be low due to the size of Kern County, which equates to 8,163mi². Additionally, cities within Kern County have poor connectivity to one another. Wasco, for example, only has one major highway connecting it to any of its closest neighboring cities. Improving connectivity to surrounding cities would increase access to opportunities.

City Impact

According to the most recent data posted (2023), Shafter has an AllTransit Performance Score of 0.6 (Figure II-29). This is an extremely low score and indicates that Shafter residents have a very low combination of trips per week and number of jobs accessible enabling negligible number of people to take transit to work. This indication is also reflected in the "Proximity of Jobs" sub-section below, which shows that Shafter has very few jobs within a 45-min commute. While this may be an indicator of a lack of job opportunities within the City, it could also be an indicator of poor transportation services. Funding such as CDBG funds could be used to expand transportation services throughout the City.

While Figure II-29 shows that F Street has the highest connectivity, access to jobs, and frequency of service in the City of Shafter, the rest of Shafter lacks the same level of transportation accessibility. An improvement in transportation services and accessibility would lead to greater access to job opportunities and a higher economic score.

Localized Perspective

As is the case throughout the City, residents of protected classes and lower-income households have access to a Dial-A-Ride program for public transportation. The City

does not currently have fixed-route service within any portion of the City. All City residents have the same opportunity to use the Dial-A-Ride program. The AllTransit Scores likely do not reflect this program or any other rideshare programs. These rideshare programs likely improve the overall accessibility of the City to its residents.

All residents also have access to a regional fixed route that picks up and drops off passengers at a bus stop located at Stringham Park in the historic core on James Street; this regional bus route can take passengers to Bakersfield and other cities throughout Kern County.

Table II-31
AllTransit Scores

Jurisdiction	AllTransit Performance Score	*Transit Trips per Week within ½ Mile	*Transit Routes within ½ Mile	*Jobs Accessible in 30-minute trip	Commuters Who Use Transit
Shafter	0.6	36	1	4,883	0.56%
Kern County	3.1	552	3	26,813	0.89%
<i>Source: AllTransit™, 2023</i> <i>*Average household</i>					

Figure II-28
AllTransit Performance Score (Kern County)

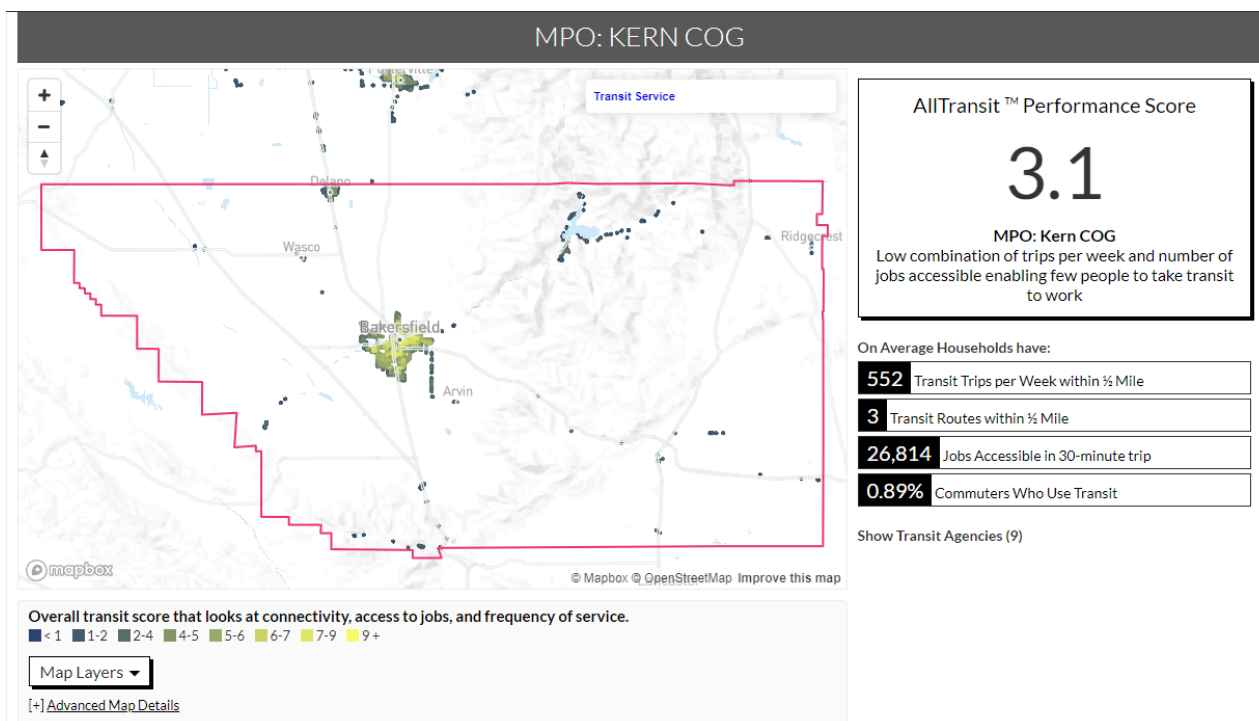
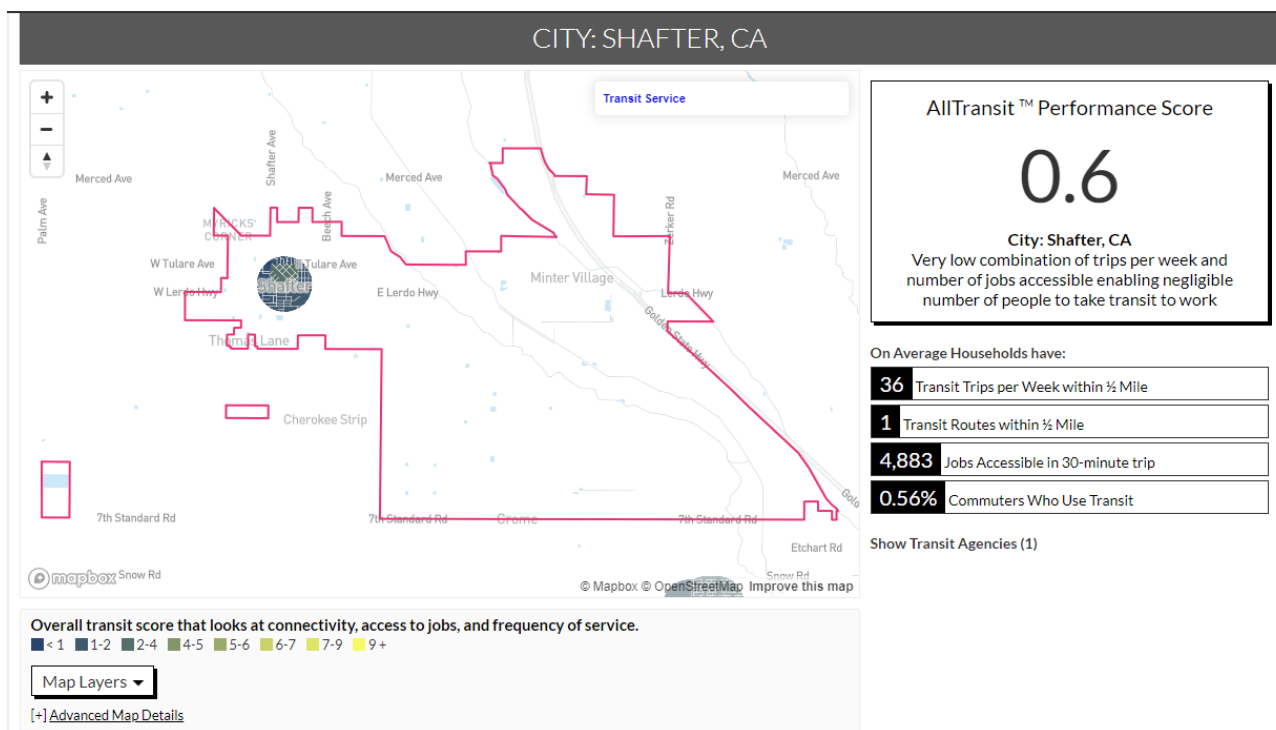


Figure II-29
AllTransit Performance Score (Shafter)



Employment

As previously stated, the most prevalent industry in Shafter is agriculture, which employs about 2,022 people (29% of the total workforce). The second most prevalent industry in Shafter is educational services, health care, and social services which employ 1,044 people (15% of the total workforce). The most prevalent occupational category in Shafter is natural resources, construction, and maintenance occupations, in which 2,232 (32%) employees work. The second most prevalent occupational category is service occupations, which employ about 1,404 people (20.2%) in Shafter. In contrast, Kern County's most prevalent occupational category is management occupations which employ about 97,672 people (28.2%) followed by natural services, construction, and maintenance occupations, which employ about 67,988 people (19.6%). The City of Shafter hosts one employee housing complex in the city limits. It is a set of approximately 100 units for farmworkers located near farms in the northwestern corner of the City. This housing is not in any identified high segregation and poverty areas and is approximately 3 miles away from the City Center.

Proximity to Jobs

According to the EPA, "A large body of research has demonstrated that land use and urban form can have a significant effect on transportation outcomes. People who live and/or work in compact neighborhoods with a walkable street grid and easy access to public transit, jobs, stores, and services are more likely to have several transportation options to meet their

everyday needs. As a result, they can choose to drive less, which reduces their emissions of greenhouse gases and other pollutants compared to people who live and work in places that are not location efficient. Walking, biking, and taking public transit can also save people money and improve their health by encouraging physical activity.” The EPA funded an analysis to measure effects of the built environment on resident’s travel behavior. To develop the data the EPA created three data products to measure built environment and transit accessibility. One product is the Smart Location Database (SLD).

To assess proximity to jobs, analysis was conducted based on information taken from the Smart Location Database and HUD. EPA’s Smart Location Database “is a nationwide geographic data resource for measuring location efficiency. It includes more than 90 attributes summarizing characteristics such as housing density, diversity of land use, neighborhood design, destination accessibility, transit service, employment, and demographics.” The Smart Location Database ran two calculations to determine the accessibility of jobs with a 45-minute automobile drive time and 45-minute transit commute time.

Job proximity 45-min drive

Figure II-30 shows the job proximity within a 45-min drive time. Shafter has few jobs within a 45-min commute. This data seems to contradict the job proximity index. This contradiction could be a result of older data as the HUD Proximity Index does not have data newer than 2017. The metrics by which each is calculated are also different, which could explain the differences. Other data such as the AllTransit scores and TCAC economic opportunities, are more consistent in pattern with the data provided by EPA’s Smart Location Database. According to the Smart Location Database, the most jobs located within the City, that are accessible via driving is around 23,000 jobs. This section of the City is part of a larger census tract that covers areas outside of the City and so may not be an accurate reflection of the City. This area also covers the eastern portion of the City where there is a lot of open farmland.

Job proximity 45-min transit

Figure II-31 shows the job proximity within a 45-min transit commute time. The City of Shafter has very little data for the majority of the City. The areas that do have available data are in the City Center. These areas have job indexes from between 5,000 and 14,000 jobs. The areas identified with jobs have larger industrial or commercial areas within their boundary.

HUD Job Proximity Index

HUD’s Jobs Proximity Index assesses the accessibility of a residential neighborhood to all job locations within a Core-Based Statistical Area (CBSA). Larger employment centers are weighed more heavily, and locations are inversely weighed by labor supply (or competition). Figures II-32 & II-33 display the job proximity scores for Kern County and the City of Shafter, respectively. The entire City received scores of 60 or higher indicating there are a number of commutable jobs that are accessible to low wage or low to moderate skill workers. However as previously stated, the HUD data appears to contradict other

data, but this is likely due to older data sets and the use of different metrics to calculate job proximity.

Localized Perspective

As previously mentioned, residents of protected classes and lower-income households have access to a Dial-A-Ride program for public transportation. The City does not currently have fixed-route service within any portion of the City. All City residents have the same opportunity to use the Dial-A-Ride program. The Dial-A-Ride program reaches everywhere in the City Limits. As previously mentioned, the Wonderful Company (Wonderful) has current and future projects that will provide various jobs within the City Limits. Wonderful has a commercial logistics center and has a future canning factory that will be built in the City Limits. These proposed developments will provide job opportunities within the City and could be accessed by the current Dial-A-Ride program.

All residents also have access to a regional fixed route that picks up and drops off passengers at a bus stop located at Stringham Park in the historic core on James Street; this regional bus route can take passengers to Bakersfield and other cities throughout Kern County.

Figure II-30
Jobs within 45 min Drive (SLD 2018) (Shafter)

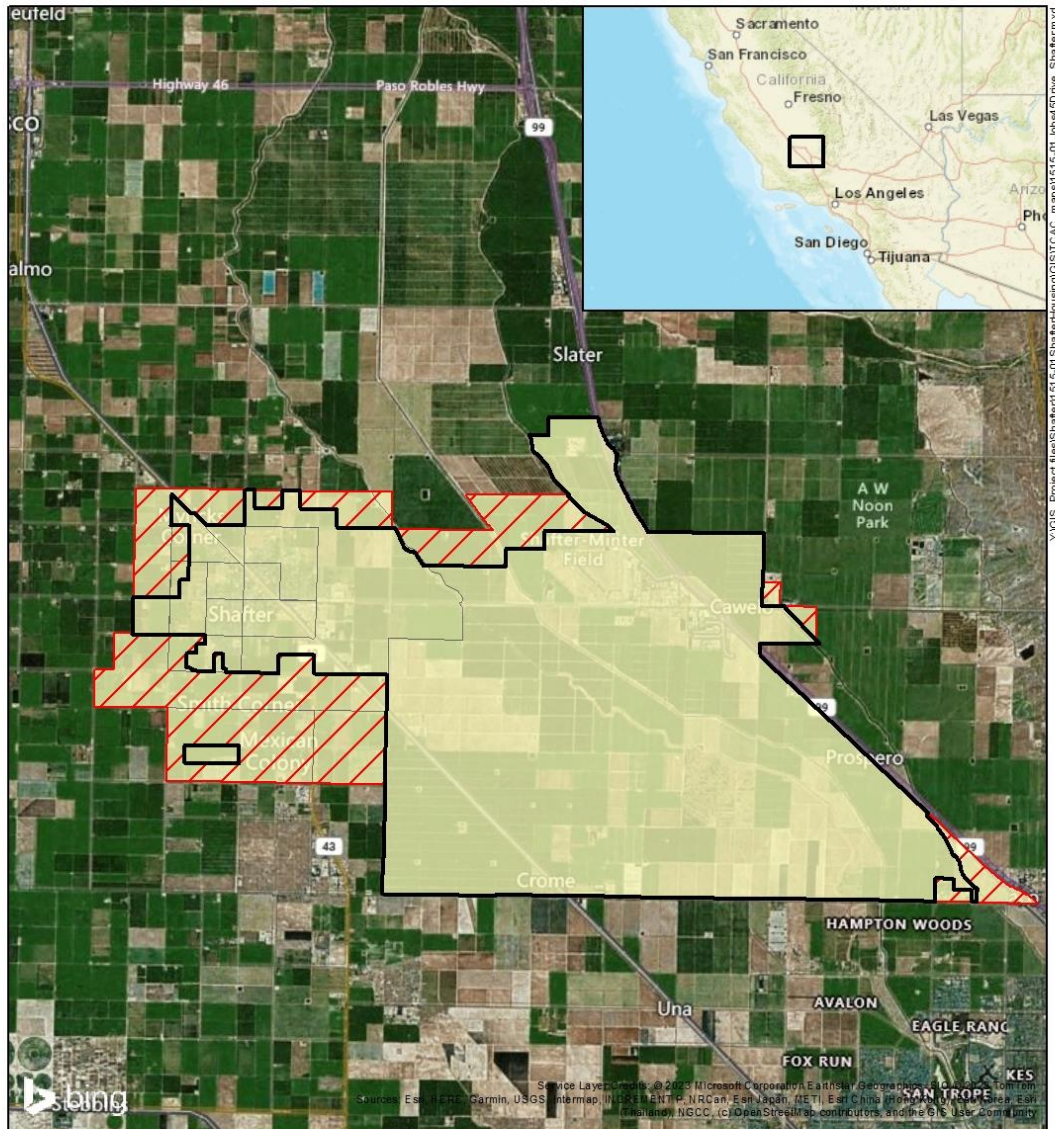


Figure II-30 - Jobs Within 45 min Drive
(SLD 2018) (Shafter)

City of Shafter 2023-2031 HEU

Legend

City Limits	0 - 46,000	115,000 - 215,000
Sphere of Influence	46,000 - 115,000	215,000 - 345,000
Jobs within 45 min Drive		345,000 - 515,000
		515,000 - 730,000
		730,000 - 1,220,602

Map Date: 9/5/2023

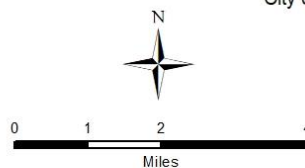
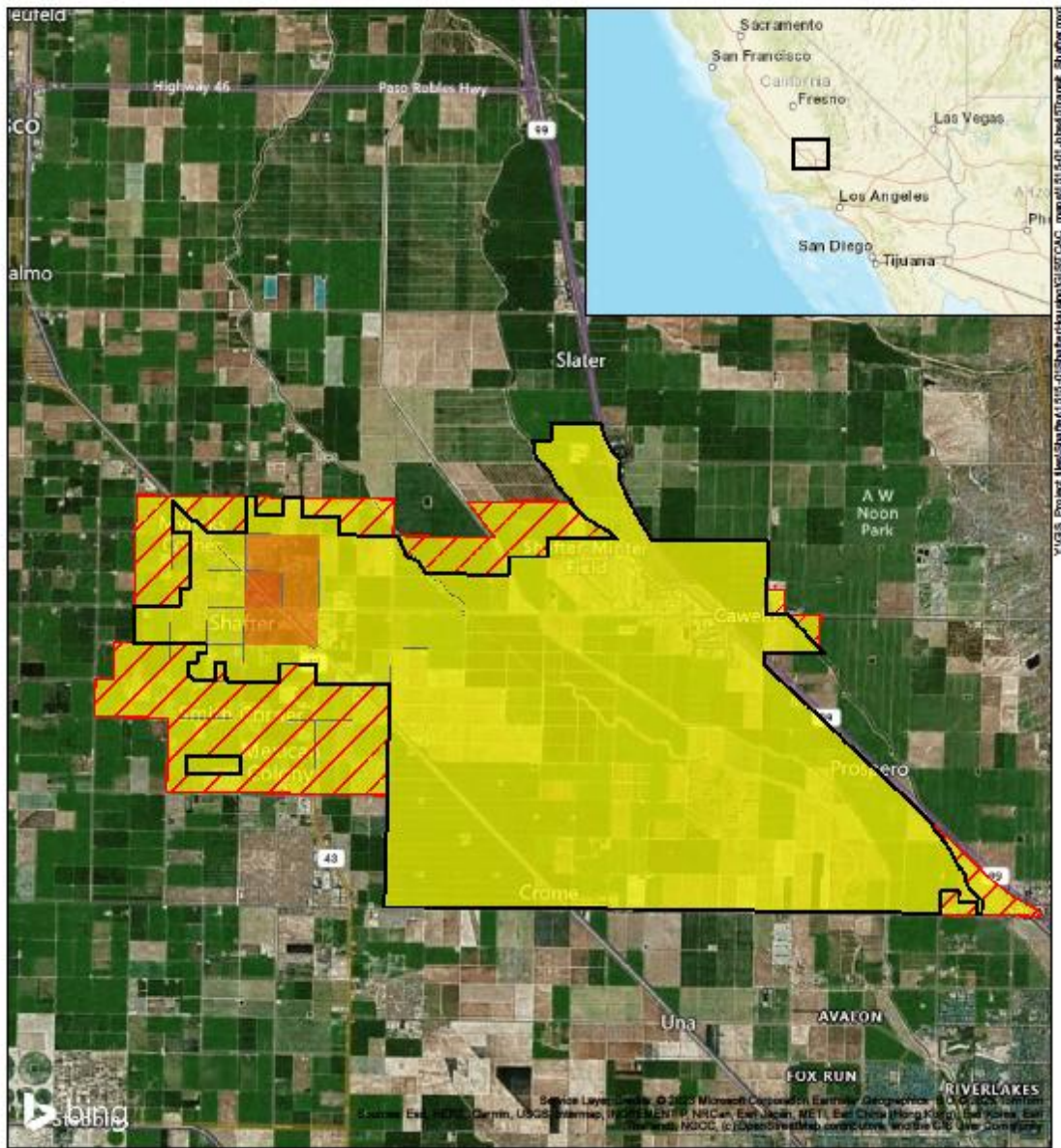


Figure II-31
Jobs Within 45 min Transit (SLD 2018) (Shafter)



**Figure II-31 - Jobs Within 45 min Transit Ride
(SLD 2018) (Shafter)**

City of Shafter 2023-2031 HEU

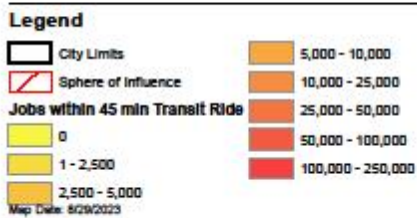


Figure II-32
Jobs Proximity Index (HUD 2014-2017) (Kern County)

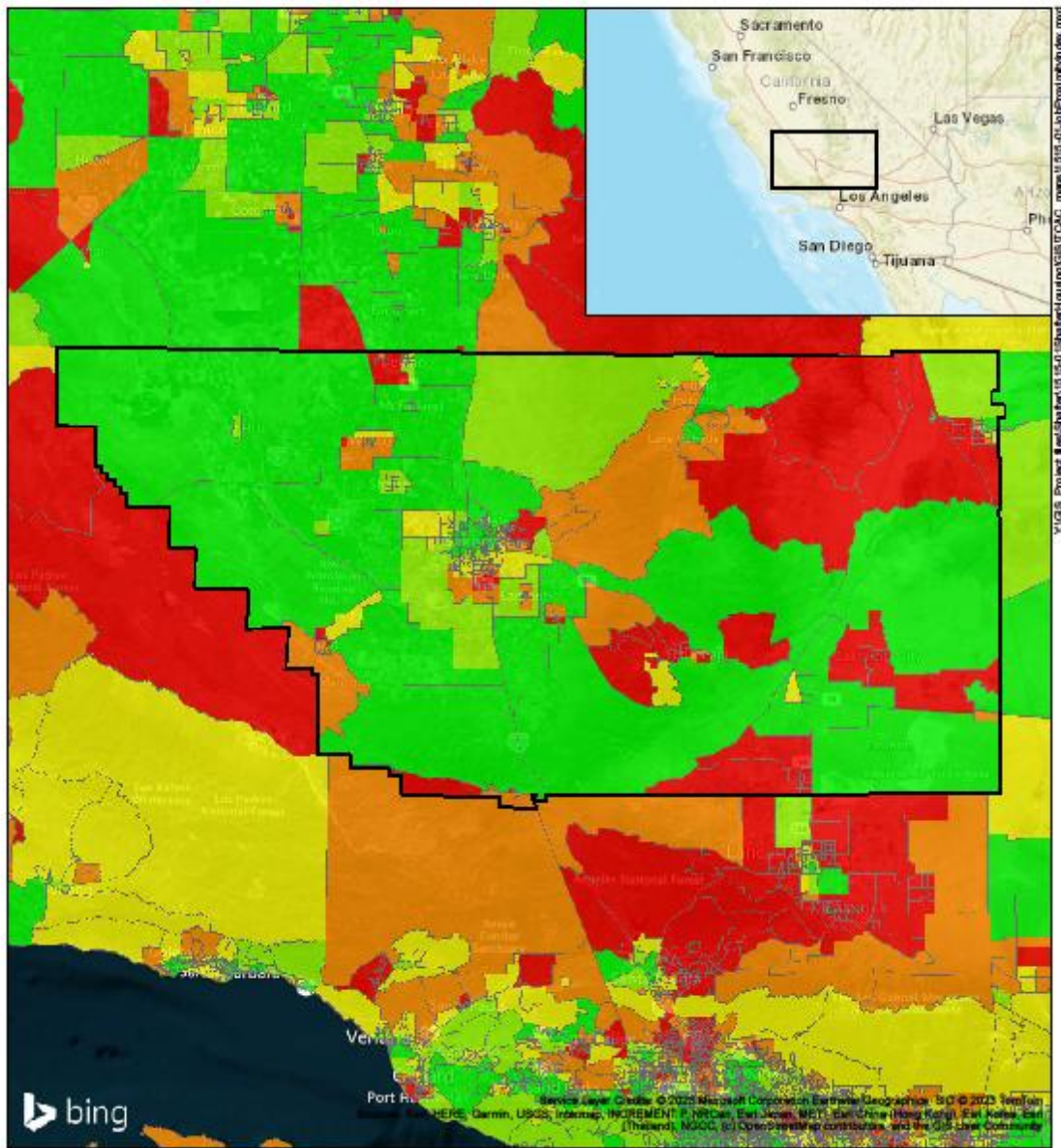
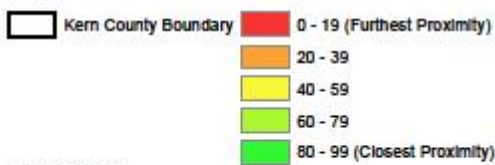


Figure II-32 - Jobs Proximity Index
(HUD 2014 - 2017) (Kern County)

City of Shafter 2023-2031 HEU

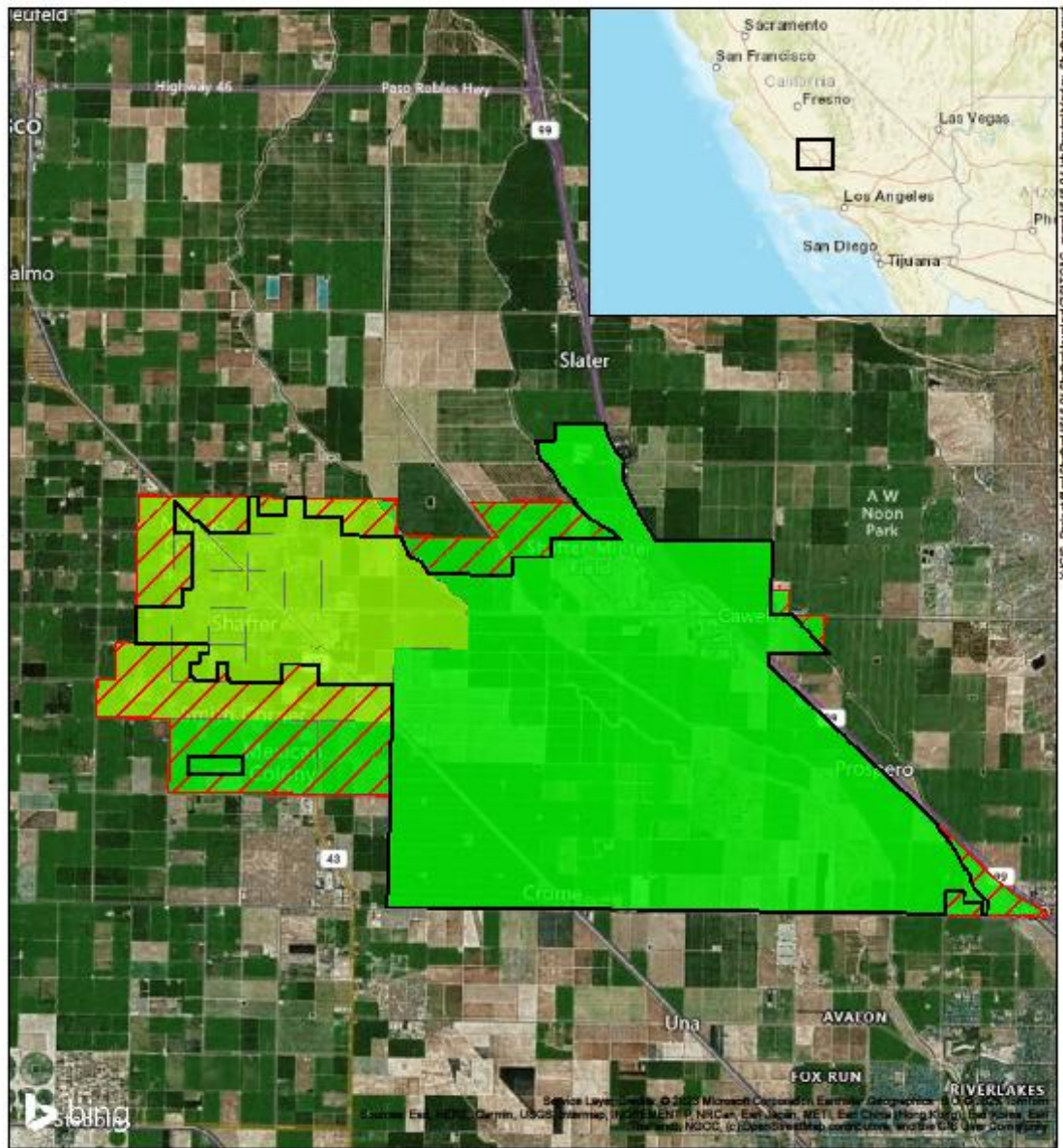
Legend



Map Date: 8/29/2023



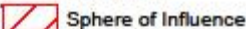
Figure II-33
Jobs Proximity Index (HUD 2014-2017) (Shafter)



**Figure II-33 - Jobs Proximity Index
(HUD 2014-2017) (Shafter)**

City of Shafter 2023-2031 HEU

Legend

-  City Limits
 -  Sphere of Influence
 -  60-79
 -  80-99 (Closest Proximity)
- Map Date: 8/29/2023



Environmental

CalEnviroScreen

The environmental health of a community is also tied to environmental justice. Environmental Justice is a movement to address the unfair exposure of poor and marginalized communities to harm from hazardous waste, resource extraction and other land uses and places sensitive communities at risk for environmental hazards. HCD and the California Tax Credit Allocation Committee (TCAC) analyzed poverty rates, school proficiency, unemployment rates, jobs proximity, transit metrics, and CalEnviroScreen 4.0 scores to assess access to opportunity throughout Shafter. CalEnviroScreen 4.0 is a mapping tool that identifies communities that are most affected by pollutants and have vulnerable populations that include, but are not limited to, racial and ethnic minorities; the economically disadvantaged; uninsured or underinsured people; those with chronic health conditions including HIV, mental health conditions, obesity; children and youth; the elderly; homeless persons and the disabled. The CalEnviroScreen 4.0 takes multiple indicators and categorizes them into two components: Pollution Burden and Population Characteristics. Pollution burden breaks down its indicators into two categories: Exposures and Environmental Effects. Exposures are primarily measures of different pollutants such as ozone, particulate matter (PM 2.5), drinking water contaminants, etc. Environmental effects are adverse environmental conditions from pollutants that may include the presence of contaminated sites or high-profile sites/facilities that can contribute to the perception of a community being unsafe/undesirable to live in. Such facilities can be waste facilities/generators, toxic cleanup sites, impaired water bodies, etc. Population characteristics break down its indicators (Pollution Burden and Population Characteristics) into two categories: Sensitive Populations and Socioeconomic factors. Sensitive Populations are defined as populations with physiological conditions that result in increased vulnerability to pollutants which includes conditions such as asthma related emergency department visits, low birth-weight infants, and cardiovascular disease, socioeconomic factors are defined as community characteristics that are a direct result of increased vulnerability to pollutants. According to HCD, growing research has shown an increase in the vulnerability of people of color and lower socioeconomic status to environmental pollutants. Such socioeconomic indicators include educational attainment, housing burdened low-income households, poverty, unemployment, etc.

The CalEnviroScreen 4.0 score is obtained by multiplying the Pollution Burden and Population Characteristics together. These scores are then sorted into percentiles based on all census tracts in the state. The highest percentile scores are the ones at most risk for cumulative environmental impacts. The City of Shafter ranges from the 69th percentile to the 90th percentile in environmental scores with the City's top pollutant burdens consisting of PM 2.5, pesticides, drinking water contaminants, and ozone. Population characteristics for the City vary more depending on where one is located. In the denser City center, the primary population characteristics were education, linguistic isolation, poverty, unemployment, and housing burden. As one moves further away from the City center, the educational and economic factors start to decrease, however, cardiovascular

health remains relatively high regardless of location but not as high as the educational or economic characteristics.

Figures II-34 & II-35 show the overall percentiles of environmental health from CalEnviroScreen. Kern County has a variety of overall scores but there is a large majority of the county that struggles with its overall environmental health. The City of Shafter has very high overall environmental scores. As previously stated, the City has poor air quality due to high amounts of PM2.5 and pesticides. Pesticides also are likely entering water systems which likely cause drinking water contamination.

TCAC Environmental

Methodology

An environmental score from TCAC is a calculation from CalEnviroScreen 4.0. rating given to a particular area where homes are situated and is calculated based on numerous environmental indicators. The raw CalEnviroScreen 4.0 scores calculation would show that the higher the score the higher the pollution burden and environmental risks affect the community. However, to keep the analysis consistent with its other data, TCAC used an additive inverse constant which inverses the CalEnviroScreen 4.0 scores, therefore, the CalEnviroScreen 4.0 scores assumes the lower the number, the worse pollution burden is on the community. Therefore, using the figures below (using TCAC data), a low score means a very negative environmental score.

Regional impact

As previously stated, the County has a large range of opportunities represented due to its size as shown by Figure II-36. Different areas of the county have better environmental opportunities than others. Addressing issues of environmental justice throughout the county and creating opportunities for addressing pollution burdens can improve the regions environmental scores.

City Impact

The figures below show the City of Shafter as having a very poor environmental score and no areas within the City boundary exist that have a score higher than a 0.5 for in the environmental category. Figures II-36 & II-37 on the following page depict the results of the environmental opportunities.

Localized Perspective

As California's environmental conditions worsen and populations increase, concerns over access to water and sewer services will be more prevalent. The City, being a domestic supplier of water and sewer, is working to ensure that there will be no loss of services and water to its residents, especially those in lower income units. The City is developing formal administrative policy for granting priority water service to lower income units. Additionally, with Wonderful planning to build a canning factory as a future project, Wonderful will be required to drill a new well and the factory will be implementing a water conservation program by using its grey water for use in Wonderful's agricultural fields. This will allow for less usage of potable water for agriculture.

The City of Shafter is an AB 617 community. AB 617 was signed into law in July 2017 and started state-wide effort to monitor and reduce air pollution and improve public health in areas that are experiencing disproportionate burdens from air pollution. The Bill provides resources and mechanisms to help implement community-specific air quality monitoring networks; develop, implement, and track emission reduction programs; improve availability of data and technical information; and invest funding into the community. The City of Shafter is utilizing funding received from AB 617 in various ways. The City of Shafter is using some of this funding to acquire EV buses and build charging stations for their Dial-A-Ride transportation, investing in curb, gutter, and bike lanes especially along SR 43 as part of their initiative to have safe travel to schools, and giving air filters to residents. To help reduce air emissions, the City is also working with residents to reduce their use of wood-fire fireplaces and replacing them with natural gas and producing more urban greening projects. The Wonderful Company is also proposing to use vegetative barriers along their properties to slow winds and reduce dust and particulate matter circulation into the air. The City is working closely with the San Joaquin Valley Air Pollution Control District and City stakeholders to ensure that the City is improving and creating programs to reduce air pollution in the City.

Figure II-34
CalEnviroScreen 4.0 Score (2021) (Kern County)

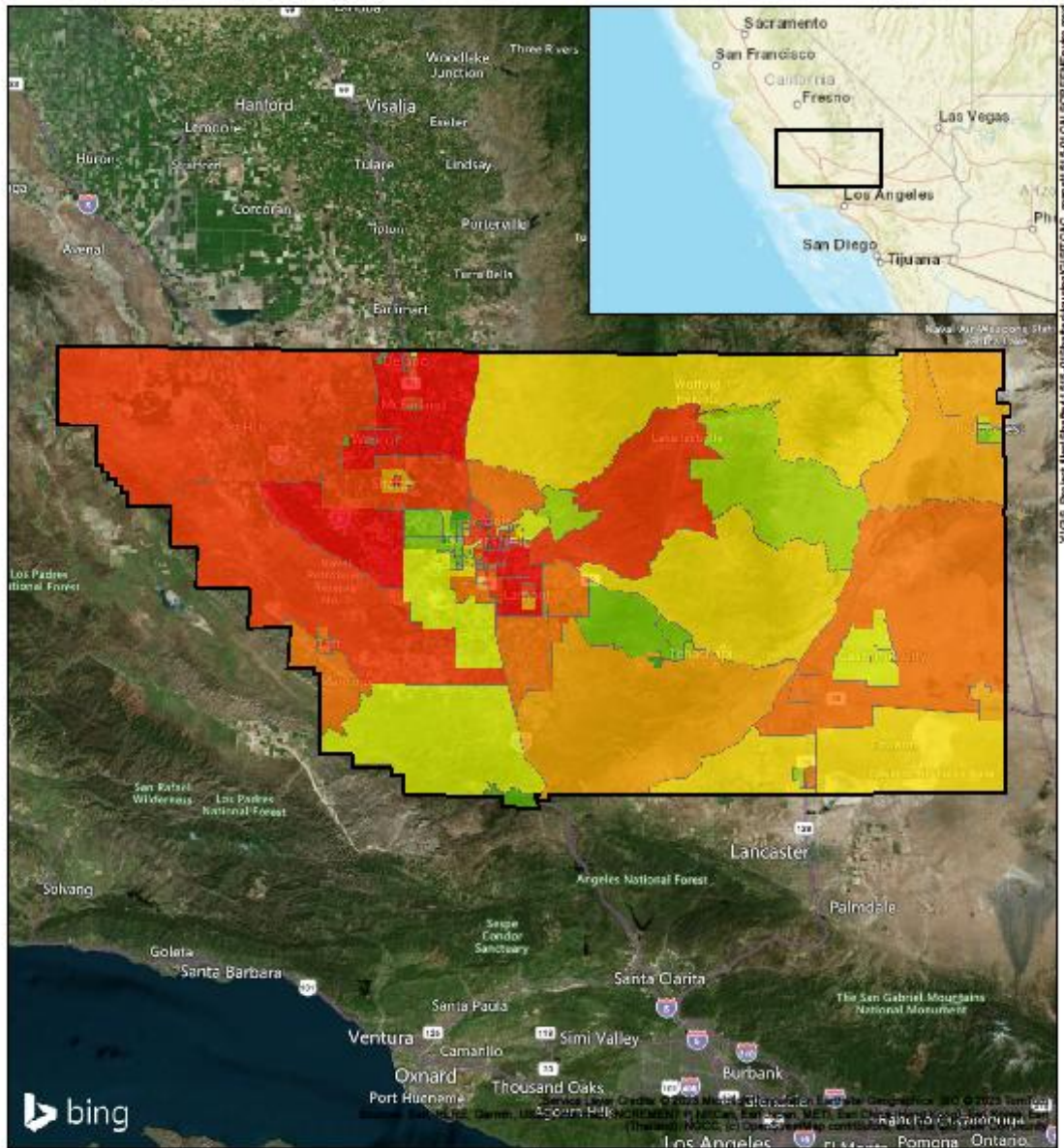


Figure II-34 - CalEnviroScreen 4.0 Score
(2021) (Kern County)

City of Shafter 2023-2031 HEU

Legend

Kern County Boundary

CalEnviroScreen Overall Percentile

0 - 10
10 - 20
20 - 30
30 - 40
40 - 50
50 - 60
60 - 70
70 - 80
80 - 90
90 - 100

Map Date: 8/29/2023

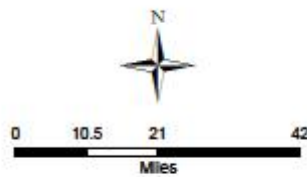


Figure II-35
CalEnviroScreen 4.0 Score (2021) (Shafter)

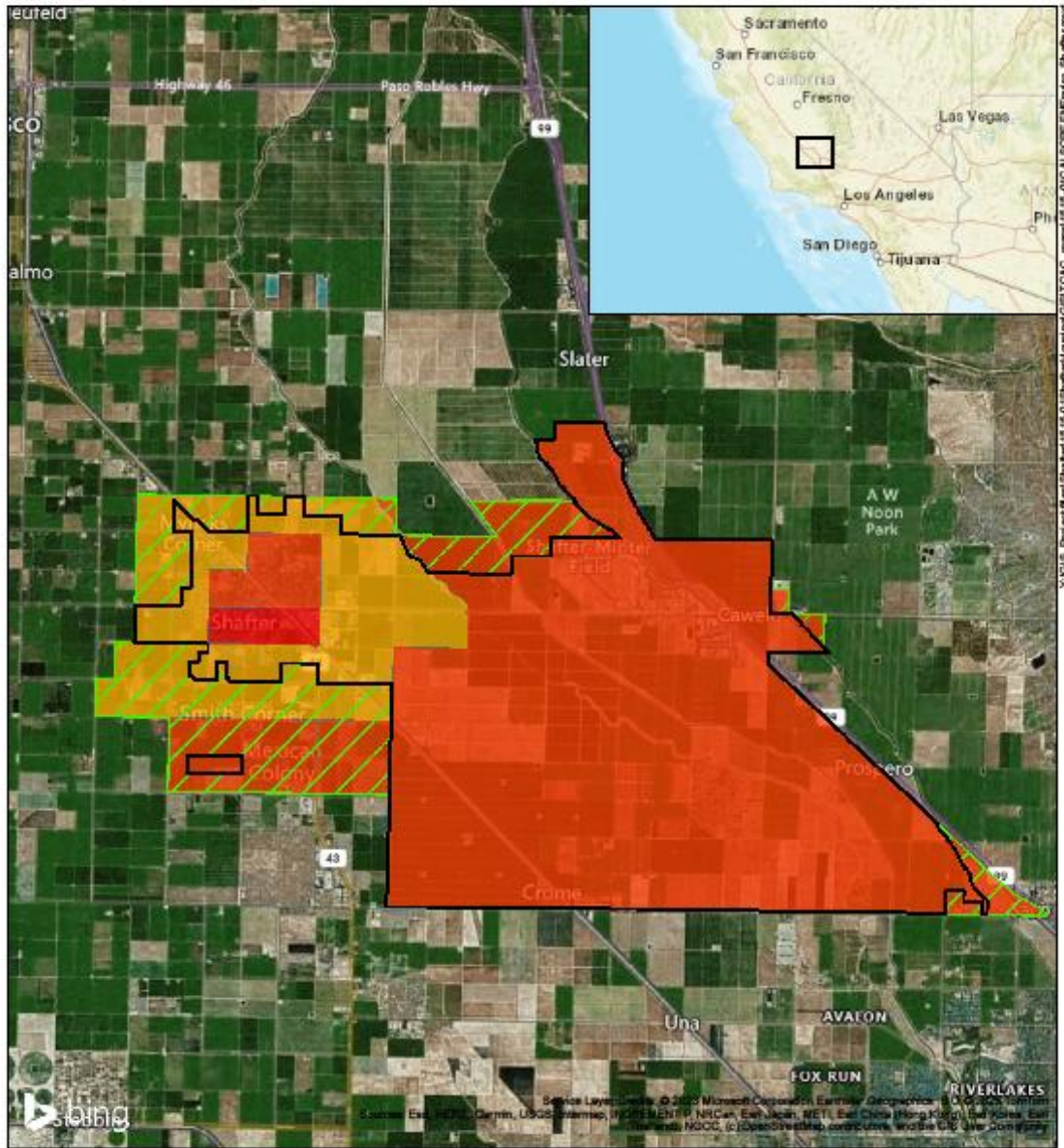


Figure II-35 - CalEnviroScreen 4.0 Score
(2021) (Shafter)

City of Shafter 2023-2031 HEU

Legend

City Limits

Sphere of Influence

CalEnviroScreen Overall Percentile

0 - 10

10 - 20

20 - 30

30 - 40

Map Date: 8/29/2023

40 - 50

50 - 60

60 - 70

70 - 80

80 - 90

90 - 100



Figure II-36
TCAC Opportunity Areas – Environmental Score (2021) (Kern County)

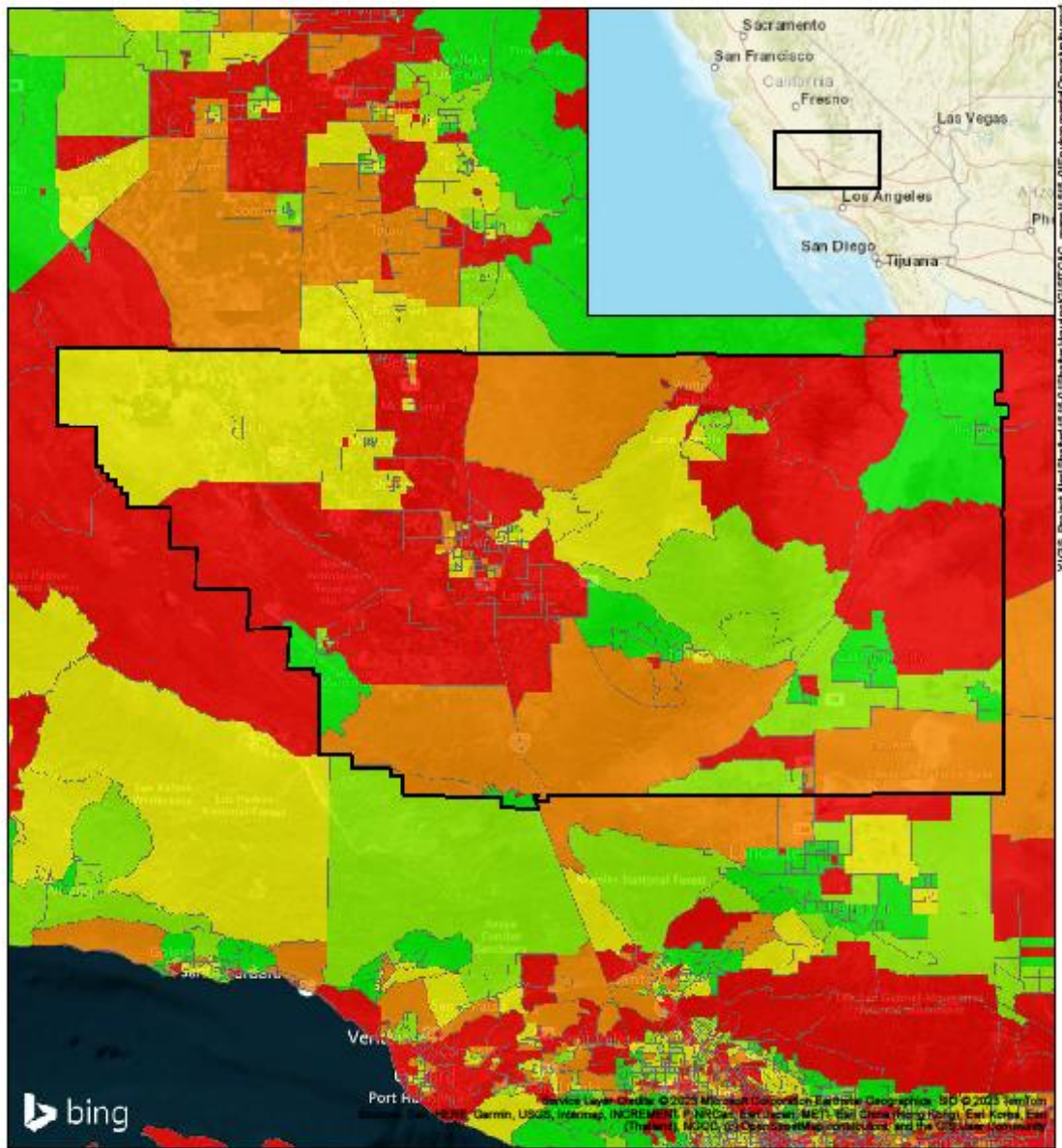


Figure II-36 - TCAC Opportunity Areas - Environmental Score (2021) (Kern County)

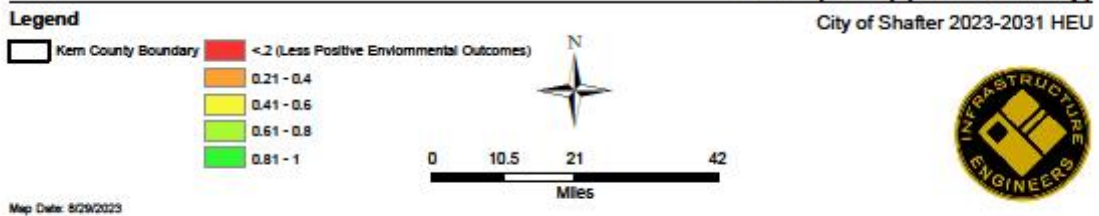


Figure II-37
TCAC Opportunity Areas – Environmental Score (2021) (Shafter)

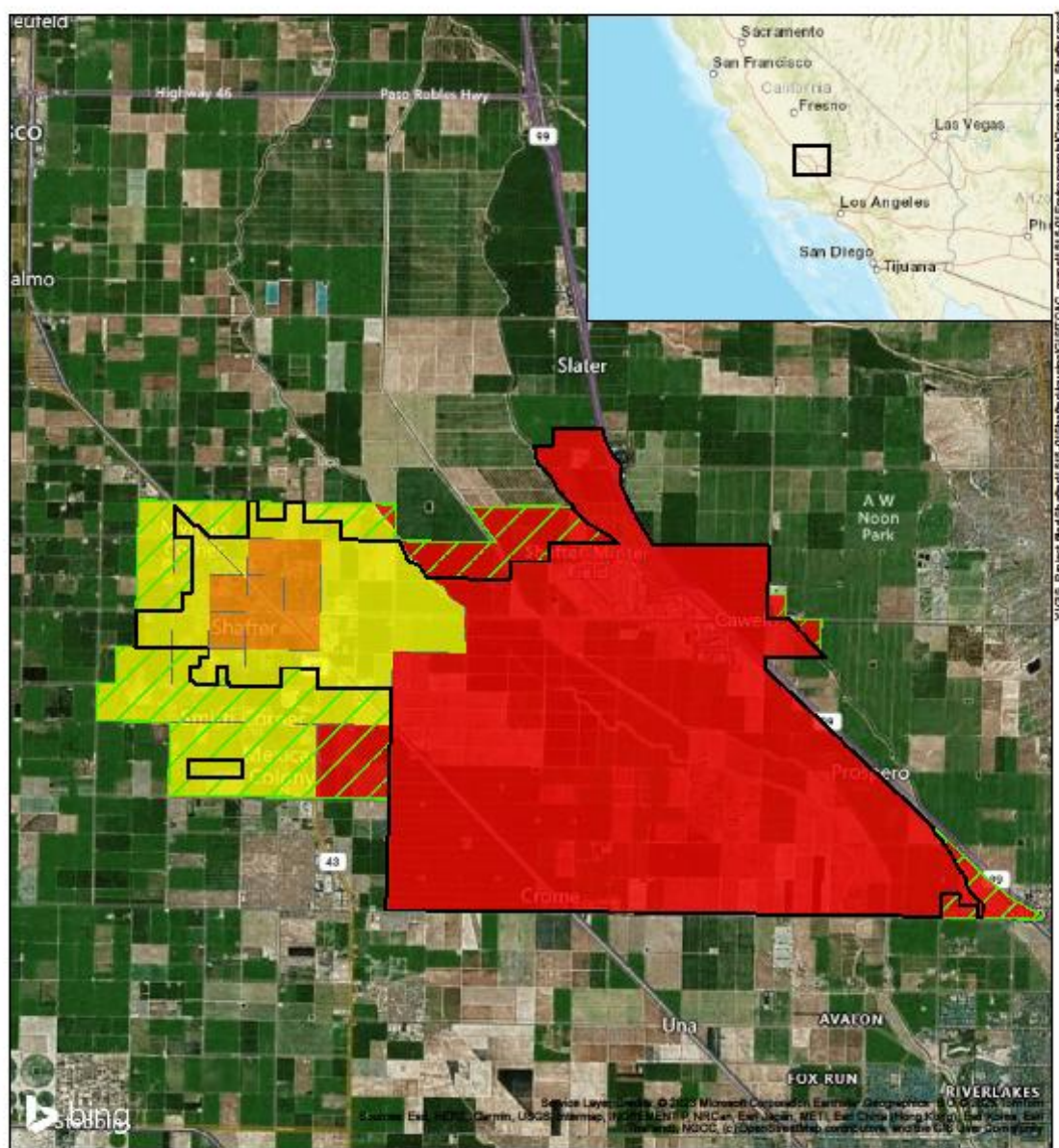
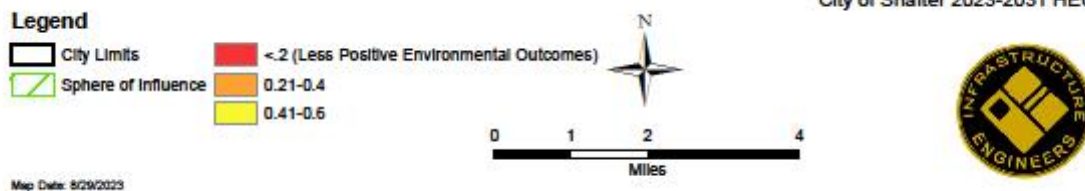


Figure II-37 - TCAC Opportunity Areas - Environmental Score (2021) (Shafter)

City of Shafter 2023-2031 HEU



9. Disproportionate Housing Needs

Overpayment by Renters and Owners

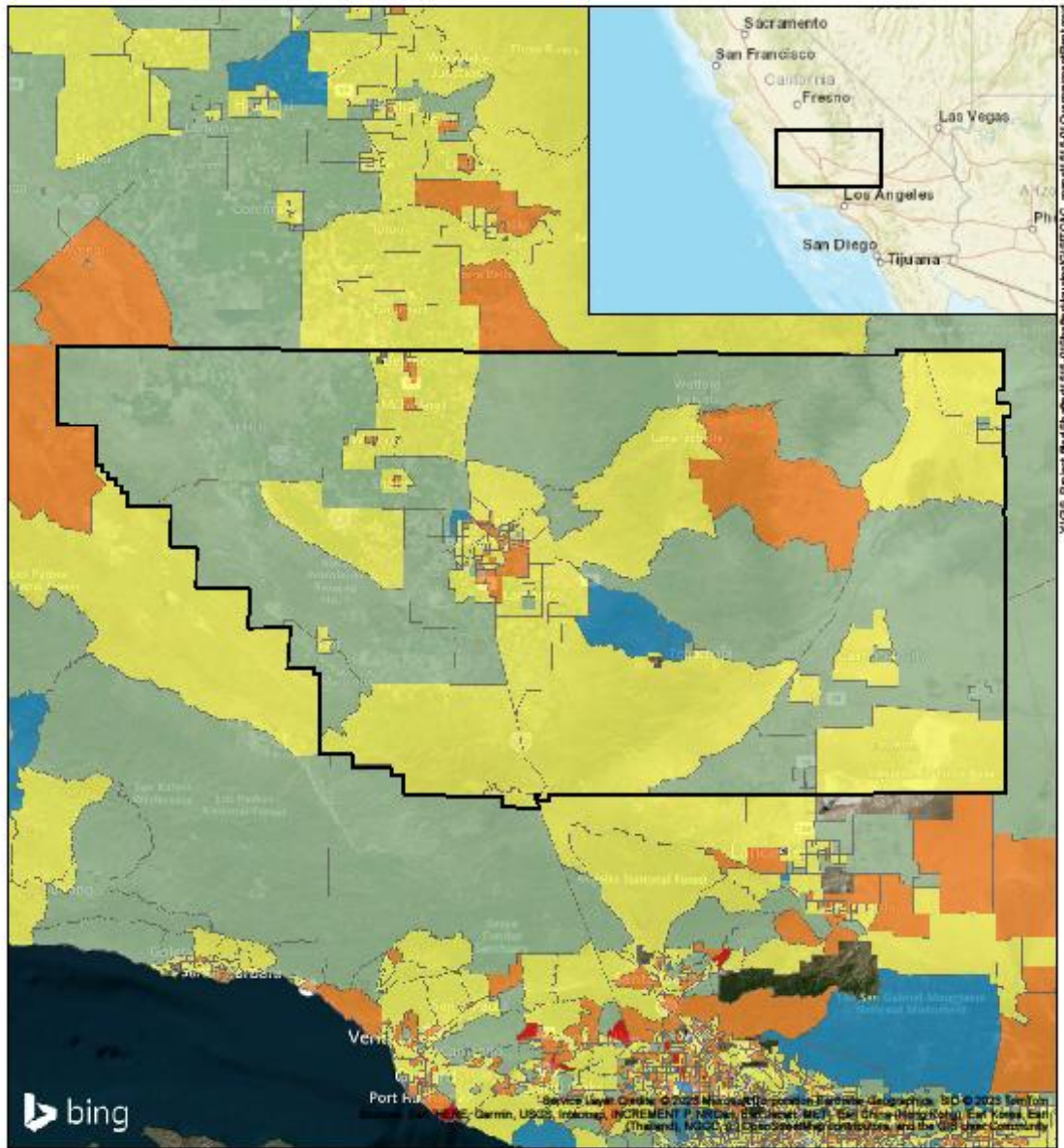
Disproportionate housing needs are defined in the AFFH Rule Guidebook as conditions in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs, as compared to members of other groups or the total population. This portion of the analysis focuses on overpayment, or households experiencing a housing cost burden, meaning they spend more than 30% of their income on housing costs and utilities. The data for this analysis was obtained from the American Community Survey (ACS), which is conducted in 5-year increments. Using the results of the 2015-2019 ACS, the figures on the following pages (Figures II-38 through II-41) illustrate where households in Shafter are cost-burdened (looking at both renters and homeowners).

The City (according to the 2015-2019 ACS data) has anywhere from 30% to 60% of the rental population is spending more than 30% of their income on housing and utilities. The highest concentration of renters who are overpaying is concentrated in the City proper while the outlying areas have much less. The areas of high segregation and poverty are in the higher range with 40 - 60% overpayment by renters.

The City has anywhere from 10% to 42% of its homeowner population spending more than 30% of their income on their homeowner costs. The population of homeowners who fall into this category vary depending on their neighborhoods and census tracts, the highest percentages of homeowners who are overpaying are concentrated in the City is in the City Center specifically the areas of high segregation and poverty. The areas beyond the high segregation and poverty are all significantly lower in overpayment.

Overpayment of rent or mortgages is affecting on average at least 20% of the population of the City and so is likely considered a contributing factor to fair housing issues.

Figure II - 38
Overpayment by Renters (ACS 2015-2019) (Kern County)



**Figure II-38 - Overpayment by Renters
(ACS 2015-2019) (Kern County)**

City of Shafter 2023-2031 HEU

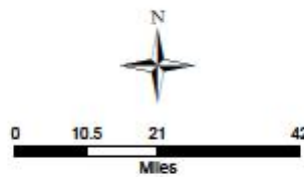
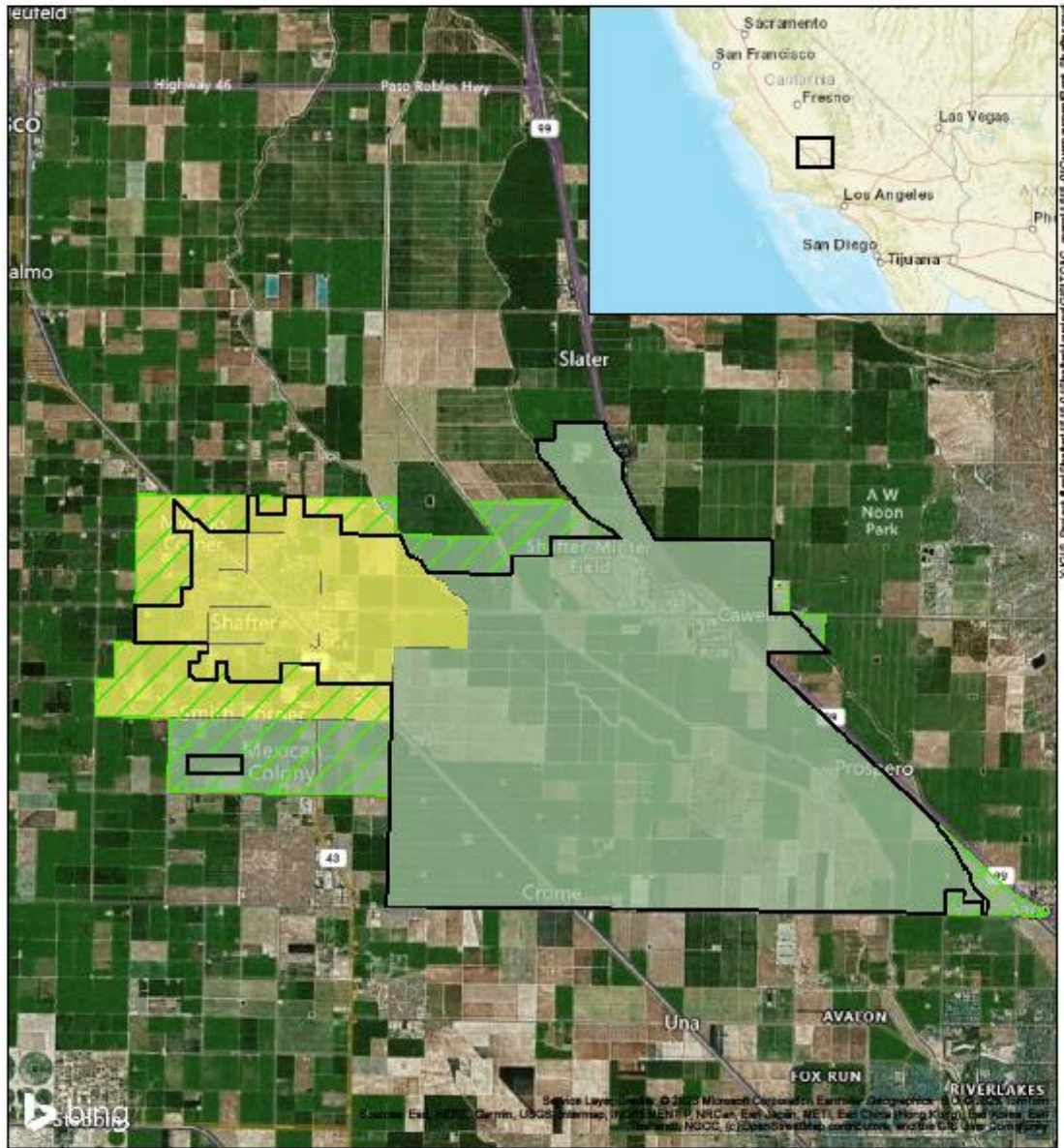


Figure II – 39
Overpayment by Renters (ACS 2015-2019) (Shafter)



**Figure II-39 - Overpayment by Renters
(ACS 2015-2019) (Shafter)**

City of Shafter 2023-2031 HEU

Legend

-  City Limits
 -  Sphere of Influence
 -  20% - 40%
 -  40% - 60%
- Map Date: 8/29/2023

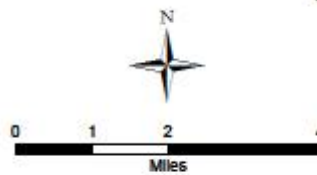
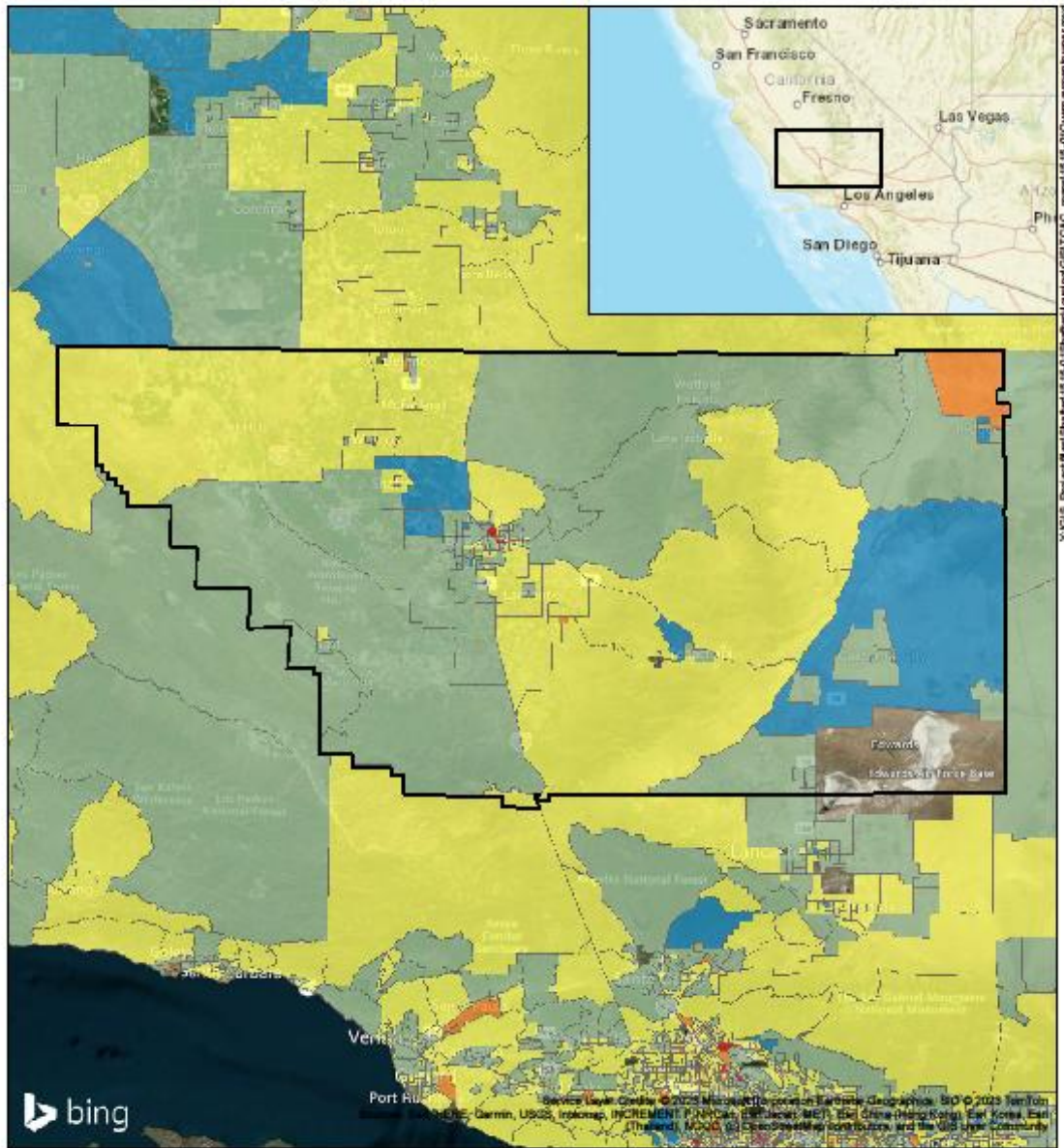


Figure II – 40
Overpayment by Homeowners (ACS 2015-2019) (Kern County)



**Figure II-40 - Overpayment by Homeowners
(ACS 2015-2019) (Kern County)**

City of Shafter 2023-2031 HEU

Legend

- Kern County Boundary
 - < 20%
 - 20% - 40%
 - 40% - 60%
 - 60% - 80%
 - 80% - 100%
- Map Date: 8/29/2023

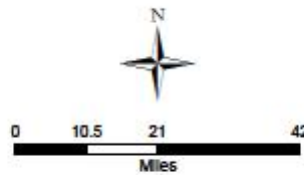
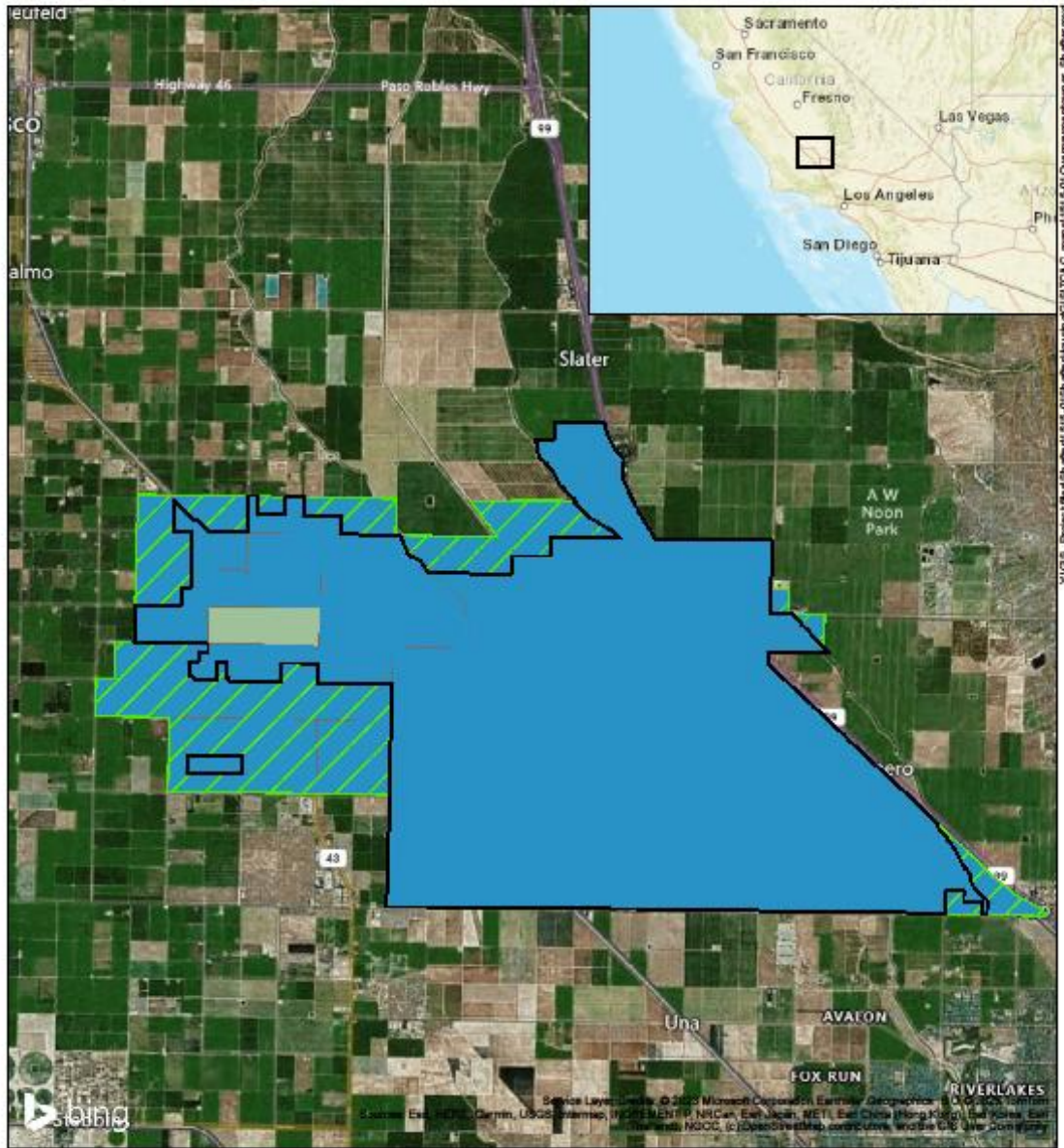


Figure II – 41
Overpayment by Homeowners (ACS 2015-2019) (Shafter)



**Figure II-41 - Overpayment by Homeowners
(ACS 2015-2019) (Shafter)**

City of Shafter 2023-2031 HEU

Legend

- City Limits
 - Sphere of Influence
 - < 20%
 - 20% - 40%
- Map Date: 8/29/2023



Overcrowding

Overcrowding of residential units, which house more than one person per room (Severe Overcrowding is more than 1.5 persons per room), can be a potential indicator that households are experiencing economic hardship and are struggling to afford housing. In addition to the economic implications, there is also a public health concern as residential crowding has been linked to an increased risk of disease and respiratory ailments⁷. The data used by AFFH is a combination of data provided by the U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS), and U.S. Census American Community Survey (ACS). This data is part of a series of indicators that are used by the Office of Health Equity in a project Healthy Communities Data and Indicators Project (HCI). Figures II-39 & II-40 show the percentage of overcrowding in Kern County and the City of Shafter respectively, while figures II-41 & II-42 show the percentage of severe overcrowding in Kern County and the City of Shafter, respectively.

The City has a mix of overcrowding issues. The City proper has areas that have 33% overcrowding issues while other areas of the City proper only have 10% overcrowding. The area surrounding the City proper only has 3% overcrowding. The rest of the City limits have 15% overcrowding (Figure II-42 through Figure II-45).

Substandard Housing

As defined by the U.S. Census, there are two types of substandard housing problems: (1) Households without hot and cold piped water, a flush toilet and a bathtub or shower; and (2) Households with kitchen facilities that lack a sink with piped water, a range or stove, or a refrigerator. Given the limits of this measure, the analysis must incorporate local data and knowledge, such as housing conditions surveys or code enforcement activities. Figures II-46 through II-49 below visualize the percentage of households that lack complete plumbing or a complete kitchen by census tract.

The City of Shafter has relatively few issues with substandard housing. The majority of the City has less than 2% of housing units lacking complete plumbing or kitchens. However, the City Center does have 2%-5% of housing units lacking complete plumbing or kitchens. The area of the City Center that has 2% - 5% units lacking a complete kitchen are in the previously identified areas of high segregation and poverty.

Localized Perspective

The condition of housing in the area varies from excellent to poor, generally based on the age of the housing. Overall, the condition of the neighborhoods is fair with all neighborhoods connected to water and sewer and with curb, gutter, and sidewalks throughout and therefore, the citizens of these areas have safe routes to schools. In comparison to other areas in the City's historic core, the areas are similar in condition. In comparison to the specific plan areas along 7th Standard in the southeast of the City, the

⁷ <https://data.chhs.ca.gov/dataset/housing-crowding>

conditions are not as good with the specific plan areas having more recreational opportunities.

Based on an assessment by the City's Code Enforcement Department, an area with a higher need for rehabilitation and replacement is the area in north Shafter bound by State Route 43 to the north and east, W. Fresno Avenue to the south, and Poplar Avenue to the west. This area was at one time an unincorporated area of the county that was annexed by the City in 1992. According to the City's Building Official, it is estimated that there are about 10-30 units that require rehabilitation or replacement within the City. Most of the units are found within the historic core of the City. The City is addressing substandard housing through building/code enforcement and through housing rehabilitation programs (Chapter V). The City is also in the process of producing 28 deed restricted low-income single-family residential units that are being developed by Self Help Enterprises.

Figure II - 42
Overcrowded Households (CHHS) (Kern County)

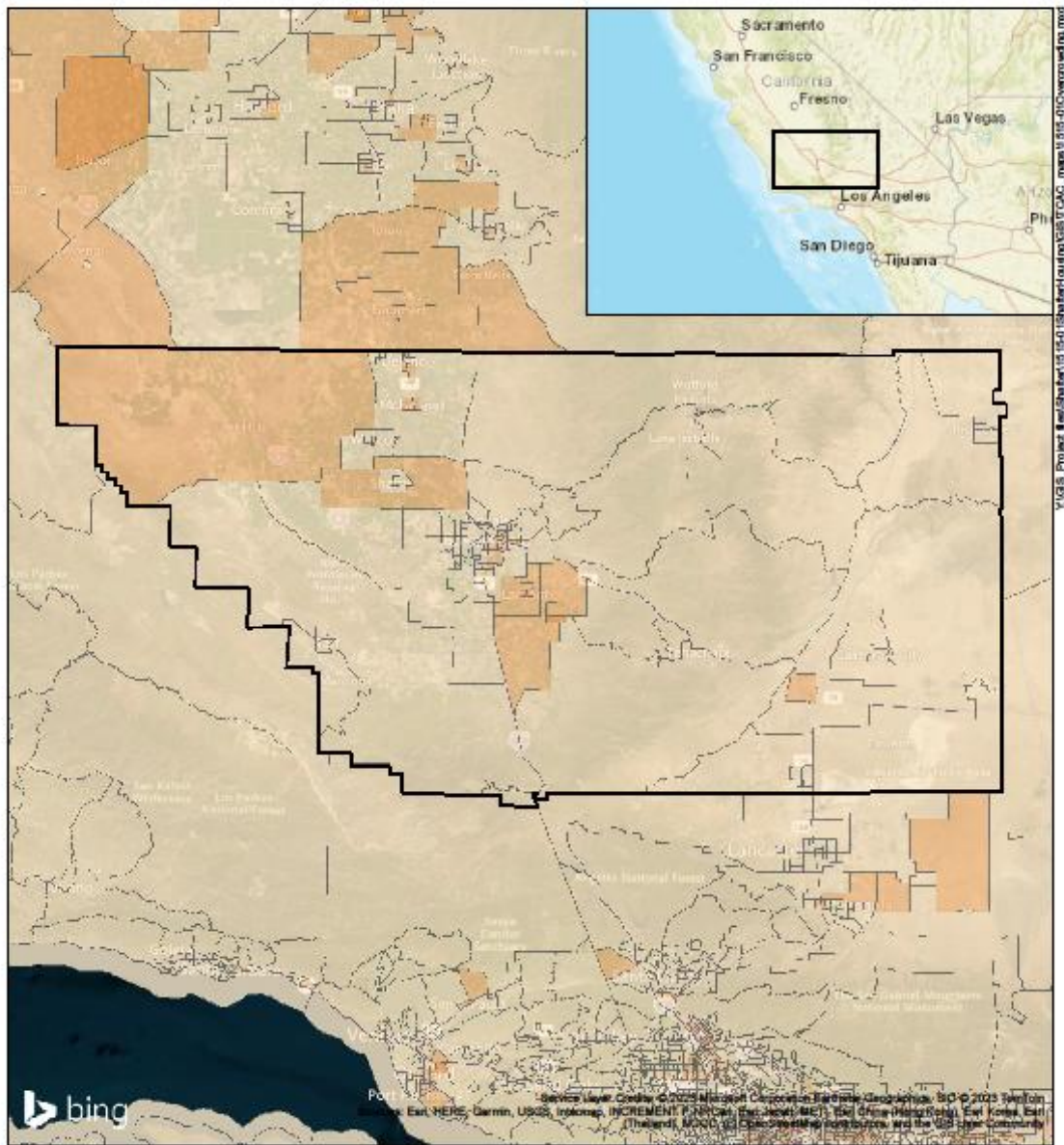


Figure II-42 - Overcrowded Households
(CHHS) (Kern County)

City of Shafter 2023-2031 HEU

Legend

- Kern County Boundary
 - < 15%
 - 15% - 30%
 - 30% - 45%
 - 45% - 60%
 - 60% - 75%
- Map Date: 8/31/2023

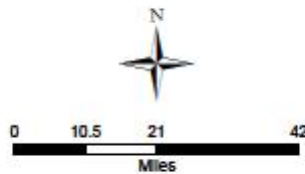


Figure II - 43
Overcrowded Households (CHHS) (Shafter)

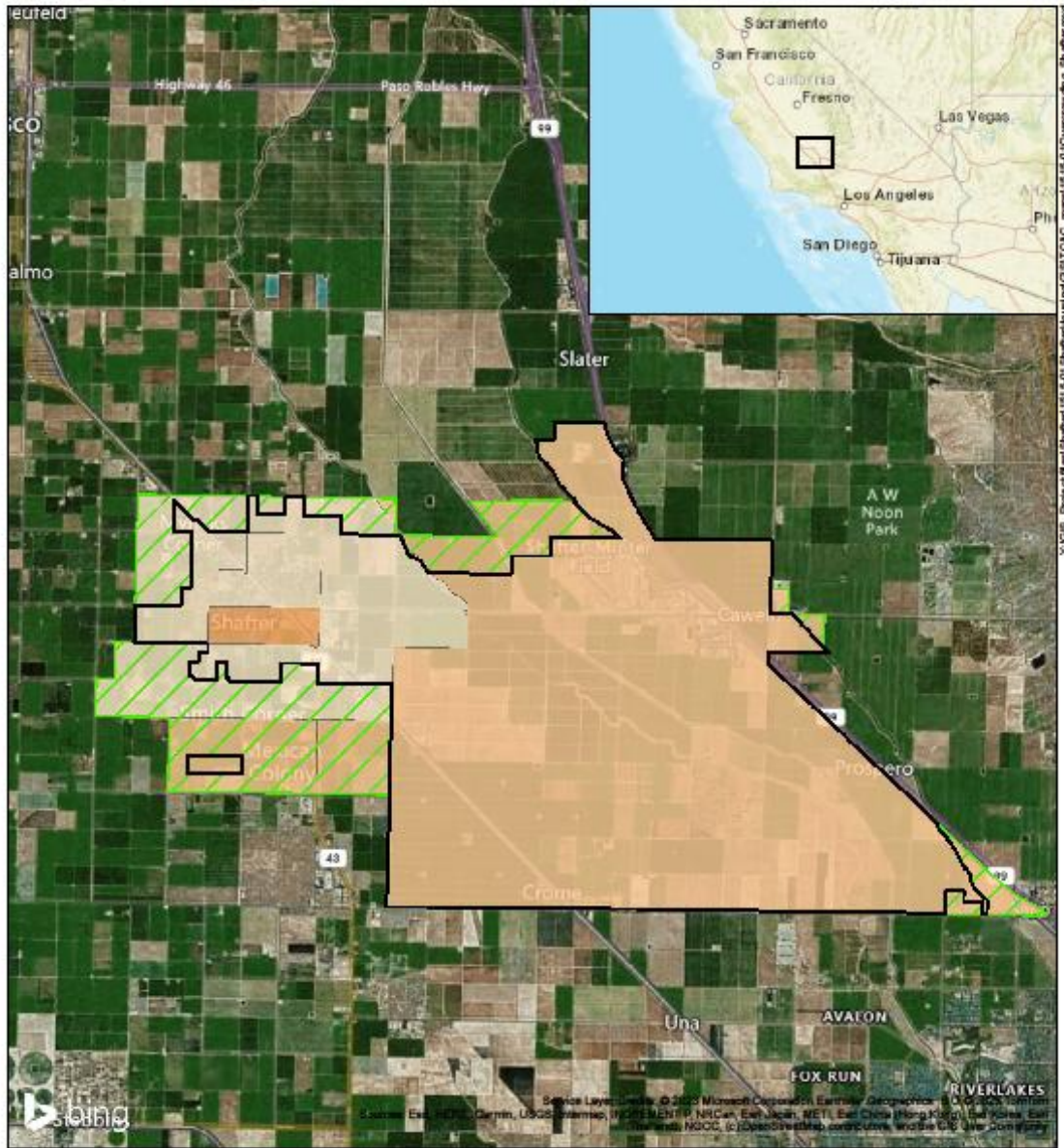


Figure II-43 - Overcrowded Households
(CHHS) (Shafter)

City of Shafter 2023-2031 HEU

Legend

- City Limits
 - Sphere of Influence
 - < 15%
 - 15% - 30%
 - 30% - 45%
- Map Date: 8/31/2023

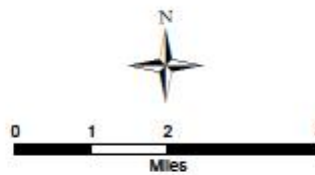


Figure II - 44
Severely Overcrowded Households (CHHS) (Kern County)

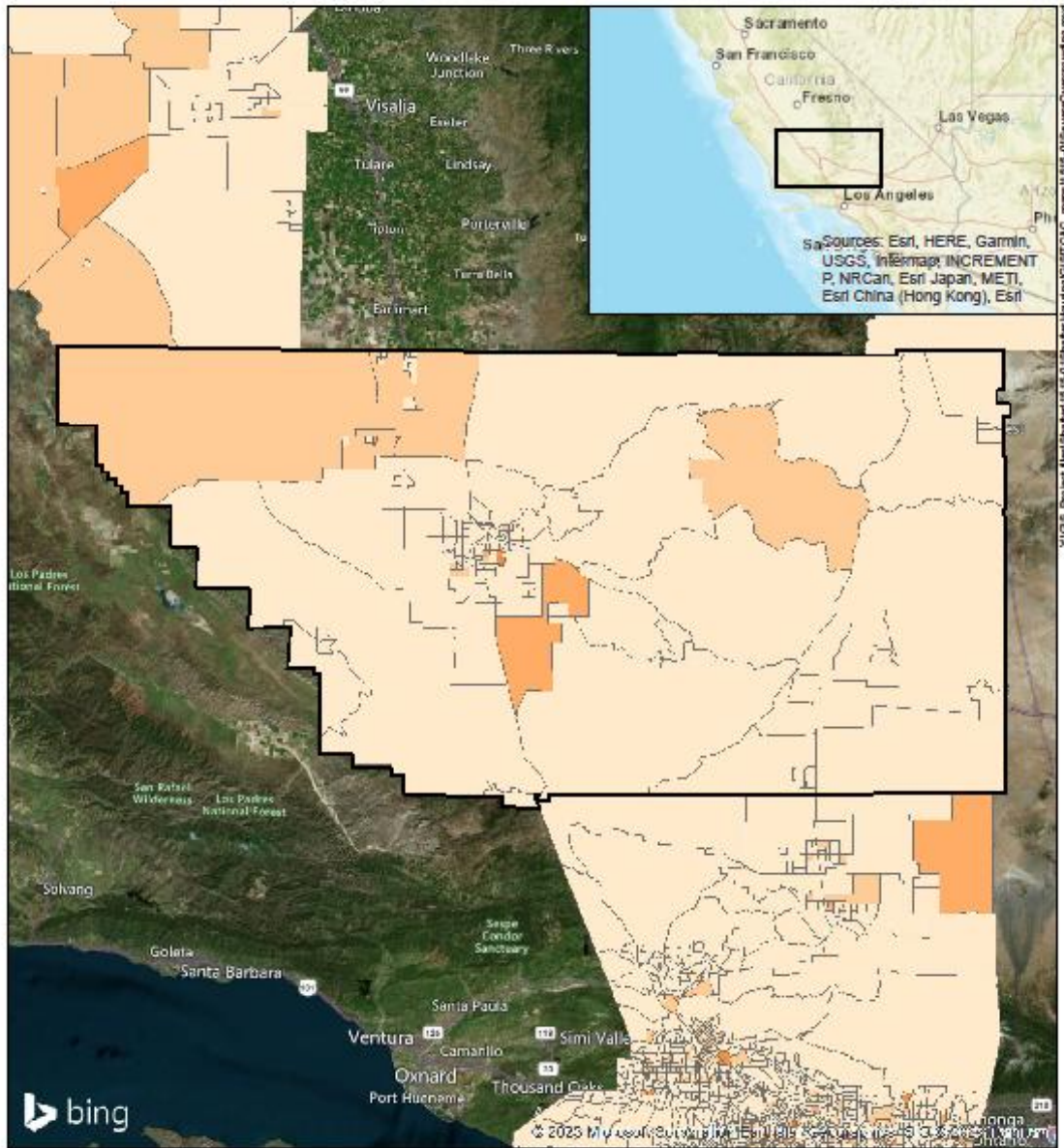


Figure II-44 - Severely Overcrowded Households
(CHHS) (Kern County)

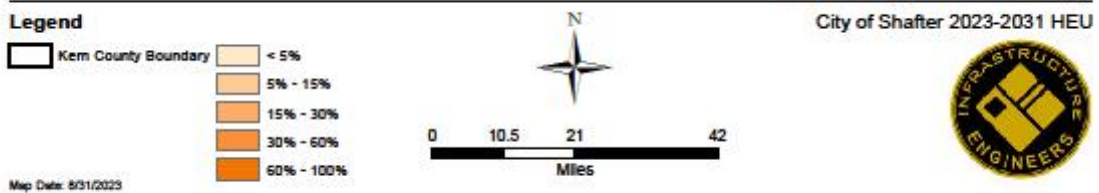


Figure II - 45
Severely Overcrowded Households (CHHS) (Shafter)

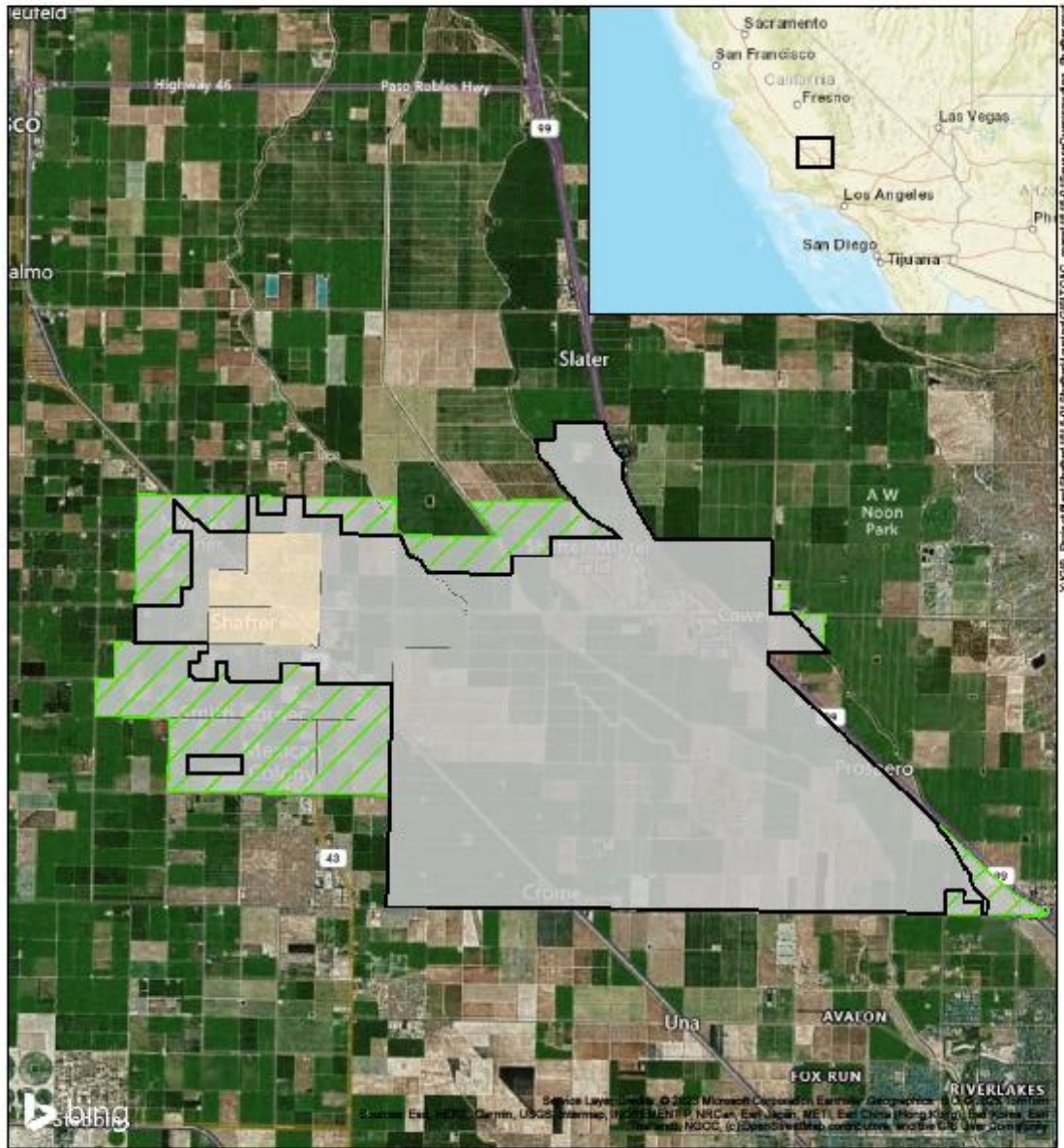


Figure II-45 - Severely Overcrowded Households (CHHS) (Shafter)

City of Shafter 2023-2031 HEU

Legend

- City Limits
 - Sphere of Influence
 - < 5%
 - No Data
- Map Date: 8/31/2023

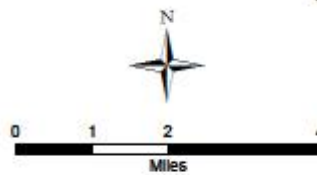
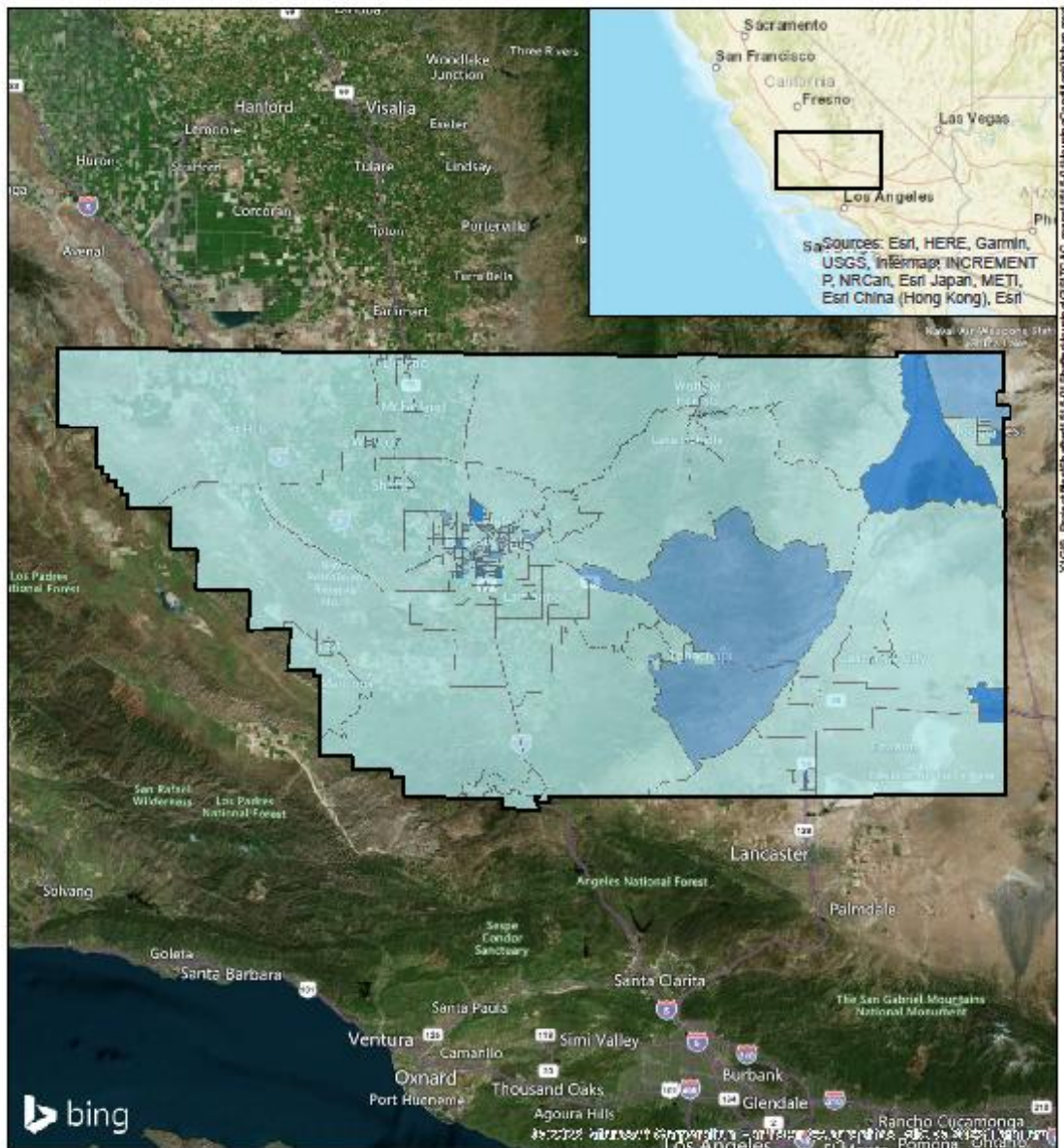


Figure II - 46
Percentage of Residents Lacking Complete Kitchen (Kern County)



Legend

□ Kern County Boundary

■ Percent housing lacking complete kitchen

■ Less than 2%

■ 2% - 5%

■ 5% - 10%

■ 10% - 15%

■ Greater than 15%

Map Date: 8/31/2023

Figure II-46 - Percent of Housing Lacking Complete Kitchen (ACS 2017-2021) (Kern County)

City of Shafter 2023-2031 HEU

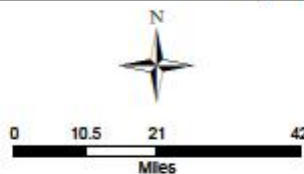


Figure II - 47
Percentage of Residents Lacking Complete Kitchen (Shafter)

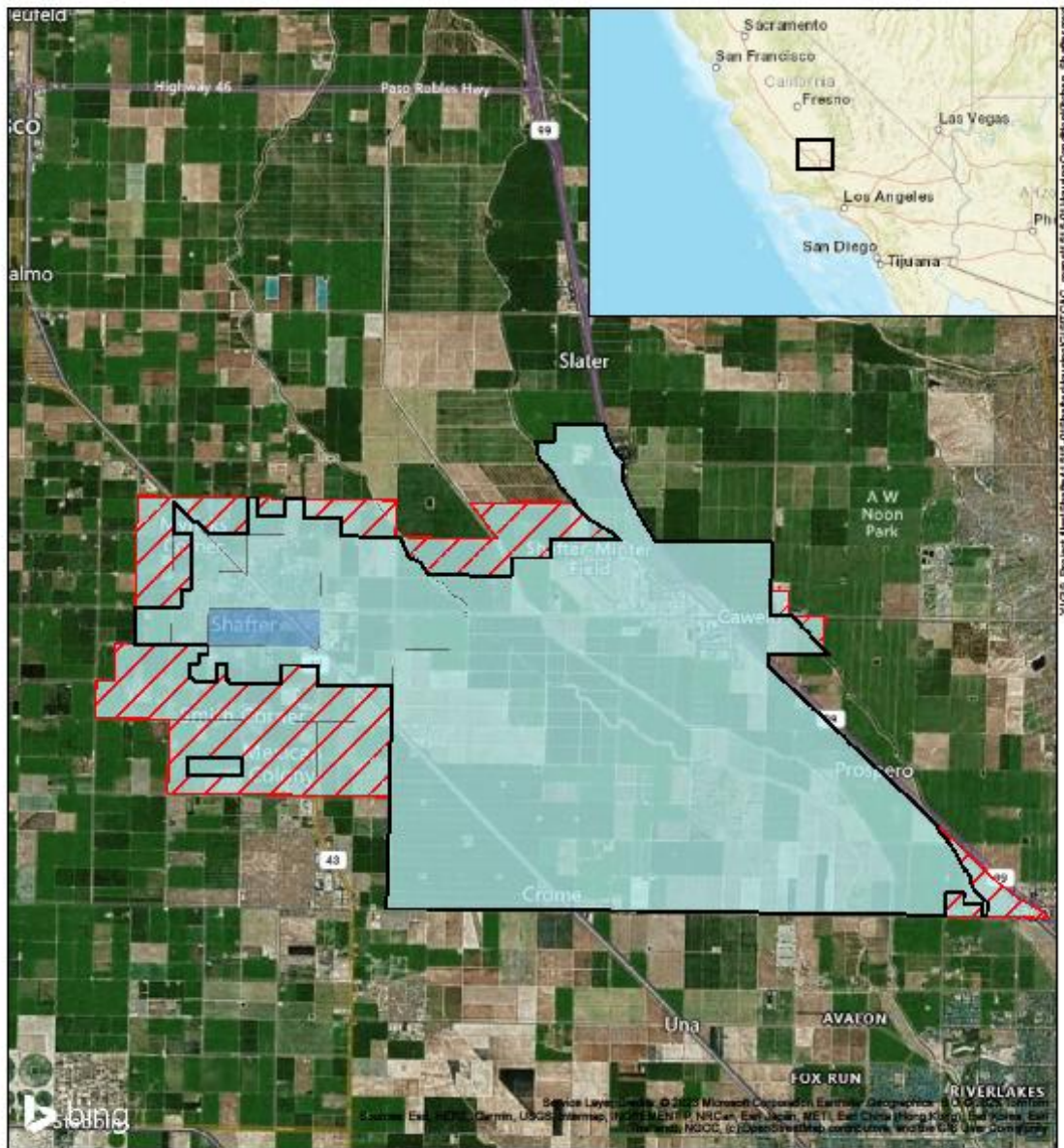


Figure II-47 - Percent of Housing Lacking Complete Kitchen (ACS 2017-2021) (Shafter)

City of Shafter 2023-2031 HEU

Legend

- City Limits
 - Sphere of Influence
 - Percent housing lacking complete kitchen**
 - Less than 2%
 - 2% - 5%
- Map Date: 8/31/2023

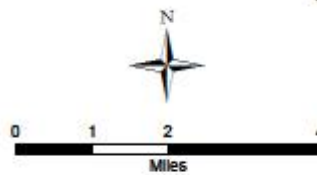


Figure II - 48
Percentage of Residents Lacking Complete Plumbing (Kern County)

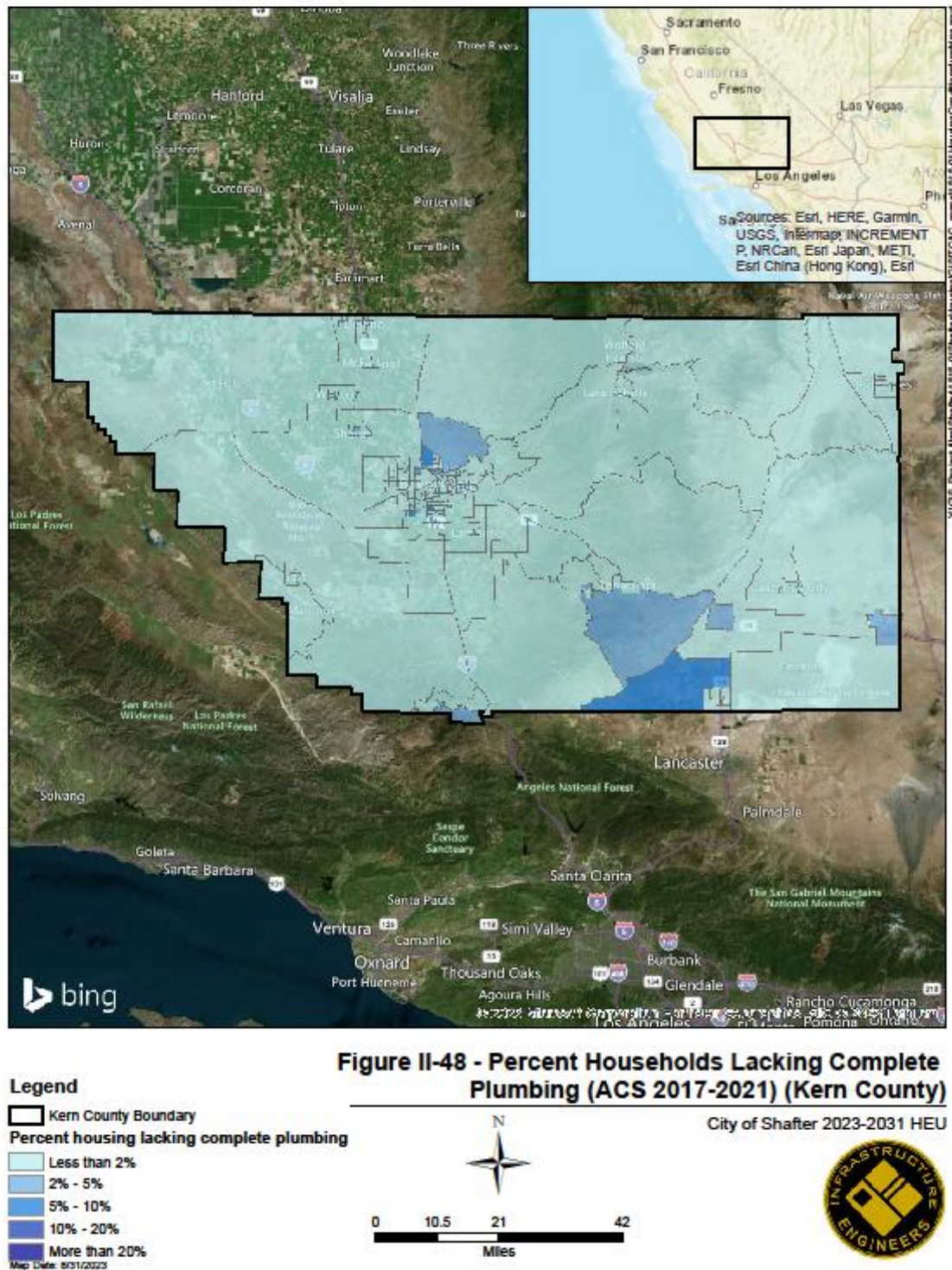


Figure II - 49
Percentage of Residents Lacking Complete Plumbing (Shafter)

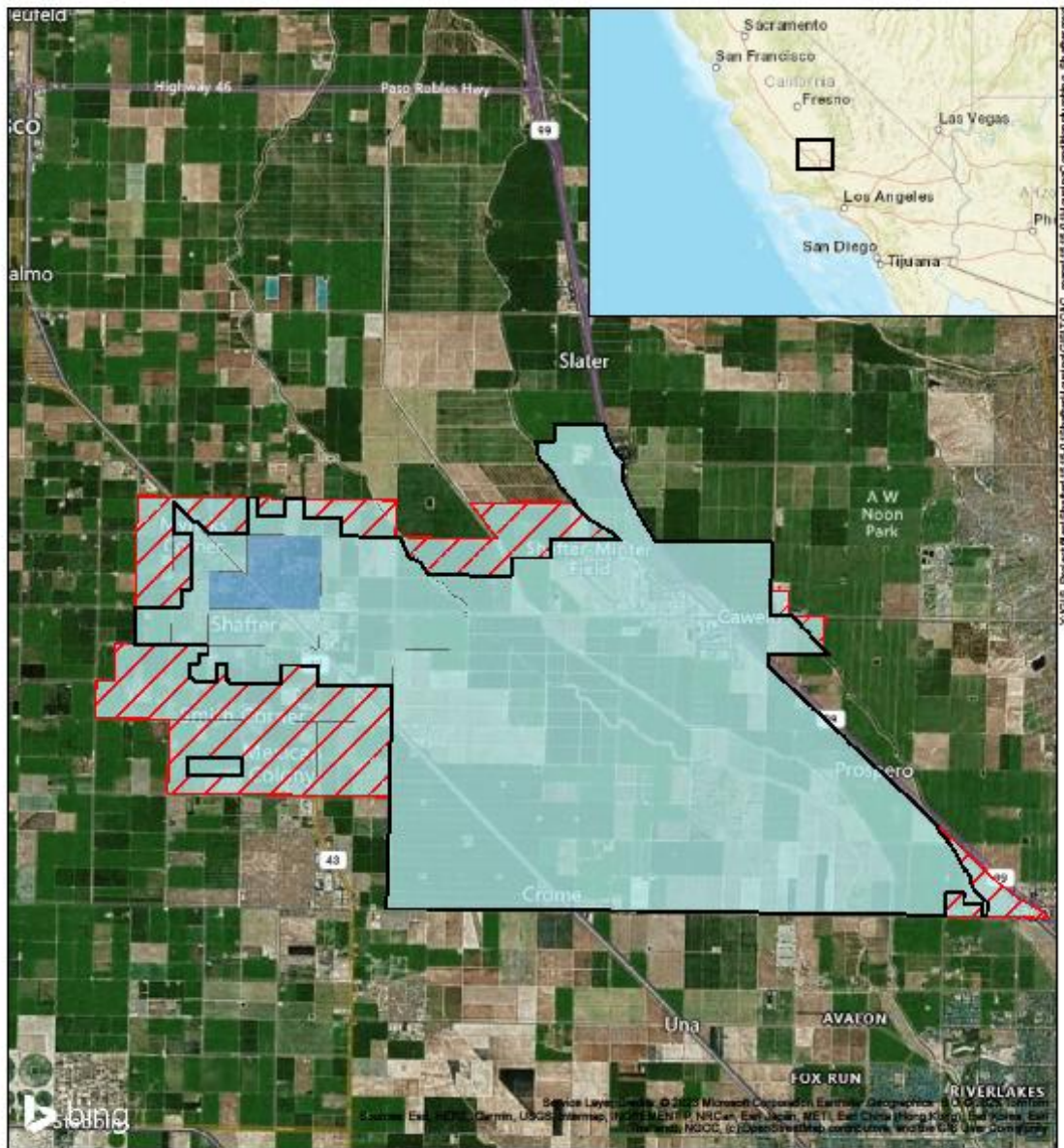


Figure II-49 - Percent of Housing Lacking Complete Plumbing (ACS 2017-2021) (Shafter)

City of Shafter 2023-2031 HEU

Legend

City Limits

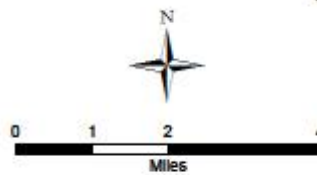
Sphere of Influence

Percent housing lacking complete plumbing

Less than 2%

2% - 5%

Map Date: 8/31/2023



10. Sensitive Communities

According to the Urban Displacement Project (UDP) conducted by the University of California at Berkeley, “communities that have had traditionally constrained voice in planning processes and are now experiencing displacement pressures have advocated being designated as “sensitive communities”— places that would receive additional time for community planning to guide potential up zones towards more equitable outcomes.”⁸ To address and combat this displacement, Senate Bill 50 (SB 50) was enacted to help relieve these communities by removing zoning restrictions that ban apartment buildings and affordable housing near commercial areas and transportation hubs. In addition to having the strongest tenant and anti-demolition protections, SB 50 delays the implementation of plans in low-income communities to prevent gentrification and displacement⁹. To map sensitive communities, the UDP focused on two components neighborhoods with a high proportion of residents vulnerable to displacement in the case of rising housing costs, and market-based displacement pressures present in and/or near the community. Communities were designated sensitive if they currently have populations vulnerable to displacement in the event of increased redevelopment and drastic shifts in housing costs. Vulnerability includes metrics for the share of very low-income residents, share of renters, share of people of color, and share of very low-income households (50% AMI or below) that are severely rent burdened (spending 50% of income on rent). Market-based displacement pressures include percent change in rent between 2012-2017 above county median rent increases, and/or a rent gap (meaning rent is lower than rent in surrounding areas).¹⁰ Figures II-50 & II-51 depict these vulnerable communities for Kern County and the City of Shafter, respectively.

Displacement Risk

HCD’s AFFH data was adjusted to consider displacement risk. This information was added to supplement older data from the Urban Displacement Project. Urban Displacement Project’s (UDP) Estimated Displacement Risk (EDR) model for California identifies varying levels of displacement risk for low-income renter households in all census tracts in the state from 2015 to 2019. The model uses machine learning to determine which variables are most strongly related to displacement at the household level and to predict tract-level displacement risk statewide while controlling for region. UDP defines displacement risk as a census tract with characteristics which, according to the model, are strongly correlated with more low-income population loss than gain. In other words, the model estimates that more low-income households are leaving these neighborhoods than moving in. To address and combat this displacement, Senate Bill 50 (SB 50) was enacted to help relieve these communities by removing zoning restrictions that ban apartment buildings and affordable housing near commercial areas and transportation hubs. In addition to having

⁸ Chapple, K., & Thomas, T., and Zuk, M. (2021). Urban Displacement Project website. Berkeley, CA: Urban Displacement Project.

⁹ <https://scott-wiener.medium.com/working-to-pass-sb-50-in-2020-new-amendments-and-new-support-dbd41d065d79>

¹⁰ Chapple, K., & Thomas, T., and Zuk, M. (2021). Urban Displacement Project website. Berkeley, CA: Urban Displacement Project.

the strongest tenant and anti-demolition protections, SB 50 delays the implementation of plans in low-income communities to prevent gentrification and displacement.

Localized Perspective

The insufficient availability of affordable housing for individuals with low- and moderate-incomes has led to an increase in the number of people falling below the poverty line and facing housing insecurity, including homelessness. The City aims to prevent homelessness. According to the Shafter Police Chief, there are currently less than five (5) people experiencing homelessness in the City of Shafter. As a member of a collaborative of Kern County cities and in partnership with the County of Kern, Shafter's Permanent Local Housing Allocation is being used to fund a homeless shelter in Bakersfield that serves residents of the County, including residents of the City of Shafter. The shelter includes transitional and permanent housing and employment programs (Program 2.3.2 Emergency Shelters and Program 3.2.2 Coordination with Agencies Serving the Homeless). The City also offers people experiencing homelessness access to the Dial-A-Ride service provided by the City as well as the regional fixed route. In 2021, through Program 1.2.1 (At-Risk Housing Unit Program), City staff aided applicants seeking funding through the California Tax Credit Allocation Committee to rehabilitate the Sky Way Apartments. The 24 senior housing units were classified as at-risk of conversion to market rate, prior to the applicant receiving funding for rehabilitation. The City has and will continue to effectively promote and refer individuals to external resources such as the Kern County Planning and Community Development Division Fair Housing Coordinator through Program 3.1.1 (Cooperative Association). As previously mentioned, the City is in the process of adding 28 deed restricted, low-income, single-family residences that are being developed by Self Help Enterprises. These low-income units will assist those who are at risk of displacement by providing more affordable housing options. Further information can be found in Chapter II Section E Homeless Persons and Section F Assisted Housing at Risk of Conversion.

Figure II – 50
Sensitive Communities (UCB, Urban Displacement Project) (Kern County)

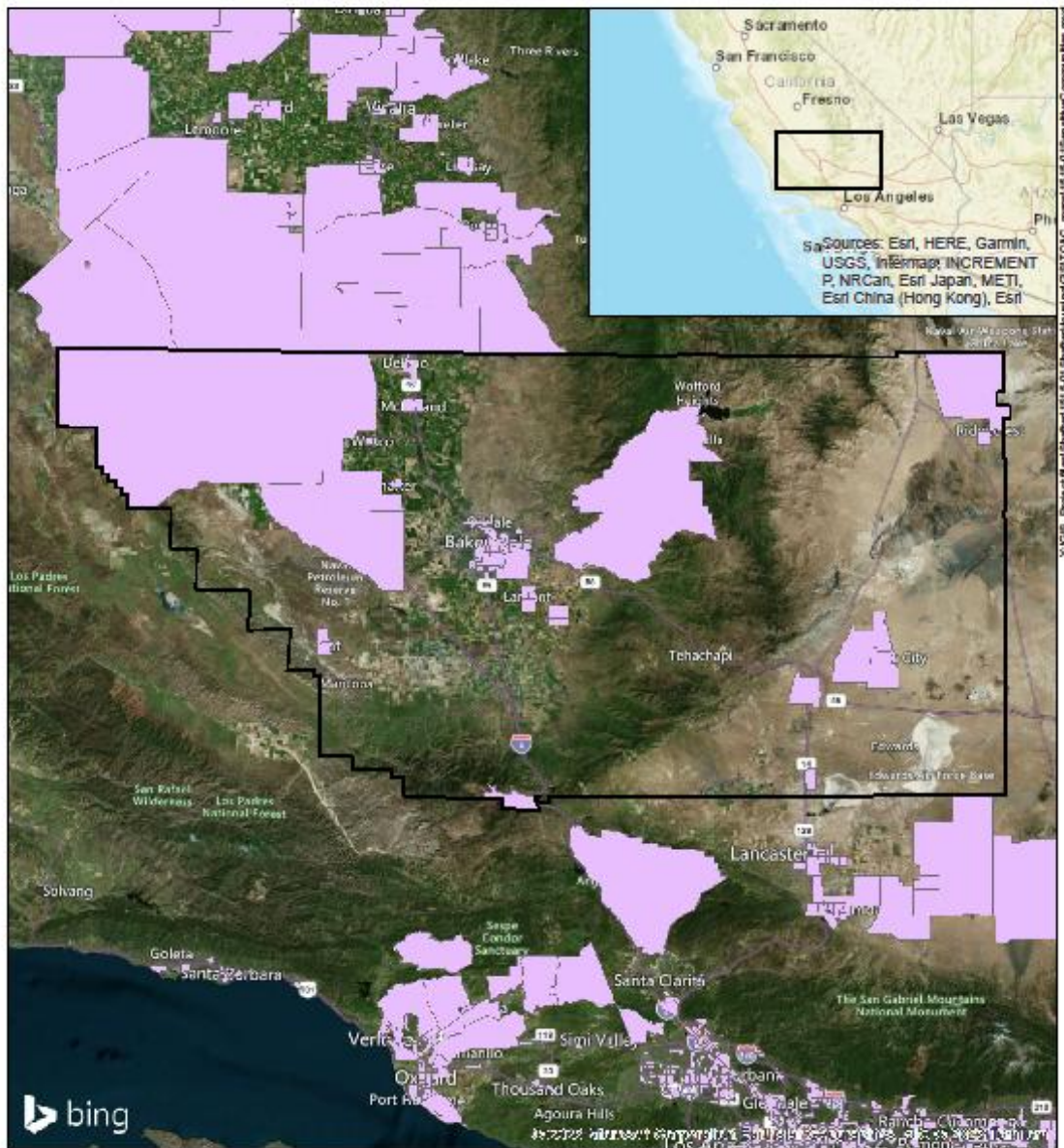


Figure II-50 - Sensitive Communities (UCB, Urban Displacement Project) (Kern County)

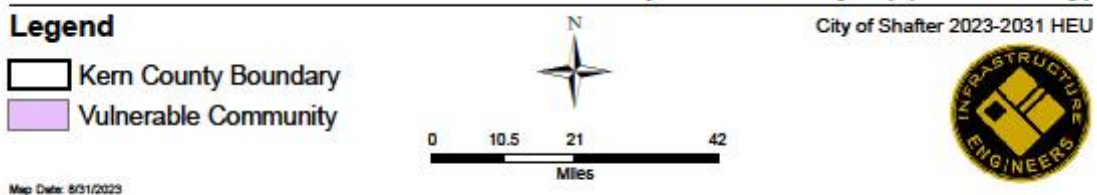


Figure II – 51
Sensitive Communities (UCB, Urban Displacement Project) (Shafter)

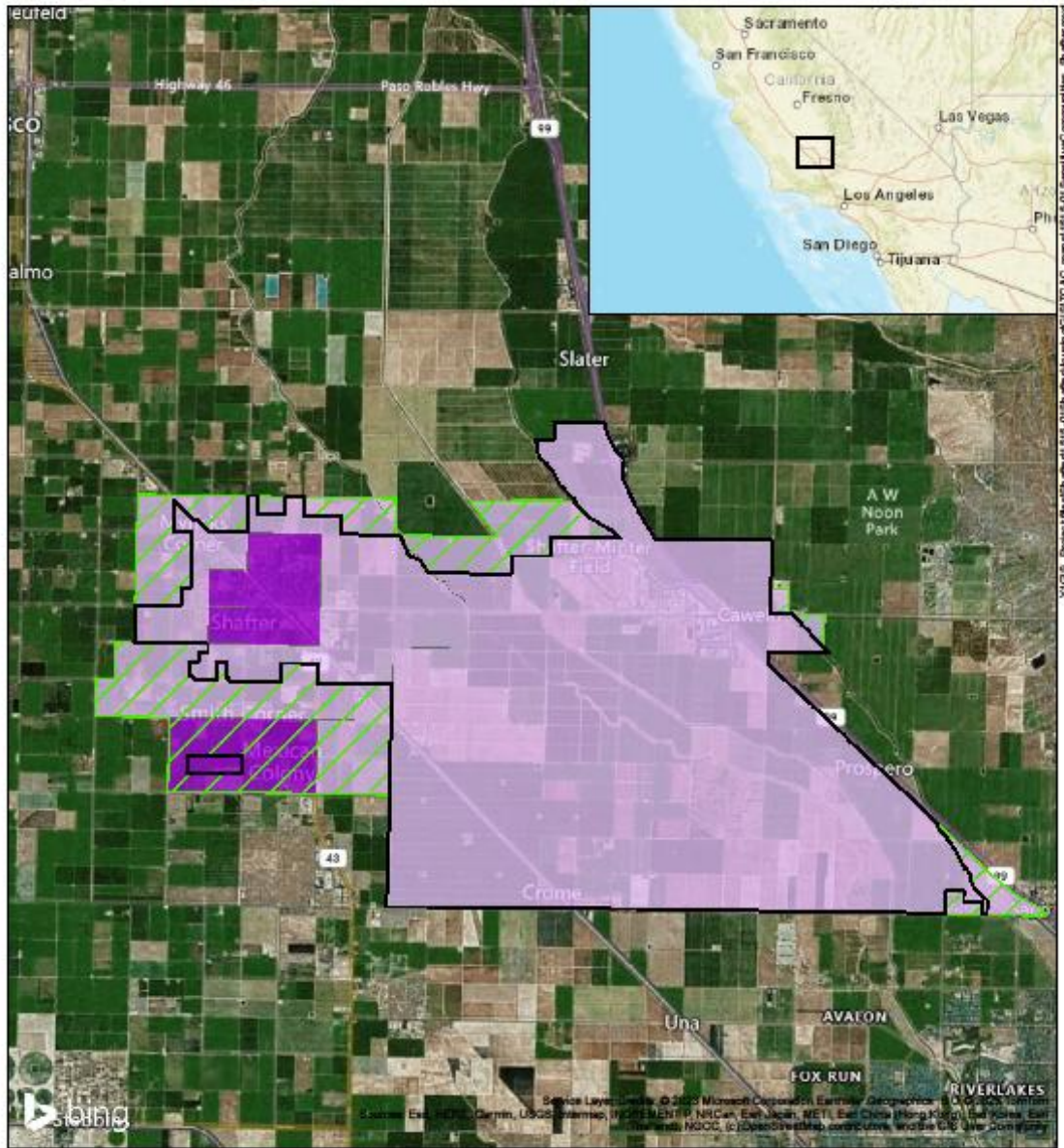


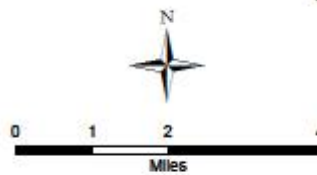
Figure II-51 - Sensitive Communities (UCB, Urban Displacement Project) (Shafter)

City of Shafter 2023-2031 HEU

Legend

- City Limits
- Sphere of Influence
- Other
- Vulnerable Community

Map Date: 8/31/2023



11. Other Relevant Factors

Special Floods Area

The Federal Emergency Management Agency (FEMA) created flood maps to assist mortgage lenders to determine insurance requirements and assist communities in developing strategies to reduce their flood risk. These identified areas are known as Special Flood Hazard Areas (SFHA). An SFHA is defined as the area that will be inundated by a flood event having a 1% chance of being equaled or exceeded in any given year. The 1% annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the Flood Insurance Rate Maps (FIRM), and are the areas between the limits of the base flood and the 0.2%-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2%-annual-chance flood, are labeled Zone C or Zone X (unshaded).¹¹ The City of Shafter has very few areas that are flood hazard areas. However, there are five areas considered flood hazard areas. Three are labeled as Zone A, one as zone AH and one is labeled as zone AO. Two of the Zone A areas are directly on or next to the railroad. The other Zone A area is a detention basin built near a residential community to protect it from flooding. The area labeled AO is also directly along the railroad. Figures II-45 and II-46 on the following page depict the flood areas within the County of Kern and within the City, respectively.

Localized Perspective

There are five distinct areas within the City of Shafter that are designated as 100-year flood zones. These areas are located between Lerdo Highway and East Euclid Avenue; at the northwest corner of Los Angeles Street and Thompson Street; the east side of Central Valley Highway between Burbank Street and 7th Standard Road; the east side of Central Valley Highway between East Lerdo Highway and Central Avenue; and, along the east side of Central Valley Highway between East Lerdo Highway and Los Angeles Street. No Sites listed in the sites inventory occur within areas designated as 100-year flood zones.

¹¹ <https://www.fema.gov/glossary/flood-zones>

Figure II-52
Special Flood Hazard Areas (2021) (Kern County)

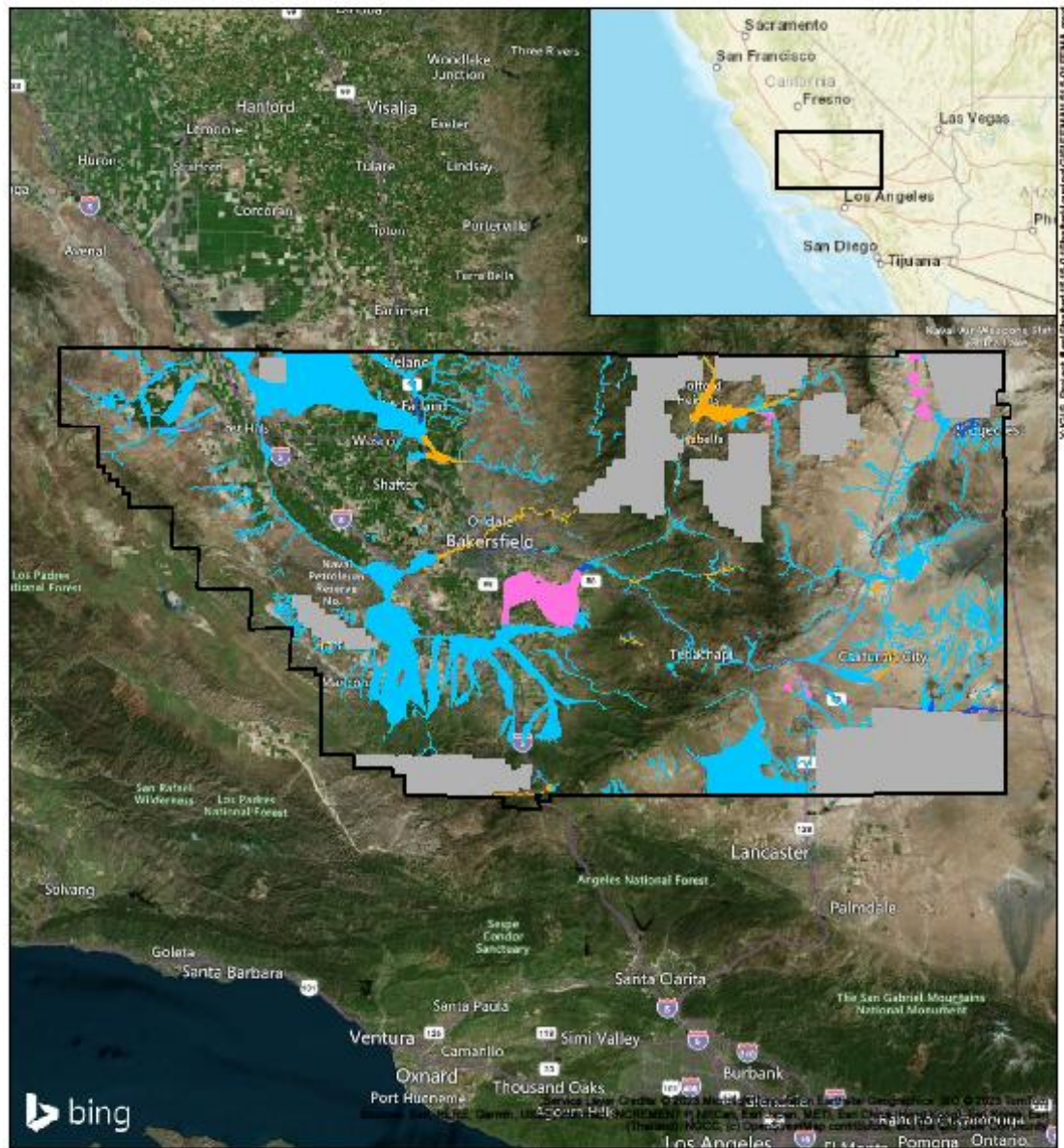


Figure II-52 - Special Flood Hazard Areas (2021) (Kern County)

City of Shafter 2023-2031 HEU

Legend

- Kern County Boundary
- A - Area inundated by the Base Flood with no Base Flood Elevations determined.
- AE - Area inundated by the Base Flood with Base Flood Elevations determined.
- AH - Area inundated by the Base Flood with flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- AO - Area inundated by the Base Flood with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- D - Areas in which flood hazards are undetermined, but possible.

Map Date: 8/31/2023

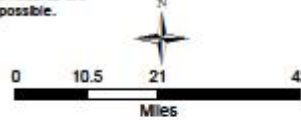


Figure II-53
Special Flood Hazard Areas (2021) (Shafter)

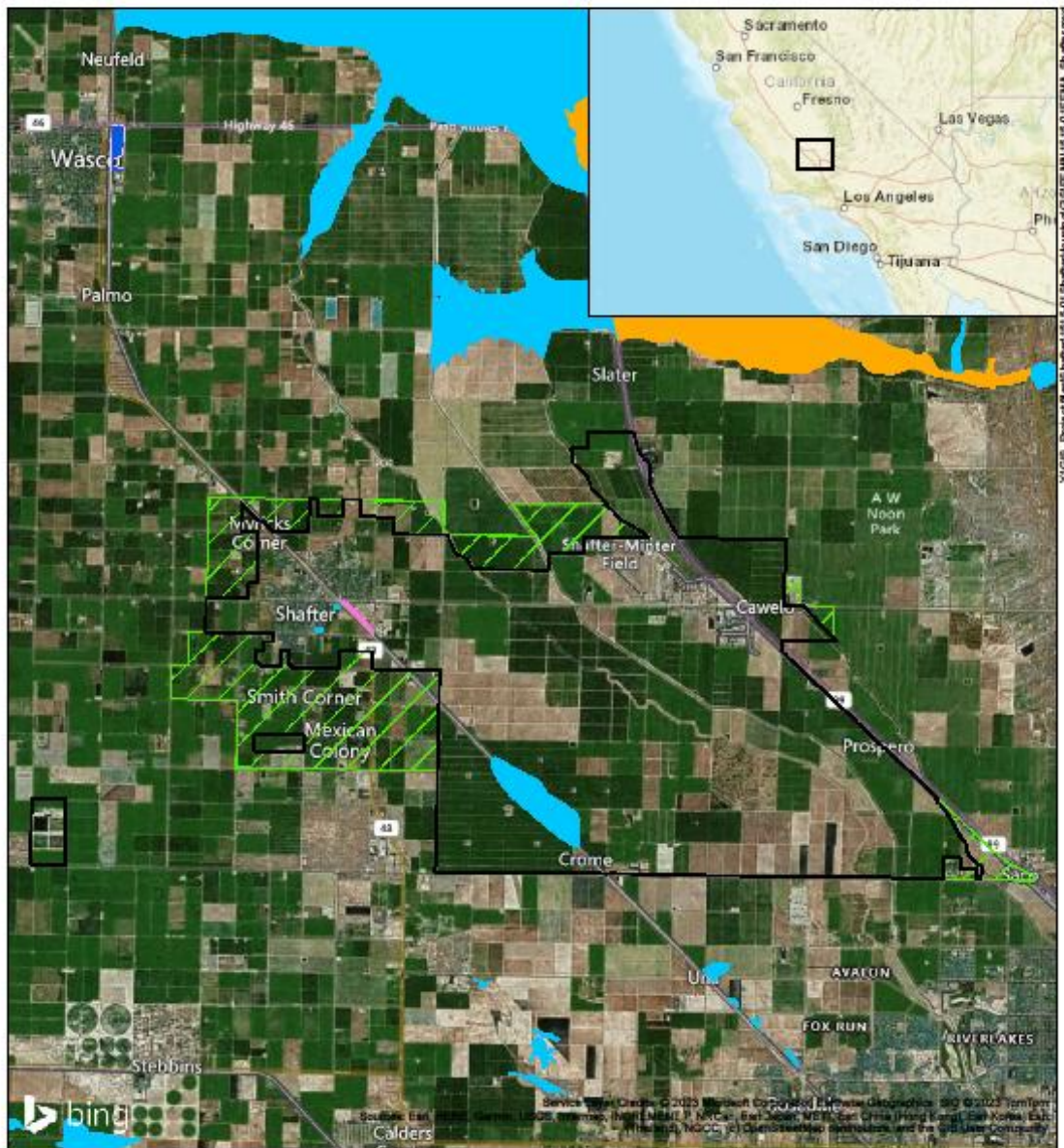


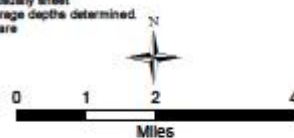
Figure II-53 - Special Flood Hazard
Areas (2021) (Shafter)

City of Shafter 2023-2031 HEU

Legend

- City Limits
- Sphere of Influence
- A - Area inundated by the Base Flood with no Base Flood Elevations determined.
- AE - Area inundated by the Base Flood with Base Flood Elevations determined.
- AH - Area inundated by the Base Flood with flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- AO - Area inundated by the Base Flood with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- D - Areas in which flood hazards are undetermined, but possible.

Map Date: 5/31/2023



12. Site Inventory

California State law requires that an inventory of lands suitable for development of housing be undertaken in the Resources and Constraints chapters of a Housing Element. The objective of this inventory is to demonstrate that Shafter can accommodate its “fair share” of regional housing growth as expressed in the Regional Housing Needs Allocation (RHNA) Plan. The City of Shafter has no shortage of open land for development. For the purposes of the RHNA, sites for the inventory to address RHNA numbers were in three areas of the City. The criteria for being included in the inventory is that the site was vacant (no foundation or dwelling unit built), and the site is zoned for residential use. The first area is located in and around the City center. These consist of small vacant lots suitable for one dwelling unit and larger sites that can accommodate more dwelling units. The second area is the specific plan areas along 7th Standard Road. The final area is east of the City center that is owned by the Wonderful Company. These sites and its surrounding sites supplement the shortfall of the other areas for lower income housing. Figure II-54 on the following page depicts the inventory of sites and their income categories.

Figure II-54
Site Inventory – Income Designation (Shafter)

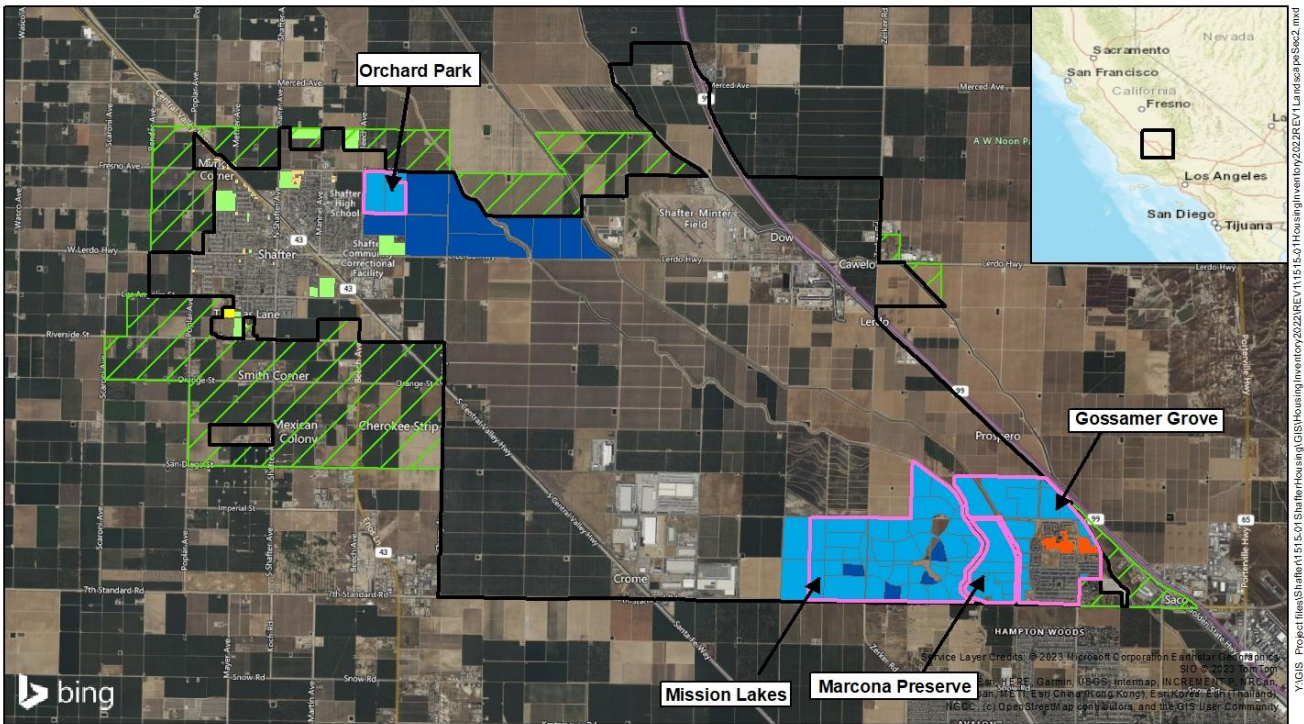


Figure II-54 - Housing Inventory Locations

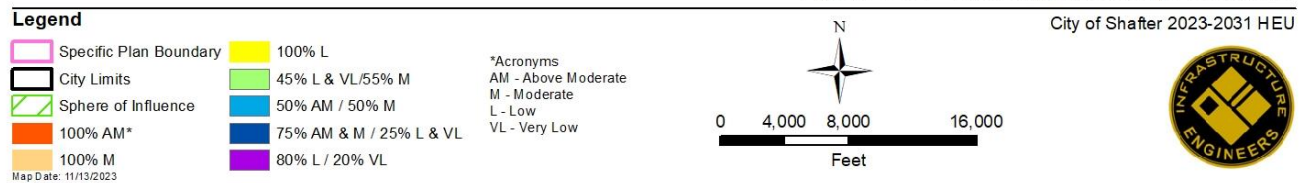


Table II-30
Distribution of RHNA Capacity by Census Tract

Census Tract	Existing Households	RHNA Capacity			AFFH Indicator				
		Lower	Moderate	Above Moderate	Median Income	Access to Opportunity (Composite)	% Overcrowding	Overpayment Owner	Overpayment Renter
6029000508	639	0	0	0	\$94,583.00	Highest Resource	0.0	27.3	10.3
6029000509	751	0	0	0	\$161,250.00	Highest Resource	0.0	27.3	10.3
6029000510	1209	0	0	0	\$120,156.00	Highest Resource	0.0	27.3	10.3
6029003826	775	0	0	0	\$142,847.00	Highest Resource	0.1	19.6	33.9
6029003827	651	0	0	0	\$128,194.00	Highest Resource	0.1	19.6	33.9
6029003900	541	1305	5704	5697	\$65,446.00	Highest Resource	15.4	10.3	29.8
6029004001	980	2874	4786	4485	\$62,113.00	Highest Resource	2.9	41.9	54.2
6029004002	1066	0	158	0	\$54,767.00	Highest Resource	2.9	41.9	54.2
6029004101	1735	0	100	0	\$45,692.00	High Resource	9.9	43.1	60.2
6029004102	1344	16	141	0	\$31,106.00	High Segregation & Poverty	32.6	30.6	45.3
6029006600	1237	0	0	0	\$48,688.00	High Segregation & Poverty	17.8	33.6	25.6

The above table (Table II-30) provides the distribution of sites by income and how the RHNA sites will help to combat existing fair housing issues in the City of Shafter through facilitation of mixed-income communities, reducing concentrations of affluence and poverty, and providing additional housing opportunities in high resource areas and areas that will reduce the displacement risk resulting from overpayment and overcrowding. Not all census tracts have identified sites to meet RHNA capacity. The majority of identified sites are in two census tracts that encompass the newer parts of the City and the specific plan areas.

Integration and Segregation: Race and Income

According to the US 2020 Census, the City of Shafter is dominated by non-white populations, (non-white refers to a person whose origin is not predominantly European), diversity has continued to increase since 2010. Most of the sites within the site's inventory are located primarily in specific planning areas to the south and in areas of moderate to above moderate-income levels. There are only 12 sites in the 6th Cycle Sites Inventory located in identified areas of "High Segregation and Poverty" and an additional 29 sites that are considered to be in sensitive communities. All sites are found in existing or future residential neighborhoods. Table II-30 shows that most of the identified sites are in two census tracts (6029003900 & 6029004001). Overall resources according to TCAC are considered "highest resource." These two census tracts also have an above average median household income for Kern County and the City. The 41 proposed sites located in identified areas of "High Segregation and Poverty" or that are part of a sensitive community are not going to increase or exacerbate existing fair housing issues for the following reasons: the sites identified are categorized for either solely moderate income housing or are mixed income brackets split between moderate-income and lower income housing units and are all located on vacant parcels. The mixed or moderate-income homes would increase diversity to historically low-income areas and increased housing development on vacant land would expand the housing stock, thereby increasing opportunities for upward housing mobility.

Income and Segregation: Racially and Ethnically Concentrated Areas of Poverty and Affluence (RCAA)

According to HUD's policy report, the White population are the most racially segregated group in the United States, and in the same way, neighborhood disadvantage is associated with concentrated poverty and high concentrations of people of color; conversely, distinct advantages are associated with residence in affluent, White communities. As shown on Figure II-20 above, there are no RCAA areas in the City of Shafter. However, there are 17 racially/ethnically concentrated areas of affluence in Kern County as shown in Figure II-19 above. As previously indicated, there are only 12 sites in the 6th Cycle Sites Inventory that are in identified areas of "High Segregation and Poverty". The "High Segregation and Poverty" tracts as shown by Table II-30 have some of the highest percentages of overcrowding and overpayment and have the lowest median household incomes. The tracts are historic areas of the City and so have limited ability to expand. The identified sites that are in these areas are all vacant parcels and categorized to accommodate a mixture of lower income and moderate-income housing units. The expanded housing stock and influx of both moderate- and lower-income development would stimulate growth in the community and provide increased variety in rental and housing prices.

Access to Opportunity

An area's access to opportunity is defined by HUD as its potential to support positive economic, educational, and health outcomes for low-income families, particularly in terms of long-term outcomes for children. HCD and the California Tax Credit Allocation Committee (TCAC) analyzed poverty rates, school proficiency, The rates, jobs proximity, transit metrics, and CalEnviroScreen 4.0 scores to assess access to opportunity throughout Shafter. As discussed above in Chapter IV, the CalEnviroScreen 4.0 score determined that Shafter ranges from the 69th percentile to the 90th percentile in environmental scores with the City's top pollutant burdens consisting of PM 2.5, pesticides, drinking water contaminants, and ozone. TCAC used an additive inverse constant which inverts the CalEnviroScreen 4.0 scores, therefore, the CalEnviroScreen 4.0 scores assume the lower the number, the worse pollution burden is on the community. Therefore, using the figures below (using TCAC data), a low score means a very negative environmental score. Figure II-37 above show the City of Shafter as having poor environmental score and no areas within the City boundary exist that have a score higher than a 0.5 for in the environmental category. However, according to data provided by HCD and in part by TCAC, most of Shafter is categorized as an area of high or highest resource for opportunities overall. The majority of identified sites for RHNA are in Census tracts 6029003900 & 6029004001. Both tracts have the highest resources according to TCAC and have an above average median household income. Due to the high resources and the higher household income, these census tracts are best suited to support housing for a variety of incomes.

With the exception of the identified areas of "High Segregation and Poverty", all other sites have good and equal access to education and economic opportunities and are in the lowest percentages of overcrowding or overpayment of home ownership. Based on the TCAC data, the economic opportunities for 18 of the 41 sites in the "High Segregation and Poverty" areas or sensitive communities are lower than the other sites. These 18 sites are located in some of the historic areas of the City and so have limited ability to expand commercially. However, the addition of new economic opportunities such as future Wonderful Company's planned projects and a new hotel could provide more economic opportunities for these residential areas.

Disproportionate Housing Needs

Disproportionate housing needs are defined in the AFFH Rule Guidebook as conditions in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs, as compared to members of other groups or the total population. Figures II-38 and II-41 above focus on overpayment, and/or households experiencing a housing cost burden, meaning they spend more than 30% of their income on housing costs and utilities. According to the 2015-2019 ACS data, Shafter has anywhere from 30% to 60% of the rental population spending more than 30% of their income on housing and utilities. The highest concentration of renters who are overpaying is concentrated in the City proper while the outlying areas have much less concentration of renters who are overpaying. Census tracts 6029003900 & 6029004001 have the majority of identified sites for the RHNA as shown by Table II-30. Both of these tracts do not have a large percentage of overcrowded households compared to other census tracts. The overpayment by renters and owners is high in tract 6029004001. This tract does encompass the surrounding areas of the city center which could explain the higher overpayment. Tract 6029003900 has significantly less overpayment compared to the other tract

but it does have a higher overcrowding percentage. Development of the identified sites in the sites inventory with mixed incomes will provide areas with new housing stock at a variety of incomes allowing for a diversity of people to live in the same community. Development of the identified sites will not lead to displacement as all sites are vacant. The increase in housing stock at a variety of income levels will also allow current residents more opportunities for upward housing mobility in both the rental and ownership markets, alleviating disproportionate housing needs in Shafter including overpayment and overcrowding.

13. Fair Housing Issues, Contributing Factors, and Actions

Fair housing issues in Shafter are primarily related to neighborhoods of high segregation and poverty and disproportionate housing needs (overpayment and overcrowding in Shafter). Contributing factors to the City's fair housing issues, in ranked order include:

- 1) Lack of availability of affordable housing units. This is the main cause of individuals and families with disproportionate housing needs and the largest contributing factor to fair housing issues in Shafter.
 - i. Lack of resources for housing agencies and organizations in the region. This contributes to the lack of affordable housing.
 - ii. Zoning and land use constraints contribute to the lack of availability of affordable housing units.
 - iii. High cost of construction. The cost of materials, labor, and financing has increased in recent years. This increases the cost of housing and contributes to the lack of affordable housing units.
- 2) Lack of private investments in specific neighborhoods, including the TCAC Area of High Segregation and Poverty in the historic core of Shafter, is the second largest contributor to fair housing issues in Shafter.
 - i. The TCAC Area of High Segregation and Poverty in Shafter, due to the age of the housing units and the lack of investment, has a higher concentration of housing units that are in poor condition and need rehabilitation or replacement. Condition of the housing stock is the biggest indicator of the level of private investment.
 - ii. Although not identified as an area of high segregation and poverty, a neighborhood in north Shafter bounded by State Route 43 to the north and east, Fresno Avenue to the south, and Poplar Avenue to the west, which was annexed to the City in 1992, also has a similar concentration of units in poor condition due to the age of housing and lack of investment.
 - iii. Habitability issues (e.g., water, power, mold, weatherization) are an indicator of lack of private investment in neighborhoods of high segregation and poverty. Habitability issues comprise 87% of housing complaints in Kern County. Although the Kern County Fair Housing Coordinator has not received any complaints from Shafter in recent years, the presence of housing units needing rehabilitation or replacement reported by City staff indicate the presence of those issues.
- 3) Lack of education in fair housing issues makes a smaller contribution to fair housing issues in Shafter, contributing to the number of individuals and families with disproportionate housing needs.
- 4) Racial/ethnic disparities in mortgage lending has been identified as a factor in the 2023 County of Kern Analysis of Impediments to Fair Housing Choice and may contribute to fair housing issues in Shafter but the impact is small compared to other contributing factors

because the disparities are likely a correlation with the relative levels of economic resources of racial/ethnic groups.

Notably, current levels of public investment and public services in the TCAC Area of High Segregation and Poverty is not a contributing factor because the quality and availability of public infrastructure and services in this neighborhood is equivalent to the rest of the historic core of Shafter.

The City is taking several actions to address contributing factors to fair housing issues and affirmatively further fair housing throughout the City including:

Lack of Availability of Affordable Housing Units

Several categories of programs will address this contributing factor. Programs 1.2.1 Housing Rehabilitation and Funding Program, 2.1.1 Affordable Housing Program Inventory and Grant Applications, 2.1.2 Partnership and Non-Profit Assistance Program, and 2.1.3 At-Risk Housing Unit Program address the lack of resources for housing agencies and organizations.

Programs 1.1.1 Rezone Sites to Accommodate Housing Need, 1.1.2 No Net Loss Law, 2.2.1 Residential Development Standards and Processes, 2.2.2 Commercial Zone Floor Area Ratio, 2.2.3 Level of Service, 2.2.4 Density Bonus, 2.2.5 City Website Publication, 2.2.6 Design Review, Program 3.2.1 Standards for Various Housing Types and Special Needs Housing, Program 3.2.2 Emergency Shelters address zoning and land use constraints that contribute to the lack of availability of affordable housing units.

In addition to the programs that address the lack of resources available to housing agencies and organizations, Programs 2.2.7 Housing Crisis Act Application Submittal Requirements, 2.2.8 AB 2234 Post-Entitlement Phase Permits, 2.2.9 Priority Permitting and Building Inspection Services for Lower Income Housing Projects, 2.3.1 Infrastructure Improvements and Other Incentives to Facilitate Housing for Lower Income Households help to reduce development costs to mitigate the high cost of construction.

Lack of Private Investments in Specific Neighborhoods

To incentivize private investment in the TCAC Areas of High Segregation & Poverty and the identified neighborhood in north Shafter, Program 3.2.6: Prioritize Resources to TCAC Areas of High Segregation & Poverty has been included in Chapter V. Under this program, City staff will facilitate the rehabilitation or replacement of housing units in need of rehabilitation or replacement in these priority neighborhoods, apply for grants targeting (rehabilitation) housing needs in these priority neighborhoods, and prioritize improvements and repairs to parks and public space in these neighborhoods to spur private investment.

Lack of Education in Fair Housing Issues

Under the 2023-2031 Housing Program, the City will continue to address fair housing through the Kern County Fair Housing Division in the Planning and Natural Resources Department. The Division provides numerous services such as education activities, an information phoneline, investigation/testing, mediation, and coordination to diverse groups and agencies. The Division's website provides digital pamphlets of information regarding tenant and landlord rights/responsibilities and different informational pamphlets on types of discriminatory behaviors

and acts and how to address them. The website also provides phone numbers to speak to housing coordinators.

Program 3.1.1 addresses this contributing factor in that it continues the City's referral of fair housing cases to the Kern County Fair Housing Coordinator and increases the level of community fair housing education in Shafter to combat housing discrimination.

Racial/Ethnic Disparities in Mortgage Lending

Program 3.1.1 addresses this contributing factor in that it continues the City's referral of fair housing cases to the Kern County Fair Housing Coordinator and increases the level of community fair housing education in Shafter to combat housing discrimination.

Summary

As previously stated, the City feels that a lack of availability of affordable housing units, lack of private investments in specific neighborhoods, including the TCAC Area of High Segregation and Poverty in the historic core of Shafter, and lack of education in fair housing issues, are the top contributing factors to fair housing issues in the City. The City is taking several actions to provide resources to its residents, as described above. Further details of resources, programs, and actions the City has to accommodate housing to its residents can be found in Chapter III and Chapter V of this document.

III. Resources and Opportunities

This chapter describes the resources and opportunities that are available to the public to continue to facilitate the development of housing and meet the City's requirements for the Regional Housing Needs Assessment (RHNA). Possible available land for housing is listed below and is available to support the production of housing of all types within the City of Shafter. Various resources, including Federal, State, and County resources, are available for developing, rehabilitating, and preserving housing. Additionally, opportunities for energy conservation that can lower utility costs and increase housing affordability are addressed.

A. Land Resources

This Housing Program provides a detailed analysis of vacant land and potential redevelopment opportunities that are collectively known as Land Resources. Land Resources are parcels of land that are available and applicable to be incorporated in future housing development in the City of Shafter. The California Government Code (Section 65583) states that jurisdictions are required to include an "inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites."

The City of Shafter has an abundance of land. The City is around 24,000 acres and has enough space to accommodate a growing population. Current zoning is split into a 25/75 percent ratio between residential zoning and non-residential zoning, respectively. To produce an inventory of land that can adequately meet the City's RHNA allocations, a basic assessment of all land that is zoned for residential construction needs to be conducted. The evaluation of all residentially zoned lands shows that the City of Shafter has 6,043 acres of residentially zoned land. These zone types are Estate (E), Planned Unit Development (PUD), Low Density Residential (R-1), Medium Density Residential (R-2), Medium-High Density Residential (R-3), Residential Estate (RE), and Specific Plan (SP). Table III-1 displays the total number of acres of each residential zone type in the City. The rest of the zoning types and their acreage are displayed in Table III-2. The acreage with no zoning is the public right-of-way of Highway 43.

Table III-1
Residential Zones

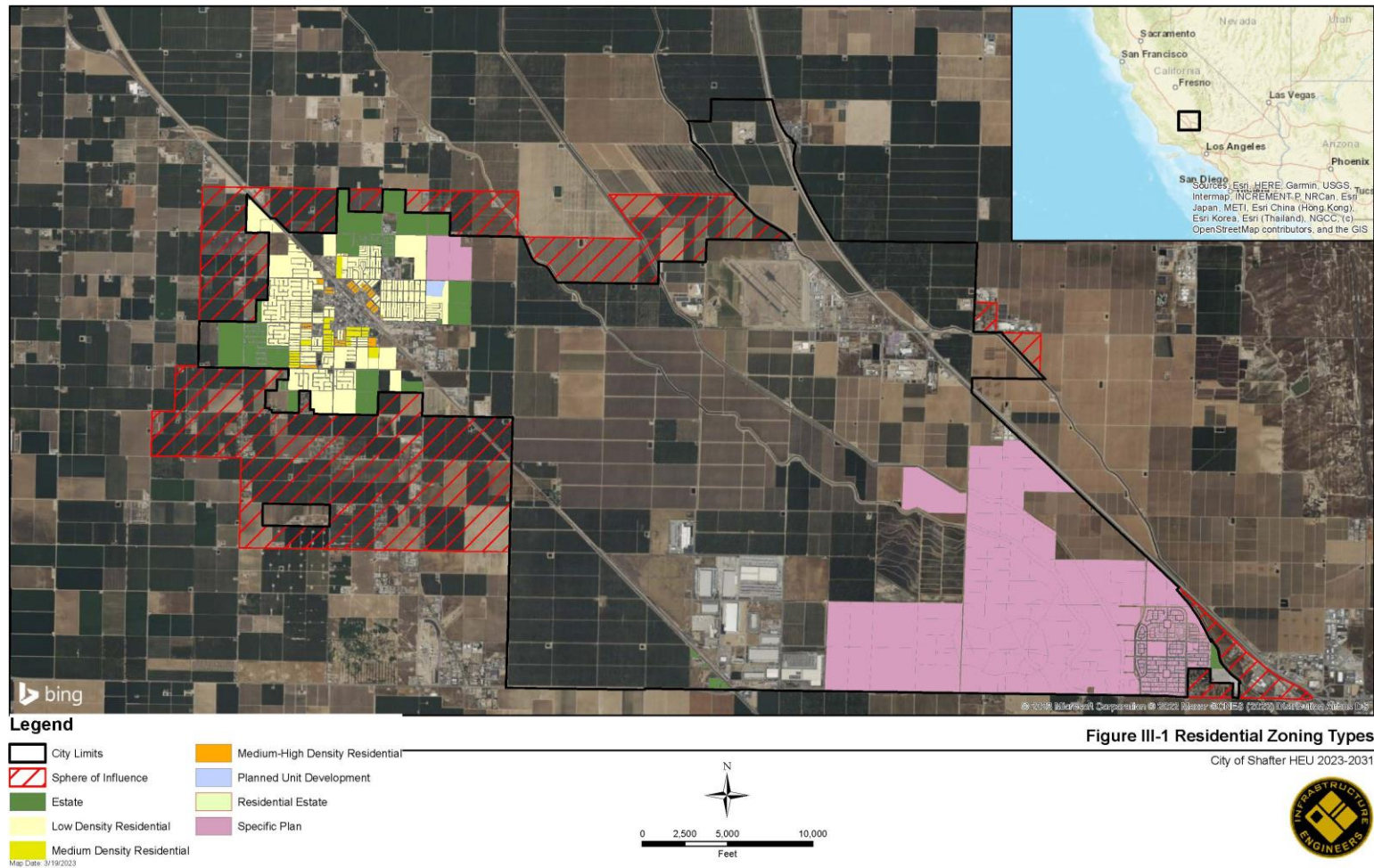
Zone	Acres
Estate (E)	723.84
Planned Unit Development (PUD)	21.01
Low Density Residential (R-1)	966.22
Medium Density Residential (R-2)	66.96
Medium-High Density Residential (R-3)	41.84
Residential Estate (RE)	1.92
Specific Plan (SP)	4,221.02
Total	6,042.8

Table III-2
Non-Residential Zones

Zone	Acres
Agricultural (A)	7,839.17
Agricultural-Airport Approach Height (AH)	1,688.7
Business Park (BP)	248.72
Business Park-Airport Approach Height (BPH)	66.33
Community Facilities (CF)	794.28
Community Facilities-Airport Approach Height (CFH)	534.79
Downtown Commercial (DC)	29.11
Drilling Island (DI)	12.49
General Commercial (GC)	265.37
Industrial (I)	3,828.49
Industrial-Airport Approach Height (IH)	2,005.39
Neighborhood Commercial	1.52
No Zoning (public right-of-way)	35.59
Total	17,349.95

Figure III-1 shows the locations of all residentially zoned land. There are two distinct residentially zoned areas in the City. One area is concentrated primarily near the city center in the northwest. The other area, consisting of Specific Plan areas, is southeast of the city center. The City's land inventory, including projects approved for rezoning and the possible development of vacant parcels, can be found listed in Appendix B (Table B-1). The inventory in Appendix B shows that the City has sufficient vacant and rezone sites to accommodate the RHNA for this planning period in all income categories. Further elaboration of the housing inventory analysis is carried out in Appendix B.

Figure III-1
Residential Zoning Types



This document also provides a discussion of public facilities and infrastructure needed to serve future development. These issues and concerns are elaborated upon in Chapter IV. There are currently various governmental and non-governmental constraints to providing housing affordable to households of all levels of income, as identified in Chapter IV of this Housing Element.

Financial and Administrative Resources

The City of Shafter uses multiple financial and administrative resources to promote housing development in the City limits. These various sources are at the disposal of the public to utilize to continue to facilitate development. The programs and grants that are listed below are categorized by the level of government that funds the program or resource.

B. Federal Resources

- **Community Development Block Grant Program (CDBG):**
 - The United States Department of Housing and Urban Development (HUD) provides Federal funding for housing programs. One specific program is the Community Development Block Grant Program, also known as CDBG. CDBG funds can be used to conduct activities such as acquisition and/or disposition of real property; public facilities and improvements; relocation, rehabilitation, and construction of housing; homeownership assistance; and clearance activities.
 - The City of Shafter has CDBG grants that are allocated towards multiple resources and programs throughout the City.
- **Home Equity Conversion Mortgage:**
 - The Home Equity Conversion Mortgage Program is a Federal Housing Administration program designed for seniors. This Government issued program is a reverse mortgage product. It allows people who are 62 and older to receive a loan based on the equity available in their home.
- **Equal Housing Opportunities Program:** Various Divisions and Departments of the Federal government comprise this Program, as indicated below.
 - The Fair Housing Division is funded through the U.S. Department of Housing and Urban Development's CDBG program and serves all unincorporated Kern County and all CDBG non-entitlement municipalities.
 - The State Fair Employment and Housing Department enforces fair employment and housing laws, educates the public about its housing rights, and informs the public of the various courses of action available in the event of an alleged violation of fair housing laws.
 - The Kern County Fair Housing Division implements multiple outreach and marketing programs to inform the public of fair housing and assist with housing-related problems where appropriate. The Division distributes 200 informational flyers per month to housing providers. The Division advertises its toll-free telephone number throughout the County. The Division has prepared a housing resource guide containing information regarding housing-related services provided throughout Kern County. The guides are distributed throughout various portions of the County.

- **United States Department of Agriculture Loan:**
 - The U.S. Department of Agriculture (USDA) has a loan program backed and issued by private lending institutions for development on land located on farms. The target group is low-income households, who each may secure a loan amount of 100% (no down payment).
- **The Home Ready and Home Possible Loan:**
 - The Home Ready program is administered by The Federal National Mortgage Association known as Fannie Mae. The Home Possible program is administered by the Federal Home Loan Mortgage Corporation known as “Freddie Mac.” “Home Ready” and “Home Possible” are loan programs for first-time homebuyers that provide additional loan money to lenders for homebuyers. Homebuyers must put 3% down for their mortgage to qualify.
- **Good Neighbor Next-Door Program:**
 - The Good Neighbor Next Door Program is a special loan program for first-responders, teachers, and nurses. This program helps eligible participants purchase a home at a 50% discount in a United States Department of Housing and Urban Development (HUD) revitalization area. In return, an eligible buyer must commit to live in the property for 36 months as the principal residence.
- **FHA Section 245 (a):**
 - The Federal Housing Administration (FHA) 245 Graduated Payment Loan is for first-time home buyers with low income, who expect their monthly income to increase in 5 to 10 years. As the mortgage payments grow the additional payments are applied to the principal of the loan reducing the mortgage term. According to FHA, requests are made through a provision known as “direct endorsement” authorizing them to consider applications without submittal to HUD.¹²
- **Section 202 Voucher Program:**
 - The Section 202 program helps expand the supply of affordable housing with supportive services for the elderly. It provides very low-income elderly with options that allow them to live independently in an environment that provides support services such as cleaning, cooking, transportation, etc. The program is similar in respect to non-medical benefits of the Supportive Housing for Persons with Disabilities (Section 811).
- **USDA Rural Development Multi-Family Housing Rentals:**
 - The USDA and the County of Kern assists rural property owners through loans, loan guarantees, and grants that enable owners to develop and rehabilitate properties for low-income, elderly, and disabled individuals and families as well as domestic farm laborers.
 - The USDA and the County of Kern work with the owners of its direct loan program and farm labor housing loan properties to subsidize rents for low-income tenants who cannot afford to pay their full rent. Additionally, when a direct loan ends before its initial term, Multifamily Housing provides vouchers to protect eligible tenants who otherwise may face hardship if they cannot find other affordable housing.

¹² https://www.fha.com/growing_equity

C. State Resources

CalHFA State Financed Programs:

The California Housing Finance Agency (CalHFA) provides funds for homeowners and investors throughout the state to encourage housing and homeownership. The following is a list of different programs that are offered by the agency to residents in the City of Shafter:

- **CalHFA Loan Program:**
 - CalHFA provides fixed-rate FHA mortgages in Federally Designated Targeted Areas.
- **CalHFA My Home Assistance Program:**
 - CalHFA provides below-market loans to first-time homebuyers of up to 3.5% of the sales price. The program operates through participating lenders who originate loans for CalHFA. Funds are available upon request to qualified borrowers.
- **CalPLUS FHA Program:**
 - According to CalHFA, the “CalPLUS FHA program is an FHA-insured first mortgage with a slightly higher 30-year fixed interest rate than our standard FHA program and is combined with the CalHFA Zero Interest Program (ZIP) for closing costs.”
- **CalHFA USDA Program:**
 - The CalHFA USDA Program is a USDA guaranteed first mortgage loan program, which can be combined with the MyHome Assistance Program (MyHome). This loan is a 30-year fixed interest rate first mortgage.
- **CalHFA Veterans Affairs Program:**
 - Veterans Affairs (VA) insured loans feature a CalHFA fixed interest rate first mortgage. This loan is a 30-year fixed interest rate first mortgage.
- **CalHFA Conventional Loan Program:**
 - The CalHFA Conventional program is a first mortgage loan insured through private mortgage insurance on the conventional market. The interest rate on the CalHFA Conventional is fixed throughout the 30-year term.
- **CalPLUS Conventional Loan Program:**
 - The CalPLUS Conventional program is a conventional first mortgage with a slightly higher 30-year fixed interest rate than the standard conventional program and is combined with the CalHFA Zero Interest Program (ZIP) for closing costs.
- **Forgivable Equity Builder Loan:**
 - Home equity has proven to be one of the strongest ways for families to build and pass on intergenerational wealth. The Forgivable Equity Builder Loan gives first-time homebuyers a head start by providing immediate equity in their homes via a loan that is forgivable if the borrower continuously occupies the home as their primary residence for five years.

- The Forgivable Equity Builder Loan is a forgivable subordinate loan program that may only be used with a CalHFA first mortgage.
- **California Tax Credit Allocation Committee:**
 - The California Tax Credit Allocation Committee (TCAC) administers the federal and state Low-Income Housing Tax Credit Programs. Both programs were created to promote private investment in affordable rental housing for low-income Californians.

D. County Resources

The Kern Housing Authority administers various housing programs for county residents, including residents in the City of Shafter. The following is a comprehensive list of those programs:

- **Home Access Grant Program:**
 - The Home Access Grant Program is funding allocated for accessibility improvement for qualifying households depending on individual needs. Improvement examples include widened doorways, a ramp with handrails, handicap-accessible toilets, grab bars, faucet fixtures, and a bathtub with an accessible shower. Both rental and owner-occupied residences are eligible.
 - The County issues these grants to city residents if they qualify under HUD Income Limits, have been deemed physically or mobility impaired by a physician, and have obtained the property owners consent in writing.
- **Home Improvement Loan Program:**
 - The Home Improvement Loan Program is a 0%, no interest deferred payment loan opportunity for qualifying homeowners for various home improvements and repairs. The program applies to only owner-occupied residences.
 - The County issues these grants for homeowners who will have projects completed for repairs to listed items. Improvements must be completed by a contractor that is licensed and insured in the state of California.
- **Farm Workers Housing:**
 - The County manages eight Farm Worker Housing developments countywide. Migrants must live/work 50 miles from the development to qualify for housing. The City of Shafter has one of the eight farm worker housing developments at 300 Terra Vista in Shafter.
- **Low-Income Public Housing:**
 - This federally funded Program is administered at twelve (12) housing developments operated by the Kern Housing Authority. Rents are based on 30% of the tenant's monthly net adjusted income or ceiling rents, based on the size of the unit – whichever is less. Families must pay a minimum of \$50.00 for rent each month. There is a total of 865 Low-Income Public Housing units in Kern County.

E. Local/Private Resources

- **Second Dwelling Units:**
 - The Accessory Dwelling Unit (ADU) Grant Program will create more housing units in California by providing a grant of up to \$40,000 to reimburse pre-development and non-reoccurring closing costs associated with the construction of the ADU.
 - As part of the state's legislature on SB9 and ADUs, the City of Shafter has a zoning ordinance that allows owner-occupants to construct a Second Dwelling Unit.
- **Affordable Housing Density Bonus Program:**

- The City of Shafter allows for up to a 35% increase in maximum allowable density for projects with 5 or more dwelling units. These projects must also provide deed restricted Low Income, Very-Low Income, Senior or Moderate-Income Housing.
- **City-Supported Financial Programs:**
 - **Federal National Mortgage Association (Fannie Mae):**
 - The Federal National Mortgage Association, known as "Fannie Mae," offers affordable housing through programs such as down payment and closing cost assistance and the purchase or securitization of several types of shared equity mortgages.
 - **National Housing Trust:**
 - Predevelopment Loans funded through the National Housing Trust (NHT) provides loans offered to assist affordable housing developers to cover predevelopment costs such as, but not limited to, feasibility analyses and preparation of loan applications, and to cover costs of preparing projects for syndication.
 - **Local banks:**
 - Commercial banks are required to "meet the credit needs" of all the areas from which they draw deposits according to the Community Reinvestment Act of 1977. These banks provide multiple lending resources such as below-market loans and grants. These are provided via a separate community development division or foundation. Banks often partner with local organizations to provide services such as homeownership counseling. These investment resources are available to developers, qualified low-income buyers, and community development nonprofits.

F. Energy Conservation Opportunities

The City of Shafter promotes energy conservation by identifying and providing information on methods, financing opportunities, incentives and regulations to encourage the conservation of energy. Shafter implements the updated California Building Code which encourages weatherization and energy efficiency improvements for housing rehabilitation projects that include the building envelope, heating and cooling system, and electrical system. The City includes weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. The City provides information about minimizing energy usage and conservation of natural resources on the City's website at <https://www.shafter.com/335/Green-Shafter>. The City is continuing to participate in the following residential energy conservation programs:

- **California HERO Program:**
 - The City of Shafter participates in the Home Energy Renovation Opportunity (HERO) Program. The HERO Program is a financing mechanism that allows residential and commercial property owners to make energy efficient, water conservation, and renewable energy improvements to homes and businesses and to pay for these investments over time through their property tax bills.
- **Figtree PACE Program:**
 - The City of Shafter participates in the Property Assessed Clean Energy Program. The Figtree Financing PACE program provides 100% upfront financing to residential and commercial property owners for renewable energy, energy

efficiency, water efficiency and earthquake retrofit property improvements. Repayment is made through an assessment lien on voluntarily participating properties with flexible repayment terms ranging up to 20 years.

IV. Constraints

The City of Shafter (City) is focused on providing housing opportunities for current and future residents in all income categories. However, numerous factors can constrain development, improvement, and maintenance of housing in Shafter. These factors include governmental constraints such as the City Municipal Code and discretionary application processing procedures, non-governmental constraints such as physical and environmental conditions, and market constraints such as land costs, construction costs, and availability of financing.

California State law requires Housing Elements to analyze potential and actual governmental and non-governmental constraints to housing production, maintenance, and improvements that could affect persons of all incomes and disabilities. In addition, the Housing Constraints Analysis in the Housing Element must demonstrate Shafter's efforts to remove governmental constraints that hinder achievement of the City's housing goals. The following Housing Constraints Analysis addresses the potential governmental and non-governmental impediments that may affect the supply of affordable housing in Shafter.

A. Governmental Constraints

Although local governments have little influence on market factors such as interest rates and availability of funding for development, local governmental policies and regulations placed upon land and housing ownership and development can affect price and availability of housing and the provision of affordable housing. Land use controls, site improvement requirements, development impact fees, permit processing costs and timing, and other factors may constrain maintenance, development, and improvement of housing. Since governmental actions can constrain housing development and affordability, California State law requires the Housing Element to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing."

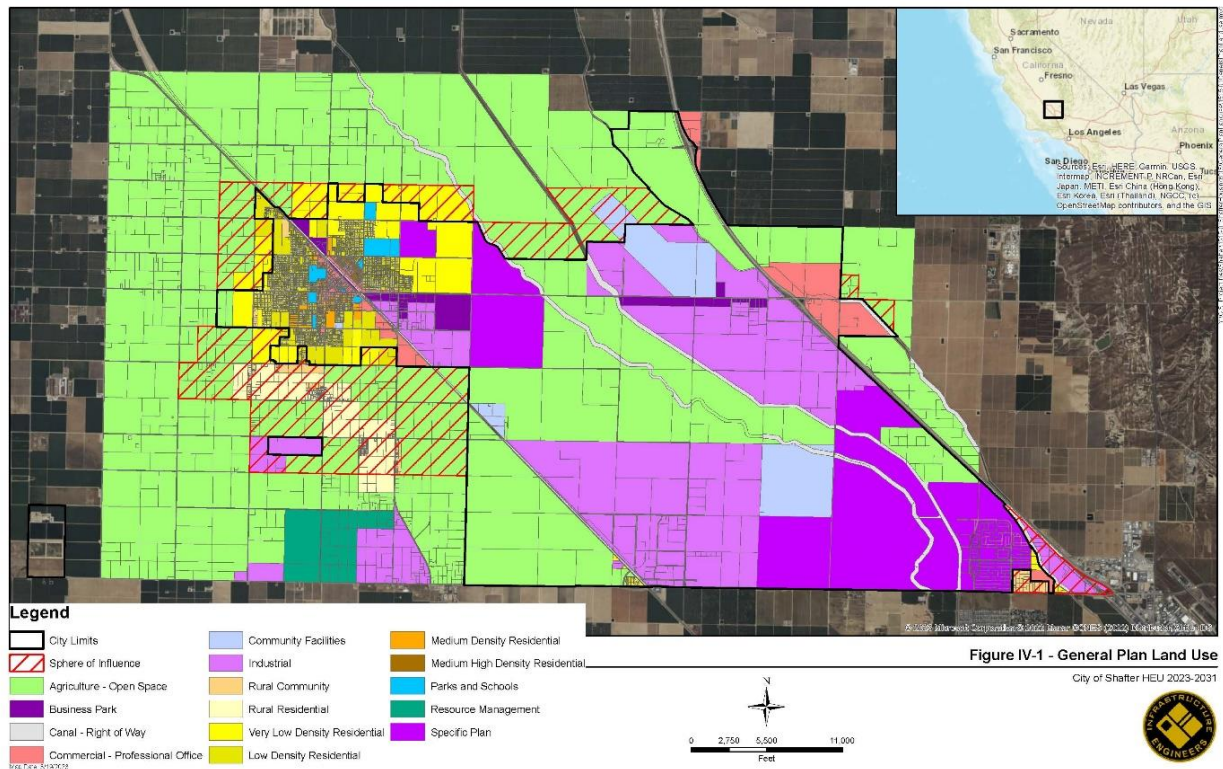
In addition to City governmental constraints to the development of affordable housing, State and Federal regulations (over which the City of Shafter has no control) can be constraints to housing development. For example, State and Federal environmental regulations and building codes also can adversely impact housing costs and availability.

Limits to Physical Expansion of the City of Shafter

The City of Shafter is surrounded by unincorporated land under County of Kern jurisdiction (reference **Figure IV-1**). The ultimate limits to Shafter's legal boundaries and urban expansion are dependent upon local political factors and geologic constraints. Shafter's Sphere of Influence (SOI), established by Kern County's Local Agency Formation Commission (LAFCO), establishes the City's projected ultimate boundary. The SOI is primarily a planning tool that assists communities and public agencies to project future public service needs. Although the City has no direct land use control within the SOI, the City may comment on development proposals the County proposes within the SOI. Shafter's incorporated area and SOI encompass 29,536 acres (or 46.15 square miles). Residential land uses identified for the SOI outside of the City limits include rural community, rural residential, very low density residential, low density residential, and specific plan. Currently, the existing

City limits are not a constraint to the provision of housing, as areas within the SOI may be annexed to the City.

Figure IV-1
General Plan Land Use



Funding Availability

The City of Shafter does not have financial resources or sufficient staff to undertake major housing assistance programs without substantial support from outside agencies. Additionally, existing funding for Federal and State programs is not sufficient to meet Statewide demand, which in turn limits the City's ability to meet its needs. Therefore, limitations on receiving funding from housing agencies outside of the City act as a constraint to the development of affordable housing.

Public Services and Facilities

Provision of public services does not constrain production of new housing units projected by the most current RHNA (Regional Housing Needs Assessment). The City owns, operates, and maintains the domestic water system within the City limits as well as disadvantaged unincorporated areas south and southwest of the historic core area where private water systems in these areas requested water delivery from the City's water system due to problems

with their own private wells. Additionally, through a joint powers agreement (JPA) with the City, Oildale Mutual Water Company (OMWC) supplies domestic water to the Gossamer Grove Specific Plan area in the southeastern portion of the City and will continue to provide service as the specific plan areas in the southeast continue to develop.

The City also operates a water sewage collection system where all City sewage is collected into sewage mains and delivered to the North of the River Sanitary District (NORSRD) regional wastewater treatment plant (WWTP) located on 7th Standard Road, southwest of the City. The City and NORSRD have a JPA that governs the operation of this WWTP, which serves the City, county areas around Shafter, and the NORSRD district area.

As the owner of the domestic water system and sewer system within much of the City, the City has not denied any residential project, low income or otherwise, from receiving water or sewer service during the last housing cycle. Water supply and sewer capacity are not limited within the City and can accommodate the current RHNA requirements. Program 1.2.2 ensures that the City has a written procedure to grant priority water and sewer service to lower-income units.

The City of Shafter has determined that its public works systems shall not be overburdened by new development. A capital improvements program that identifies and prioritizes needs such as industrial and residential infrastructure improvements, water storage facilities, new sewer trunk lines, regional park development, and street improvements provides a guide for allocating public funds in the most productive directions. In general, existing public services and facilities in Shafter are in good condition and will be available to support development capacities to accommodate the City's RHNA (Regional Housing Needs Allocation) during the sixth planning cycle. In accordance with Assembly Bill 1600, the City of Shafter has enacted a development impact fee program (reference **Table IV-4**) to ensure new development pays only for its impacts and not for existing deficiencies caused by prior development.

City of Shafter General Plan - Non-Housing Element Policies Relevant to Provision of Housing in Shafter

The following General Plan policies are found in other elements of the General Plan outside of the Housing Program and are relevant to the provision of housing in Shafter. All these policies encourage the development of housing, including a variety of housing types and amenities that benefit residential neighborhoods, and do not constrain the maintenance, improvement, or development of housing.

Land Use Element Policies

2.3 Land Use Organization

Policy 8 – Incorporate existing urban development approvals in the southeastern portion of the General Plan study area into a large, mixed-use planned community, recognizing the rapid expansion of residential development from the area south of 7th Standard Road and providing appropriate transitions from industrial development expanding outward from the ITTC (International Trade and Technology Center, now called the Wonderful Industrial Project or WIP) and Lerdo Highway area to the west and north.

Policy 10 – Encourage new uses in the downtown by promoting professional office, mixed-use, and residential projects, which contribute to the vitality of the area and create pedestrian traffic.

2.5 Residential Uses

Policy 1 – Promote the development of rural residential areas and rural communities that provide for and protect rural lifestyles and are compatible with nearby agricultural uses.

Policy 2 – Maintain and promote suburban density, single-family areas that will accommodate a range of densities from small lot subdivisions in a planned community setting to traditional subdivisions to large lot equestrian-oriented developments.

Policy 3 – Broaden the range of housing types and encourage innovation in available housing types. In addition to traditional single-family housing, provide: a) move-up and executive housing opportunities; b) housing for those desiring amenities not typically found in small town subdivisions (e.g., common open space and recreational areas); c) opportunities for those not desiring a dwelling on an individual lot or a mobile home lifestyle; and, d) appropriate housing for active seniors and those requiring some degree of assistance or care.

Policy 4 – Ensure that multifamily projects fit the scale of the community, are consistent with Shafter’s small town community character, are of high quality, and are well maintained.

Policy 5 – Promote the development of residential projects that provide semi-private and private open space and recreation facilities.

Policy 6 – Support efficient management of local agricultural production activities by encouraging the provision of adequate farm worker and farm family housing within and adjacent to agricultural areas.

Policy 7 – Design new residential development with identifiable neighborhood units. Street design should route through traffic around, rather than through new neighborhoods. Neighborhood streets should be quiet, safe, and amenable to bicycle and pedestrian use.

Land Use Controls

The City of Shafter exercises several land use controls that directly affect housing development. Some controls place certain restrictions on housing development; others encourage housing production. These land restrictions and incentives are discussed below.

Development Standards

The five basic residential zoning districts in the City of Shafter are the following: Estate; Residential Estate; Low; Medium; and Medium High.

The City of Shafter Development Code (Zoning Ordinance) establishes various standards for structures in each residential zoning district. **Table IV-1** presents development standards for residential zoning districts. **Table IV-2** presents parking requirements for each residential zoning district.

Table IV-1
Zoning District Development Standards

Development Standard	Estate (E - Large Lot)/ or (E)	Residential Estate (R-E)	Low (R-1)	Medium (R-2)	Medium High (R-3)
Maximum Density (DU/acre)	1.0/3.5 du/acre	4 du/acre	5 du/acre	14 du/acre	24 du/acre
Minimum Lot Area (Square feet for interior lot)	40,000/10,800	7,500	6,480	9,000	12,000
Minimum Lot Area (Square Feet for corner lot)	11,500	8,385	6,835	9,385	12,500
Minimum lot depth (Feet)	200/120	100	100	100	100
Lot Width (Feet for interior lot)	135/90	70	60	75	90
Lot Width (Feet for corner lot)	150/100	75	65	80	100
Front Setback, Lot Adjacent to Straight Street (Feet)	40/25	25	25	20	20
Front Setback, cul-de-sac, or knuckle lot (Feet)	40/20	20	20	20	20
Rear Setback, Lot with alley (Feet)	NA/15	5	5	5	5
Rear Setback, Lot without alley (Feet)	40/25	20	15	15	15
Interior Side Setback, one-story (each)	10	5	5	5	5
Interior Side Setback, any portion of a structure exceeding one story	10	10	10	10	10
Street Side Setback (corner lot)	20/10	15	10	10	10
Street Side Setback (reverse corner lot)	30/15	15	15	15	15

Development Standard	Estate (E - Large Lot)/ or (E)	Residential Estate (R-E)	Low (R-1)	Medium (R-2)	Medium High (R-3)
Structural Parcel Coverage (maximum)	25%/30%	35%	40%	50%	60%
Main Building/Structure Height (Maximum)	35	35	35	35	35
Minimum Dwelling Unit Size (Square Feet)	1,850/1,450	1,300	1,150	850	850

Table IV-2
Residential Off-Street Parking Standards

Residential Type	Off-Street Parking Standard
Single Family Detached*	Two spaces per unit
Multi-Family Residential**	Studio: one space per unit One bedroom: 1.5 spaces per unit 2+ bedrooms: 2 spaces per unit
Senior Housing: Independent Living***	One space per unit

*Parking spaces must be provided within an enclosed garage.

**A minimum of one space shall be covered with a carport. The parking requirement may be reduced to one space per unit if a density bonus is granted. 0.25 guest parking spaces per unit are required.

***Spaces shall be covered and may be either a carport or a garage. 0.25 guest parking spaces per unit are required.

Development standards in the four residential Specific Plans [Gossamer Grove, Marcona Preserve (formerly Heritage Ranch), Mission Lakes, and Orchard Park] are roughly equivalent to the standards above, with standards tailored specifically to accommodate housing development in each master planned community. Gossamer Grove allows smaller lot sizes which accommodate compact single-family residences, garden court homes, and duplexes. Mission Lakes allows in some zones smaller lot sizes or a height of 45 feet to accommodate compact single-family residences, garden court homes, townhomes, and apartments.

Development standards in the commercial zones [General Commercial (GC), Neighborhood Commercial (NC) and Downtown Commercial (DC)] are generally similar or less restrictive than residential development standards. These include height limits ranging from 35 to 45 feet, zero setbacks, and minimum site area ranging from 5,000 to 6,500 square feet. There is no maximum residential density, but the floor area ratio for all development is restricted to 0.5 in these zones in accordance with the General Plan.

The Development Code also specifies minimum dwelling unit sizes for apartments as follows:

- Apartments in residential districts:
 - Studio: 450 square feet
 - 1-bedroom: 650 square feet
 - 2-bedroom: 850 square feet
- Single Room Occupancy units (in DC District): No minimum dwelling unit size specified; unit size as allowed by the California Building Code

Accessory Dwelling Units (ADUs)

According to California state ADU law, all single-family homes in zones that allow a residential primary use can construct at least one ADU on their property. In addition, single-family parcels that are owner-occupied may construct one ADU and one Junior Accessory Dwelling Unit (JADU) on their property. Furthermore, multi-family parcels may add up to two ADUs or one ADU per every four existing legal residential units. ADUs may be new construction or converted from existing space. JADUs must be converted from existing enclosed space. All zones that allow residential primary use can build ADUs.

On December 20, 2022, the City of Shafter passed Ordinance 735 amending Title 17 (Zoning Ordinance) to be compliant with the changes in state law pertaining to ADUs and JADUs that have occurred since 2019. The changes to State law include those from 2019 (Assembly Bill 68, Assembly Bill 881, Senate Bill 13), 2020 (Assembly Bill 3182), 2021 (Assembly Bill 345), and 2022 (Senate Bill 897, Assembly Bill 2221).

Growth Controls

Shafter does not have growth controls, including none of the following:

- Systematic (area-wide) residential down-zoning
- Urban limit line, growth boundaries, or perimeter greenbelt
- Annexation restrictions
- Building permit or other residential development caps
- Voter approval for rezoning, general plan changes, or development projects
- Legislative super-majority for up-zoning, rezoning or general plan changes
- Systematic changes to local height and floor area ratio regulations
- Adequate public facilities ordinances

State Density Bonus Law

California Density Bonus Law (DBL) was enacted in 1979 with the intent of supporting construction of affordable housing by offering residential developers the ability to construct additional housing units exceeding an agency's otherwise applicable density range. The ability to build additional residential units was/is offered to help offset a developer's costs to subsidize affordable residential units in a project. Thus, the DBL serves as an incentive to provide affordable residential units. The DBL is codified in California Government Code (Gov. Code) §65915, including amendments enacted in 2019 (Assembly Bill 1763) that became effective in January 2020, amendments enacted in 2020 (Assembly Bill 2345) that became effective in January 2021, and amendments enacted in 2022 that became effective in January 2023 (Assembly Bill 682, Assembly Bill 2334-(not applicable to Shafter), Assembly Bill 1551).

California State law specifies levels of density bonuses applicable to a housing development project that includes affordable residential units. A residential development project that includes affordable units is eligible for a sliding scale of percentage bonus based on the number of affordable units proposed in the development and the level of affordability of the

units. Until January 2020, the maximum percentage of density bonus that could be achieved by a proposed residential project was 35%. Effective January 1, 2020, California State Assembly Bill 1763 (AB 1763) increased the maximum bonus that could be achieved by certain 100% affordable unit projects (discussed below). In addition, effective January 1, 2021, California State Assembly Bill 2345 (AB 2345) increased the maximum density bonus for certain affordable unit projects from 35% to 50%.

In accordance with AB 1763, if a developer proposes a housing project with 100% affordable units with at least 80% of the units reserved for lower income households and 20% of the total units reserved for moderate income households, the project would therefore be entitled to a density bonus of 80%. Furthermore, if the 100% affordable residential development is located within 0.5 miles of a major transit (e.g., bus, light rail, train) stop [as defined in Public Resources Code §21155(b)], the project is entitled to an unlimited percentage density bonus subject to some limitations.

AB 682 expands density bonus law to include shared housing or co-housing buildings that include qualifying affordable housing units. Shared housing or co-housing means residential or mixed-use structures that contain 5 or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days. AB 682 was effective on January 1, 2023.

AB 1551 allows commercial developers a development bonus [e.g., increase in intensity, floor area ratio (FAR), or building height) when the applicant enters into an agreement to provide affordable housing. The affordable housing must be within the same jurisdiction, near amenities, and within one half mile of a major transit stop. Codified in Gov. Code §65915.7, AB 1551 was effective on January 1, 2023, and sunsets January 1, 2028.

Incentives and Concessions

The DBL requires local agencies to grant incentives and concessions to projects eligible for a density bonus. In addition, a developer may request specific incentives or concessions that result in “identifiable and actual cost reductions to provide for affordable housing costs.” (Gov. Code §65915(k)(1)). Incentives and concessions can be requested in addition to waivers and reductions noted below.

The number of incentives and/or concessions that must be granted by an agency is as follows:

- One incentive or concession - where a project reserves at least 10% of the housing units for low-income households; 5% of the housing units for very low-income households; or, 10% of the housing units for persons and families of moderate income;
- Two incentives or concessions - for projects reserving at least 17% of the total units for low-income households, at least 10% for very low-income households, or at least 20% for persons and families of moderate income in a common interest development;
- Three incentives or concessions - for projects reserving at least 24% of the total units for low-income households, at least 15% for very low-income households,

or at least 30% for persons and families of moderate income in a common interest development;

- In accordance with AB 1763, effective January 2020, four incentives or concessions for 100% affordable projects are described above.

In addition, an agency may offer additional incentives and concessions beyond those mandated by State law.

A residential developer may qualify a project for a density bonus for the purpose of obtaining incentives or concessions but is not required to construct any additional dwelling units allowed under California density bonus law.

An agency can decline to grant an incentive or concession upon demonstrating that approving a given concession and/or incentive will result in a specific, adverse impact upon public health, safety, or the environment and for which there is no feasible method to mitigate or avoid the specific adverse impact or the incentive or concession does not result in identifiable and actual cost reductions to affordable housing or rents for the targeted units, or the incentive or concession would be contrary to state or federal law.

Waivers and Reductions

The DBL requires local agencies to grant waivers or reductions of any development standard that will have the effect of physically precluding the construction of a development meeting State density bonus law. Waivers or reductions can be requested in addition to concessions and incentives identified above, except in the limited circumstances explained below.

In accordance with AB 1763, 100% affordable projects that are located within 0.5 miles of a major transit stop are eligible to receive a height increase of up to three additional stories, or 33 feet. However, where a residential developer proposes such a project, the project is not eligible for a waiver or reduction other than the additional height increase previously discussed in this chapter.

An agency can decline to grant a waiver or reduction where it can demonstrate that approving a given waiver or reduction will result in a specific, adverse impact upon public health, safety, or the environment and for which there was no feasible method to mitigate or avoid the specific adverse impact.

A residential developer may request a density bonus for the purpose of obtaining waivers and reductions but is not required to construct any additional dwelling units allowed under California Density Bonus Law.

Parking

The DBL provides several specific parking standards that agencies must accept for eligible projects. These are as follows.

- Upon request of the developer, an agency shall not require a vehicular parking exceeding the following ratios:
 - Zero to one bedroom – one on-site parking space
 - Two to three bedrooms – two on-site parking spaces

- Four and more bedrooms – two and one-half parking spaces
- If a development reserves 20% of the units therein at the low-income level or 11% of the proposed units at very-low-income level and the development is located within 0.5 miles of a major transit stop (as defined in Public Resources Code §21155), and there is unobstructed access to the major transit stop from the development, then upon request of the developer an agency cannot impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds 0.5 space per bedroom.
- If a development consists solely of rental units that are 100% affordable to lower income families, then upon the request of the developer an agency shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking that exceeds the following ratios:
 - If the development is located within 0.5 miles of a major transit stop and there is unobstructed access to the major transit stop from the development, the ratio shall not exceed 0.5 space per unit.
 - If the development is a for-rent housing for individuals who are 62 years of age or older, the ratio shall not exceed 0.5 spaces per unit. The development shall have paratransit service or unobstructed access, within 0.5 miles, to a fixed bus route that operates at least eight times per day.
- If a development consists solely of rental units with an affordable housing cost to lower-income families and the development is either a special needs housing development or a supportive housing development, then upon the request of the developer an agency shall not impose any minimum vehicular parking requirement. A development that is a special needs housing must have either a paratransit service or unobstructed access within 0.5 miles to fixed bus route service that operates at least eight times per day.
- A development may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking.
- An applicant may request parking incentives or concessions beyond those provided above.
- An agency may reduce or eliminate a parking requirement for development projects of any type and in any location.

City of Shafter Affordable Housing Density Bonus Program

The existing City of Shafter Density Bonus program can provide up to a 35% density increase over the maximum allowable density specified by the City of Shafter General Plan, as well as regulatory concessions or incentives for projects with five or more residential units when the developer agrees to provide deed restricted Low-Income, Very Low-Income, Senior, or Moderate-Income housing within the development. The Density Bonus Ordinance was last updated in 2015 and does not reflect the most recent changes in California Density Bonus Law. To address this inconsistency, an implementation action is proposed in the following section.

Other Locally Adopted Ordinances

Shafter does not have any other locally adopted ordinances that would impact the cost and supply of housing. Shafter does not have an inclusionary housing ordinance.

Shafter does not have a short-term rental ordinance; short-term rentals are not allowed in Shafter. Therefore, short-term rentals would not remove housing units that would otherwise be available for housing.

Website Publication of Development Standards

Gov. Code §65940.1(a) requires a city with a website to publish “All zoning ordinances and development standards adopted by the city or county...” and update this information within 30 days of any changes. The Development Code (Zoning Ordinance) and Specific Plans are published on the City’s “Planning Documents” web page at <https://www.shafter.com/386/Planning-Documents>.

Land Use Controls Potential Impacts on the Cost and Supply of Housing

In general, City of Shafter development standards are comparable to development standards in surrounding cities such as Arvin and Wasco and are not a constraint to the maintenance, improvement, and development of housing. The following is a discussion of Shafter’s development standards:

- City parking standards may affect the cost of multi-family housing, in that it establishes minimum parking requirements and requires one of the required spaces to be covered in a carport. However, the City does not require enclosed garages and specifies reduced parking requirements if senior housing is proposed or a density bonus is requested. In general, parking requirements are consistent with or less stringent than other cities in the San Joaquin Valley and therefore should not be considered a constraint to residential development in the City of Shafter.
- The maximum building height is 35 feet in all residential and most commercial zones, and 45 feet in the General Commercial (GC) District, which will allow 3-story multifamily residential development, and is not a constraint to residential development in Shafter.
- Maximum lot coverage by structures ranges from 25% to 40% in the single-family residential zones, and 50% to 60% in the multifamily residential zones. These are comparable to other nearby cities and are not a constraint to residential development in Shafter. However, the maximum 0.5 floor area ratio in the commercial zones (a standard found in both the General Plan and the Development Code) may be a constraint to residential development and should be evaluated.
- Minimum residential unit size requirements are modest, typical of other cities in the San Joaquin Valley, and do not unreasonably add to housing cost or constrain supply in Shafter.
- Minimum setback standards are typical of other cities in the San Joaquin Valley, and do not unreasonably add to housing cost or constrain supply in Shafter. With

the passage of Ordinance 735 on December 20, 2022, the City removed the minimum distance between buildings standard (formerly 10 feet) to simplify the site planning of residential projects including accessory dwelling units.

- With the passage of Ordinance 735, City of Shafter Accessory Dwelling Unit standards are consistent with state law and are not a constraint on the development of ADUs.

Implementation Actions to Address Constraints

Programs are included in Chapter V to address potential constraints to the maintenance, improvement, and development of housing arising from land use controls:

- Evaluate and address the potential impact of the maximum 0.5 floor area ratio on residential development in the commercial zones by the completion of the next comprehensive General Plan update, expected within five years.
- Update the Density Bonus Ordinance provisions to be consistent with the changes in state Density Bonus Law since 2015, perhaps by incorporating direct references to state statutes.
- Maintain an updated Development Code (Zoning Ordinance) on the City's website, and post on the City's website City ordinances that affect land use within 30 days of passage.

Processing and Permit Procedures

Development review also affects housing costs. Because of holding costs (the amount of money needed to own a property each month), the longer it takes for a development proposal to be approved, the higher the development costs. In Shafter, an application for a residential project containing approximately 20 units typically requires a processing time of between 90-120 days. However, the actual application processing time varies according to the size and scope of the project, as well as the time it takes the developer to prepare the final maps, improvement plans, and other project-related documents that are essential components of the application required by the City. The City attempts to process development applications in a timely and efficient manner; however, some delays are out of City control. For example, delays in processing the application can occur if the California Environmental Quality Act (CEQA) review determines that preparation of an Environmental Impact Report (EIR) would be the appropriate environmental document to prepare for the project. However, the City of Shafter's 2005 General Plan EIR addressed many potential impacts due to build out of the General Plan. The General Plan EIR thereby can be used to facilitate environmental review of projects.

Most single-family and multi-family residential development in Shafter is "permitted by right," subject to a review of consistency with applicable codes and standards. **Table IV-3** presents the permit requirements for types of residential development in the residential zones. "P" means "Permitted Subject to Consistency Assessment," and "C" means "Permitted Subject to Approval of a Conditional Use Permit application."

Table IV-3
Zoning District Permit Requirements

Land Use Activity	Estate (E - Large Lot) / (E)	Residential Estate (R-E)	Low (R-1)	Medium (R-2)	Medium High (R-3)
Single Family Dwelling	P	P	P	P	
Multi-family Dwelling (Primary units: attached or >1 on lot)				P	P
Accessory Dwelling Unit	P	P	P	P	P
Mobile home Subdivision	C	C	C	C	C
Mobile home Park		C	C	C	C
Boarding/Rooming House (7 or more residents)				C	C
Senior Independent Living	C	C	C	C	C
Senior Congregate Care, Assisted Living		C	C	C	C
Board and Care Facility (12 or more residents)				C	C
Convalescent Care		C	C	C	C

On occasion, approval from State or other local agencies also may be required for certain types of projects. The typical application procedures for single-family and multi-family residential units are as follows:

Single-Family Dwellings

- Floor plans, construction plans, and Site or Plot Plans are submitted by the applicant to the City's Building Division.
- The Site Plan is sent to a City Planner for zoning compliance review where it is either stamped approved or sent back to the applicant for corrections.
- An approved site plan is sent to the Building Division after corrections are submitted and approved, fees are collected and verification of payment of school fees, development impact fees per Ordinance, utility connections; the Building Division then issues construction permit upon payment of permit fees; and,

- The permit is valid for six months. If no work has commenced or no inspections have been requested, the permit expires, and the applicant will need to resubmit another application. Issuance of a new permit is required if work is to continue unless there is an application for a six-month extension.

Multiple Family Dwellings & Other Residential

- Construction and Site Plans are submitted by the applicant to the City Building Division.
- Multiple Family Dwellings are allowed by right in both the R-2 and R-3 Districts with a staff-level review process like that for single-family dwellings described above.
- Prior to plan check, the proposal is sent to the Planning Department. Planning staff determines if the project requires any Planning entitlements (e.g., Conditional Use Permit for certain residential uses, Tentative Tract Map for a residential subdivision or condominium, etc.); applicant submits the appropriate application.
- For projects that require a Planning entitlement, staff determine whether the project is exempt from environmental (CEQA) review. If the project is exempt from CEQA review, the Planning Department will prepare a CEQA exemption and file it with Kern County. If a project is not exempt, an Initial Study and subsequent CEQA document will be required prior to project approval.
- Project plans are circulated to all City departments and the County Fire Department.
- The Planning Commission will review the entitlement project application, find the project is exempt from CEQA or approve the appropriate CEQA document, and either approve, deny, or approve the project with Conditions of Approval. The Planning Commission decision may be appealed to the City Council.

Design Review

The Shafter Development (Zoning) Code 2.80 includes a process for Design Review that applies to projects that require building permits for residential or commercial development. The Planning Commission reviews project applications for design review concurrently with applications, such as conditional use permits, tentative tract maps, or variances. The code gives the Planning Director (staff) the authority to conduct a design review of applications for a building permit (that do not require Planning Commission approval). The “Design Review” code section includes a mix of objective and subjective design guidelines by which to evaluate development proposals: mostly subjective design guidelines that apply to all development, and a combination of objective and subjective design guidelines that apply to residential subdivisions. The objective design standards increase development certainty by prohibiting security bars in most locations and for residential subdivisions specifying a minimum number of building footprints/ elevations and minimum landscaping and irrigation.

In language similar to the powers given to the Planning Commission, Shafter Development (Zoning) Code 2.80 provides that the Planning Director can “approve,” “deny,” and “impose reasonable conditions” upon a design review approval, including any condition that the Planning Director may deem necessary to “ensure compatibility with surrounding uses; to preserve the public health, safety and welfare, and to enable the Planning Director to make the findings necessary for approval,” which indicates a discretionary review process. However, in practice, Planning staff processes development proposals that require only Planning Director (staff) review as ministerial actions.

Residential Planned Unit Development / Specific Plan

In addition to the Planning Commission review procedure for Other Residential described above, planned unit developments will undergo review and approval of a Planned Unit Development or Specific Plan by the City Council following recommendation by the Planning Commission at a public hearing. Development standards and allowable densities are proposed by the applicant and reviewed for consistency with the density standard of the applicable General Plan land use designation. In addition to the typical entitlement processing time of approximately 90-120 days for a Planning Commission review of an environmentally exempt project, a preliminary review process will require approximately 30 days, environmental (CEQA) review will require up to an additional 180 days or 1 year (depending on the final environmental document), and City Council review will require an additional 15-30 days.

SB 35 Streamlining

Based on the status of the City’s submitted Annual Progress Reports and the City’s cumulative annual progress towards the City’s Regional Housing Needs Allocation (RHNA) as determined by the Department of Housing and Community Development, the City may be required to streamline (process ministerially) affordable housing projects in accordance with Gov. Code §65913.4, which became effective January 1, 2018, and sunsets January 1, 2026. Effective January 1, 2023, Assembly Bill 2668 clarifies provisions of the ministerial, streamlined approval process for affordable housing development created by SB 35.

As the City of Shafter rarely receives proposals for development of affordable housing, the City does not have a written SB 35 streamlining procedure. Because of the rarity of affordable housing applications, the lack of a written SB 35 streamlining procedure is not a constraint. Depending on the SB 35 status of Shafter and the level of affordability of a project proposal, City staff will process the project ministerially in accordance with Gov. Code §65913.4.

Processing and Permit Procedures Potential Impacts on the Cost and Supply of Housing

City staff will review and approve most single-family and multi-family residential developments, minimizing processing time for these projects. The processing times for the City of Shafter are reasonable and comparable to surrounding jurisdictions such as Arvin and Wasco. Processing times for residential projects that require Planning Commission or City Council review are also reasonable and comparable to other jurisdictions. Therefore, the current procedures for processing an application or applying for a permit would not result in

an increase in the cost associated with the construction of new housing or in the reduction of the housing supply in Shafter.

Implementation Actions to Address Constraints

Considering the staff practice to ministerially approve residential development that is permitted by right, the Development Code (Zoning Ordinance) should be updated to a) clarify that Design Review by the Planning Director is a ministerial action and identify the objective design standards that are used to evaluate development proposals, or b) eliminate Planning Director (staff)-level design review. A program is included in Chapter V to amend the Shafter Development Code to make these clarifications.

Building Codes & Enforcement

New construction is required to meet the California Building Code (CBC) and California Residential Code (CRC) standards, which is updated every three years, as adopted by the City. At the time of writing, Shafter has adopted the 2022 California Building Code and 2022 California Residential Code. Shafter has adopted amendments to the California Building Code and California Residential Code that are minor in nature; none of the adopted amendments specify expensive materials or methods. City of Shafter building inspectors conduct building inspections in Shafter for approval of new construction, for occupancy of new structures, for alteration and repair of existing structures requiring permits, and to respond to specific complaints related to projects not in compliance with construction standards. Code enforcement is complaint based and the City does not see any disproportionate impacts on low-income, special needs households, or persons with protected characteristics. From the City's experience, it is the more affluent neighborhoods that tend to call code enforcement. In the case of a substandard building needing to be vacated or repaired, Shafter will give preference to the needs for housing and repair of the building whenever it is economically feasible to do so without having to repair more than 75% of the dwelling, in compliance with Health & Safety Code §17980(c)(2).

Building Code & Enforcement Potential Impacts on the Cost and Supply of Housing

The CBC including the CRC with adopted minor amendments is not a constraint to residential development and does not increase housing costs or decrease the supply of housing. The CBC with Shafter's minor amendments is intended to protect public health, safety, and general welfare as they relate to the construction and occupancy of buildings and structures with the provision of standardized requirements. Building enforcement procedures are standard and typical of California cities, and the City gives preference to the need to maintain housing units and repair existing units when it is economically feasible. Therefore, the adopted building code and enforcement procedures are not a constraint to the maintenance, improvement, and development of housing in Shafter.

Off-Site Improvement Requirements

The City of Shafter development requirements for off-site improvements are standard for small communities within Kern County. Required off-site improvements within and adjacent to residential developments include the following:

- Standard street widths shall be designed and built in accordance with specified standards identified in the City of Shafter General Plan Transportation Program. Street widths are the minimum required to safely handle the expected traffic at buildout.
- Curbs, gutters, and sidewalks shall be constructed in accordance with Title 24 of the Uniform Building Code and in accordance with the Americans with Disabilities Act (ADA). The requirements are the minimum needed to provide drainage of the public right-of-way and pedestrian safety.
- Water and sewer lines are required to be connected to the nearest City water and sewer main lines and designed and constructed in accordance with applicable Municipal Code and Water District standards.
- Landscaping ranging from 10 to 14 feet in width (including sidewalk) is required for arterial and major and minor collector streets. Generally, the largest subdivisions (which more easily absorb the cost) will require these types of streets (and homebuyers generally expect these improvements in a desirable neighborhood), thus the public parkway landscaping requirement is not a constraint to the development of housing.

The Transportation Program (Element) of the General Plan has the goal to maintain the roadway and highway system to operate at a Level of Service C on a daily and peak hour basis, with Level of Service D acceptable near freeway interchanges. As Shafter is a small city with low traffic volumes physically separated from other nearby cities, the construction of housing units equivalent to the City's Regional Housing Needs Allocation is not expected to exceed these Level of Service thresholds. However, as Level of Service is generally considered to be an obsolete metric, a program is included in Chapter V to review the impact of City Level of Service standards on housing development prior to the next comprehensive General Plan update, which is expected to occur within the next five years. Existing infrastructure and facilities within the City of Shafter would not hinder future residential development capacities to accommodate the City's Regional Housing Needs Allocation.

Fees and Exactions

Fees and exactions required of a development pay for public facilities associated with a residential development. The City of Shafter charges two types of fees: development impact fees and planning processing fees. Planning-related fees are collected at time of project application submittal; development impact fees are collected at the time of building permit issuance and are primarily assessed based upon a per unit/lot basis.

Development Impact Fees

The City of Shafter development fee structure is provided below in **Table IV-4**. The Richland School District exempts housing for seniors (ages 55 or older) from paying school impact fees. All of these fees have been developed in accordance with the Mitigation Fee Act. The fee structure incentivizes effective use of services and compact development in that residential development in the City Core area is generally subject to lower development impact fees than residential development in Southeast Shafter due to the existing developed infrastructure and lower cost of providing services in the City Core area.

Table IV-4
Development Impact Fees

FEE	COST	PER
Traffic Impact Fees (on a project basis)		
a. Single-Family Residential – City Core	\$4571	Dwelling Unit
b. Single-Family Residential – Southeast Shafter	\$6926	Dwelling Unit
c. Multi-Family Residential – City Core	\$2463	Dwelling Unit
d. Multi-Family Residential – Southeast Shafter	\$3732	Dwelling Unit
Park Fees		
a. In-lieu fee (acquisition and improvements)	\$2281	Dwelling Unit
School Impact Fees		
a. New Construction outside Community Facilities District	\$7.90	Square Foot
b. New Construction inside Community Facilities District	\$3.18	Square Foot
c. Residential Remodels & Additions (>500 sq ft)	\$4.89	Square Foot
Water Capacity Fee (on a project basis)		
a. Single-Family Residential	\$4320	Dwelling Unit
b. Multi-Family Residential	\$4320	Single-Family Residential Equivalent (SFRE)
Sewer Capacity Fee		
a. Core City	\$5930	Dwelling Unit
b. Southeast Shafter	\$6780	Dwelling Unit
c. East Shafter	\$7000	Dwelling Unit

Table IV-5 below identifies the applicability of Development Impact Fees.

Table IV-5
Development Impact Fee Applicability for Residential Projects

DWELLING UNIT	PARK	SCHOOL	SEWER	STORM DRAIN	TRAFFIC	WATER
New Unit	0	X	X	X	X	X
Second Unit/Granny Flat	0	X	X	X	X	X
Replacement Unit (no new connections)	0	X	0	0	0	0
Addition to Existing Unit	0	X	0	X	0	0
Remodel	0	X	0	0	0	0
Connect Existing Unit to Water and Sewer	0	X	X	X	0	X
Change Size of Existing Water Meter	(Pay difference in cost of meters)					
Annex Existing Unit to City	--	--	0	--	--	0
Move Unit into or within City	X	0	X	X	X	X

0 = No Fee Required; X = Fee Required

Existing units annexed into the City are assessed only for water and sewer impacts and meter fees if connections to City services are made.

Permit Processing Fees for Planning

The following **Table IV-6** presents Shafter's planning fees which would apply to Planning applications for residential developments. These fees, last updated in January 2022 by the City Council, are based on the reasonable cost of providing services.

Table IV-6
Shafter Planning Fees

FEE TYPE	AMOUNT
Annexation	\$10,793
General Plan Amendment	\$5,291
Conditional Use Permit	\$3,174
Zone Change	\$5,291
Specific Plan	\$23,597
Variance	\$2,116
Tentative Tract Map: 100 or fewer lots	\$6,349
Tentative Tract Map: More than 100 lots	\$6,349 + \$13/each lot over 100
Tentative Parcel Map	\$4,021
Final Map Review	\$1,693
Preliminary Site Plan Review – Residential, less than 1 acre	\$6,455
Preliminary Site Plan Review – Residential, 1-5 acres	\$7,936
Preliminary Site Plan Review – Residential, more than five acres	\$9,735
Final Development Plan – Staff Review	\$1,481
Architectural Review	\$296
Environmental Fees – Categorical Exemption Review	\$423
Environmental Fees – Negative Declaration	\$5,926
Environmental Fees – Mitigated Negative Declaration	\$8,042
Environmental Fees – Environmental Impact Report	Actual Cost w/ \$10,000 Deposit

The Preliminary Site Plan Review fee is charged when a) an applicant requests a preliminary review of a residential development proposal prior to submitting applications for entitlements or building permits, or b) an application is submitted for a multi-family development on an unimproved lot (or lot not improved to current standards) that does not otherwise require a Planning application for review by the Planning Commission.

The Final Development Plan-Staff Review fee is charged at building permit issuance for projects that have undergone Planning Commission review or involve installation of a significant amount of landscaping. These projects do not include single-family residences and minor improvements.

The Architectural Review fee applies to Planning applications that require Planning Commission review.

Exactions

Potential exactions that apply to a residential development project include the land dedicated for off-site improvements to serve the development (noted above) and the dedication of land (2.5 acres per 1,000 residents) for the provision of neighborhood or community parks and/or recreation facilities, or the payment of an in-lieu fee to the City based on the equivalent land value. Shafter's park dedication requirement, typical of the San Joaquin Valley, is less than

the maximum 5 acres per 1,000 residents allowed by state law (Quimby Act) and is not a constraint to the development of new housing.

Cumulative Development Fees

Table IV-7 indicates cumulative Planning permit processing fees and development impact fees for a 2,400 square foot single-family residence and a 6,000 square foot 5-unit apartment building in the City core area. As these fees are at or below 10-15% of overall development costs, development fees are not currently a constraint to the development of new housing.

Table IV-7
Cumulative Development Fees: Residential Development

ITEM	AMOUNT
Single-Family Residence	
Traffic	\$4,571
Park	\$2,281
School	\$7,632
Water	\$4,320
Sewer	\$5,930
Total	\$24,734
Typical estimated overall cost of development per unit	\$315,216
Estimated proportion of fee cost to overall development cost	7.8%
5-Unit Apartment Building	
Final Development Plan	\$1,481
Traffic	\$12,315
Park	\$11,405
School	\$19,080
Water (assuming 3 SFRE)	\$12,960
Sewer	\$29,650
Total	\$86,891
Total per unit	\$17,378
Typical estimated overall cost of development per unit	\$142,284
Estimated proportion of fee cost to overall development cost	12.2%

Website Publication of Fees

Gov. Code §65940.1(a) requires a city with a website to publish “[a] current schedule of fees, exactions, and affordability requirements...applicable to a proposed housing development.” and update this information within 30 days of any changes. User and regulatory fees, including planning permit processing fees, are published on the City’s “User and Regulatory Fees” web page at <https://www.shafter.com/356/USER-AND-REGULATORY-FEES>. Development impact fees are not published on the City’s website. A program is included in

Chapter V to ensure that development impact fees and in-lieu fees are published on the City's website.

Variety of Housing Types / Special Needs Housing

Multi-family Rental Housing

The City of Shafter Development Code (Zoning Ordinance) allows development of multi-family housing by right. There are 52.3 vacant acres available in R-3 and Mission Lakes Specific Plan zones PA-14 and PA-15 that would accommodate multi-family rental housing yielding 618 units. Currently, a project proposing 486 multi-family units in the Mission Lakes Specific Plan could be accommodated by right.

Farm Worker Housing

In the Agricultural (A) zone, the following primary residential uses are permitted by right:

- Single-family dwelling, occupied by the owner or full-time on-site employee
- Residential facility, serving six or fewer persons
- Farm labor housing for on-site employees (per California Health & Safety § 17021.6) subject to Sections 2.80(3) and 2.140
- Farm labor housing for contract labor (per California Health & Safety § 17021.6) subject to Sections 2.80(3) and 2.140

Residential facilities serving six or fewer persons, including agricultural employees, is a permitted residential use which does not require a Conditional Use Permit (CUP), or other discretionary clearance not required of a family dwelling of the same type in the same zone. Farm labor housing (if it does not qualify as a single-family dwelling or residential facility serving six or fewer persons) that is as large as 36 beds in group quarters, or 12 family/household units, does not require a CUP but is subject to Planning Commission-level design review at a public hearing (Sections 2.80(3) and 2.140 of the Zoning Code). There are no special development standards that apply to any of the agricultural housing uses listed above.

California Health & Safety Code §17021.6 deems agricultural employee housing an agricultural use. The Design Review section of the Zoning Code applies specifically to building permits for residential or commercial development. Building permits for agricultural development do not require design review. Because agricultural development does not require design review, the Zoning Code requirement for Planning Commission-level design review of farm worker housing projects conflicts with the provision in California Health & Safety Code §17021.6 that states, "No conditional use permit, zoning variance, or other discretionary zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone."

Shafter's farm labor housing provisions are compliant with California Health & Safety Code §17021.8 in that §17021.6, which is referenced in the Shafter Zoning Code quoted above, allows the submittal of an "eligible agricultural employee housing development" application under California Health & Safety Code §17021.8.

A program is included in Chapter V to resolve the conflict of the design review requirement with California Health & Safety Code §17021.6 noted above.

Emergency Shelters

The City of Shafter Development Code defines “Emergency shelter” as: “a facility that provides immediate and short-term housing and supplemental services to homeless persons or families. Supplemental services may include food, counseling, and access to other social programs (per California Health and Safety Code §50801).”

Emergency shelters are allowed in the Downtown Commercial (DC) zone (in the Emergency Shelter (ES) overlay zone) without a CUP. In the Industrial (I) zone, a CUP is required. An emergency shelter is required to adhere to the same development and management standards as other similar uses in the DC and I zones; there are no special development standards that apply to emergency shelters. Although emergency shelters are not listed to require off-street parking, the underlying development type (e.g., residential units) may require off-street parking, which would be equivalent to other residential or commercial uses within the same zone. The existing services and available sites in the DC zone make the downtown area the best location for emergency shelters. Potential land use conflicts also are lessened in the DC zone with the types of uses permitted. Existing heavy industrial uses in the Industrial (I) zone make the CUP necessary for any proposed emergency shelters.

There is no ES overlay zone currently placed on the Shafter Zoning Map; the intent is for the City Council to establish a location for the ES overlay zone in response to a proposal for an emergency shelter. Due to a recent change in state law, locations for emergency shelters will need to be available within a zone that allows residential development, which means that the I zone cannot be the only zone that allows an emergency shelter as the I zone does not allow residential development.

The 2020 U.S. Census, the most recent point-in-time count, counted five unsheltered people experiencing homelessness in Shafter. There are no emergency shelters in Shafter; the nearest emergency shelter is in Bakersfield, approximately 20 miles from central Shafter.

As a member of a collaborative of Kern County cities and the County of Kern, Shafter's Permanent Local Housing Allocation is being used to fund a homeless shelter in Bakersfield that serves residents of the County, including residents of the City of Shafter. The shelter includes transitional and permanent housing and employment programs. This multi-jurisdictional agreement may allow the City to satisfy the Gov. Code §65583(a)(4) requirement for emergency shelter zoning with available land and buildings in zones (the I zone) where new emergency shelters are allowed with a conditional use permit.

A program is included in Chapter V to ensure that the City is compliant with Gov. Code §65583(a)(4) by either a) ensuring that the multijurisdictional agreement is compliant with these statute provisions and revising the Development Code to specify an additional appropriate zone(s) to allow emergency shelters with approval of a conditional use permit, or b) establishing an Emergency Shelter (ES) overlay zone at a compliant location, with the potential addition of State statute-compliant development standards.

Low Barrier Navigation Centers

Per Gov. Code §65660, “Low Barrier Navigation Center” means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. Gov. Code §65662 requires Low Barrier Navigation Centers to be allowed by right in areas zoned for mixed use and nonresidential zones permitting multi-family uses. The Shafter Development Code does not address Low Barrier Navigation Centers.

As Shafter has nonresidential zones that allow multi-family development with approval of a conditional use permit, revisions to the Shafter Development Code are required to achieve consistency with State law. A program is included in Chapter V to amend the Shafter Development Code to allow Low Barrier Navigation Centers by right in the applicable nonresidential zones with appropriate development standards.

Transitional Housing

The City of Shafter Ordinance 665 defines “transitional housing” and “transitional housing development” as “temporary rental housing intended for occupancy by target populations transitioning to permanent housing that is operated under program requirements calling for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months [per California Health and Safety Code §50675.2(h)]. Transitional housing is considered to be a residential use and subject to only those restrictions that apply to other residential dwellings of the same type in the same zone.”

Shafter allows transitional housing with approval of a conditional use permit in the Downtown Commercial (DC) zone. Transitional housing is required to adhere to the same development and management standards as other similar uses in the DC zone (which includes the requirement for a CUP that also applies to single-family and multi-family dwellings in the DC zone); there are no special development standards that apply to transitional housing.

Gov. Code §65583(c)(3) has been interpreted to require that transitional housing be allowed in all zones that allow the underlying residential development type (e.g., single-family residence, multi-family residence), and subject to only those restrictions placed on the underlying development type. As the requirements for transitional housing are equivalent to other residential uses allowed in the same district, they are not a constraint to the maintenance, improvement, and development of transitional housing. As the Shafter Development Code does not allow transitional housing in the E, R-E, R-1, R-2, and R-3 zones (where most housing types are allowed by right), or the GC and NC zones (where housing types are allowed by conditional use permit), a program is included in Chapter V to amend the Shafter Development Code to allow transitional housing in all of these zones subject to only those restrictions placed on the underlying housing development type.

Supportive Housing

The City of Shafter Ordinance 665 defines “supportive housing” as “housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community [per California Health and Safety Code §50675.14(b)]. Supportive housing is considered to be a residential use and subject to only those restrictions that apply to other residential dwellings of the same type in the same zone.” Ordinance 665 also includes the definition of “target population” as “adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act [Division 4.5 (commencing with §4500) of the Welfare and Institutions Code] and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people [per California Health and Safety Code § 50675.14(B)(3)].”

Shafter allows supportive housing with approval of a Conditional Use Permit in the DC zone. The Development Code requires supportive housing to adhere to the same development and management standards as other similar uses in the DC zone, including a mix of objective and subjective design guidelines; there are no special development standards that apply to supportive housing.

The City of Shafter code requirements are not compliant with Gov. Code §65583(c)(3) and §65651 which require that a) supportive housing (that is eligible per Gov. Code §65650 et seq.), shall be a use by right in all zones where multi-family and mixed uses are permitted, and b) that only objective development and design standards that apply to other multi-family development in the same zone can be applied to eligible supportive housing.

A program is included in Chapter V to amend the Shafter Development Code regarding supportive housing that is eligible per Gov. Code §65650 et seq. to: a) allow eligible supportive housing by right in all zones where multi-family or mixed uses are permitted by right or by conditional use permit, and b) clarify the ministerial application of objective design standards to eligible supportive housing, per State law.

Gov. Code §65583(c)(3) has been interpreted to require that supportive housing (outside of the eligible supportive housing category indicated above) be allowed in all zones that allow the underlying residential development type (e.g., single-family residence, multi-family residence), and subject to only those restrictions placed on the underlying development type. As the Shafter Development Code does not allow supportive housing in the E, R-E, R-1, R-2, and R-3 zones (where most housing types are allowed by right), or the GC and NC zones (where housing types are allowed by conditional use permit), a program is included in Chapter V to amend the Shafter Development Code to allow supportive housing in all of these zones subject to only those restrictions placed on the underlying housing development type.

Single Room Occupancy Units

The City of Shafter Ordinance 665 defines “single-room occupancy units (SRO)” as “housing consisting of single-room dwelling units typically with no more than 400 square feet of habitable space that is the primary residence of its occupant or occupants. The unit must contain either food preparation or sanitary facilities (and may contain both). An accessory structure (i.e., garage) does not qualify as an SRO. Also known as ‘efficiency units’.”

Shafter allows single room occupancy units in the DC zone with approval of a conditional use permit. There are no special development standards that apply to SROs except that, by definition, the 450-square foot minimum size for a studio apartment does not apply to SROs. An SRO may be any size allowed by the Building Code. The conditional use permit requirement for an SRO is not a constraint to the development of SROs given that the applications are processed quickly (within 90-120 days) and that it is equivalent to the conditional use permit requirement for all other residential development in the DC zone. As the requirements for SROs are equivalent to other residential uses allowed in the same district, they are not a constraint to the maintenance, improvement, and development of SROs.

Manufactured Homes

Under the National Manufactured Housing Construction and Safety Standards Act of 1974, the City of Shafter allows manufactured residential units to be installed as single-family residences on permanent foundations outside of designated mobile home parks on properties that allow single-family detached housing. The permit process to install a manufactured home on a foundation system on a property outside of a mobile home park is identical to the permit process to construct a conventional single-family residence. The residences are required to comply with the zone development standards applicable to a conventionally built housing unit and the following provisions:

- The manufactured home shall be installed on a permanent foundation system in compliance with building regulations.
- Mobile homes shall be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, pursuant to §18551 of the California Health and Safety Code.
- The manufactured home is minimum 16 feet in width and is minimum 850 square feet in area.
- The manufactured home complies with the following architectural requirements:
 - A minimum three inches vertical to 12 inches horizontal roof pitch;
 - A minimum 1-foot eave around the entire perimeter of the manufactured home;
 - Roofing material customarily utilized in construction of conventional single-family dwellings such as but not limited to: wood shingles, tile, crushed rock, asphalt, or composition shingles;
 - Only non-reflective or non-glossy siding materials are customarily utilized in construction of conventional single-family dwellings. These materials may include, but are not limited to brick, stucco, wood, or plaster;

- The predominant shape and form of the manufactured home shall be compatible with that of the surrounding neighborhood; and,
- The design and materials of any enclosed garage, porch, or other structure visible from the street shall be compatible with the requirements of the main dwelling.

The intent of the ordinance is to ensure manufactured homes are structurally safe and conform to design standards of the neighborhood.

In general, Shafter's requirements for manufactured homes are consistent with the requirements of Gov. Code §65852.3 in that manufactured homes are allowed by right in the same locations that conventionally built residential units are allowed, subject to the same zone development standards. Shafter's special development standards for manufactured housing regarding siding material, roofing material, and eave overhang are allowed by Gov. Code §65852.3 and §65852.5. However, Shafter's standards for roof pitch and minimum width are not allowed to be applied to manufactured homes by §65852.3 as these standards are not applied to a conventional single-family residential dwelling. A program is included in Chapter V to amend the code to correct this oversight.

Mobile Home Parks

Shafter allows mobile home parks with the approval of a conditional use permit in the R-E, R-1, R-2, and R-3 zones. Mobile home subdivisions are allowed with the approval of a conditional use permit in all residential zones. Because Gov. Code §65852.7 requires mobile home parks to be allowed on all land planned and zoned for residential land use as designated in the General Plan, a program is included in Chapter V to amend the code to allow mobile home parks in the E zone with the approval of a conditional use permit.

Residential Care Facilities and Group Homes

Residential care facilities are licensed facilities that serve children, adults, or the elderly with disabilities or ongoing care needs in a residential setting, including group homes. California Health & Safety Code §1566 et seq. governs local regulation of residential care facilities. Among other provisions, 1) no conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility that serves six or fewer persons that is not required of a family dwelling of the same type in the same zone and 2) any development standards for building heights, setback, lot dimensions, or placement of signs of a residential facility that serves six or fewer persons are identical to those applied to other family dwellings of the same type in the same zone.

The City of Shafter Development Code allows a Board and Care Facility (12 or more residents) in the R-2 and R-3 zones with approval of a Conditional Use Permit, Convalescent Care in the R-E, R-1, R-2, R-3, GC, NC, and DC zones with approval of a Conditional Use Permit, Senior Congregate Care-Assisted Living in the R-E, R-1, R-2, and R-3 zones with approval of a Conditional Use Permit, a Residential Care Facility (per State law) in the GC, NC, and DC zones with approval of a Conditional Use Permit, and Supportive Housing-Target Population in the DC zone with approval of a Conditional Use Permit. No special development standards apply to these uses, except that residential care facilities require two parking

spaces in addition to those required for the residential unit, and senior assisted living has reduced parking requirements. The two additional parking spaces required for a residential care facility are not a constraint because those spaces can be located on the front driveway of a typical single-family residence. The requirement to obtain a Conditional Use Permit for various types of residential care facilities for seven or more persons is not a constraint as the community need for various types of residential care facilities is expected to be satisfied with facilities serving six or fewer persons.

Although City Staff has been implementing the state statute to allow small residential care facilities through the administration of business licenses, the Shafter Development Code is not consistent with these requirements and should be updated to be consistent with State law. In addition, there are gaps in the existing use categories which inadvertently exclude care facilities serving more than six and fewer than twelve residents in residential zones.

The City of Shafter defines a family as “an individual or a group of individuals, related or unrelated, living together as a single housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house, or institution of any kind.” As the City does not have a definition or use category for group homes, unlicensed group homes and group living arrangements, without regard to the number of persons, would fall under the definition of a “family,” able to live in any family dwelling unit in any zone permitted in the City.

A program is included in Chapter V to amend the code to allow small residential care facilities (serving six or fewer) by right within existing residential units per State law, and to resolve irregularities in the existing code.

Reasonable Accommodation

The City of Shafter Ordinance 665 defines “reasonable Accommodation under the Fair Housing Acts” as “in order to make specific housing available to an individual with a disability, any person may request a modification or exception to the rules, standards, practices, land use regulations, and policies for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. A request for reasonable accommodation from any zoning provision, rule, practice, or policy may be made by any person with a disability, their representative, a developer of housing for individuals with disabilities, or a provider of residential care to individuals with disabilities. A reasonable accommodation may be approved only for the benefit of one or more individuals with a disability.”

Reasonable accommodation under the Fair Housing Acts is a permitted use for single-family dwellings in all residential zones and permitted for multi-family dwellings in the R-2 and R-3 zones. §2.80(3) of the Zoning Code gives the Planning Commission the authority to approve applications for reasonable accommodation. To apply for reasonable accommodation, the applicant would submit a request for reasonable accommodation in writing to the Planning Department; there is no fee required. The request would be scheduled for the next available

Planning Commission meeting; there are no notice or public hearing requirements. The Shafter Municipal Code does not list any findings for approving a request for reasonable accommodation; there are no decision-making criteria other than those listed in the definition of “reasonable accommodation” itself.

To further remove barriers to reasonable accommodation, the code should be revised to streamline the procedure, perhaps by giving the Planning Director the authority to approve reasonable accommodation, subject to appeal to the Planning Commission, and to make the reasonable accommodation procedure broadly applicable to all existing and proposed types of housing. A program has been included in Chapter V to amend the code to make improvements to the reasonable accommodation provisions.

Other State Housing Legislation

Housing Accountability Act

The Housing Accountability Act places limits on the ability of cities and counties to disapprove or condition approval of housing development projects. This Act is codified in Gov. Code §65589.5. Including an update by SB 330 (Housing Crisis Act of 2019, effective January 1, 2020, and extended to January 1, 2030, by SB 8), the Housing Accountability Act includes the following provisions:

- For emergency shelters and housing development projects for very low-, low-, or moderate-income households, a local agency cannot a) disapprove or b) condition approval in a manner that renders the project infeasible, unless it makes certain written findings.
- For a housing development project for very low-, low-, or moderate-income households, if a local agency denies the project or imposes conditions that have a substantial adverse impact on the viability or affordability of the housing development for the protected groups, in a court action, the burden of proof is on the local agency.
- For a housing development project that complies with objective standards in effect at the time the application was deemed complete, a local agency, when proposing to disapprove or impose a condition that the project be developed at a lower density, shall make written findings of a specific adverse impact on public health or safety with no feasible way to mitigate or avoid the impact other than to disapprove or develop the project at a lower density.
- For a housing development project that is consistent with the general plan, but the zoning is inconsistent with the general plan, the proposed development shall not require a rezoning and shall not be considered inconsistent because of inconsistent zoning. If the local agency has complied with the time frames for notification, the local agency may require the proposed development to comply with the standards of zoning which is consistent with the general plan, but the standards must be applied in a way to facilitate and accommodate development at the density allowed by the general plan and proposed by the project.
- For a housing development project, the project shall be subject only to the ordinances, policies, and standards adopted and in effect when a preliminary

application including all of the information required by subdivision (a) of §65941.1 was submitted, with specified exceptions, including automatic adjustment to fees and exactions, those necessary to avoid or substantially lessen an impact under CEQA, or the project is revised by 20% or more of residential units or square footage (SB 330).

- For a housing development project that is inconsistent with standards, the local agency shall notify the applicant:
 - For 150 or fewer units projects: Within 30 days of complete date
 - For 151+ units projects: Within 60 days of complete date
 - Notes: Failure of notification means the project can be deemed consistent. Receipt of a density bonus is not an inconsistency with standards (SB 330).

Shafter follows the provisions of the Housing Accountability Act governing the review of housing development projects. As it is the City's practice to promptly notify applicants of inconsistencies with standards, the City follows the Housing Accountability Act.

Housing Crisis Act of 2019 (SB 330)

The Housing Crisis Act suspends certain restrictions on housing development, streamlines the residential development process, and expedites the permitting of housing where housing shortages are apparent. Under the following SB 330 provisions, the definition of "housing development project" is expanded to include proposals to develop a single housing unit. SB 330 is effective on January 1, 2020, and is extended by SB 8 to sunset January 1, 2030. Provisions of SB 330 include:

- For a housing development project that complies with applicable objective general plan and zoning standards, a city or county shall not conduct more than five public hearings, including continued public hearings, to review and decide on the project (Gov. Code §65905.5).
- Requires the local government to determine a site's historical status at the time of application completeness (Gov. Code §65913.10).
- Creates preliminary application process which vests standards and fees at the time of preliminary application submittal. Local agencies are required to compile a preliminary application checklist and application form that meets certain requirements, but applicants may use the HCD SB 330 Preliminary Application Form to apply to those local agencies that have not yet completed a checklist and form. To remain vested, among other requirements, the applicant will need to submit a development application within 180 days of the preliminary application (Gov. Code §65941.1).
- Amends the Permit Streamlining Act to require the local agency to provide an exhaustive list of items that are not complete (Gov. Code §65943).
- Amends the Permit Streamlining Act to shorten the time to decide on a housing development project to 90 days from the certification of an environmental impact report, and to 60 days from certification of an EIR for a project that meets certain affordability requirements (Gov. Code §65950).

- For affected cities and counties, limitations on planning policy actions that reduce housing development capacity, prohibition on imposing or enforcing design standards established on or after January 1, 2020 that are not objective design standards on housing, and requirements that affected cities and counties shall not approve housing development projects that demolish one or more residential dwelling units (unless at least as many units are replaced), and shall not approve a housing development project that will demolish occupied or vacant protected units, unless certain conditions are met. Affected cities and counties are determined to be in an urbanized area or urban cluster by the Department of Housing and Community Development (Gov. Code §66300).
- Affected cities and counties (as defined in Gov. Code §66300) shall include in their application submittal requirements a request for information on demolition and displacement to implement Gov. Code §66300 (Gov. Code §65940).

As Shafter processes development applications quickly, it follows the provisions of the Housing Crisis Act. Although the City does not have a preliminary application form, the City uses a project data worksheet and collects the applicable Preliminary Site Plan Review fee for a preliminary application and accepts the HCD SB 330 Preliminary Application Form from applicants. Although the statute states that a local agency is required to create a checklist of submittal requirements and application form for preliminary applications, there is no timeline in the statute for doing so, and the City of Shafter's practice of accepting the HCD SB 330 Preliminary Application Form and using applicable submittal requirements from similar applications (e.g., number of plans, information on site plan, etc.) is consistent with the intent of the Housing Crisis Act. As an affected city, Shafter has followed the provisions of Gov. Code §66300 regarding planning policy actions and has not established new design guidelines since January 1, 2020. To ensure the City's compliance with the requirements for replacement of residential units and protected residential units, a program is included in Chapter V for Shafter to include requirements in their application forms for existing housing unit information to satisfy the requirements of Gov. Code §66300.

SB 9

SB 9 requires that within single-family residential zones, a proposed housing development containing no more than two residential units on a lot and/or a proposed parcel map subdivision for an urban lot split resulting in two lots to be considered ministerially, without discretionary review or hearing, if the proposed housing development or subdivision meets certain requirements. A local agency may impose objective zoning standards, objective subdivision standards, and objective design standards, subject to certain limitations, to the extent that they do not physically preclude the development of proposed units at 800 square feet or physically precluding the development of two units on either of the resulting parcels. Codified in Gov. Code §65852.21, §66411.7, and §66452.6, SB 9 was effective on January 1, 2022.

On December 7, 2021, Shafter adopted Urgency Ordinance 728 implementing the provisions of SB 9 for lot splits and two-unit projects. On December 20, 2022, the City adopted

Ordinance 735 clarifying the requirements for urban lot splits. As a result, the requirements of SB 9 are incorporated into the Shafter Municipal Code.

AB 2011 (Affordable Housing and High Road Jobs Act of 2022)

AB 2011 is the primary housing production bill of the 2022 legislative session. AB 2011 creates a ministerial, California Environmental Quality Act-exempt, time-limited approval process for multi-family housing developments on commercially zoned properties. Project developers must pay prevailing wages to construction workers and meet specified Below Market Rate (BMR) affordable housing targets. The legislation provides two options; one for 100% BMR projects, and a second for mixed-income (typically 15% BMR) projects located specifically on “commercial corridors.” Codified in Gov. Code §65400, §65585, and §65912.100 through §65912.131, AB 2011 was effective on July 1, 2023, and sunsets January 1, 2033.

The City of Shafter will implement the provisions of AB 2011 upon receipt of an application invoking those statutes.

SB 6 (Middle Class Housing Act of 2022)

SB 6 allows residential development on property zoned for retail and office space without needing to be rezoned and allows project applicants to invoke the Housing Accountability Act to limit local discretion to deny or condition approval of a project. SB 6 does not provide a ministerial approval pathway and requires applicants to commit to both prevailing wage and more costly “skilled and trained workforce” requirements for project labor (although the law provides an “off ramp” if fewer than two bidders bid for a contract under the “skilled and trained workforce” requirement). SB 6 does not contain any BMR requirements, and it has fewer site exclusions than AB 2011. It is likely to be used most frequently in lower-cost areas of California and on sites where AB 2011 is not available. Codified in Gov. Code §65852.24 and §65913.4, SB 6 is effective on July 1, 2023, and sunsets January 1, 2033.

The City of Shafter will implement the provisions of SB 6 upon receipt of an application invoking those statutes.

AB 2097

AB 2097 prohibits a public agency from imposing or enforcing minimum automobile parking requirements on a residential, commercial, or other development project if the project is located within one half mile of a major transit stop. “Major transit stop” means a site containing an existing rail or bus rapid transit station, a ferry terminal served by bus or rail transit, or the intersection of two or more major bus routes with service intervals of 15 minutes or less during the morning and afternoon peak commute periods. A local agency may impose or enforce minimum automobile parking requirements on a housing development project if it makes certain written findings within 30 days of receipt of a complete application. Codified in Gov. Code §65585 and §65863.2, AB 2097 is effective on January 1, 2023.

As there are no major transit stops in Shafter, Shafter is not subject to AB 2097.

AB 2234

AB 2234 requires a local agency to compile a list of information needed to approve or deny a post-entitlement phase permit, to post an example of a complete, approved application and an example of a complete set of post-entitlement phase permits for at least five types of housing development projects and to make those items available no later than January 1, 2024. It also imposes timing limits for the local agency to deem post-entitlement applications complete and approve/deny post-entitlement applications. It also requires local agencies to accept post-entitlement applications by email or online permitting system by specified dates. Codified in Gov. Code §65589.5, §65913.3, and §65913.3.5, AB 2234 is effective on January 1, 2023.

A program is included in Chapter V to implement the provisions of AB 2234.

AB 2668

In addition to clarifying the SB 35 streamlined approval process, AB 2668 amends the rules regarding nexus studies for housing development fees. Codified in Gov. Code §65913.4 and §66016.5, AB 2668 was effective on January 1, 2023.

Shafter will follow the requirements of AB 2668 should the city establish a new application processing fee or development impact fee.

AB 916

AB 916 prohibits a local agency from requiring a public hearing to reconfigure existing space to increase the bedroom count within an existing dwelling unit. This requirement is limited to a permit application for no more than two additional bedrooms within an existing dwelling unit. The local agency may still require a public hearing for a proposed project to increase the number of primary dwelling units within an existing structure. Codified in Gov. Code §65850.02, AB 916 was effective on January 1, 2023.

As Shafter does not require a public hearing for proposals to reconfigure existing residential space in existing dwelling units, including in situations where the structure is non-conforming, Shafter follows AB 916.

B. Environmental Constraints

Physical and environmental constraints include the following:

Areas of Steep Slopes: Landslides and slope stability do not affect the City of Shafter since it is flat in topography.

Fault Zones: The City of Shafter is not designated as a special study zone under the Alquist-Priolo Act. Fault zones and seismicity are not a constraint to development within Shafter. Although no faults have been mapped immediately near Shafter, several major faults are in Kern County.

Areas Subject to Flooding: There are five distinct areas within the City of Shafter that are designated as 100-year flood zones. These areas are located between Lerdo Highway and East Euclid Avenue; at the northwest corner of Los Angeles Street and Thompson Street; the east side of Central Valley Highway between Burbank Street and 7th Standard Road; the east side of Central

Valley Highway between East Lerdo Highway and Central Avenue; and, along the east side of Central Valley Highway between East Lerdo Highway and Los Angeles Street. No Sites listed in the sites inventory occur within areas designated as 100-year flood zones.

Agricultural and Open Space Issues: In 2021, approximately 20% of the territory within the City Sphere of Influence (29,536 acres) was designated as agricultural land. Some of those properties were restricted from being converted to developable lands. Of those agricultural lands, there were 5,876 acres under Williamson Act Contract (which prevents farmland from being converted to non-agricultural use in exchange for a reduction in property taxes) and 161 acres within Farmland Security Zones, which prevent development and/or conversion to different land uses. Williamson Act contracts are for a 10-year tenure and Farmland Security Zones are for a 20-year tenure. None of the properties in the sites inventory are identified as Williamson Act land, and protected for agricultural use. Although some of the sites in the inventory are currently under agricultural use, this does not present a constraint to the development of housing on these sites, because the properties are presently zoned for residential development or planned to be rezoned as such. The City of Shafter has a long record of historical redevelopment of active agricultural uses to residential/non-agricultural uses.

Fire Hazards: Shafter does not have any very high fire hazard severity zones within the city limits or sphere of influence.

Site Selection Protocol: During the Sites Inventory site selection process, all subject properties were evaluated to determine if environmental constraints were present on the identified sites. Existing site conditions were reviewed using aerial imagery, GIS technology, County parcel data and City records. All sites in the 2023-2031 sites inventory are vacant and non-developed, and adequately sized and shaped to accommodate residential development according to the City of Shafter's development regulations. Sites listed in the inventory contain no conservation, preservation, or major utility easements that would constrain residential development and sites that are adjacent to the Shafter Airport/Minter Field are all within areas allowing for residential development, per the 2001 Shafter Airport/Minter Field Master Plan Update and the City of Shafter General Plan, Environmental Hazards Program, Section 7.4. No properties in the sites inventory contain areas identified by the Environmental Protection Agency (EPA) or the Department of Toxic Substances Control (DTSC) as hazardous sites.

Any large-scale environmental constraints not addressed in this analysis, which have the potential to lower the residential yield will be evaluated concurrently with any application for a general plan amendment. During the discretionary review of an individual project, additional environmental constraints may be uncovered and addressed prior to project approval. The City of Shafter's capacity to meet its regional share and individual income categories are not constrained by any environmental conditions.

C. Non-Governmental Market Constraints

Housing availability and cost are influenced by market factors over which local government has little or no control. California State law requires that a Housing Element contain a general assessment of market factors and local regulations that create or add to existing development constraints, which serves as the basis for actions that local governments might take to offset their

effects. The primary non-governmental constraints to development of new housing are land costs, construction costs, and environmental constraints.

Price of Land

Land costs include acquisition and the cost of holding land throughout the development process. The land costs can account for up to half of the final sales price of new homes in small developments or in areas where developable land is scarce. Undeveloped land selling prices in Shafter in 2022 range from \$200,000 to \$400,000 per acre. Among variables affecting the cost of land are the size of residential lots, location and amenities, the availability and proximity of public services, and the financing arrangement between buyer and seller.

Cost of Construction

Construction cost is determined primarily by the cost of labor and materials. The relative importance of each is a function of the complexity of the construction work and the desired quality of the finished residential project. The cost of material and labor at any one time reflects short-term considerations of supply and demand. Future construction costs depend on changing market demand and supply that is created in part by fluctuations in state and national economies. State and national policies impact regional construction and do not necessarily inhibit residential construction in any specific community. Building Valuation Data compiled by the International Code Council (ICC) is an indicator of construction costs. ICC-compiled unit costs include structural, electrical, plumbing, mechanical work, interior finish, and normal site preparation. The ICC data is national and does not consider differences among regions and do not include land price. The 2020 ICC-calculated national averages for costs per square foot of single-family residences and for apartment units are the following:

- Type I or II, Multi-family: \$148.82-\$168.94 per square foot
- Type V (Wood Frame), Multi-family: \$113.88-\$118.57 per square foot
- Type V (Wood Frame), One-and Two-Family Dwelling: \$123.68-\$131.34 per square foot

Availability of Financing

Availability of capital to finance new residential development is a significant factor that can impact the cost and supply of housing. Two types of financing contribute to the housing market: 1) capital used by developers for initial site preparation and construction and 2) capital for financing purchase of units by homeowners and investors. Interest rates impact home construction, purchase, and improvement costs. Changes in interest rates of only a few percentage points can result in a dramatic difference in annual income necessary to qualify for a home loan. Financing for new residential development is available at reasonable rates. However, economic changes due to COVID-19 have caused caution among lenders and may have lasting effects through the 6th Housing Cycle. Lenders are evaluating loan applicants more closely than in the past, which leads to credit tightening despite affordable interest rates.

In addition to private financing, Federal, State, and local public funding sources are important resources for development of housing for households of all incomes. Public sources supplement and leverage private sources for construction, rehabilitation, and preservation of housing units and for rental and purchase assistance subsidies for buyers and tenants. Federal, State, and local government appropriations vary over time and are not available at a steady level or at a level that coincides with increases in costs of housing development, inflation, and increasing affordable housing need. The Federal government supports homeownership and development of for-sale, rental, and homeless housing and services through tax incentives and expenditures.

Tax incentives, including tax credits, tax deductions, and lower tax rates are the most significant Federal resources. The Federal Low Income Housing Tax Credit (LIHTC), instituted in 1986, facilitates investment of cash from private entities who receive a tax credit benefit in return. The LIHTC has been considered a successful program nationally. Per the California Tax Credit Allocation Committee, in 2021 a total of \$122,722,719 in tax credits was allocated by the Federal government to the State of California¹³. Although Federal allocations to California for LIHTCs have increased over time, fewer low-income units are funded annually as development costs per unit have increased. Applications for LIHTCs usually exceed available funds by a ratio of two-to-one.

To support homeownership, the Federal government provides home mortgage interest and property tax deductions to homeowners, as well as lower tax rates on long-term capital gains. The tax incentives dwarf the LIHTC and subsidize more households at higher incomes than low-income households.

In May 2022, the Biden Administration released a plan to address rising housing costs by encouraging an expansion of the housing supply. The plan calls for adopting proposed expansions of the LIHTC Program that were included in various iterations of the Build Back Better Act (BBA, H.R. 5376) and adopting a modification in the President's FY2023 Budget proposal that would allow for an increased LIHTC subsidy for certain developments financed with tax exempt bonds.

Local Banks

There are several local banks in Shafter. Thereby, there are a variety of single-family and multi-family home loans available to Shafter households. However, current interest rates are high and discourage home sales and refinancing. Veteran Affairs, Federal Housing Administration, and conventional loans are available as alternate options for financing. Local banks currently do not have programs specifically focused on construction of affordable housing other than those sponsored by government agencies such as the Community Reinvestment Act funds.

Affordable Housing Development Financing

Funding for affordable housing projects currently requires financing for a first mortgage, second mortgage, and equity, as indicated in the following sections.

¹³ <https://www.treasurer.ca.gov/ctcac/fast.acp>, accessed October 12, 2022

First Mortgage

Due to their low rent levels, affordable housing projects are financially capable of generating sufficient money to make monthly payments on only a small first mortgage – often as low as 20-25% of the total cost of a project. For the first mortgage lender, subordinated debt increases a project's loan-to-value and debt coverage ratios to acceptable levels, thereby reducing risk and increasing the likelihood of obtaining private debt financing. The amount of the first mortgage that can be supported is a function of the net operating income of the project. Tax exempt bond proceeds sometimes are used for permanent financing of low-income housing projects.

Second Mortgage (Gap Financing)

A second mortgage is frequently necessary to partially fill the gap between total project costs and the amount that can be supported by the first mortgage. A below-market second mortgage provided by State or local governments or philanthropic organizations could be structured with a low interest rate, no interest deferred payments or as a due-on-sale loan.

The maker of the second mortgage often prefers subordinated debt rather than a project grant even though the former entails added risk. The mortgage usually contains restrictions to ensure the property serves low-income families, otherwise, it becomes due and payable. Local funds often are used to provide "soft seconds"; that is, mortgages whose principal and interest payments may be deferred until cash flow is available or the project is refinanced or sold.

Equity

Equity is the money or capital invested in the project and reduces the amount needed to be financed with a first and/or second mortgage. Although equity financing can be derived from several sources, affordable housing partnerships depend on syndication of low-income housing tax credits. Ownership of these projects usually is structured as limited partnerships; corporate or individual investors are the limited partners who rely on tax credits for market returns.

Housing Developed Below Identified Densities

Frequently, property owners and housing developers will request to develop housing below the maximum density allowed in the zone, and sometimes below the identified density in the Appendix B sites inventory. Physical constraints, such as irregularly shaped sites, existing infrastructure or easements, or unusual natural features can reduce the number of units developed. The demand for housing, as reflected in the sale or rental price for housing types compared to the cost of developing that particular housing type, will lead developers and property owners to build the most profitable product types, which may be at densities lower than anticipated. Higher density housing may need to physically accommodate subterranean or structured parking which is significantly more expensive per unit to develop and may not be justified by the potential sale or rental price. The Appendix B sites inventory assumes an ultimate density of each site that is less than the maximum allowed density in order to account for these physical and market constraints. If a parcel on the sites inventory is developed

below the identified residential density, it is subject to the No Net Loss Law. A program is included in Chapter V to implement that statute.

Timeframes Between Project Approval and Building Permit Application

An application for a building permit following project approval may be delayed by changing economic/market conditions, including financing. The project applicant may need to complete their financing of the project or obtain new financing in response to changes to or unavailability of an anticipated source of financing, prior to moving forward with an application for a building permit. Significant changes in market conditions or financing may lead to a redesign of the project which would result in a significant delay.

Local Efforts to Remove Non-Governmental Constraints

The Housing Program analysis is required to examine local efforts to remove non-governmental constraints that create a gap in Shafter's ability to meet its assigned RHNA (Regional Housing Needs Allocation) by income category. The primary non-governmental constraint is the overall cost of affordable housing development in most parts of California. Construction of affordable residential units, particularly for low-income and very low-income households, is not profitable for residential developers. As a result, deed-restricted affordable residential units require more subsidy than available density or financial incentives. This places the construction burden on non-profit organizations and similar grant-funded residential developments and may result in affordable projects that are not always dispersed throughout the region but are concentrated in limited areas with lower development costs.

In Shafter, from 2015 to 2021, no units affordable to Very Low-Income households were built compared to a RHNA of 417 units affordable to Very Low-Income households. 140 units affordable to Low-Income households were built compared to a RHNA of 426 units affordable to Low-Income households, and 77 units affordable to Moderate-Income households were built compared to a RHNA of 397 units affordable to Moderate-Income households. None of the units built were deed-restricted to preserve affordability. During the same period, 1,361 units affordable to Above Moderate-Income households were built, exceeding the RHNA of 796 units. Shafter has sought to mitigate the gap between the planning for units affordable to Very Low-Income, Low-Income, and Moderate-Income households and the number of constructed units for these households through existing programs (2.1.1, 2.1.2, 2.1.3) evaluated in Appendix A. These programs will be continued in the 2023-2031 Housing Program and are included in Chapter V. The City of Shafter can offer other developer incentives such as expedited permit processing or fee deferrals but due to the scarcity of funding cannot afford to fully mitigate the prohibitive cost of residential development for affordable housing developments.

V. HOUSING ACTION PLAN

The intent of the Housing Program is to ensure that the housing needs of all economic segments of the community will be met through December 31, 2031. The housing goals and policies included in the Shafter Housing Program (Element), as well as the actions that the City will undertake to meet its housing needs, are discussed in this chapter. A summary of actions, including identification of funding sources, responsible entities, and time frames for implementation, are also presented. In evaluating the prior Housing Program, the City analyzed the programs it undertook, and evaluated the success of the programs. Accordingly, the City has included in this Housing Program those actions it believes can successfully be implemented and that reflect the best use of the City's resources. Shafter's quantified housing objectives are presented below, along with housing goals, policies, and implementation programs.

Quantified Objectives

The City has established its quantified objectives based on the Kern Council of Governments' (Kern COG) Regional Housing Needs Assessment (RHNA) allocations for the City of Shafter for the period of June 30, 2023, to December 31, 2031 (Table V-1). The Housing Element Law [Gov. Code §65583(b)] states that, "[it] is recognized that the total housing needs identified ... may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements ... [under] these circumstances, the quantified objectives need not be identical to the total housing needs." The City recognizes that there are several factors impacting the provision of affordable housing. Based on recent experience (2015 through 2021 Annual Progress Reports), the number of Above Moderate-Income units permitted is expected to exceed the RHNA allocation in that category, but the number of lower and moderate-income units permitted will not be able to meet all projected needs for those categories during the planning period. Nevertheless, the City established these quantified objectives as "goals" for the construction, rehabilitation, and conservation of housing. The City is projecting that 42 of the 678 units allocated to the Very Low-Income category will be built as non-rented accessory dwelling units affordable to Extremely Low-Income households.

The City of Shafter has designed a series of implementing programs that will focus City resources on meeting its projected housing needs. Accordingly, the City of Shafter has identified its quantified objectives for new construction, rehabilitation, and conservation of housing. Rehabilitation of existing units will be achieved through the City's efforts to link property owners with available financial assistance programs. Rehabilitated units are housing units that are converted from non-affordable to affordable by acquisition of the units or the purchase of affordability covenants. The City's conservation quantified objective is based upon projected activities of the City's Planning Department and efforts to assist and cooperate with nonprofit, private, and other public entities to preserve as well as provide additional affordable units. The conservation of dwelling units can include the extension of affordability covenants on existing units, the one-to-one replacement of any housing units demolished due to public or private action, or the provision of stable zoning to preserve affordable housing.

Table V-1
Quantified Objectives, 2023-2031

Program	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction	42	636	431	603	1,581	3,294
Rehabilitation	0	10	10	0	0	20
Conservation ¹	6	6	208	12	0	232

Note:

1. 200 low-income units identified under the Conservation objective, at 300 Terra Vista Lane, owned by the Shafter Kern Housing Authority, will expire April 11, 2033, after the close of the current planning period. Conservation also includes, through Program 3.1.1, units conserved throughout the planning period via fair housing education and referral. Conservation of units throughout the City will also occur through the rehabilitation objective.

Goals and Policies

The overall objective of the Housing Program is to provide adequate housing in the City, both in quality and quantity, and to provide appropriate shelter for all without discrimination.

The goals and policies of the Housing Program presented below address Shafter's identified housing needs and are implemented through a series of housing programs offered through the Planning Department. Within this overarching objective, the City has established goals and policies to address the development, maintenance, and improvement of the housing stock.

Goal 1: Provide a diversity of development opportunities to enhance the City's living environment and to satisfy the housing needs of Shafter residents.

- **Policy 1.1:** Provide adequate residential sites to produce new for-sale and rental residential units for existing and future residents.
- **Policy 1.2:** Ensure the supply of safe, decent, and sound housing for all Shafter residents.

Goal 2: Provide housing that is affordable to all economic segments of the community.

- **Policy 2.1:** Assist and cooperate with nonprofit, private, and public entities to maximize opportunities to develop and preserve affordable housing.
- **Policy 2.2:** Review and modify all standards and application processes to ensure that City standards do not act to constrain the production of affordable housing units.
- **Policy 2.3:** Facilitate the development of new housing for all economic segments of the community, including lower-, moderate-, and above moderate-income households.

Goal 3: Provide equal housing opportunities for all residents of Shafter.

- **Policy 3.1:** Encourage and support the enforcement of laws and regulations prohibiting discrimination in lending practices and in the sale or rental of housing.
- **Policy 3.2:** Assure the provision of housing opportunities for those residents of the City who have special housing needs, including farm workers, the elderly, disabled, large families, and the homeless.

A. Housing Goals, Objectives, Policies, and Programs

This section presents housing goals, policies, implementation schedules, and action programs to address the housing needs of existing and future residents of the City. While goal and policy statements are general

in nature, the housing programs are specific actions necessary to achieve the goals and policy statements adopted in principle. The City’s quantified objectives for construction, rehabilitation, and preservation follow the discussion of housing actions.

1. Goal 1: Provide a diversity of development opportunities to enhance the City’s living environment and to satisfy the housing needs of Shafter residents.

Policy 1.1: Provide adequate residential sites to produce new for-sale and rental residential units for existing and future residents.

Program 1.1.1: Rezone Sites to Accommodate Housing Need

Rezone sufficient sites (from those identified in Appendix B Residential Sites Inventory as adequate to accommodate lower income housing) to zones that allow the City to fully accommodate its RHNA in the lower income categories of 1,109 total units, e.g., rezone at least 187 acres to minimum density of 20 units/acre, assuming 25% of units lower income, to accommodate shortfall of 935 units.

In general, the City will work with property owners to determine which parcels in the Residential Sites Inventory to target for rezoning. The City will work with the property owners of these sites in taking the actions described in Program 1.1.3 (Large Sites) to facilitate subdivision and development of appropriately sized sites for affordable housing.

- Each site to be rezoned shall meet the criteria identified in Gov. Code §65583.2(h) and (i):
 - Zoned to allow owner-occupied and rental multi-family residential use by right for developments that include at least 20% of units affordable to lower income households (Use by right means that the local government’s review cannot require a conditional use permit, planned unit development permit, or other discretionary local government review that would constitute a “project” under the California Environmental Quality Act. However, subdivisions are allowed to be a discretionary review in accordance with the local ordinance, and non-discretionary design review using objective standards may be conducted.).
 - Zoned to allow at least 16 units on the site;
 - Zoned to require a minimum density of 20 units per acre (for suburban jurisdictions, including Shafter);
 - At least 50% of the remaining lower-income housing need shall be accommodated on residentially zoned sites (with a limited exception for mixed use)- (this provision is superseded by the solid bullet below); and
 - Sites shall meet utilities requirements to satisfy Gov. Code §65583.2(b)(5)(B).
- To maintain the validity of the realistic capacity assumptions, all sites to be rezoned shall be residentially zoned.
- Sites to be rezoned should affirmatively further fair housing by promoting an inclusive community with site locations distributed throughout the community.

Sites previously identified in prior housing element site inventories (i.e., APN 536-010-50 in Mission Lakes Specific Plan): These sites have been previously identified in prior Housing Element site inventories and meet the criteria identified in Gov. Code §65583.2(c)—nonvacant sites identified in a prior housing element and vacant sites that have been included in two or more consecutive prior planning periods.

- For these existing high density zoned sites to count toward the RHNA in the lower income categories, these sites shall be zoned:
 - To allow residential use by right (as described above) for developments that include at least 20% of units affordable to lower income households.
 - At residential densities consistent with Gov. Code §65583.2(c)(3)—density per analysis or allowing at least 20 units per acre (for suburban jurisdictions including Shafter)- (current zone density of these sites is currently consistent).

Responsible Agency: Planning Department

Implementation Schedule: Within 3 years of the date of the adoption of this Housing Program per Gov. Code §65583(c)(1)(A).

Non-Quantified Objective: Rezone sufficient sites to accommodate housing to meet the City's Regional Housing Needs Allocation in all income categories.

Funding Source: General Fund

Program 1.1.2: No Net Loss Law

The City shall always maintain during the planning period its remaining unmet share of RHNA, per Gov. Code §65863:

- If a parcel identified in the Appendix B Residential Sites Inventory is approved to develop fewer housing units than shown in the inventory, the City shall:
 - Make findings that the remaining sites in the inventory have sufficient capacity to accommodate the remaining unmet RHNA by income level; or
 - Identify and make available sufficient sites to accommodate the remaining unmet RHNA by income level within 180 days; and
 - The City shall not disapprove a housing project because it triggers the need to identify and make available additional sites.
- The City shall not reduce the residential density of a parcel unless it makes findings or identifies and makes available additional sites per Gov. Code §65863.

Responsible Agency: Planning Department

Implementation Schedule: Ongoing

Non-Quantified Objective: Maintain an inventory of available sites for use in discussions with potential developers.

Funding Source: General Fund

Program 1.1.3: Large Sites

To assist with the development of housing affordable to lower income households on large sites (>10 acres), the City will:

- Facilitate land divisions, lot line adjustments, and specific plans resulting in parcel sizes that facilitate multi-family developments affordable to lower income households in light of state, federal and local financing programs (i.e., 2-10 acres sites) by
 - Offering incentives for the development of affordable housing described below
 - Working with property owners and housing developers in site planning
 - Using tools such as split zoning (zoning a portion of a parcel) and site planning

- Revising zoning and development standards to facilitate appropriately sized parcels
- Work with property owners and non-profit developers to target and market the availability of sites with the best potential for development
- Offer incentives for the development of affordable housing including but not limited to:
 - Streamlining and expediting the approval process for land division for projects that include affordable housing
 - Ministerial review of lot line adjustments
 - Deferral or waiver of fees related to the subdivision for projects affordable to lower income households
 - Providing technical assistance to acquire funding, and
 - Modification of development requirements

Responsible Agency: Planning Department

Implementation Schedule: Ongoing; Develop incentive program by December 2024

Non-Quantified Objective: Ensure that large sites (>10 acres) are made suitable for development of affordable housing through subdivision or other means.

Funding Source: General Fund

Policy 1.2: Ensure the supply of safe, decent, and sound housing for all Shafter residents.

Program 1.2.1: Housing Rehabilitation Information and Funding Program

Shafter currently participates as a cooperative city in the Community Development Block Grant (CDBG) program through the County of Kern. Funding is allocated and can be utilized by Shafter residents based on the low- and moderate-income population in the City. Shafter residents are also able to apply for access to HOME funds through the County to rehabilitate owner and rental units, acquire real property for housing, construct new units for sale or rent, and/or to cover development costs/fees. Throughout the planning period the City will:

- Provide information and application assistance to developers and property managers applying for home rehabilitation loans to improve housing units restricted for lower income residents and/or special needs groups.
- Provide information on the City's website, updated at least every two years, that identifies what loans are available based on tenure and the processes by which these loans are granted.
- Provide technical review of forms to ensure that applicants have provided all essential information.
- Coordinate with neighborhood and community organizations and use various media to reach out to the community and inform the residents of available programs the City offers.
- Apply, when appropriate, for CDBG funds for rental rehabilitation on an as-needed basis when approached by a developer or property manager to complete a rehabilitation project.

- Target rehabilitation funding to areas of the City identified in Program 3.2.6 to rehabilitate at least 15 units in these areas during the planning period.

Responsible Agency: Planning Department

Implementation Schedule: Ongoing; provide information on City website starting by 2025, coordinate with organizations and use media annually starting by 2025.

Non-Quantified Objective: Enhance the community's ability to utilize existing programs and funding sources to rehabilitate existing or create new affordable housing units.

Funding Source: General Fund, HUD Rental Rehabilitation Funds, HOME funds, CDBG funds, and other available housing programs

Program 1.2.2: Water and Sewer Provider Coordination

In accordance with Gov. Code §65589.7 as revised in 2005, immediately following City Council adoption, the City must deliver to all public agencies or private entities that provide water or sewer services to properties within Shafter a copy of the 2023-2031 Housing Program. Each water or sewer provider shall grant priority for the provision of these services to proposed developments that include housing units affordable to lower income households.

- Within 30 days of adoption of the 6th Cycle Housing Program, the City shall deliver the Housing Program to all providers of sewer and water service within the City of Shafter. The Housing Program will be accompanied by a cover memo to implement the program to prioritize water and sewer services to qualified lower-income single- and multi-family development.
- The City shall adopt written policies and procedures with specific objective standards for provision of services in conformance with Gov. Code §65589.7 by December 2024.

Responsible Agency: Planning Department and Public Works Department

Implementation Schedule: 1. Delivery of Housing Program: Within 30 days following City Council adoption. 2. Written policies and procedures: By December 2024 and ongoing.

Non-Quantified Objective: Ensure that water and sewer providers are aware of the City's intentions for residential development throughout the City. Develop administrative policy for granting priority water service during times of limited water supply.

Funding Source: General Fund

2. Goal 2: Provide housing that is affordable to all economic segments of the community.

Policy 2.1: Assist and cooperate with nonprofit, private, and public entities to maximize opportunities to develop and preserve affordable housing.

Program 2.1.1: Affordable Housing Program Inventory and Grant Applications

- Annually explore public and private financial funding sources available to:
 - Purchase affordability covenants on at-risk projects,
 - Transfer ownership of at-risk projects to public or non-profit agencies,
 - Purchase existing buildings to replace at-risk units,

- Construct replacement units, or
 - Construct new units.
- Apply for the following grants for potential financial assistance:
 - Project to assist in the provision of housing accessible for disabled residents (either new housing or retrofit of existing low-income housing),
 - Grants to assist in the provision of housing for farm workers,
 - Grants to assist the rehabilitation of existing low-income housing,
 - Grants to assist the rehabilitation of housing within TCAC Areas of High Segregation & Poverty and other priority areas identified in Program 3.2.6 (identified in Chapter II), and
 - Grants to assist the provision of housing for large families and reduce overcrowding.
 - Note: Not including the housing units assisted by rehabilitation grants targeting TCAC Areas of High Segregation & Poverty and other priority areas identified in Program 3.2.6 identified in an action above, target grants to the “Highest Resource Areas” as identified in Figure II-22 to achieve at least 80% of the remaining grant-assisted affordable housing units to be located in these highest resource areas during the planning period. Target assistance to achieve at least 80% of new affordable housing units, or 888 units, in these highest resource areas during the planning period.
- If funding assistance is available for a specific project, the City will assist in the preparation of an application to the applicable program.
- All available federal, state, local, and private affordable housing programs for new housing and for the conservation and/or rehabilitation of existing housing will be pursued, including, but not limited to, the following:
 - Federal Deposit Insurance Corporation (FDIC) Affordable Housing Program (assistance for rehabilitation costs and closing costs for lower income households);
 - Home Investment Partnerships Program (HOME) (for rehabilitation of lower income and senior housing);
 - HUD Single-Family Property Disposition Program (for rehabilitation of owner-occupied housing);
 - Low-Income Housing Tax Credit Program (for development of rental housing and preservation of existing affordable housing for large family units);
 - Mercy Loan Fund (for new housing or for rehabilitation of housing for the disabled and lower-income households);
 - Multi-family Housing Program (MHP) (for new construction, rehabilitation, and preservation of lower income housing through deferred loan payments);
 - Neighborhood Housing Services (for rehabilitation of housing for lower income households);
 - Proposition 84 (for development or conversion and rehabilitation of existing facilities for migrant farm worker housing);

- Rural Community Assistance Corporation (for new rental housing or rehabilitation of apartments for farm workers and lower-income households);
- Section 8 Housing Assistance (rent subsidies for very low-income households);
- Section 223(f) Mortgage Insurance for Purchase/Refinance (for acquisition and development of new rental housing);
- Section 241(a) Rehabilitation Loans for Multi-Family Projects (for energy conservation and rehabilitation of apartments); and
- World/BRIDGE Initiative (lower interest construction financing for lower income and farm worker housing).

Responsible Agency: Planning Department

Implementation Schedule: 1. Inventory: Ongoing—at least annually. 2. Grant applications: Ongoing, starting by 2025 and at least every other year thereafter.

Non-Quantified Objective: Maximize the City's and public ability to access governmental and private housing programs and thereby facilitate achievement of other Housing Program objectives.

Funding Source: General Fund

Program 2.1.2: Partnership and Non-Profit Assistance Program

- Meet with nonprofit, private, and other public entities to:
 - Examine opportunities and funding availability to expand the City’s supply of affordable housing and
 - Potentially purchase/manage at-risk housing units in the City.
- Support non-profit corporations in their efforts to make housing more affordable to extremely low-, very low-, and low-income households. This effort may include:
 - Assistance in filling out complicated grant applications,
 - Identifying available sites for housing development, and
 - Priority permit and building inspection services for site development/rehabilitation.
- Not including the housing units assisted by rehabilitation grants targeting TCAC Areas of High Segregation & Poverty and other priority areas identified in Program 3.2.6, target assistance to projects in the “Highest Resource Areas” as identified in Figure II-22 to achieve at least 80% of the remaining assisted affordable housing units to be located in these highest resource areas during the planning period.

Responsible Agency: Planning Department and City Manager

Implementation Schedule: Ongoing; meet with nonprofit, private, and public entities annually, starting by 2025.

Non-Quantified Objective: Increase the production of affordable housing in Shafter by working with nonprofit, private, and other public entities involved in the production or rehabilitation of affordable housing and by assisting non-profit housing sponsors.

Funding Source: General Fund, CDBG, and private funding sources

Program 2.1.3: At-Risk Housing Unit Program

- Annually review and update AB 987 table of housing units with affordability deed restrictions.
- Contact and work with the Shafter Kern Housing Authority, owner of the 200-unit project at 300 Terra Vista Lane, with affordability deed restrictions expiring 4/11/2033, to develop a plan to extend the affordability protections on this property.
- Maintain regular contact with the Housing Authority of Kern County (HACK), Self Help Enterprises, and with any other public or non-profit agencies that express an interest in purchasing and/or managing units at-risk and assist them in the acquisition or establishing management of the units if they are sold, including assisting with funding, supporting funding applications and other forms of assistance.
- Educate owners of lower-risk rental units and comply with state preservation notice law requirements (Gov. Code §65863.10, §65863.11, §65863.13) by December 2025.
- Monitor the status of:
 - HUD receipt/approval of Notices and
 - NOI and Plans of Action filed by property owners to convert to market-rate units.
- Within 30 days of a notice:
 - Educate owners regarding state preservation notice law requirements (Gov. Code §65863.10, §65863.11, §65863.13).

- Educate tenants regarding tenant rights, conversion procedures, and ownership possibilities under the Low-Income Housing Preservation and Resident Homeownership Act (LIHPRHA). The City will consider working with the California Coalition for Rural Housing (CCRH) in this process and provide technical assistance to tenants wishing to pursue resident council ownership.
- Assist tenants to obtain special priority Section 8 vouchers reserved for tenants of converted properties (as needed).

Responsible Agency: Planning Department

Implementation Schedule: Ongoing; begin planning Terra Vista property by 2025.

Non-Quantified Objective: Preserve existing affordable units for households who cannot afford market rate rental housing.

Funding Source: General Fund, CDBG, and private sources

Program 2.1.4: Accessory Dwelling Units

Encourage the use of accessory dwelling units (ADUs) to help meet the City’s extremely low, very-low, low-, and moderate-income housing objectives. The City will encourage the creation of ADUs that can be offered at affordable rent:

- Adopt adapted set(s) of “standard ADU plans” developed by the City or offered by other agencies/organizations for use by Shafter applicants.
- By January 1, 2025, comply with the provisions of AB 1332, Gov. Code §65852.27, which requires local agencies to accept ADU plan set submissions for preapproval.
- Target new ADUs to the “Highest Resource Areas” as identified in Figure II-22 to achieve at least 80% of new ADUs in these highest resource areas.
 - Encourage developers to offer and include ADUs in new subdivisions and other housing development projects.
 - Monitor every two years the locations of new ADUs. If fewer than 80% of ADUs are being developed in the highest resource areas cumulatively during the planning period, provide additional outreach and make available additional incentives.
- Create an updated handout in both English and Spanish that will inform the community of the City’s requirements, procedures, and relevant funding sources to develop ADUs to be available at City Hall.
- Post the information from the handout on the City’s website.

Responsible Agency: Planning Department

Implementation Schedule: Update handout by January 2024; adopt standard ADU plans by January 2025; comply with AB 1332 by January 1, 2025, monitoring locations end of December 2025 and every two years thereafter.

Non-Quantified Objective: Provide informational handouts regarding accessory dwelling unit development opportunities on the City’s website and at City Hall throughout the planning period.

Funding Source: General Fund

Policy 2.2: Review and modify all standards and application processes to ensure that City standards do not act to constrain the production of affordable housing units.

Program 2.2.1: Residential Development Standards and Processes

- By December 2025, the City will revise the Zoning Ordinance to add a procedure for ministerial review of projects when required by state statute (i.e., SB 35, housing inventory sites, etc.) This procedure could specify staff review, no public hearing, no appeals, and conditions of approval limited to implementing written objective procedures and standards.
- On an annual basis, City staff will:
 - Review state housing legislation that affects City review of housing projects.
 - Review development standards and processes to identify constraints to the maintenance, improvement, and development of housing, considering other City goals and objectives for residential development.
 - Address changes in state requirements through policies, procedures, and potential code amendments.
 - Address identified constraints with strategies including but not limited to:
 - Incentives, waivers, concessions, and reasonable accommodation for affordable housing and housing for special groups such as disabled individuals and
 - Amendments to the Zoning Ordinance affecting development standards and procedures.

Responsible Agency: Planning Department

Implementation Schedule: Ongoing – on an annual basis; Revise zoning ordinance to implement ministerial review by December 2025.

Non-Quantified Objective: Ensure that the City's Zoning Ordinance facilitates and encourages the development of a variety of housing opportunities and complies with state requirements.

Funding Source: General Fund

Program 2.2.2: Commercial Zone Floor Area Ratio

Evaluate and address the potential impact on residential development of the maximum 0.5 floor area ratio in commercial zones, a development standard found in both the General Plan and the Development Code (Zoning Ordinance) which applies to all development in commercial zones including residential development.

Responsible Agency: Planning Department

Implementation Schedule: By the completion of the next comprehensive General Plan update, expected within five years.

Non-Quantified Objective: Ensure that the City's General Plan and Zoning Ordinance floor area ratio standard doesn't unnecessarily hinder residential development in the City's commercial zones.

Funding Source: General Fund

Program 2.2.3: Level of Service

Evaluate and address the potential impact on residential development of the Level of Service goals stated in the General Plan.

Responsible Agency: Planning Department

Implementation Schedule: By the completion of the next comprehensive General Plan update, expected within five years.

Non-Quantified Objective: Ensure that the City's Level of Service standards do not unnecessarily reduce or increase the cost of residential development, particularly on the sites identified in Appendix B Residential Sites Inventory.

Funding Source: General Fund

Program 2.2.4: Density Bonus

Update the affordable housing density bonus provisions in the City's Development Code (Zoning Ordinance), last updated in 2015, to be consistent with current state Density Bonus Law (DBL), set forth in Gov. Code §65915 et seq. To accommodate future changes in state DBL, the City may consider incorporating state statute language by reference. Prior to the City code update, the City will continue to implement the existing municipal code density bonus provisions as modified by current state DBL.

Responsible Agency: Planning Department

Implementation Schedule: Update the City code by December 2025. Review and approval of affordable housing density bonuses, waivers, and concessions will be ongoing as requests are made.

Non-Quantified Objective: Ensure that City density bonus provisions comply with state requirements.

Funding Source: General Fund

Program 2.2.5: City Website Publication

Gov. Code §65940.1(a) requires a city with a website to publish a) "[all] zoning ordinances and development standards adopted by the city or county" and b) "[a] current schedule of fees, exactions, and affordability requirements ... applicable to a proposed housing development." Gov. Code also requires updating this information within 30 days of any changes. Prior to adoption of the 2023-2031 Housing Program, the City will publish on the City website:

- All uncodified ordinances affecting the Development Code (Zoning Ordinance) and/or development standards affecting development and improvement of housing.
- Development impact fees and in-lieu fees applicable to proposed housing development (in addition to the user and regulatory fees already published).

On an ongoing basis and within 30 days of any changes, the City will publish on its website:

- Updated versions of the Development Code (Zoning Ordinance) as these versions become available to the public.

- Ordinances that update the Development Code (Zoning Ordinance) and/or development standards affecting development and improvement of housing that are not incorporated into the version of the Development Code (Zoning Ordinance) published on the City website.
- User fees, regulatory fees, development impact fees, in-lieu fees, and affordability requirements (if adopted) applicable to proposed housing development.

Responsible Agency: Planning Department and Building Official

Implementation Schedule: Prior to the adoption of the 2023-2031 Housing Program, and ongoing.

Non-Quantified Objective: Ensure that the most current residential development procedures, standards, fees, exactions, and affordability requirements are available to the public on the City's website, in compliance with state law.

Funding Source: General Fund

Program 2.2.6: Design Review

Update and clarify the Design Review provisions in the City's Development Code (Zoning Ordinance) to match City Planning staff practice and ensure streamlined permit processing, including:

- Clarify that Design Review by City staff is a ministerial process by removing language that indicates a discretionary review.
- Identify the design criteria that are objective design standards for situations in which only objective design standards can be used to evaluate housing development proposals.

Responsible Agency: Planning Department

Implementation Schedule: By December 2025.

Non-Quantified Objective: Clarify the ministerial design review procedure to ensure streamlined permit processing.

Funding Source: General Fund

Program 2.2.7: Housing Crisis Act Application Submittal Requirements

Revise application forms to include requirements for information regarding existing housing units to satisfy the requirements of Gov. Code §66300, which generally does not allow approval of a housing project that will require the demolition of residential dwelling units unless the project will create at least as many residential dwelling units as will be demolished and requires replacement of any protected residential units with units of a similar affordability level.

Responsible Agency: Planning Department and Building Official

Implementation Schedule: Prior to the adoption of the 2023-2031 Housing Program.

Non-Quantified Objective: Ensure that the City complies with the requirements of the Housing Crisis Act (SB 330) when housing units are proposed to be demolished.

Funding Source: General Fund

Program 2.2.8: AB 2234 Post-Entitlement Phase Permits

Per the requirements of Gov. Code §65589.5, §65913.3, and §65913.3.5, the City will:

- Compile and post on the City website detailed submittal requirements for post-entitlement phase permit applications by January 1, 2024.
- Post on the City website examples of a complete, approved application and an example of a complete set of post-entitlement phase permits for at least five types of housing development projects in the jurisdiction, including, but not limited to, accessory dwelling unit, duplex, multi-family, mixed use, and townhome by January 1, 2024.
- By January 1, 2028:
 - Establish on the City website an online permitting system or
 - The City Council will make a written finding to delay implementation of an online permitting system for up to five additional years.

Responsible Agency: Planning Department and Building Official

Implementation Schedule: 1. Post-entitlement phase permits requirements and posting: By January 1, 2024. 2. Online permitting system or City Council written findings to delay online system: By January 1, 2028.

Non-Quantified Objective: Enable applicants to easily determine needed post-entitlement phase permits and submittal requirements and enable applicants to easily apply for those post-entitlement phase permits online.

Funding Source: General Fund

Program 2.2.9: Priority Permitting and Building Inspection Services for Lower Income Housing Projects

- The City will give priority to extremely low-, very low-, and low-income and large rental unit housing projects during the permitting, entitlement processing, and building inspection stages of development.
- The City will provide information on priority permitting and inspection services to potential developers, non-profit housing sponsors, and other public and private entities seeking permits for affordable housing in the City.

Responsible Agency: Building Official

Implementation Schedule: Ongoing

Non-Quantified Objective: Incentives for the Priority Permit and Building Inspection Services include minimizing the cost of providing affordable housing by reducing the time waiting for inspections to be completed.

Funding Source: Building Permit Fees and General Fund

Policy 2.3: Facilitate the development of new housing for all economic segments of the community, including lower-, moderate-, and above moderate-income households.

Program 2.3.1: Infrastructure Improvements and Other Incentives to Facilitate Housing for Lower Income Households

- Use CDBG funds and available federal, state, and local housing development programs for infrastructure improvements and other incentives to support the development of housing for lower income households, and particularly Shafter's

existing extremely low-, very low-, or low-income households who are living in dwellings that need replacement.

- Target at least 10% of funds from these funding sources to fund infrastructure improvements and other incentives to projects in areas of the City identified in Program 3.2.6 during the planning period. Target the remaining funding to infrastructure improvements and incentives consistent with targeting affordable housing in the “Highest Resource Areas” as described in Programs 2.1.1, 2.1.2, and 2.1.4 during the planning period.

Responsible Agency: Planning Department

Implementation Schedule: Ongoing, starting by 2025.

Non-Quantified Objective: Housing assistance to existing extremely low-, very low-, or low-income Shafter residents during the planning period.

Funding Source: CDBG

3. Goal 3: Provide equal housing opportunities for all residents of Shafter.

Policy 3.1: Encourage and support the enforcement of laws and regulations prohibiting discrimination in lending practices and in the sale or rental of housing.

Program 3.1.1: Fair Housing Referral & Education

The City of Shafter refers cases and questions to the Kern County Planning and Natural Resources Department Fair Housing Coordinator who disseminates fair housing information, helps to resolve complaints, and provides referrals to appropriate investigative/enforcement agencies. The City also provides fair housing brochures in English and Spanish at City Hall and throughout the community in public places (i.e., public libraries, community centers, local social centers, and other public locations). The City will:

- Continue to refer cases and questions to the Kern County Fair Housing Coordinator. Conserve at least 32 units through referral during the planning period (expected income level breakdown: 6 extremely low, 6 very low, 8 low, 12 moderate).
- Continue to provide fair housing brochures at City Hall and other public locations.
- Include fair housing education and information at least twice per year in City water bill and any other periodic or regular communication to residents, starting 2024. Do a targeted distribution of fair housing information to housing units in areas of the City identified in Program 3.2.6 at least once every 2 years, starting 2024.

Responsible Agency: Planning Department

Implementation Schedule: Ongoing; periodic education starting 2024.

Non-Quantified Objective: Provide City assistance to eliminate housing discrimination within the community.

Funding Source: General Fund

Policy 3.2: Assure the provision of housing opportunities for those residents of the City who have special housing needs, including farm workers, the elderly, disabled, large families, and the homeless.

Program 3.2.1: Standards for Various Housing Types and Special Needs Housing

Update the City Development Code (Zoning Ordinance) to be consistent with state law and remove barriers to addressing housing needs in the following areas:

- Revise the code regarding the requirement for Planning Commission-level Design Review at a public hearing of applications for farm labor housing to be consistent with Health and Safety Code §17021.6, which states, “[no] conditional use permit, zoning variance, or other discretionary zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone.”
- Revise the code to address Low Barrier Navigation Centers, allowing these by right in the applicable nonresidential zones with the addition of appropriate development standards per Gov. Code §65660 and §65662.
- Revise the code to allow transitional housing and supportive housing in the E through R-3 zones, GC, and NC zones subject to only those restrictions placed on the underlying housing development type.
- Revise the code regarding supportive housing that is eligible per Gov. Code §65650 et seq. to: a) allow eligible supportive housing by right in all zones where multi-family or mixed uses are permitted by right or by conditional use permit and b) clarify the ministerial application of objective design standards to eligible supportive housing, per Gov. Code §65583(c)(3) and §65651.
- Codify the housing definitions from Ordinance No. 665, which were not codified.
- Revise the code regarding standards for roof pitch and minimum width of manufactured homes to be no more stringent than those applied to a conventional single-family residential dwelling.
- Revise the code to allow mobile home parks in the E zone with the approval of a conditional use permit.
- Revise the code to allow small residential care facilities (serving six or fewer) by right within existing residential units per state law. Also revise the use category “Board and Care Facility” to 7 or more residents (from 12 or more residents) to fill the use category gap.
- Revise the code to streamline the reasonable accommodation process, perhaps by giving the Planning Director the authority to approve reasonable accommodation, subject to appeal to the Planning Commission, and making the reasonable accommodation procedure broadly applicable to all existing and proposed types of housing, and establishing a procedure with approval findings to comply with the fair housing laws.

Prior to the City code update, the City will continue to implement the existing municipal code provisions as modified by current state law.

Responsible Agency: Planning Department

Implementation Schedule: By December 2025.

Non-Quantified Objective: Ensure that the City’s Zoning Ordinance is compliant with state law regarding special housing types and housing for those with special housing needs and does not present unnecessary barriers to addressing special housing needs.

Funding Source: General Fund

Program 3.2.2: Emergency Shelters

The City shall ensure compliance with Gov. Code §65583(a)(4) to plan to shelter people experiencing homelessness (five and zero unsheltered people at the most recent point-in-time counts) with at least one of the following:

- a) Ensure that the Kern County Homeless Collaborative multi-jurisdictional agreement is compliant with the provisions of Gov. Code §65583(d), including adequate shelter to be developed by December 2025, and revise the Development Code to specify an additional appropriate zone that allows emergency shelters with approval of a conditional use permit, or,
- b) Establish an Emergency Shelter (ES) overlay zone at a compliant location in the City, with the potential addition of development standards compliant with Gov. Code §65583(a)(4). (As described in more detail in the cited statute, a compliant location is usually vacant, sized to accommodate the need for emergency shelter identified in this Housing Program, including at least one year-round emergency shelter, located in a residential zone, or in a nonresidential zone that allows residential use near transportation, amenities and homelessness services.)

The City will also amend the definition of emergency shelters to be consistent with Gov. Code §65583(a)(4)(C) and ensure appropriate parking requirements limited to employees.

Responsible Agency: Planning Department

Implementation Schedule: Within 1 year of the date of the adoption of this Housing Program, per Gov. Code §65583(a)(4)(A).

Non-Quantified Objective: Ensure that the City is compliant with Gov. Code §65583(a)(4) regarding emergency shelters.

Funding Source: General Fund

Program 3.2.3: Housing Opportunities **for Farm Workers** and Special Needs Groups

Provide housing opportunities to meet the special housing needs of farm workers, elderly, disabled, large families, and the homeless. The City will:

- Make a specific and at least annual effort to assist in the development of housing for farmworkers and conserve and improve the existing housing stock for farmworkers, including but not limited to:
 - Contacting nonprofit developers at least every other year to identify opportunities for the development or improvement of housing for farmworkers.
 - Coordinating and participating with regional organizations, including non-profit, academic and employers, to raise awareness, share and employ strategies, and identify or target new resources.
 - Providing incentives and other strategies beyond state density bonus law to encourage housing for farmworkers, including setting aside housing for farmworkers within developments, supporting funding applications, prioritizing entitlements and establishing appropriate zoning and development standards.
 - Targeting code enforcement and other resources to the existing housing stock with the most need for rehabilitation and sanitary conditions that could be more likely to house farmworkers and work with regional or other organizations to improve living conditions for farmworkers.

- Give priority funding to development projects that include a component for special needs groups in addition to other lower-income households, to ensure adequate housing for all residents within special needs groups. **Give first priority to projects that serve farm workers, the largest special needs group in the region.**
- Seek state and federal monies, as funding becomes available, in support of special needs groups including housing construction and rehabilitation targeted for farm workers and persons with disabilities, including developmental disabilities. **Give the highest priority to seeking funding that serves farm workers, the largest special needs group in the region.**
- Coordinate with the County of Kern and reach out to organizations serving special needs groups and developers of housing for special needs groups as funding becomes available (i.e., Kern Regional Center, Self-Help Enterprises, Housing Assistance Council, etc.). **Coordinate annually with organizations that serve farm workers (Kern County and non-profits, such as Cesar Chavez Foundation, Self-Help Enterprises, Farm workers Institute of Education and Leadership, and the Housing Assistance Council).**
- Offer technical assistance and regulatory incentives, as appropriate, for projects serving special needs groups.

Responsible Agency: Planning Department

Implementation Schedule: Ongoing, annually starting by 2025.

Non-Quantified Objective: Maximize opportunities to address the housing needs of special needs groups within the City.

Funding Source: General Fund; federal and state housing funds; and CDBG

Program 3.2.4: Coordination with Agencies Serving the Homeless

The City will cooperate with public and private agencies, such as the Kern County Homeless Collaborative to develop housing (including transitional housing), family counseling, and employment programs/job referrals for the homeless.

Responsible Agency: Planning Department

Implementation Schedule: Ongoing

Non-Quantified Objective: Develop housing self-sufficiency for those who are currently homeless by working with appropriate agencies to implement housing and employment programs. Facilitate development of emergency shelters and transitional housing within Shafter.

Funding Source: FEMA, HUD, HCD, CDBG, and private funds

Program 3.2.5: Deed-Restricted Affordable Units for Large Households

Because overcrowding is an issue in Shafter, the City, when appropriate, will ensure that at least 25% of new affordable units in a deed-restricted affordable housing project have three or more bedrooms to accommodate large families by:

- Using incentives such as density bonus, fast track processing, waiving of specific development standards, etc.

- Including construction of large units as a condition of receiving local financial assistance

Responsible Agency: Planning Department

Implementation Schedule: Ongoing

Non-Quantified Objective: Ensure that a portion of new deed-restricted affordable housing units are sized to accommodate larger families to reduce overcrowding.

Funding Source: Sources of funds under local direction

Program 3.2.6: Prioritize Resources to TCAC Areas of High Segregation & Poverty

The City will prioritize resources to address housing needs in the TCAC Areas of High Segregation & Poverty in the historic core of the City, identified in Chapter II (Figure II-8) of this Housing Program. An additional area in north Shafter, bound by State Route 43 to the north and east, Fresno Avenue to the south, and Poplar Avenue to the west, identified by City staff as having high housing needs, will receive second priority. The City will:

- Facilitate the rehabilitation or replacement of housing units in need of rehabilitation or replacement in these priority neighborhoods, such as through building/code enforcement. City staff will help connect property owners to resources to address habitability issues (e.g., water, power, mold, weatherization).
- Apply for grants targeting housing needs in these priority neighborhoods, such as rehabilitation (see Program 2.1.1).
- Target rehabilitation funding to these priority neighborhoods, to assist at least 15 units rehabilitated (see Program 1.2.1).
- Target at least 10% of funding from sources identified in Program 2.3.1 to these priority neighborhoods to facilitate housing for lower-income households.
- Do a targeted distribution of fair housing information to housing units in these priority neighborhoods at least once every 2 years (see Program 3.1.1).
- All other factors being equal, the City will first make improvements and repairs to parks and public space (recreation, streets, sidewalks, drainage, and other infrastructure) in the prioritized neighborhoods. The current and future improvements and repairs to parks and public spaces that have already been prioritized and are currently being planned and/or built in the prioritized neighborhoods or within 1,000 feet of these neighborhoods include:

Project	Brief Description & Location	Budget	Est. Completion
North Shafter Park Development	Develop a new 5-acre public located near the southwest corner of Fresno Avenue and Highway 43 with pedestrian access to and from the north Shafter communities.	\$3,800,000	Dec 2024
North Shafter Water Well Development	Develop a new municipal water well near the southwest corner of Fresno Avenue and Highway 43 (immediately south of North Shafter Park Development). The well will increase and stabilize water pumping capacity for the communities of North Shafter, North Park, Maple	\$4,000,000	Jul 2025

	School, and other outlying service areas in the northwest portion of the core City.		
North Shafter Transportation Improvements and Sustainability Plan	The planning document will assess the need for sidewalks, bike lanes, traffic signals, and overall transportation infrastructure conditions within the north Shafter communities and prioritize improvements for future construction funding.	\$200,000	Jul 2025
Community Skatepark Renovations	Replace and upgrade equipment at an existing community skatepark at 460 East Euclid. Amenities, including a shade structure and lighting, will also be added to enhance and expand the use of the facility.	\$750,000	July 2024
Shafter Recreation and Park District Regional Park	Develop a new 30-acre regional public park at 1448 East Ash Avenue (northwest corner of East Ash Avenue and Golds Avenue).	\$8,000,000	Jul 2025
James Street Improvements	Add new decorative street lighting to the downtown portion of James Street (between Lerdo Highway and Shafter Avenue).	\$250,000	Jul 2024
SR-43 Sidewalk and Bike Lane Improvements	Develop curbs, gutters, sidewalks, and bike lanes for improved access to the schools and businesses in the downtown portion of the Core City. The improvements are immediately adjacent to the southbound vehicular lanes of Highway 43 between Mayer Lane and Tulare Avenue.	\$1,000,000	Jul 2025
Core City Bike Lanes	Add new bike lanes at existing arterial and collector streets in the core City for improved access to local schools, parks, and downtown destinations.	\$1,000,000	Dec 2024
Shafter Aquatic Center Improvements	Replaster pools, repair pool decks, and replace the pumping and filtration system at the Aquatics Center at 269 Poso Avenue.	\$3,000,000	Jul 2024
Stringham Park Improvements	Construct an on-site parking lot and install new play and shade structures at an existing park located at 631 James Street.	\$1,000,000	July 2024
Veterans Park Improvements	Install new soccer field lighting and one outdoor basketball court at an existing park located at 701 South Schnaidt Street.	\$800,000	July 2024
Rodriguez Park Improvements	Install new multi-use field lighting and construct upgraded drainage facilities at an existing park located at 200 West Los Angeles Avenue.	\$650,000	Jul 2025

Kirschenmann Park Improvements	Construct field and restroom improvements and replace the irrigation system at an existing park located at 400 East Euclid Avenue.	\$400,000	Jul 2024
Roundabout at Highway 43/Los Angeles Avenue	Construct a new roundabout intersection at Highway 43 and Los Angeles for safer, more efficient traffic flow.	\$10,000,000	Jul 2026
Total		\$34,850,000	

- Compile an annual list of prioritized projects and actions.
- Concurrent with the next comprehensive General Plan update, adopt an Environmental Justice Element (Program) consistent with AB 617 that includes actions targeted to these priority neighborhoods as appropriate.
- During development of the next comprehensive General Plan update, prioritize creating a buffer between heavy industrial areas and freeways and sensitive land uses such as current and future residences, schools, parks, daycare centers, etc. when developing the new land use map for the General Plan update.
- During development of the next comprehensive General Plan update, develop a bicycle and pedestrian plan for the entire City limits that includes the priority neighborhoods and emphasizes safe routes to schools.

Responsible Agency: Planning Department, Public Works Department

Implementation Schedule: Ongoing; provide annual report; apply for grants starting by 2025, adopt Environmental Justice Element concurrent with next General Plan update, which is anticipated to be adopted within the next 5 years.

Non-Quantified Objective: To affirmatively further fair housing, mitigate contributing factors to the areas of high segregation and poverty in the City.

Funding Source: General Fund and other sources if available

APPENDIX A

A. Evaluation of the Prior Housing Element

Gov. Code §65588(a) requires that jurisdictions evaluate the effectiveness of the existing Housing Program (Element); the appropriateness of goals, objectives, implementation schedules and policies; and the progress in implementing programs for the previous planning period. This appendix summarizes the results of the City's review of the housing goals, policies, and programs of the previous housing element, and evaluates the degree to which these programs have been implemented during the previous planning period.

Table A-1 summarizes the programs contained in the previous Housing Program along with program objectives, timeframe, and accomplishments.

Table A-2 presents the quantified objectives of the previous Housing Program. This table was titled Table 5.5A in the prior Housing Program.

Table A-3 presents the City's progress toward the quantified objectives of the previous Housing Program.

1. Evaluation of Effectiveness and Appropriateness of Previous Housing Element Programs

Table A-1
2015-2023 Housing Element Program Evaluation
City of Shafter

Housing Element Program	Objectives	Timeframe	Implementation Status
Program 1.1.1- Biennial Evaluation	Non-Quantified Objective: Maintain an inventory of available sites for use in discussions with potential developers.	Every two years, starting in 2017.	Effectiveness: The City continues to maintain an inventory of available sites for use in discussions with potential developers. Appropriateness: The City was able to effectively implement this program during the planning period. In response to the 2017 update of the No Net Loss Law, this program has been modified and included in the 2023-2031 Housing Program as Program 1.1.2: No Net Loss Law.

Housing Element Program	Objectives	Timeframe	Implementation Status
Program 1.1.2- Second Unit/Accessory Units	Non-Quantified Objective: Provide informational brochures about second unit development opportunities on the City's website and at City Hall throughout the planning period. Quantified Objective: Encourage the development of two second dwelling units annually through 2023.	Ongoing- 2015-2023	Effectiveness: In March 2015, the City adopted an ordinance to be compliant with then-current State law regarding second units. Due to additional changes in state law over the following years, the informational brochure that the City provided became obsolete and City staff instead referred interested parties to the HCD Accessory Dwelling Unit Handbook and followed the State standards for ADUs. In late 2021, the City adopted objective standards in the Municipal Code for urban lot splits and additional dwelling units per SB 9. On December 20, 2022, the City of Shafter passed Ordinance No. 735 amending Title 17 (Zoning Ordinance) to be compliant with the changes in state law pertaining to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) that have occurred since 2016. Appropriateness: Gov. Code §65583(c)(7) requires a "plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... for very low-, low-, or moderate-income households." The City believes that Ordinance No. 735 will incentivize the development of ADUs, recognizes ADUs to be an affordable housing option that fits well within the community, and will continue to encourage the construction of ADUs. This program will be modified and included in the 2023-2031 Housing Program as Program 2.1.4: Accessory Dwelling Units.

Housing Element Program	Objectives	Timeframe	Implementation Status
Program 1.1.3- Annexations for Residential Development	Introduce new opportunities for residential development in the City through annexation. Ensure development that occurs within the City's Sphere of Influence can be properly served by infrastructure and services and is consistent with the existing and future development occurring in the City.	Ongoing- 2015-2023	Effectiveness: In 2020, the City updated its Municipal Services Review (MSR) which was approved by the Kern County LAFCO in December 2020. The MSR includes an evaluation of annexation for surrounding lands for residential and mixed-use development and determined that annexations are not needed at this time. Appropriateness: The City was able to effectively implement this program during the planning period. Because the City effectively implemented this program during the prior planning period resulting in a surplus of available land for development and has a Sphere of Influence for future annexation, this program will be eliminated from the 2023-2031 Housing Program.

Housing Element Program	Objectives	Timeframe	Implementation Status
Program 1.2.1- At-Risk Housing Unit Program	Non-Quantified Objective: Preserve existing affordable units for households who cannot afford market-rate rental housing.	The City will review and update their AB 987 table annually and monitor the status of any HUD receipt/approval of Notices of Intent and Plans of Action filed by property owners to convert to market-rate units. The City will provide tenant education within 30 days of the notice and assist tenants to obtain special Section 8 vouchers reserved for tenants of converted properties either through flyers or a notice posted in communal areas of the complex.	Effectiveness: In 2021, City Staff aided applicants seeking funding through the California Tax Credit Allocation Committee to rehabilitate the Sky Way Apartments. The 24 senior housing units were classified as at-risk prior to the applicant receiving funding for rehabilitation. Appropriateness: The City maintains a number of affordable units through existing deed restrictions. For the 2023-2031 planning period, there are no units at medium or high risk of conversion to market rate. The inventory of affordable units will be monitored throughout the planning period and the list updated with any new deed-restricted properties. This program will be included in the 2023-2031 Housing Program as Program 2.1.3.

Name of Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 1.2.2- Housing Rehabilitation Information Program	Quantified Objective: Adequate assistance to meet the quantified objectives contained in previously referenced Table 5.5A. Non-Quantified Objective: Enhance the public's ability to utilize existing programs and funding sources to rehabilitate existing or create new affordable housing units.	Ongoing- 2015-2023. The City will continue to update and provide a brochure of available rehabilitation programs and public workshops occurring in the City. The brochure will be updated every two years thereafter to include any new rehabilitation programs available to the residents of Shafter. Information will be provided in both English and Spanish and will be readily available at the Planning Department public counter and may also be provided in digital format via the City's website.	Effectiveness: The City has a webpage that provides information to the public about housing rehabilitation grant opportunities. Appropriateness: The City will continue to be a cooperative city providing residents access to CDBG and HOME funds through Kern County. This program will be combined with the Housing Rehabilitation Funding Program 1.2.4 and included in the 2023-2031 Housing Program as Program 1.2.1 Housing Rehabilitation Information and Funding Program.

Name of Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 1.2.3- Code Enforcement	Non-Quantified Objective: Elimination of code violations within Shafter. Through complaints and observations while out in the field the City will maintain current information on housing conditions to assist in targeting rehabilitation programs.	Ongoing- 2015-2023	Effectiveness: The City of Shafter has funded a full-time Code Enforcement Officer position. Appropriateness: The City will continue to monitor the housing stock for property maintenance and compliance with the California Building Code and the City's Municipal Code and will assist residents to address violations as they occur. As code enforcement is an ongoing basic function of the City, this program will be eliminated from the 2023-2031 Housing Program.
Program 1.2.4- Housing Rehabilitation Funding Program	Quantified Objective: Adequate assistance to meet the quantified objectives contained in previously referenced Table 5.5A. Non-Quantified Objective: Enhance the development community's ability to utilize existing programs and funding sources to rehabilitate existing or create new affordable housing units.	Ongoing- 2015-2023. The City will apply for CDBG funds on an as-needed basis when approached by a developer or property manager to complete a rehabilitation project.	Effectiveness: The City has a webpage that provides information to the public about housing rehabilitation grant opportunities. Appropriateness: The City will continue to be a cooperative city providing residents access to CDBG and HOME funds through Kern County. This program will be combined with the Housing Rehabilitation Information Program 1.2.2 and included in the 2023-2031 Housing Program as Program 1.2.1: Housing Rehabilitation Information and Funding Program.

Name of Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 1.2.5- Water and Sewer Provider Coordination	Non-Quantified Objective: Ensure that water and sewer providers are aware of the City's intentions for residential development throughout the City. Develop an administrative policy for granting priority water service during times of limited water supply.	By July 1, 2016	Effectiveness: During the last housing cycle and prior to July 1, 2016, the City made staff, Oildale Mutual Water Company, and North of the River Sanitary District aware of their intention to develop residential housing throughout the City. To date, the City has not adopted specific procedures granting priority water service to proposed developments that include lower-income housing units when water supply is limited. However, as the owner of the domestic water system and sewer system within much of the City, the City has not denied any residential project, low income or otherwise, from receiving water or sewer service during the last housing cycle. Water supply and sewer capacity are not limited within the City and can accommodate the current RHNA requirements. Appropriateness: Gov. Code §65589.7 requires the delivery of adopted housing elements and amendments to the housing element to water and sewer providers immediately following adoption by the City Council. The requirements to grant priority to developments with housing units affordable to lower income households and to have written policies and procedures are ongoing. This program will be included in the 2023-2031 Housing Program as Program 1.2.2.

Name of Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 1.2.6- Flood Management	Non-Quantified Objective: Ensure that flood risks are considered when making land use decisions including the selection of sites to accommodate the City's RHNA allocation.	Ongoing, 2015-2023	Effectiveness: The Conservation and Safety Programs in the General Plan were updated in 2018 in accordance with Government Code Section 65302. The City continues to use information from the updated General Plan to consider flood risks in land use decisions. Appropriateness: The City has effectively implemented portions of this program with the adoption of updated Conservation and Safety Programs in 2018. The updated Conservation and Safety Programs include information that is currently used to assess flood risks in upcoming land use decisions, such as the selection of sites to accommodate the City's RHNA allocation and the upcoming comprehensive update of the General Plan. As the update of flood risk and management information was accomplished, this program will be eliminated from the 2023-2031 Housing Program.

Name of Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 1.3.1- Promote Energy Conservation	Non-Quantified Objective: Provide training and education and promote strategies that will assist the public to minimize energy and conserve natural resources. Encourage the conservation of non-renewable energy resources and encourage green building techniques. If the staff has capacity and funding is available, the City will develop an Energy Action Plan, to encourage the conservation of non-renewable energy resources and encourage green building techniques.	Ongoing, 2015-2023	Effectiveness: The City provides information about minimizing energy usage and conservation of natural resources on the City's website. The City has not developed a program to train City staff to be Leadership in Energy and Environmental Design (LEED) certified. The City has not developed energy conserving standards for street widths, landscaping, and parking lot configurations. Funding has not been available to offer additional rebates for efficient appliances, solar panels, and sustainable energy products. The City has not developed an Energy Action Plan, but the City Building Department does encourage green building techniques in compliance with California Building Codes. Appropriateness: For the upcoming 2023-2031 planning period, the City will continue to identify and provide information on methods, financing opportunities, incentives and regulations to encourage the conservation of energy, and encourage green building techniques. The City also implements the California Building Code which encourages weatherization and energy efficiency improvements for housing rehabilitation projects that include the building envelope, heating and cooling system, and electrical system. The City includes weatherization and

			energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. Because of limited staffing, the City has been unable to implement large parts of this program, and based on staff availability and budget restrictions, it may not be feasible for the City to adopt an Energy Action Plan during the upcoming planning period, and the Housing Program is not the most appropriate forum to commit to such an action. Chapter III Section F of the 2023-2031 Housing Program describes the City's energy conservation efforts, which meets the requirement for a housing element to describe the City's energy conservation efforts. As the City is currently making energy conservation efforts, and that energy conservation is not required to be a policy or program in a housing element, this program will be eliminated from the 2023-2031 Housing Program.
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Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 1.3.2-HERO/PACE Program	Non-Quantified Objective: Provide informational brochures about the PACE/HERO program on the City's website and at City Hall throughout the planning period.	This program will be implemented throughout the Housing Program planning period. A brochure will be available by 2016, not before.	Effectiveness: The City provides information about the PACE/HERO program on the City's website. Appropriateness: The City is continuing to participate in the PACE/HERO program as an ongoing function. Energy conservation is not a required policy or program in a housing element. As this program is not required to be included in the Housing Program, this program will be eliminated from the 2023-2031 Housing Program.
Program 1.3.3-Streamline the Permit Process	Non-Quantified Objective: Provide an additional incentive to developers and residents who wish to build "green" or provide units that are affordable to lower-income residents.	Expedited processing will be provided on a project-by-project basis.	Effectiveness: The City prides itself on excellent service and expeditious processing of projects, including "green" buildings and projects with affordability covenants. Appropriateness: Energy conservation is not a required policy or program in a housing element. As this program is not required to be included in the Housing Program, this program will be eliminated from the 2023-2031 Housing Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.1.1- Partnership Program	Non-Quantified Objective: Familiarize nonprofit, private, and other public entities involved in the production of affordable housing with the City of Shafter and thereby facilitate interest on the part of these entities in developing affordable housing in Shafter.	Conduct the first meeting within one year of Housing Plan adoption, meetings will then be conducted within the first quarter annually thereafter to address any issues raised in previous meetings and any new available opportunities in the City.	Effectiveness: The Kern County Community Development Division administers the various programs that provide extremely low-, very low-, or low-income housing funds for a consortium of communities within Kern County, including Shafter. The program administrator has indicated that no program funds were granted in Shafter during 2021. The City is currently working with Self-Help Enterprises to develop Tract 6713, a deed-restricted development of 28 low-income units in the City's historic core area. Appropriateness: The City recognizes that formulating a working relationship with local non-profit organizations, as well as private and other public entities including the Kern County Community Development Division and the Housing Authority of the County of Kern, is critical to expand the supply of affordable housing and housing related services. During the 2023-2031 planning period, the City will continue to meet with partnering agencies to promote the development of affordable housing in Shafter and continue to partner with the County to provide access to CDBG and HOME funds to support programs including the Home Improvement Loan Program. This program will be modified and included in the 2023-2031 Housing Program as Program 2.1.2: Partnership and Non-Profit Assistance Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.1.2- Affordable Housing Program Inventory	Quantified Objective: The Community Development Department will apply for the following grants for potential financial assistance: (1) project to assist in the provision of housing accessible for disabled residents (either new housing or retrofit of existing low-income housing), (2) grants to assist in the provision of housing for farm workers, (3) grant to assist the rehabilitation of existing low-income housing, and (4) two grants to assist the provision of housing for large families and reduce overcrowding. Non-Quantified Objective: Maximize the City's and public's ability to access governmental and private housing programs and thereby facilitate achievement of other Housing Program objectives.	Ongoing, 2015-2023, at least annually consider opportunities to assist with the preservation of at-risk units by assessing funding opportunities and administering funding as it becomes available.	Effectiveness: The Kern County Community Development Division administers the various programs that provide extremely low, very low, or low-income housing funds for a consortium of communities within Kern County, including Shafter. The program administrator has indicated that no program funds were granted in Shafter during 2021. Due to the scarcity of available staff time, an annual exploration of funding sources has not occurred and the City has not applied for grants. The City has assisted with any applicable grant applications for individual projects, such as with Self-Help Enterprises to develop Tract 6713, a deed-restricted development of 28 low-income units in the City's historic core area. Appropriateness: Funding is a critical component to bolster the development of affordable housing. Consequently, the City will research available funding options and continue working relationships with local developer organizations to expand the supply of affordable housing and housing-related services. This program will be included in the 2023-2031 Housing Program as Program 2.1.1: Affordable Housing Program Inventory and Grant Applications.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.1.3- Support Non-Profit Housing Sponsors	Non-Quantified Objective: By supporting these entities in their efforts, increase the production of affordable housing to meet other objectives of the Housing Program.	Ongoing	Effectiveness: The City has worked with Self-Help Enterprises for many years, facilitating the development of low-income housing in the community. The City is currently working with Self-Help Enterprises to develop Tract 6713, a deed-restricted development of 28 low-income units in the City's historic core area. Appropriateness: The City recognizes that formulating a working relationship with local non-profit organizations, as well as private and other public entities, is critical to expanding the supply of affordable housing and housing-related services. During the 2023-2031 planning period, the City will continue to meet with partnering agencies to promote the development of affordable housing in Shafter. As this program overlaps Program 2.1.1, it will be combined with that program and included in the 2023-2031 Housing Program as Program 2.1.2: Partnership and Non-Profit Assistance Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.2.1- Residential Development Standards	Non-Quantified Objective: Ensure that the City's Zoning Ordinance facilitates and encourages the development of a variety of housing opportunities and complies with State requirements.	On an annual basis, the City will review development standards to identify constraints and remove or offset constraints where possible.	Effectiveness: In March 2015, the City adopted an ordinance to be compliant with State laws related to second units in effect at the time. In late 2021, the City adopted objective standards in the Municipal Code for urban lot splits and additional dwelling units per SB 9. In December 2022, the City adopted an ordinance to comply with State Accessory Dwelling Unit law. Appropriateness: As the need to review development standards and processes to mitigate constraints is ongoing, this program has been simplified and included in the 2023-2031 Housing Program as Program 2.2.1.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.2.2- Density Bonus Ordinance	Non-Quantified Objective: Ensure that City density bonus provisions comply with State requirements.	Post information on the City's website and create a brochure by January 2016. Granting of density bonuses will be ongoing as requests are made.	Effectiveness: The City's density bonus provisions in the Shafter Development Code were updated in 2015 to comply with State requirements. The City website provides information on density bonuses available to projects with five or more residential units with low-, very low-, and moderate-income housing, and senior housing. Appropriateness: The City recognizes the importance of offering incentives like density bonuses and will continue to provide this incentive in accordance with the density bonus provisions in the Shafter Development Code and state law. Density bonus incentives are communicated to applicants orally and in writing without the use of a specialized brochure. Because recent changes in state law have made the density bonus ordinance inconsistent with state law, this program has been modified to include an update to the density bonus ordinance and will be included in the 2023-2031 Housing Program as Program 2.2.4.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.2.3- Priority Permitting and Building Inspections for Lower-Income Housing Projects	Non-Quantified Objective: Incentives for the Priority Permit and Inspection Services include minimizing the cost of providing affordable housing by reducing time waiting for inspections to be completed.	Information will be posted on the City's website and a brochure will be available by January 2016.	Effectiveness: The City's Building Department prioritizes permitting and inspections for affordable housing over other types of development. Building inspections are generally available within 24 hours of receiving the request for inspection. Appropriateness: The City recognizes the importance of providing an efficient permitting process for residential projects to ensure certificates of occupancy are issued in a timely manner. This policy is communicated to applicants orally and in writing on the City's website. This program will be included in the 2023-2031 Housing Program as Program 2.2.9.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.3.1- Housing for Existing Extremely Low-, Very Low-, and Low-Income Residents	Quantified Objective: Housing assistance to 100 existing extremely low-, very low-, or low-income Shafter residents during the planning period.	Ongoing, 2015-2023. The City will, at least annually, consider opportunities to assist by assessing funding and when enough funding is available will allocate funding for infrastructure improvements to support the development of lower-income housing.	Effectiveness: The Kern County Community Development Division administers the various programs that provide extremely low-, very low-, or low-income housing funds for a consortium of communities within Kern County, including Shafter. The program administrator has indicated that no program funds were granted in Shafter during 2021. The City continues to maintain information regarding the variety of programs available on the City's website. Appropriateness: For the 2023-2031 planning period the City will continue to partner with the County to provide access to CDBG and HOME funds to support programs, including the Home Improvement Loan Program. When feasible the City will also use other local funds to complete additional infrastructure upgrades to benefit low-income and disadvantaged communities. This program will be included in the 2023-2031 Housing Program as Program 2.3.1: Infrastructure Improvements and Other Incentives to Facilitate Housing for Lower Income Households.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.3.2- Emergency Shelters	Quantified Objective: Allow at least one year-round emergency shelter. Non-Quantified Objective: Ensure that the housing needs of all residents is met by providing opportunities for transitional housing, emergency shelters, and SRO units to be accommodated within the City. Maximize opportunities for emergency shelters within the City.	Ongoing, 2015-2023.	Effectiveness: As a member of a collaborative of Kern County cities and the County of Kern, Shafter's Permanent Local Housing Allocation is being used to fund a homeless shelter in Bakersfield that serves residents of the County, including residents of the City of Shafter. The shelter includes transitional and permanent housing and employment programs. This multijurisdictional agreement has allowed the City to satisfy the Government Code §65583 requirement for emergency shelter zoning with available land and buildings in zones (the I zone) where new emergency shelters are allowed with a conditional use permit. Appropriateness: As the last point-in-time count found five (5) unsheltered people experiencing homelessness in Shafter, developing an emergency shelter within the City is not likely to be cost-effective. However, local agencies are required to ensure that there is an opportunity to develop at least one year-round emergency shelter within their jurisdiction. Due to recent changes in State law, this program has been modified and continued as Program 3.2.2 to ensure compliant zoning for an emergency shelter within one year of adoption of this Housing Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.3.3- Large Site Program	Non-Quantified Objective: Facilitate the division of larger lots into sites that are approximately 2-10 acres in size to facilitate housing development for lower-income households.	Develop incentive program within one year of adoption of the housing element, and provide incentives and assistance as development as submitted to Department.	Effectiveness: The City has not developed this program to date. Appropriateness: The program directives to streamline the approval process for affordable housing developments are codified in state law. Directives to provide technical assistance to acquire funding and to offer incentives, waivers, and concessions to affordable housing developments are included in the Shafter Municipal Code and other programs in the 2023-2031 Housing Program. Although the large sites the City is relying on to meet the housing need for lower-income households are expected to be suitable as explained in the sites inventory, and program directives are included elsewhere, state law presumes large sites are not suitable for affordable housing and this program has been continued in the 2023-2031 Housing Program as Program 1.1.3.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 2.3.4- Lot Consolidation Program	Non-Quantified Objective: Facilitate the consolidation of smaller lots into sites that are approximately 2-10 acres in size to facilitate housing development for lower-income households.	Develop an incentive program within one year of the adoption of the housing element and provide incentives and assistance as developments are submitted to Department.	Effectiveness: The City has not developed this program to date. Appropriateness: The program directives to streamline the approval process for affordable housing developments are codified in state law. Directives to offer financial assistance, incentives, waivers, and concessions to affordable housing developments are included in the Shafter Municipal Code and other programs in the 2023-2031 Housing Program. As this program has not been developed, the small sites the City is relying on to meet the housing need for lower-income households are demonstrated to be suitable as explained in the sites inventory, and the program directives are included elsewhere, this program will be eliminated from the 2023-2031 Housing Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 3.1.1 - Cooperative Association	Non-Quantified Objective: Provide City assistance to eliminate housing discrimination within the community.	Continue to provide and update a brochure on fair housing enforcement provisions and discrimination.	Effectiveness: The City of Shafter refers cases and questions to the Kern County Planning and Community Development Division Fair Housing Coordinator. Fair housing brochures in English and Spanish are available in City Hall and other public locations in the community. Appropriateness: This program will be included in the 2023-2031 Housing Program as Program 3.1.1: Fair Housing Referral.
Program 3.2.1- Housing Opportunities for Special Needs Groups	Non-Quantified Objective: Maximize opportunities to address the housing needs of special needs groups within the City.	Ongoing, 2015-2023.	Effectiveness: The City prioritizes housing for people with special needs, including farm workers, elderly, disabled, and the homeless on a case-by-case basis. Appropriateness: For the 2023-2031 planning period, the City will continue to provide housing opportunities for these special needs groups. This program will be included in the 2023-2031 Housing Program as Program 3.2.3.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 3.2.2- Coordination with Agencies Serving the Homeless	Non-Quantified Objective: Develop housing self-sufficiency for those who are currently homeless by working with appropriate agencies to implement housing and employment programs. Facilitate the development of emergency shelters and transitional housing within Shafter.	Coordination with agencies serving the homeless will be ongoing during the planning period.	Effectiveness: As a member of a collaborative of Kern County cities and the County of Kern, Shafter's Permanent Local Housing Allocation is being used to fund a homeless shelter in Bakersfield that serves residents of the County, including residents of the City of Shafter. The shelter includes transitional and permanent housing and employment programs. Appropriateness: For the 2023-2031 planning period, the City will continue to coordinate with agencies to provide housing opportunities and services to meet the needs of farm workers, the elderly, the disabled, developmentally disabled, large families, and the homeless. This program will be included in the 2023-2031 Housing program as Program 3.2.4.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 3.2.3- Reasonable Accommodation	Non-Quantified Objective: Remove constraints on the production of housing for disabled residents.	Promote reasonable accommodation procedures throughout the planning period.	Effectiveness: The City prioritizes housing for disabled people on a case-by-case basis. The City also requires developers to comply with current ADA requirements as part of the development process. Staff are continuing to provide information about reasonable accommodation at City Hall. The reasonable accommodation procedure is included in the City's Development Code (Zoning Ordinance) which is posted on the City's website. Appropriateness: Staff will continue to provide information about reasonable accommodation at City Hall through communication with individual applicants. Because improvements to streamline the reasonable accommodation procedure are included in Program 3.2.1 of the 2023-2031 Housing Program, and City Planning staff will continue to provide the public information about reasonable accommodation and implement the reasonable accommodation procedure as set forth in the Shafter Municipal Code, inclusion of this program is no longer necessary. This program will be eliminated from the 2023-2031 Housing Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 3.2.4- Housing for Developmentally Disabled Persons Program	Non-Quantified Objective: Apply for funding when appropriate during the planning period to encourage the development of units specifically for persons with disabilities.	Reach out annually to developers and offer specific regulatory incentives throughout the planning period when funding is available. Initiate a cooperative outreach program with the Kern Regional Center by 2016.	Effectiveness: The City has not applied for funding to encourage units developed specifically for disabled persons. No appropriate funding sources that the City was aware of have become available. Due to unavailability of funding, the City has not annually reached out to developers of supportive housing. The City has not yet worked with the Kern Regional Center to implement an outreach program informing families within the City of housing and services available for persons with developmental disabilities. Information on housing and services available for persons with developmental disabilities is not included on the City's Housing Assistance Programs web page. Appropriateness: The directives to seek state and federal monies in support of housing construction and rehabilitation for those with disabilities, and reach out to developers of supportive housing, and to offer technical assistance and regulatory incentives as appropriate are included in Program 3.2.3 of the 2023-2031 Housing Program. The directive to work with the Kern Regional Center to implement an outreach program after housing is developed or identified is not necessary as the housing developer will work with the Kern Regional Center and eligible families will already be familiar with the Kern Regional Center through educational and social service referrals. For these reasons, this program will be eliminated from the 2023-2031 Housing Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 3.2.5- Senior Housing	Non-Quantified Objective: Study the need and feasibility of specific zoning tools for individual projects as they are submitted, such as permitting the development of senior housing in specific areas of the community, reduced parking requirements, and other incentives.	Reach out annually to developers and offer specific regulatory incentives throughout the planning period when funding is available to promote the development of age-restricted housing.	Effectiveness: When opportunities become available, City staff have worked with housing developers to promote the development of age-restricted housing in appropriate locations. Due to unavailability of funding, the City has not annually reached out to developers of age-restricted housing. As individual projects are submitted, City staff evaluates the need and feasibility of specific zoning tools and development incentives. No new senior housing projects have been built during the planning period. Appropriateness: Directives to reach out to developers of senior housing, and to offer incentives as appropriate are included in Program 3.2.3 of the 2023-2031 Housing Program. As these directives are incorporated into that program, this program will be eliminated from the 2023-2031 Housing Program.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 3.2.6- Units for Large Households	Non-Quantified Objective: Ensure at least 25% of the units in the project have three or more bedrooms to accommodate large families if City provides financial assistance for a project. Provide development incentives to promote the development of larger units with three or more bedrooms in all housing developments with the goal of constructing five large units during the planning period.	Ongoing, 2015-2023	Effectiveness: During 2021, over 400 building permits were issued by the City. Of those permits, approximately 79% were for units having three or more bedrooms. No subsidized deed-restricted family housing units have been developed during the 2015-2023 planning period. Appropriateness: As approximately 79% of all new units have 3 or more bedrooms, incentives are not needed to develop market-rate units for large households. However, overcrowding has been identified as an issue affecting lower-income households. This program will be modified and included in the 2023-2031 Housing program as Program 3.2.5: Deed-Restricted Affordable Units for Large Households.

Housing Element Program	Program Objectives	Timeframe	Implementation Status
Program 3.2.7- Coordination with Kern County and Other Actions to Address Farm Worker Housing	Non-Quantified Objective: Promote access to new permanent housing in the City by distributing bilingual information when new affordable rental opportunities are available, implementing related programs, and coordinating with and assisting County and nonprofit agencies and developers.	Ongoing, 2015-2023. The City will conduct annual meetings with Kern County and other organizations regarding housing and services for farm workers and will meet with developers when approached. Information on housing will be available within one year of Housing Program adoption.	Effectiveness: The City has not developed this program to date. Appropriateness: The directives to coordinate with the County and organizations serving farm workers, and to offer technical assistance and regulatory incentives as appropriate for farmworker housing are included in Program 3.2.3 of the 2023-2031 Housing Program. Housing information is currently disseminated by organizations serving farm workers. For these reasons, this program will be eliminated from the 2023-2031 Housing Program.

2. Evaluation of The Effectiveness of Goals, Policies, And Related Actions in Meeting the Housing Need of Special Needs Populations

Seniors/Persons with Disabilities

Seniors and persons with disabilities share certain similarities, particularly in the context of their housing needs and challenges, such as housing accessibility, supportive services, and availability of affordable housing. Among seniors aged 65 and older in Shafter, the most prevalent disability is ambulatory disability, affecting approximately 14.5% of the senior population. The second most common disability is independent living, impacting around 7.3% of seniors.

Approximately 51% of Shafter's housing stock was constructed prior to the enactment of the Americans with Disabilities Act (ADA) in 1990. Ensuring accessibility for the aging population requires the rehabilitation and physical improvement of these housing units. Program 1.2.2 (Housing Rehabilitation Information Program), Program 1.2.4 (Housing Rehabilitation Funding Program), and Program 1.2.3 (Code Enforcement) have been established to support rehabilitation efforts. These programs are successful in that Shafter is continuing to be a cooperative city providing residents access to CDBG and HOME funds through Kern County for rehabilitation. Code enforcement is an ongoing basic function of the City and the code enforcement officer will continue to monitor the housing stock for property maintenance and compliance with the California Building Code and the City's Municipal Code and will continue to assist residents to address violations and rehabilitate their properties.

Affordable housing options are also crucial for seniors and persons with disabilities who often have restricted incomes. The City of Shafter has implemented accessory dwelling units as an affordable housing option, approving a compliant ordinance in December 2022. As seniors and persons with disabilities tend to live in deed-restricted affordable housing, preservation of affordable housing is important to these groups. In 2021, through Program 1.2.1 (At-Risk Housing Unit Program), City staff aided applicants seeking funding through the California Tax Credit Allocation Committee to rehabilitate the Sky Way Apartments. The 24 senior housing units were classified as at-risk prior to the applicant receiving funding for rehabilitation. The City has effectively promoted and referred individuals to external resources such as the Kern County Planning and Community Development Division Fair Housing Coordinator through Program 3.1.1 (Cooperative Association). This program provides information on rental assistance and federal initiatives aimed at supporting seniors and persons with disabilities. Additionally, the City implements Program 3.2.3 (Reasonable Accommodation) to accommodate the housing needs of persons with disabilities.

By establishing processes such as reasonable accommodation and allowing for residential care facilities in accordance with State regulations, Shafter demonstrates its ongoing commitment to promoting inclusive housing options and enhancing medical care for individuals with disabilities. These efforts will provide additional financial opportunities and incentives for developers, non-profits, and medical business owners to provide individuals with disabilities access to suitable housing and receive the necessary support for their specific needs. As state laws evolve, Shafter will adapt and update its programs to ensure continued compliance and effectiveness in meeting the housing and healthcare needs of individuals with disabilities.

Large Households

Families consisting of five or more members often face challenges in finding affordable and adequately sized housing options. In Shafter, approximately 26% of owner-occupied households and 32% of renter-occupied households have five or more members. Overcrowding is also prevalent in Shafter. 9.9% of owner-occupied households and 15.1% of renter-occupied households are overcrowded, with 3.0% of all households severely overcrowded.

The needs of large households and overcrowding can be most effectively addressed with the construction of new housing units. From 2015 through 2021, 1,578 residential units were built in Shafter. Of the over 400 units built in 2021, approximately 79% have three or more bedrooms (Program 3.2.6 set a goal of 25%). The pace of Accessory Dwelling Unit (ADU) construction has increased to 69 per year in 2021, helping meet the housing needs of large families (Program 1.1.2). The City adopted a Sphere of Influence in 2020 which makes unincorporated land available for residential development through annexation (Program 1.1.3). The City is working with organizations to develop affordable housing, including with Self-Help Enterprises to develop Tract 6713, a deed-restricted development of 28 low-income units in the City's historic core area (Programs 2.1.1, 2.1.2, 2.1.3). Program 3.2.6 (Units for Large Households) will be modified and continued as Program 3.2.5 (Deed-Restricted Affordable Units for Large Households) to focus on providing at least 25% of units with 3 or more bedrooms in projects receiving financial assistance.

Recent State legislation has also incentivized housing development by providing funding and construction waivers for developers that provide affordable housing. Encouraging the construction ADUs and encouraging the construction of housing units with 3+ bedrooms in financially assisted affordable housing projects are among the measures included in the 2023-2031 Housing Action Plan to expand the housing supply and accommodate the needs of large households.

Single-Parent Households (Female-Headed)

Single-parent households, particularly those headed by females, often face financial hardships due to low incomes and increased family expenses. In addressing the needs of these households and other low-income individuals and families, programs such as Program 1.2.1 (At-Risk Housing Unit Program), Programs 2.1.1 through 2.1.3 and 2.2.2 (to assist the development of affordable housing), Programs 2.2.3 and 2.3.1 (focused on encouraging and prioritizing lower-income housing), and 3.1.1 (fair housing assistance) provided essential resources. These programs offer support to lower-income households, including single-parent families, in their pursuit of affordable housing. The City remains proactive in addressing the housing challenges faced by vulnerable populations, including single-parent households, through implementing these programs.

Homeless

The insufficient availability of affordable housing for individuals with low- and moderate-incomes has led to an increase in the number of people falling below the poverty line and facing housing insecurity, including homelessness. As a member of a collaborative of Kern County cities and the County of Kern, Shafter's Permanent Local Housing Allocation is being used to fund a homeless shelter in Bakersfield that serves residents of the County, including residents of the City of Shafter.

The shelter includes transitional and permanent housing and employment programs (Program 2.3.2 Emergency Shelters and Program 3.2.2 Coordination with Agencies Serving the Homeless).

The City also aims to prevent homelessness. In 2021, through Program 1.2.1 (At-Risk Housing Unit Program), City staff aided applicants seeking funding through the California Tax Credit Allocation Committee to rehabilitate the Sky Way Apartments. The 24 senior housing units were classified as at-risk prior to the applicant receiving funding for rehabilitation. The City has effectively promoted and referred individuals to external resources such as the Kern County Planning and Community Development Division Fair Housing Coordinator through Program 3.1.1 (Cooperative Association).

However, to effectively expand the supply of affordable housing, it is necessary to update the zoning code through the 2023-2031 planning period, as mentioned in Chapter IV, Constraints. Further updates will provide the necessary support for the continued development of affordable housing. Programs are being revised with actions in the 6th cycle to promote the development of affordable housing.

Farmworkers

As mentioned in Chapter II, out of the total employed civilian population over the age of 16 in Shafter, 2,022 individuals were employed in agricultural, forestry, fishing, hunting, and mining sectors. While the City has undertaken certain initiatives to address the need for affordable housing, including housing for special needs populations, the demand still surpasses the available resources. During the 5th cycle reporting period, the City has not had the opportunity to assist the preservation or development of housing for farm workers per Program 3.2.7. The directives to coordinate with the County and organizations serving farm workers, and to seek funding, prioritize funding, and offer technical assistance and regulatory incentives as appropriate for farmworker housing, are included in Program 3.2.3 of the 2023-2031 Housing Program. Program 2.1.1 of the 2023-2031 Housing Program directs the City to apply for grants to assist the provision of farmworker housing. Furthermore, Program 3.2.1 of the 2023-2031 Housing Program includes amending the Shafter Development Code (Zoning Ordinance) to be consistent with the state code requirements for farm worker housing. By incorporating these programs and updating the Municipal Code, Shafter aims to provide suitable housing options for farm laborers and address the housing needs specific to this sector.

3. Progress Toward Quantified Objectives of the 2015-2023 Housing Program

Table A-2 presents the quantified objectives of the previous Housing Program. This table was titled Table 5.5A in the prior Housing Program.

Table A-3 presents the City's progress toward the quantified objectives of the previous Housing Program.

Table A-2
Quantified Objectives – 2015-2023
City of Shafter

Program	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction ¹	200	200	450	400	800	2,050
Rehabilitation	0	10	10	0	0	20
Conservation ²	0	0	0	0	0	0

Note:

1. New construction estimates are based on historical trends and land availability within the City.
2. As there are no at-risk units for the 2015-2023 planning period, a quantified objective for conservation has not been identified. Conservation of units throughout the City will also occur through the rehabilitation objective.

Table A-3
Progress Toward Quantified Objectives – 2015-2021
City of Shafter

Program	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
New Construction	0	0	140	77	1,361	1,578
Rehabilitation	0	0	0	0	0	0
Conservation	0	0	0	0	0	0

APPENDIX B

A. Residential Sites Inventory

The City of Shafter's 2023-2031 Housing Element Sites Inventory Summary chapter identifies vacant land that can potentially be used to accommodate a variety of housing opportunities for all economic segments of the community to meet or exceed the City's 6th Cycle Regional Housing Needs Assessment (RHNA). The RHNA process is used to assign each city and county in California their "fair share" of new housing units to build. These units of housing are intended to accommodate existing needs and projected growth in the region. The RHNA process is critical because it requires all cities and counties to plan for the housing needs of their residents at all income levels, to plan for future growth, and ultimately ease California's acute housing crisis. The Kern County Council of Governments (Kern COG), as the regional planning agency, assigns the RHNA for individual jurisdictions within Kern County, including the City of Shafter. The City of Shafter's 6th Cycle RHNA is shown in Table B-1 below.

Table B-1
City of Shafter 2023-2031 RHNA

6 th Cycle RHNA				
Very Low	Low	Moderate	Above Moderate	RHNA total
678	431	604	1,581	3,294

1. Pending Projects

The City currently has one, low-income, deed-restricted housing project in development. Tract 6713 consists of 28 deed-restricted, low-income single-family residential units being developed by Self Help Enterprises. The site is located ¼ of a mile south of W Los Angeles Avenue on the north side of Elizabeth Avenue, west of S. Schnaidt Street. The final map was approved on July 20, 2021. Building permits were issued in December 2022. Grading and infrastructure have been built (curb, gutter, sidewalk, wet/dry utilities). A few of the home concrete pads have been poured. The City estimates that the project will be complete in 2023-2024. The Certificate of Occupancy for the first seven built homes is estimated to be March 2024, the next seven in July 2024, then October 2024, and then the beginning of 2025.

Gossamer Grove, Marcona Preserve, Mission Lakes, and Orchard Park are project based specific plans. These specific plans have been approved by the City for development. The developers are currently in the process of building housing units, developing plans for tentative tract maps and subdivisions of units, or are in various other stages of the planning process. The City anticipates that in this housing cycle Gossamer Grove, Marcona Preserve and Orchard Park can be completed assuming that the housing market, building supplies, and desire by developers remain favorable. Gossamer Grove is already partially completed, and development is continuing. Marcona Preserve and Orchard Park are both relatively small plans with 1,320 dwelling units being anticipated for development between them. Due to

their size the City anticipates these can be completed within this housing Cycle provided the housing market remains favorable. Mission Lakes is the only specific plan project that is likely to not be completed in this housing cycle due in part to its large size. All specific plans are phased but there are no sequencing requirements with any of these specific plans; units will be developed based on market conditions. There are no known additional barriers to development for the specific plans other than the housing market and the speed with which development can occur.

Other areas of the City have a “Specific Plan” zoning designation, highlighting these areas for future residential/commercial/mixed use development. To date, no other specific plans have been brought to the City for approval.

2. Sites Inventory Summary Table

The City of Shafter 6th Cycle Housing Element Sites Inventory Summary table has been prepared (Table B-2) to provide a snapshot of where vacant land sites have been identified throughout the City to accommodate the 2023-2031 RHNA.

The summary table categorizes the proposed vacant land sites into six planning areas (PA) within the City of Shafter. These PAs include the Specific Plans of Gossamer Grove, Marcona Preserve (formerly Heritage Ranch), Mission Lakes, and Orchard Parks, as well as locations adjacent to the City Center, and sites identified by developers or City staff for future rezoning to accommodate residential development throughout the City (Rezone Sites).

The summary table shows the total number of potential units allocated to each income bracket within each respective planning area. Based on the methodology outlined, the City has the potential to far exceed the RHNA numbers within all income categories. Figure B-1 visually shows all the sites used to produce the Sites Inventory.

Table B-2
2023-2031 Sites Inventory Summary Table

Planning Area	Very Low	Low	Moderate	Above Moderate	How to Calculate Income Level
City Center*	0	28	716	0	Low - 25% of Realistic capacity Very low - 20% of Realistic capacity
Specific Plan Areas					
Gossamer Grove	0	0	1,079	1,078	Divided total sites between Moderate and Above Moderate 50/50 split
Marcona Preserve (formerly Heritage Ranch)	0	0	441	439	Divided total sites between Moderate and Above Moderate 50/50 split
Mission Lakes**	29	117	2,446	2,442	Low - 20% of PA Max Unit Buildout Very low - 5% of PA Max Unit Buildout
Orchard Hills	0	0	220	220	Divided total sites between Moderate and Above Moderate 50/50 split
Sites to be Rezoned					
Rezone*	840	3,336	6,259	6,258	Low - 20% of Realistic capacity Very low - 5% of Realistic capacity
Total 2023-2031	869	3,481	11,161	10,437	
*Realistic Capacity = Acres X Max Density X 0.7					
**Due to the size of the specific plan, it is estimated that Mission Lakes will be 50% developed in this 6th cycle					

Figure B-1
2023-2031 Housing Inventory Locations

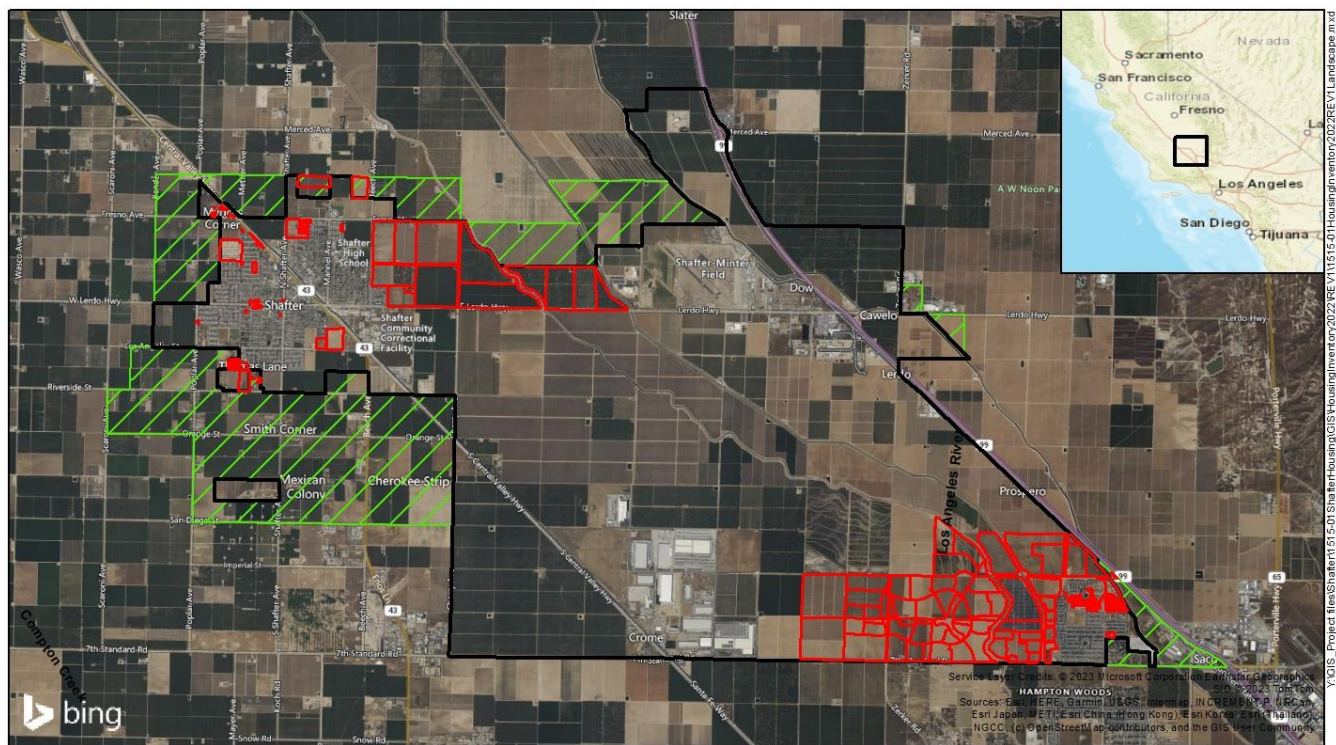
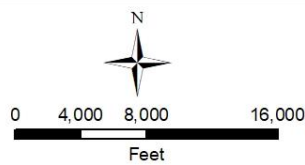


Figure B-1 - Housing Inventory Locations

City of Shafter 2023-2031 HEU

Legend

- Potential Housing Sites
- City Limits
- Sphere of Influence



Methodology for the Site Selection

A city's housing inventory is a critical component of a housing element that assists in the identification of available land suitable for residential development which is needed to meet the RHNA. The housing inventory for the current 6th Cycle Housing Element was compiled using the following methodology:

- For sites to be included in the 6th Cycle housing inventory, the sites were required to be vacant (no permanent structures or active development occurring onsite) and already zoned to allow for residential development.
 - Evaluation of the previous 5th Cycle Housing Element sites inventory included conducting a visual (aerial and ground) analysis of sites and consultation with Shafter City staff to remove sites that are no longer considered vacant.
 - Evaluation of Gossamer Grove, Marcona Preserve, Mission Lakes, and Orchard Park Specific Plans to ensure capture of all undeveloped parcels currently planned for residential development.
 - Visual analysis of vacant land in and around the City Center and determination of appropriateness for inclusion in the inventory.
- Parcels identified by developers and/or City staff for future rezoning to allow for residential development.
- Sites considered to accommodate low and very low income were required to have at least a unit density of 20 du/acre as stated in California Government Code § 65583.2(c)(3).

California Government Code §65583.2 requires a local government to calculate the projected residential capacity of sites. The realistic residential capacity for a given parcel was calculated using the maximum unit density allowed by zoning ordinance and/or respective specific plans, multiplied by the acreage of the site multiplied by a realistic development capacity constant. The realistic development capacity constant is the approximate percentage of a parcel that can be considered developable for residential uses factoring in the loss of land due to residential development standards such as setbacks, maximum lot coverage requirements, building heights, sidewalks, etc. The analysis determined that historical development capacity averages, from the 5th cycle Housing Element, were 74%. Geospatially evaluating previous development projects per residential zone type showed the City develops at approximately 90% residential capacity for single-family residential, 50% residential capacity for medium density multi-family zoning, and 112% residential capacity for higher density multi-family residential. Based on these percentages, an overall average 84% realistic capacity was calculated. Based on these standards and the historical pattern from the 5th Cycle, the realistic development capacity constant for the City of Shafter was determined to be a conservative 70% and therefore is being used as the realistic capacity in this 6th Cycle Housing Element Update. This capacity is also consistent with the neighboring community of Wasco which also has a 70% realistic capacity. Furthermore, nearly all sites in the inventory, except for those identified as requiring rezoning, are presently residentially zoned, including the zoning does not allow

100 percent non-residential uses and are very unlikely to receive 100 percent nonresidential development, which is consistent with a 70% realistic capacity.

$$\text{Realistic Capacity (du/acre)}^* = \text{Max Density (du/acre)} \times \text{Acreage of Parcel} \times 70\%$$

(*Applied to sites outside of designated Specific Plan Areas)

In the Specific Plan areas, which are approved specific plans based on developer project proposals, the realistic capacity is equal to the planned capacity of the specific plans. The specific plans have been developing at the planned capacity.

Once the realistic capacity was determined for a site, the numbers were then divided into appropriate income assignments according to the methodology described in detail in the following section.

3. Methodology for Income Distribution

The methodology for determining income distribution for the various PA's is summarized within each of the categories beginning with the following:

City Center

The income assignments for the City Center sites were determined based on a home sale price distribution within and adjacent to the City Center. This average home sale price distribution showed that approximately 45% of homes for sale within this area were considered affordable to the low and very-low-income brackets (\$83,672 to \$198,922), with 55% of homes in this region of the City listed with sales prices in the moderate and above moderate-income brackets (\$312,505 and greater). Therefore, vacant residential lots that could accommodate housing for low-income and very low-income brackets (based on HCD outlined criteria) were assigned 45% of the housing capacity of the site (25% to low and 20% to very low). The remaining 55% of residential capacity was assigned to the moderate-income bracket (Table B-3).

Table B-3
City Center Vacant Sites

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate
026-010-32	LDR	R-1	5	0	0	134
026-030-10	LDR	R-1	5	0	0	1
026-030-17	LDR	R-1	5	0	0	1
026-030-35	LDR	R-1	5	0	0	1
026-040-15	LDR	R-1	5	0	0	1
026-040-16	LDR	R-1	5	0	0	1
026-061-15	LDR	R-1	5	0	0	1

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate
026-061-16	LDR	R-1	5	0	0	1
026-061-17	LDR	R-1	5	0	0	1
026-061-18	LDR	R-1	5	0	0	2
026-064-16	LDR	R-1	5	0	0	1
026-090-33	LDR	R-1	5	0	0	10
026-090-67	LDR	R-1	5	0	0	1
026-090-68	LDR	R-1	5	0	0	1
026-090-70	LDR	R-1	5	0	0	5
026-113-01	MDR	R-2	14	0	0	1
026-172-14	MDR	R-2	14	0	0	1
026-202-08	LDR	R-1	5	0	0	1
026-220-06	VLDR	E	3.5	0	0	47
026-220-42	LDR	R-1	5	0	0	14
026-251-04	LDR	R-1	5	0	0	1
026-251-06	LDR	R-1	5	0	0	1
026-252-04	LDR	R-1	5	0	0	1
026-321-07	LDR	R-3	24	0	0	4
026-321-08	LDR	R-3	24	0	0	3
026-321-09	LDR	R-3	24	0	0	3
026-321-10	LDR	R-3	24	0	0	3
026-321-11	LDR	R-3	24	0	0	3
026-321-12	LDR	R-3	24	0	0	3
026-321-13	LDR	R-3	24	0	0	3
026-321-14	LDR	R-3	24	0	0	3
026-663-01	VLDR	E	3.5	0	0	1
026-700-09	LDR	R-1	5	0	0	1
026-751-01	LDR	E	3.5	0	1	0
026-751-02	LDR	E	3.5	0	1	0
026-751-03	LDR	E	3.5	0	1	0
026-751-04	LDR	E	3.5	0	1	0
026-751-05	LDR	E	3.5	0	1	0
026-751-06	LDR	E	3.5	0	1	0
026-751-07	LDR	E	3.5	0	1	0
026-751-08	LDR	E	3.5	0	1	0
026-751-09	LDR	E	3.5	0	1	0
026-751-10	LDR	E	3.5	0	1	0
026-751-11	LDR	E	3.5	0	1	0
026-751-12	LDR	E	3.5	0	1	0

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate
026-751-13	LDR	E	3.5	0	1	0
026-751-14	LDR	E	3.5	0	1	0
026-751-15	LDR	E	3.5	0	1	0
026-751-16	LDR	E	3.5	0	1	0
026-751-17	LDR	E	3.5	0	1	0
026-751-18	LDR	E	3.5	0	1	0
026-751-19	LDR	E	3.5	0	1	0
026-751-20	LDR	E	3.5	0	1	0
026-751-21	LDR	E	3.5	0	1	0
026-752-01	LDR	E	3.5	0	1	0
026-752-02	LDR	E	3.5	0	1	0
026-752-03	LDR	E	3.5	0	1	0
026-752-04	LDR	E	3.5	0	1	0
026-752-05	LDR	E	3.5	0	1	0
026-752-06	LDR	E	3.5	0	1	0
026-752-07	LDR	E	3.5	0	1	0
028-010-70	VLDR	E	3.5	0	0	59
028-561-22	VLDR	E	3.5	0	0	1
028-561-24	VLDR	E	3.5	0	0	1
028-561-25	VLDR	E	3.5	0	0	1
028-600-01	VLDR	E	3.5	0	0	1
028-600-02	VLDR	E	3.5	0	0	1
028-600-03	VLDR	E	3.5	0	0	1
028-600-04	VLDR	E	3.5	0	0	1
028-611-02	VLDR	E	3.5	0	0	1
028-611-03	VLDR	E	3.5	0	0	1
028-611-04	VLDR	E	3.5	0	0	1
028-611-05	VLDR	E	3.5	0	0	1
028-611-08	VLDR	E	3.5	0	0	1
028-611-09	VLDR	E	3.5	0	0	1
028-612-01	VLDR	E	3.5	0	0	1
028-612-02	VLDR	E	3.5	0	0	1
028-612-03	VLDR	E	3.5	0	0	1
028-612-04	VLDR	E	3.5	0	0	1
028-612-06	VLDR	E	3.5	0	0	1
028-613-01	VLDR	E	3.5	0	0	1
028-613-04	VLDR	E	3.5	0	0	1
028-613-05	VLDR	E	3.5	0	0	1

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate
028-613-08	VLDR	E	3.5	0	0	1
089-020-84	VLDR	A	3.5	0	0	70
089-020-87	VLDR	A	3.5	0	0	68
089-051-14	LDR	R-1	5	0	0	2
089-051-15	LDR	R-1	5	0	0	1
089-051-30	LDR	R-1	5	0	0	1
089-051-44	LDR	R-1	5	0	0	1
089-052-10	LDR	R-1	5	0	0	1
089-052-20	LDR	R-1	5	0	0	1
089-052-21	LDR	R-1	5	0	0	3
089-060-16	LDR	R-1	5	0	0	1
089-060-21	LDR	R-1	5	0	0	1
089-090-29	VLDR	E/R1	3.5	0	0	99
028-180-07	LDR	R-1	5	0	0	100
028-180-57	LDR	R-1	5	0	0	30
Total Sites Per Income Category				8	36	700

Specific Plans

The realistic residential capacity for the Specific Plan areas and the income assignments to the potential housing in these planning areas was calculated differently than the methodology outlined previously. Each of the Specific Plans set a threshold for the maximum number of units that could ultimately be developed. The set maximum threshold for residential development within each individual Specific Plan area was analyzed and found to be well below what the available land acreage and allowed densities could accommodate. Therefore, for consistency with the Specific Plan standards, the realistic capacity for the Specific Plans is considered equal to the maximum threshold number of units identified within each respective Specific Plan.

The majority of the Specific Plans are zoned for the development of low-density single-family residential units. The average sale price of these units within the Specific Plan areas is approximately \$450,000 based on analysis of Zillow and Realtor.com. Based on this price, single-family residential units in Specific Plans fall within the moderate and above moderate-income brackets created by the Department of Housing and Urban Development (HUD). All Specific Plan areas that were identified as single-family residential units were therefore considered for the moderate or above-moderate income brackets and were divided evenly amongst the two income brackets (50/50). Gossamer Grove and Mission Lakes had development phases that included medium- to medium-high-density residential. These medium- to medium-high-density residential developments would typically be built for moderate- or lower-income brackets. However, Mission Lakes was the only specific plan that

met the threshold of having a residential density of 20 or higher. Therefore, it was assessed that approximately 25% (20% to low, 5% to very low) of the medium-density to medium-high-density residential units would be dedicated to low and very low-income brackets for Mission Lakes. Based on the Specific Plan for Mission Lakes, there are two PAs (PA 14 and PA 15) that are zoned at the appropriate density to accommodate housing affordable to lower income households (greater than 20 dwelling units per acre). Based on the City's experience, when buildout occurs according to the Mission Lakes Specific Plan, final subdivisions for PA 14 and PA 15 would result in parcel sizes between 0.5 acres and 10 acres. Furthermore, Program 1.1.3 will encourage the subdivision of large sites into parcels between 2 and 10 acres to accommodate affordable housing.

Gossamer Grove's residential capacity was calculated differently than the other Specific Plans because Gossamer Grove is partially developed. To determine what was left of Gossamer Grove to be developed in the next housing period, a visual analysis of what is developed and what remains available for development was conducted by planning area. Planning areas 1,2,4, and 5 all had some level of development completed. The remaining units for potential development were then distributed among the income brackets depending on density designation per the PA. Gossamer Grove's specific plan allows for a maximum of 3,432 dwelling units. 1,275 dwelling units have been developed. Gossamer Grove therefore has 2,157 dwelling units left to be built among 5 PAs, divided among the moderate and above moderate-income brackets.

As previously stated, The City anticipates that in this housing cycle Gossamer Grove, Marcona Preserve and Orchard Park can be completed assuming that the housing market, building supplies, and desire by developers remain favorable. Gossamer Grove is already partially completed, and development is continuing. Marcona Preserve and Orchard Park are both relatively small plans with 1,320 dwelling units being anticipated for development between them. Due to their size the City anticipates these can be completed within this housing Cycle provided the housing market remains favorable. Mission Lakes is the only specific plan project that is likely to not be completed in this housing cycle due in part to its large size. All specific plans are phased but there are no sequencing requirements with any of these specific plans; units will be developed based on market conditions. There are no known additional barriers to development for the specific plans other than the housing market and the speed with which development can occur.

Table B-4
Gossamer Grove Vacant Sites

Planning Area	Total Number of Dwelling Units Allowed	Remaining Units to be Built				
		Total number of dwelling units remaining	Very Low	Low	Moderate	Above Moderate
1	299	0	0	0	0	0
2	1334	598	0	0	299	299
3	1353	1353	0	0	677	676
4	275	206	0	0	103	103
5	171	0	0	0	0	0
Total	3,432	2,157	0	0	1,079	1,078

Table B-5
Marcona Preserve Vacant Sites

Planning Area	Total Number of Dwelling Units Allowed	Remaining Units to be Built			
		Very Low	Low	Moderate	Above Moderate
1	60	0	0	30	30
2	142	0	0	71	71
3	101	0	0	51	50
4	92	0	0	46	46
5	485	0	0	243	242
Total	880	0	0	441	439

Table B-6
Mission Lakes Vacant Sites

Planning Area	Total Number of Dwelling Units Allowed	Remaining Units to be Built			
		Very Low	Low	Moderate	Above Moderate
1	745	0	0	372	373
2	720	0	0	360	360
3	307	0	0	154	153
4	435	0	0	218	217
5	375	0	0	188	187
6	126	0	0	63	63
7	486	0	0	243	243
8	620	0	0	310	310
9	275	0	0	138	137
12	236	0	0	118	118
13	123	0	0	61	62
14	100	5	20	38	37
15	486	24	97	183	182
Total*	5,034	29	117	2,446	2,442

*Due to the size of the specific plan, it is estimated that Mission Lakes will be 50% developed in this 6th cycle.

Table B-7
Orchard Park Vacant Sites

Total Number of Dwelling Units Allowed	Remaining Units to be Built			
	Very Low	Low	Moderate	Above Moderate
440	0	0	220	220

Rezoned Group

The Rezoned group are a set of specific parcels identified to assist the City in accommodating the shortfall in its lower-income RHNA numbers. Sites previously identified in prior housing element site inventories (i.e., APN 536-010-50 in Mission Lakes Specific Plan) contribute 73 lower income units to be used towards the RHNA. One additional site (APN 536-010-87) has not been identified in previous housing elements and has a lower income capacity of 73 units. In addition, 28 single-family lots of Tract 6713, deed restricted to lower-income households, is a pending project being developed by Self-Help Enterprises that is expected to be completed between 2024-2025. Between these sites, a total of 174 lower income units are accommodated before rezoning. Program 1.1.1 “Rezone Sites to Accommodate Housing Needs” directs the City to rezone sites to accommodate its RHNA. The City, without the Rezoned group and program, fails to achieve the RHNA for lower income units, with a shortfall of 935 units. Suburban jurisdictions that have a shortfall of sites are required to make rezoned sites have a minimum residential density of 20 dwelling units per acre.

The sites identified as requiring rezoning (Rezoned Sites) were calculated with a realistic capacity of 70% max build out (with one exception) similar to the City Center but were treated similarly to the specific plans with a total of 25% of the realistic residential capacity being dedicated to low and very low-income brackets. The 25% dedication to low and very-low-income brackets would likely occur based on discussions between City staff and the landowner. The landowner is amenable to rezoning their parcels of land to accommodate a higher density residential development and include multi-family development options for the City. The one exception to the rezone realistic capacity is the parcel closest to the wastewater treatment plant which was given a 50% capacity due to its proximity to the treatment plant and the possible need for a land use buffer. To maintain the validity of the realistic capacity assumptions, all sites to be rezoned shall be residentially zoned.

Table B-8
Rezoned Group Vacant Sites

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate
089-090-02	VLDR	A	24	131	521	977	976
089-090-03	VLDR	A	24	128	509	955	956
089-090-07	VLDR	PUD/R-1/A	24	66	261	489	489
089-090-19	AOS	A	24	53	210	394	394
089-090-29	VLDR	E	24	35	136	256	255
089-090-30	SP	A	24	124	494	926	927
089-090-31	SP	A	24	123	489	918	917
091-040-64	AOS	AH	24	67	266	500	500
091-040-65	AOS	AH	24	87	346	650	650
091-040-69	Industrial	IH	24	26	104	194	194
Total Sites Per Income Category				840	3,336	6,259	6,258

For the full sites inventory of available vacant parcels, see Table B-9 below.

Table B-9
Vacant Sites Inventory

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
026-010-32-00-4	LDR	R-1	5			134		38.37	134	
026-030-10-00-6	LDR	R-1	5			1		0.14	1	
026-030-17-00-7	LDR	R-1	5			1		0.38	1	
026-030-35-00-9	LDR	R-1	5			1		0.09	1	
026-040-15-00-4	LDR	R-1	5			1		0.26	1	
026-040-16-00-7	LDR	R-1	5			1		0.17	1	
026-061-15-00-7	LDR	R-1	5			1		0.31	1	
026-061-16-00-0	LDR	R-1	5			1		0.1	1	
026-061-17-00-3	LDR	R-1	5			1		0.15	1	
026-061-18-00-6	LDR	R-1	5			2		0.73	2	
026-064-16-00-1	LDR	R-1	5			1		0.13	1	
026-090-33-00-1	LDR	R-1	5			10		2.8	10	

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
026-090-67-00-0	LDR	R-1	5			1		0.3	1	
026-090-68-00-3	LDR	R-1	5			1		0.29	1	
026-090-70-00-8	LDR	R-1	5			5		1.53	5	
026-113-01-00-4	MDR	R-2	14			1		0.17	1	
026-172-14-00-3	MDR	R-2	14			1		0.16	1	
026-202-08-00-4	LDR	R-1	5			1		0.21	1	
026-220-06-00-0	VLDR	E	3.5			47		19.31	47	
026-220-42-00-4	LDR	R-1	5			14		4.22	14	
026-251-04-00-0	LDR	R-1	5			1		0.41	1	
026-251-06-00-6	LDR	R-1	5			1		0.31	1	
026-252-04-00-7	LDR	R-1	5			1		0.54	1	
026-321-07-00-9	LDR	R-3	24	0	0	4		0.24	4	
026-321-08-00-2	LDR	R-3	24	0	0	3		0.22	3	
026-321-09-00-5	LDR	R-3	24	0	0	3		0.18	3	

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
026-321-10-00-7	LDR	R-3	24	0	0	3		0.21	3	
026-321-11-00-0	LDR	R-3	24	0	0	3		0.22	3	
026-321-12-00-3	LDR	R-3	24	0	0	3		0.22	3	
026-321-13-00-6	LDR	R-3	24	0	0	3		0.22	3	
026-321-14-00-9	LDR	R-3	24	0	0	3		0.22	3	
026-663-01-00-4	VLDR	E	3.5			1		0.33	1	
026-700-09-00-8	LDR	R-1	5			1		0.25	1	
026-751-01-00-6	LDR	E	3.5		1			0.30	1	
026-751-02-00-9	LDR	E	3.5		1			0.26	1	
026-751-03-00-2	LDR	E	3.5		1			0.26	1	
026-751-04-00-5	LDR	E	3.5		1			0.26	1	
026-751-05-00-8	LDR	E	3.5		1			0.26	1	
026-751-06-00-1	LDR	E	3.5		1			0.26	1	
026-751-07-00-4	LDR	E	3.5		1			0.34	1	

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
026-751-08-00-7	LDR	E	3.5		1			0.34	1	
026-751-09-00-0	LDR	E	3.5		1			0.26	1	
026-751-10-00-2	LDR	E	3.5		1			0.26	1	
026-751-11-00-5	LDR	E	3.5		1			0.26	1	
026-751-12-00-8	LDR	E	3.5		1			0.26	1	
026-751-13-00-1	LDR	E	3.5		1			0.26	1	
026-751-14-00-4	LDR	E	3.5		1			0.30	1	
026-751-15-00-7	LDR	E	3.5		1			0.30	1	
026-751-16-00-0	LDR	E	3.5		1			0.26	1	
026-751-17-00-3	LDR	E	3.5		1			0.26	1	
026-751-18-00-6	LDR	E	3.5		1			0.26	1	
026-751-19-00-9	LDR	E	3.5		1			0.26	1	
026-751-20-00-1	LDR	E	3.5		1			0.26	1	
026-751-21-00-4	LDR	E	3.5		1			0.33	1	

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
026-752-01-00-3	LDR	E	3.5		1			0.37	1	
026-752-02-00-6	LDR	E	3.5		1			0.25	1	
026-752-03-00-9	LDR	E	3.5		1			0.25	1	
026-752-04-00-2	LDR	E	3.5		1			0.25	1	
026-752-05-00-5	LDR	E	3.5		1			0.25	1	
026-752-06-00-8	LDR	E	3.5		1			0.25	1	
026-752-07-00-1	LDR	E	3.5		1			0.29	1	
028-010-70-00-8	VLDR	E	3.5			59		24.24	59	
028-561-22-00-6	VLDR	E	3.5			1		0.27	1	
028-561-24-00-2	VLDR	E	3.5			1		0.27	1	
028-561-25-00-5	VLDR	E	3.5			1		0.27	1	
028-600-01-00-9	VLDR	E	3.5			1		0.32	1	
028-600-02-00-2	VLDR	E	3.5			1		0.33	1	
028-600-03-00-5	VLDR	E	3.5			1		0.33	1	

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
028-600-04-00-8	VLDR	E	3.5			1		0.33	1	
028-611-02-00-2	VLDR	E	3.5			1		0.26	1	
028-611-03-00-5	VLDR	E	3.5			1		0.35	1	
028-611-04-00-8	VLDR	E	3.5			1		0.34	1	
028-611-05-00-1	VLDR	E	3.5			1		0.28	1	
028-611-08-00-0	VLDR	E	3.5			1		0.28	1	
028-611-09-00-3	VLDR	E	3.5			1		0.30	1	
028-612-01-00-6	VLDR	E	3.5			1		0.32	1	
028-612-02-00-9	VLDR	E	3.5			1		0.29	1	
028-612-03-00-2	VLDR	E	3.5			1		0.29	1	
028-612-04-00-5	VLDR	E	3.5			1		0.29	1	
028-612-06-00-1	VLDR	E	3.5			1		0.28	1	
028-613-01-00-3	VLDR	E	3.5			1		0.28	1	
028-613-04-00-2	VLDR	E	3.5			1		0.33	1	

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
028-613-05-00-5	VLDR	E	3.5			1		0.28	1	
028-613-08-00-4	VLDR	E	3.5			1		0.26	1	
089-020-84-00-7	VLDR	A	3.5			70		28.67	70	
089-020-87-00-6	VLDR	A	3.5			68		27.87	68	
089-051-14-00-0	LDR	R-1	5			2		0.73	2	
089-051-15-00-3	LDR	R-1	5			1		0.39	1	
089-051-30-00-6	LDR	R-1	5			1		0.15	1	
089-051-44-00-7	LDR	R-1	5			1		0.12	1	
089-052-10-00-5	LDR	R-1	5			1		0.15	1	
089-052-20-00-4	LDR	R-1	5			1		0.07	1	
089-052-21-00-7	LDR	R-1	5			3		0.93	3	
089-060-16-00-2	LDR	R-1	5			1		0.25	1	
089-060-21-00-6	LDR	R-1	5			1		0.20	1	
089-090-29-00-9	VLDR	E/R1	3.5			99		40.60	99	

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
028-180-07-00-6	LDR	R-1	5			100		28.71	100	
028-180-57-00-1	LDR	R-1	5			30		8.72	30	
091-210-02-01-0	SP	SP	7.5			68	68	47.67	136	Gossamer Grove
091-210-08-00-9	SP	SP	7.5			415	439	189.8	854	Gossamer Grove
482-010-57-00-3	SP	SP	7.5			45	45	27.5	90	Gossamer Grove
482-040-12-00-1	SP	SP	7.5			25	25	7.49	50	Gossamer Grove
482-040-13-00-4	SP	SP	7.5			94	94	53.2	188	Gossamer Grove
482-200-06-00-0	SP	SP	7.5			84	84	42.7	168	Gossamer Grove
482-200-11-00-4	SP	SP	9			37	38	7.47	75	Gossamer Grove
482-200-25-00-5	SP	SP	9			28	28	3.77	56	Gossamer Grove
482-200-64-00-8	SP	SP	9			37	38	24.85	75	Gossamer Grove
482-200-74-00-7	SP	SP	7.5			25	25	14.8	50	Gossamer Grove
482-361-24-00-6	SP	SP	7.5			10	10	2.91	17	Gossamer Grove
482-370-06-00-0	SP	SP	7.5			40	50	16.48	90	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-370-08-00-6	SP	SP	7.5			5	5	1.19	10	Gossamer Grove
482-391-17-00-5	SP	SP	7.5				1	0.3	1	Gossamer Grove
482-412-02-00-3	SP	SP	7.5				1	0.17	1	Gossamer Grove
482-412-03-00-6	SP	SP	7.5				1	0.19	1	Gossamer Grove
482-412-04-00-9	SP	SP	7.5				1	0.23	1	Gossamer Grove
482-412-05-00-2	SP	SP	7.5				1	0.29	1	Gossamer Grove
482-412-06-00-5	SP	SP	7.5				1	0.2	1	Gossamer Grove
482-412-07-00-8	SP	SP	7.5				1	0.19	1	Gossamer Grove
482-416-02-00-1	SP	SP	7.5				1	0.18	1	Gossamer Grove
482-416-03-00-4	SP	SP	7.5				1	0.16	1	Gossamer Grove
482-416-04-00-7	SP	SP	7.5				1	0.22	1	Gossamer Grove
482-416-05-00-0	SP	SP	7.5				1	0.29	1	Gossamer Grove
482-416-06-00-3	SP	SP	7.5				1	0.16	1	Gossamer Grove
482-416-07-00-6	SP	SP	7.5				1	0.12	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-416-08-00-9	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-416-09-00-2	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-416-10-00-4	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-441-01-00-2	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-441-02-00-5	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-441-03-00-8	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-441-04-00-1	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-441-05-00-4	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-441-06-00-7	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-441-07-00-0	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-441-08-00-3	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-441-09-00-6	SP	SP	7.5				1	0.2	1	Gossamer Grove
482-441-10-00-8	SP	SP	7.5				1	0.17	1	Gossamer Grove
482-441-11-00-1	SP	SP	7.5				1	0.15	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-442-01-00-9	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-442-02-00-2	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-442-03-00-5	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-442-04-00-1	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-442-05-00-1	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-442-06-00-4	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-442-07-00-7	SP	SP	7.5				1	0.17	1	Gossamer Grove
482-443-01-00-6	SP	SP	7.5				1	0.24	1	Gossamer Grove
482-443-02-00-9	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-443-03-00-2	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-443-04-00-5	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-443-05-00-8	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-443-06-00-1	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-443-07-00-4	SP	SP	7.5				1	0.13	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-443-08-00-8	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-443-09-00-0	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-443-16-00-0	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-443-17-00-3	SP	SP	7.5				1	0.21	1	Gossamer Grove
482-451-01-00-5	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-451-02-00-8	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-03-00-1	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-04-00-4	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-05-00-7	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-06-00-0	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-07-00-3	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-08-00-6	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-09-00-9	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-451-10-00-1	SP	SP	7.5				1	0.17	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-451-11-00-4	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-12-00-7	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-13-00-0	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-451-14-00-3	SP	SP	7.5				1	0.16	1	Gossamer Grove
482-452-01-00-2	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-452-02-00-5	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-452-03-00-8	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-452-04-00-1	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-452-05-00-4	SP	SP	7.5				1	0.16	1	Gossamer Grove
482-452-06-00-7	SP	SP	7.5				1	0.27	1	Gossamer Grove
482-452-07-00-0	SP	SP	7.5				1	0.2	1	Gossamer Grove
482-452-08-00-3	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-452-09-00-6	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-452-10-00-8	SP	SP	7.5				1	0.15	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-452-11-00-1	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-452-12-00-4	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-452-13-00-7	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-452-14-00-0	SP	SP	7.5				1	0.16	1	Gossamer Grove
482-454-01-00-6	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-454-02-00-9	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-04-00-0	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-05-00-3	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-06-00-6	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-07-00-9	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-08-00-2	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-09-00-5	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-10-00-7	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-11-00-0	SP	SP	7.5				1	0.13	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-471-12-00-3	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-13-00-6	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-471-15-00-2	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-471-16-00-5	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-17-00-8	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-18-00-1	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-19-00-4	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-20-00-6	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-21-00-9	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-22-00-2	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-471-23-00-5	SP	SP	7.5				1	0.19	1	Gossamer Grove
482-471-24-00-8	SP	SP	7.5				1	0.2	1	Gossamer Grove
482-471-25-00-1	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-26-00-4	SP	SP	7.5				1	0.11	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-471-27-00-7	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-471-28-00-0	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-471-29-00-3	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-471-30-00-5	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-471-31-00-8	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-471-32-00-1	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-471-33-00-4	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-471-34-00-7	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-471-35-00-0	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-472-01-00-8	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-472-02-00-1	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-472-03-00-4	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-472-04-00-7	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-472-05-00-0	SP	SP	7.5				1	0.11	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-472-06-00-3	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-472-07-00-6	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-472-08-00-9	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-472-09-00-2	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-472-10-00-4	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-472-11-00-7	SP	SP	7.5				1	0.16	1	Gossamer Grove
482-472-12-00-0	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-472-13-00-3	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-472-14-00-6	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-472-15-00-9	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-01-00-5	SP	SP	7.5				1	0.17	1	Gossamer Grove
482-473-02-00-8	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-03-00-1	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-04-00-4	SP	SP	7.5				1	0.14	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-473-05-00-7	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-06-00-0	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-07-00-3	SP	SP	7.5				1	0.17	1	Gossamer Grove
482-473-08-00-6	SP	SP	7.5				1	0.17	1	Gossamer Grove
482-473-09-00-9	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-10-00-1	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-11-00-4	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-12-00-3	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-13-00-0	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-473-14-00-3	SP	SP	7.5				1	0.17	1	Gossamer Grove
482-481-01-00-4	SP	SP	7.5				1	0.28	1	Gossamer Grove
482-482-11-00-0	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-482-12-00-3	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-482-13-00-6	SP	SP	7.5				1	0.12	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-482-14-00-9	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-482-15-00-2	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-482-16-00-5	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-482-17-00-8	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-491-01-00-7	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-02-00-0	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-03-00-3	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-04-00-6	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-05-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-06-00-2	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-491-07-00-5	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-491-08-00-8	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-491-09-00-1	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-10-00-3	SP	SP	7.5				1	0.1	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-491-11-00-6	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-491-12-00-9	SP	SP	7.5				1	0.28	1	Gossamer Grove
482-491-13-00-2	SP	SP	7.5				1	0.18	1	Gossamer Grove
482-491-14-00-5	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-15-00-8	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-491-16-00-1	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-491-17-00-4	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-491-18-00-7	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-491-19-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-491-20-00-2	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-491-21-00-5	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-492-01-00-4	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-492-02-00-7	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-492-03-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-492-04-00-3	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-492-05-00-6	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-492-06-00-9	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-492-07-00-2	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-492-08-00-5	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-492-09-00-8	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-492-10-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-492-11-00-3	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-492-12-00-6	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-492-13-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-496-01-00-2	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-497-01-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-497-02-00-2	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-498-01-00-6	SP	SP	7.5				1	0.1	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-501-01-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-02-00-2	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-03-00-5	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-04-00-8	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-05-00-1	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-06-00-4	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-07-00-7	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-08-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-09-00-3	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-10-00-5	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-11-00-8	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-12-00-1	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-13-00-4	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-14-00-7	SP	SP	7.5				1	0.09	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-501-15-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-16-00-3	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-17-00-6	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-18-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-19-00-2	SP	SP	7.5				1	0.18	1	Gossamer Grove
482-501-21-00-7	SP	SP	7.5				1	0.15	1	Gossamer Grove
482-501-22-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-501-23-00-3	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-24-00-6	SP	SP	7.5				1	0.14	1	Gossamer Grove
482-501-25-00-9	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-26-00-2	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-27-00-5	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-28-00-8	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-29-00-1	SP	SP	7.5				1	0.1	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-501-30-00-3	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-31-00-6	SP	SP	7.5				1	0.13	1	Gossamer Grove
482-501-32-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-33-00-2	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-34-00-5	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-35-00-8	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-36-00-1	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-37-00-4	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-38-00-7	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-39-00-0	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-40-00-2	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-41-00-5	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-42-00-8	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-501-43-00-1	SP	SP	7.5				1	0.1	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-501-44-00-4	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-501-45-00-7	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-502-01-00-6	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-02-00-9	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-03-00-2	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-04-00-5	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-05-00-8	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-06-00-1	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-07-00-4	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-08-00-7	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-09-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-502-10-00-2	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-11-00-5	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-12-00-8	SP	SP	7.5				1	0.1	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-502-13-00-1	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-14-00-4	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-15-00-7	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-16-00-0	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-17-00-3	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-18-00-6	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-502-19-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-503-01-00-3	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-02-00-6	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-03-00-9	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-04-00-2	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-05-00-5	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-06-00-8	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-07-00-1	SP	SP	7.5				1	0.09	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-503-08-00-4	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-09-00-7	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-503-10-00-9	SP	SP	7.5				1	0.1	1	Gossamer Grove
482-503-11-00-2	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-12-00-5	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-13-00-8	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-14-00-1	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-15-00-4	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-16-00-7	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-17-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-503-18-00-3	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-504-01-00-0	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-504-02-00-3	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-504-03-00-6	SP	SP	7.5				1	0.09	1	Gossamer Grove

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
482-504-04-00-9	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-504-05-00-2	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-504-06-00-5	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-504-07-00-8	SP	SP	7.5				1	0.09	1	Gossamer Grove
482-504-08-00-1	SP	SP	7.5				1	0.11	1	Gossamer Grove
482-504-09-00-4	SP	SP	7.5				1	0.12	1	Gossamer Grove
482-504-10-00-6	SP	SP	7.5				1	0.12	1	Gossamer Grove
536-020-01-00-5	SP	SP	6.6			30	30	11.83	60	Marcona Preserve
536-020-02-00-8	SP	SP	6.13			45	45	16.88	90	Marcona Preserve
536-020-03-00-1	SP	SP	6.6			45	55	22.86	100	Marcona Preserve
536-020-04-00-4	SP	SP	6.6			35	35	16.54	70	Marcona Preserve
536-020-06-00-0	SP	SP	6.6			41	41	9.26	82	Marcona Preserve
536-020-07-00-3	SP	SP	6.6			55	55	41.03	110	Marcona Preserve
536-010-82-00-7	SP	SP	6.6			58	100	39.23	158	Marcona Preserve

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
536-010-79-00-9	SP	SP	6.6			100	110	99.92	210	Marcona Preserve
089-090-32-00-7	SP	SP	3.5			110	110	75.88	220	Orchard Park
089-090-33-00-0	SP	SP	3.5			110	110	78.66	220	Orchard Park
091-190-09-00-7	SP	SP	7.5			350	250	154.18	600	Mission Lakes
091-190-29-00-5	SP	SP	7.5			377	195	160	572	Mission Lakes
536-010-20-00-7	SP	SP	7.5			20	20	9.6	40	Mission Lakes
536-010-22-00-3	SP	SP	7.5			200	150	71.8	350	Mission Lakes
536-010-23-00-6	SP	SP	7.5			40	40	42.35	80	Mission Lakes
536-010-24-00-9	SP	SP	7.5			100	100	49.54	200	Mission Lakes
536-010-26-00-5	SP	SP	7.5			100	100	53.93	200	Mission Lakes
536-010-27-00-8	SP	SP	7.5			40	40	48.16	80	Mission Lakes
536-010-28-00-1	SP	SP	7.5			25	25	20.9	50	Mission Lakes
536-010-29-00-4	SP	SP	7.5			25	25	17.9	50	Mission Lakes
536-010-32-00-2	SP	SP	7.5			10	10	2.07	20	Mission Lakes

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
536-010-33-00-5	SP	SP	7.5			30	30	36.34	60	Mission Lakes
536-010-34-00-8	SP	SP	7.5			40	40	40.06	80	Mission Lakes
536-010-35-00-1	SP	SP	7.5			40	40	41.48	80	Mission Lakes
536-010-36-00-4	SP	SP	7.5			40	40	47.38	80	Mission Lakes
536-010-37-00-7	SP	SP	7.5			30	30	28.27	60	Mission Lakes
536-010-38-00-0	SP	SP	7.5			30	30	29.24	60	Mission Lakes
536-010-41-00-8	SP	SP	14			103	104	22.8	207	Mission Lakes
536-010-42-00-1	SP	SP	7.5			20	20	9.66	40	Mission Lakes
536-010-43-00-4	SP	SP	7.5			40	40	47.57	80	Mission Lakes
536-010-44-00-7	SP	SP	7.5			30	30	32.87	60	Mission Lakes
536-010-45-00-0	SP	SP	7.5			30	30	29.41	60	Mission Lakes
536-010-49-00-2	SP	SP	7.5			85	85	7.1	170	Mission Lakes
536-010-50-00-4	SP	SP	24		73	121	122	22.57	316	Mission Lakes
536-010-51-00-7	SP	SP	7.5			250	200	97.11	450	Mission Lakes

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
536-010-63-00-2	SP	SP	7.5			15	15	6.24	30	Mission Lakes
536-010-67-00-4	SP	SP	7.5			30	30	34.3	60	Mission Lakes
536-010-68-00-7	SP	SP	14			61	62	13.43	123	Mission Lakes
536-010-70-00-2	SP	SP	7.5			25	25	14.38	50	Mission Lakes
536-010-71-00-5	SP	SP	7.5			14	15	6.59	29	Mission Lakes
536-010-72-00-8	SP	SP	7.5			25	25	23.59	50	Mission Lakes
536-010-73-00-1	SP	SP	7.5			40	40	43.66	80	Mission Lakes
536-010-74-00-4	SP	SP	7.5			25	25	24.29	50	Mission Lakes
536-010-81-00-4	SP	SP	7.5			25	25	25.79	50	Mission Lakes
536-010-84-00-3	SP	SP	7.5			30	30	34.02	60	Mission Lakes
536-010-85-00-6	SP	SP	7.5			20	20	8.02	40	Mission Lakes
536-010-86-00-9	SP	SP	7.5			40	40	39.17	80	Mission Lakes
536-010-87-00-2	SP	SP	24		73	13	14	25.58	100	Mission Lakes
536-010-88-00-5	SP	SP	7.5			25	25	22.53	50	Mission Lakes

Assessor Parcel Number	General Plan Designation (Current)	Zoning Designation (Current)	Max Density Allowed (units/acre)	Very Low	Low	Moderate	Above Moderate	Acres	Realistic Capacity	Specific Plan
536-010-89-00-8	SP	SP	7.5			30	30	33.01	60	Mission Lakes
536-010-90-00-0	SP	SP	7.5			20	20	10.96	40	Mission Lakes
536-010-91-00-3	SP	SP	7.5			30	30	32.47	60	Mission Lakes
089-090-02-00-0	VLDR	A	24	131	521	977	976	155.11	2605	Rezoned
089-090-03-00-3	VLDR	A	24	128	509	955	956	151.72	2548	Rezoned
089-090-07-00-5	VLDR	PUD/R-1/A	24	66	261	489	489	77.72	1305	Rezoned
089-090-19-00-0	AOS	A	24	53	210	394	394	62.59	1051	Rezoned
089-090-29-00-9	VLDR	E	24	35	136	256	255	40.6	682	Rezoned
089-090-30-00-1	SP	A	24	124	494	926	927	147.12	2471	Rezoned
089-090-31-00-4	SP	A	24	123	489	918	917	145.7	2447	Rezoned
091-040-64-00-2	AOS	AH	24	67	266	500	500	79.39	1333	Rezoned
091-040-65-00-5	AOS	AH	24	87	346	650	650	103.19	1733	Rezoned
091-040-69-00-7	Industrial	IH	24	26	104	194	194	43.19	518	Rezoned

4. Small and Large Lot Sites

Sites normally considered appropriate to accommodate lower income housing units are at least 0.5 acres and no larger than 10 acres. In the Sites Inventory, there are properties that are smaller than 0.5 acres and larger than 10 acres that are planned to accommodate lower income housing units.

The Sites Inventory includes 28 individual R-1 zoned properties. These properties are lots of Tract 6713, a pending project consisting of 28 deed-restricted, low-income single-family residential units being developed by Self Help Enterprises, which is described in Pending Projects above. The project is under construction and is expected to be completed in phases between 2024 and 2025.

Large sites have also been identified in the Sites Inventory as suitable to accommodate lower income units. These large sites have not been subdivided for development and are still large agricultural fields. Each of the large sites have owners who have expressed interest in residentially developing the sites. The Wonderful Company owns a significant number of these sites. The Wonderful Company is developing the industrial land it owns in Shafter (the “Wonderful Industrial Project”) and is interested in developing housing for the workers in those facilities on some of the other properties in Shafter that it owns. In Shafter, large sites have a high potential for subdivision; these have a track record of being divided into smaller properties, usually with a range of densities, including property designated for higher densities (24 units/acre) as seen in the Mission Lakes Specific Plan. As is common elsewhere in the region, larger sites zoned for higher density development will be developed into condominium or apartment complexes, with or without further subdivision of the site.

There are two large sites (approx. 26 acres and 23 acres) with existing higher density zoning (maximum 24 units/acre), both in the Mission Lakes Specific Plan. Future subdivision of these two large sites into smaller properties to accommodate affordable rental housing is likely; the Specific Plan specifies a minimum lot size of 0.5 acres and a maximum height of 45 feet, standards that will accommodate affordable rental housing. In general, parcel sizes that support the development of projects with 80 units (160 units for two-phase projects) are recommended. Consistent with Specific Plan allowed densities, parcels between 3-4 acres will support an 80-unit project; with affordable housing density bonus provisions, parcels can be smaller. Self-Help Enterprises, the largest regional non-profit affordable housing developer, has recommended minimum parcel sizes of 2.5 to 3 acres, densities between 20 and 50 units per acre, and project sizes of at least 50 units. The two large sites of the Mission Lakes Specific Plan can be subdivided consistent with these recommendations.

Likewise, large sites identified in the Sites Inventory that are rezoned in accordance with Program 1.1.1 will be residentially zoned with a required minimum density of 20 units per acre to facilitate the development of affordable housing. The City will work with the property owners of these sites and use tools such as split zoning (zoning a portion of the parcel) and site planning to facilitate the division of the large parcel into appropriately sized sites that can accommodate affordable housing. In general, parcel sizes that support the development of projects with 80 units (160 units for two-phase projects) are recommended. Self-Help Enterprises, the largest regional non-profit affordable housing developer, has recommended

minimum parcel sizes of 2.5 to 3 acres, densities between 20 and 50 units per acre, and project sizes of at least 50 units.

Program 1.1.3 in Chapter V addresses the development of large sites.

5. Underutilized Sites

Underutilized sites are properties that have been identified for redevelopment due to either poor condition of the existing building, undesirability of the existing use, or the prospect of building at greater densities under current zoning conditions. In the City of Shafter, there is a high volume of vacant developable land that the City can utilize for residential development to meet the RHNA. Therefore, the City has not prepared an underutilized sites inventory list.

6. Accessory Dwelling Units (ADU)

An ADU is defined by HCD as an accessory dwelling unit with complete independent living facilities. ADUs can be attached or detached but must meet requirements of size and must be built where there is already an existing or planned residential unit. ADU production has significantly increased since 2018 due to changing California laws incentivizing homeowners to build ADUs. More changes to ADU law took effect in 2020 that further eased restrictions on the production of ADUs increasing the number of units produced.

Anticipated ADU Development

Based on analysis of the previous Housing Element's Annual Progress Reports (APR's), ADU production started in the City of Shafter in 2018. Based on an analysis of secondary/accessory dwelling unit production in the City of Shafter over the last four years (2018, 2019, 2020, & 2021), the City has prepared a projection of estimated ADU production in the upcoming Housing Element 8-year cycle.

Table B-9
Accessory Dwelling Unit Production
City of Shafter

APR Reporting Year	ADU Building Permits Issued	Income Category Type
2018	14	(13 low-income, no deed restriction and 1 moderate-income, no deed restriction)
2019	16	(All low-income, no deed restriction)
2020	42	(41 low-income, no deed restriction and 1 above-moderate income)
2021	69	(All low-income, no deed restriction)
Average across 4 years	35	

The average number of building permits issued for ADUs over the last four APR cycles is 35 per year. If you multiply this by the 8 years of a housing element cycle, the City can safely project the production of approximately 280 ADUs by 2031. This calculation is extremely conservative based on observations that ADU production in the City is steadily increasing annually. Additionally, the City of Shafter is in the process of updating its ADU policies to reflect legislative changes made by the State which highly encourages the development of ADUs.

Affordability of ADUs:

A review of ADU production between 2018 and 2021 shows a steady increase in the number of ADUs built. Research also indicates that the majority of ADUs being built are dedicated to renters in the low-income bracket. The analysis for ADU affordability conducted below, follows the same procedure as the HCD-approved SCAG Accessory Dwelling Unit Affordability Analysis. The analysis begins with a determination of maximum rental rate, a survey analysis of rentable units in the area, a determination of the proportion of ADUs per income category per household type, and a conservative realistic affordability assumption for rentable ADUs based on particular assumptions.

Table B-10 demonstrates affordable rent levels for housing in Kern County by income category. Income categories are established each year by HUD for each metropolitan and non-metropolitan county. The basis for HUD's median family income is derived from the American Community Survey (ACS) which relies on data from the Bureau of Labor Statistics (BLS).

Table B-10
Income Categories

Income Category	1-Person	2-Person
Extremely Low Income		
Annual Income	16,350	18,700
Monthly Income	1,363	1,558
Max. Monthly Rent	409	467
Very Low Income		
Annual Income	27,300	31,200
Monthly Income	2,275	2,600
Max. Monthly Rent	683	780
Low Income		
Annual Income	43,650	49,850

Monthly Income	3,638	4,154
Max. Monthly Rent	1,091	1,246
Moderate Income		
Annual Income	67,450	77,100
Monthly Income	5,621	6,425
Max. Monthly Rent	1,686	1,928
<i>Assumption:</i> 30% of gross income for rent or principal, interest, taxes & insurance plus utility allowance. Source: Cal. HCD		

An analysis of ADU rental prices within Kern County was conducted in December 2022. The methodology follows a similar process as the SCAG Accessory Dwelling Unit Affordability Analysis which involved searching all available rentals within the County limits on various search engines (such as Zillow and Realtor.com) that met specific criteria (Keywords: ADU, studio, 1 bedroom, granny unit, cottage, etc.). In the analysis for the City, there were difficulties using the keywords to find ADU rentals as most of the search results in the analysis did not use or have any of these terms. The best results for this analysis were to use the term “apartments” and then do visual analysis to determine if it was an ADU or JADU. In the City of Shafter, at the time of the analysis, there were no apartments or ADUs for rent. The majority of the ADU rental availability for this analysis was in the City of Bakersfield. Based on the analysis, 17 units were found for use in the subsequent calculations. Table B-11 below demonstrates the number of ADUs available for rent based on income category. It is assumed that ADU rentals will be occupied by mostly one and two-person households. Therefore, the table will only be representing those types of households.

Table B-11
ADU Survey Affordability Assignment by Income Categories

Income Category	One Person Household		Two-person household	
	Surveyed ADU	Percentage of Surveyed	Surveyed ADU	Percentage of Surveyed
Extremely Low	0	0%	0	0%
Very Low	0	0%	0	0%
Low	10	59%	12	71%
Moderate	7	41%	5	29%
TOTAL	17	100%	17	100%

Table B-12
Affordability Assignment of Rentable ADU by Income Category

Income Category	A	B	C	
	Surveyed One-Person Household (Adjusted)	Surveyed Two-Person Household (Adjusted)	Combined Affordability of Rentable ADUs	
Extremely Low	0	0	Number	Percent
			0	0%
Very Low	0	0	0	0%
Low	5	6	11	65%
Moderate	3.5	2.5	6	35%
TOTAL	8.5	8.5	17	100%

Table B-12 demonstrates the combined affordability of rentable ADUs for both one-person and two-person households for each income category (Column C). In order to calculate the combined affordability of rentable ADUs, the numbers gathered from Table B-11 had a 50% constant (the constant assumes that ADUs are equally likely to be occupied by 1 person and 2-person households) applied to each number per income category and added together. In Table B-12, the numbers shown are after the constant is applied (Columns A & B).

Table B-13
Affordability Assignment of Non-Rentable ADU by Income Category

Income Category	D		E		F	
	Combined Affordability of rentable ADUs (85%)		Affordability of Non-rentable ADUs (15%)		Affordability Assumption of all ADUs	
	Number	Percent	Number	Percent	Number	Percent
Extremely Low	0	0%	2.55	100%	2.55	15%
Very Low	0	0%	0	0%	0	0%
Low	9.39	65%	0	0%	9.39	55%
Moderate	5.1	35%	0	0%	5.1	30%
TOTAL	14.49	100%	2.55	100%	17	100%

Based on the Regional Accessory Dwelling Unit Affordability Analysis by SCAG, it is assumed that 15% of the ADUs available are at the extremely low-income categories and non-rentable

because they are assumed to be for family members or caretakers that are not being charged market rents or charged at all. The remaining 85% are assumed to be rentable ADUs (Column D). Table B-13 demonstrates the combined percentage of non-rentable ADUs for each income category (Column E). The rentable ADUs combined with non-rentable ADUs determines the affordability of all ADUs for each income category (Column F).

Table B-14
Projected ADU Production between 2023-2031
Affordability Assignment

Income Category	Affordability Assumption for ADUs	# ADU/JADUs Produced
Extremely Low	15%	42
Very Low	0%	0
Low	55%	154
Moderate	30%	84
TOTAL	100%	280

Conclusion

Based on the average of ADUs built in the past 4 years, the City of Shafter is conservatively projecting the production of 280 ADUs within the 8-year 6th Cycle Housing Element term. Applying the affordability assumption generated percentages to each income category (as shown in Table B-14 above), the City is conservatively projecting the production of 42 extremely low-income units, 0 very low-income units, 154 low-income units, and 84 moderate-income level ADU units between the years of 2023 and 2031.

APPENDIX C – PUBLIC PARTICIPATION

Government Code 65583(c)(9) requires: "The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." The City of Shafter used a widespread strategy to reach the City's entire population and gather community input.

Community Engagement Plan

A Community Engagement Plan, or CEP (Figure C-1), was developed in the initial stages of the preparation of the Housing Element Update (HEU) to aid in achieving public participation of all economic segments in the community of Shafter. The City of Shafter and the community engagement team used the CEP to curate materials designed to engage the public to participate in the production of the Housing Element update. The CEP is broken down into three major steps:

1. Identifying forms of outreach and communication.
2. Utilizing these approaches to perform public outreach and participation.
3. Incorporating the feedback received from this process into the Housing Element Update.

Throughout the course of the implementation of the CEP, residents of Shafter, as well as other interested parties, were provided multiple opportunities to participate in the production of the HEU. The following public events were held throughout the course of the update:

November 28 th , 2022	1 st Public Workshop
December 2 nd , 2022	Christmas Pop-Up Event
April 17 th , 2023	2 nd Public Workshop

Public Workshops and Events

Starting in November 2022, a sequence of events was initiated to inform the public about the Housing Element update. The first of these events was the first public workshop held at the Shafter Veterans Memorial Hall on November 28th, 2022. A few days later, on December 2nd, 2022, the community engagement team participated in a Christmas pop-up event at Mannel Park. Finally, a second public workshop was held on April 17th, 2023, bringing the informative event series to a conclusion.

The series of events to inform the public started on November 28th, 2022, with a Housing Element Workshop in the City of Shafter (Figure C-9). The workshop was held at Shafter Veterans Memorial Hall and had an approximate turnout of 18 people physically present with an additional 20 people tuning into the workshop via Facebook Live (Figure C-8). The purpose of the workshop was to give a thorough explanation of the Housing Element, the Regional Housing Needs Allocation (RHNA) and Affirmatively Furthering Fair Housing (AFFH) concepts and requirements and facilitate a forum for an open discussion on the housing needs of the residents and community of Shafter. The discussion that took place afterwards clarified questions about the Housing Element Update process, the timeline, the site inventory list, and concerns about meeting the RHNA, AFFH, and affordable housing goals. Notifications for the first public workshop were sent out using water bill mailers (Figure C-4), flyers posted throughout the City (Figure C-3), newspaper notices (Figure C-11) and social media posts (Figures C-6 and C-7). Throughout the workshop, a Spanish translator was available to assist Spanish-speaking attendees.

On December 2, 2022, a Housing Element booth was set up at the local Christmas parade in the City of Shafter (Figure C-10). The City's Christmas Holiday Parade was a free event held at Mannel Park. While an official headcount could not be conducted, this event was reported to have a relatively large turnout. The community engagement team walked around with clipboards and engaged with the public to solicit participation in the Housing Needs Survey. Physical copies of the online survey were handed out to residents and collected to receive additional localized perspective (Figures C-21 and C-22). Approximately 50 physical surveys were collected at the event. The team also assisted by explaining the purpose and need of Housing Elements and by answering questions that the public had about the Housing Element process in both English and Spanish.

Lastly, on April 17th, 2023, a second public workshop was held to update the public on the progress made thus far in the Housing Element process. Information was also provided on how the public could continue to get involved, and the policies and programs to be updated and implemented by the City were announced. Notice was given to the attendees that the draft housing element update was available for the public to review. Notifications for the second public workshop were sent out using water bill mailers (Figure C-14), flyers posted throughout the City (Figure C-13), newspaper notices (Figure C-15) and social media posts (Figures C-16 and C-17). Throughout the workshop, a Spanish translator was available to assist Spanish-speaking attendees. Additionally, the public workshop was livestreamed onto the City's Facebook account (Figure C-18).

Notifying All Economic Segments of the Community

As previously stated, Government Code 65583(c)(9) mandates that "the local government shall make a diligent effort ... to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." The program must also comprehensively detail these engagement efforts, which the document successfully accomplishes. To enhance and promote public involvement in the Housing Element Update process, a diverse range of notification methods was employed, encompassing electronic, physical, and verbal communication channels.

Shafter has a diverse linguistic population, therefore, the community engagement team and City, conducted virtually all forms of communication and outreach in both English and Spanish. The following is a description of the public participation efforts used throughout the HEU process to engage and inform all economic segments of the community of Shafter.

Water Bill Mailer

Public noticing began with the mailing of information for the first public workshop and survey by use of water bill mailers (Figure C-4). These slips were mailed to all water utility customers throughout the City of Shafter. Included were tracts identified by census data as low-income households, thus furthering the efforts to include all economic segments of the community in the development and update of the housing element. This water bill mailer included an electronic survey QR code. This QR code offers direct access to the online "Shafter Housing Needs Survey" (Figure C-4), which enabled residents to quickly and easily provide their input and opinions regarding housing needs and preferences within the City. The survey was available in both English and Spanish.

Once the Draft Housing Element was completed, a second water bill mailer was sent out with the monthly utility bill to all resident households and stakeholders (Figure C-14). This mailer notified

residents of the second public workshop, as well as informing residents that the draft housing element was available for public review. Both water bill mailers were made, published, and distributed in both English and Spanish.

Website

The City of Shafter utilized its website as a crucial electronic notification platform during the Housing Element Update (HEU) process. A dedicated "Housing Element Update 2024" tab was added to the Planning Division page of the City's website (Figure C-5). This webpage served as a central hub for information related to the HEU, including documents created by the community engagement team. Informative documents that were posted on the City's website included both water bill mailers (Figures C-4 and C-14) and both public workshop flyers (Figures C-3 and C-13). These materials were made available for download and viewing.

Brochure

The community engagement team developed an informational Housing Element brochure (Figure C-2). This brochure served as a concise resource that provides essential details about the ongoing Housing Element Update within the City. It covers general information about the update's purpose, goals, and significance for the community.

One notable feature of the brochure is the inclusion of a QR code. This QR code offers direct access to the online "Shafter Housing Needs Survey" (Figure C-12), which enabled residents to provide their input and opinions regarding housing needs and preferences within the City.

To ensure widespread dissemination of this survey, the Housing Element brochure was distributed at two key events. The first distribution took place during the initial public workshop (Figure C-9), where community members were invited to learn more about the Housing Element Update and engage in discussions. Additionally, the brochure was made available at the Christmas pop-up event (Figure C-10), further extending the reach of the information during the gathering. The brochure was made, published, and distributed in both English and Spanish.

Flyers

The City utilized two informative flyers (Figures C-3 and C-13) to publicize both public workshops, the online survey, and the draft housing element update. These flyers were posted at various locations throughout the City including City Hall, bulletin boards at grocery stores, the local senior centers, Shafter Veterans Memorial Hall, parent message board at schools, and other, high traffic local businesses. Additionally, these flyers were published across the City's social media platforms (Figures C-6, C-7, C-16, and C-17) and onto the City's website (Figure C-5). All efforts were made by the City to ensure inclusive distribution of these flyers in locations that serviced all walks of life in the community of Shafter, all socio, demographic and economic backgrounds. The flyers were made, published, and distributed in both English and Spanish.

Social Media

The City of Shafter utilized their preexisting social media account to further outreach efforts to the community. They did so by posting announcements and workshop notices onto their Facebook and Instagram accounts. The City posted notices for the first public workshop on their Facebook and Instagram pages on November 2nd, 4th, 9th, 11th, 13th, 15th, 17th, 19th, 21st, 23rd, 25th, and 27th (Figures C-6 and C-7). The City also posted notices onto their social media platforms to inform

followers about the second public workshop. These posts were published on March 21st, 31st, April 11th, 12th, 13th, 14th, 16th, and 17th. Utilizing these free to use social media platforms helped to reach and inform a higher number of residents and interested parties. Additionally, both public workshops were livestreamed on Facebook to increase exposure and provide virtual attendance for those who could not physically attend (Figures C-9 and C-18).

Newspaper

An abundance of articles were published in the local newspaper, The Shafter Press, throughout the course of the Housing Element Update process. Announcements were published in The Shafter Press on November 10th, 17th, and 23rd to inform residents of the first workshop on November 28th, 2022 (Figure C-11). A few months later, additional newspaper announcements were published on March 30th, April 6th, and 13th to inform residents of the second public workshop on April 17th, 2023 (Figures C-15) as well as the draft housing element public review period (Figure C-20).

Email Newsletter

The City of Shafter had a preexisting “What’s Happening” newsletter in place that was utilized throughout the housing element update process. The first public workshop was advertised in the newsletter on a weekly basis leading up to the workshop. These dates included October 28th, November 4th, 11th, 18th, and 24th 2022.

Leading up to the second workshop, notice of the workshop and public review of the draft housing element were also in the newsletter on a weekly basis. These dates included March 24th, 31st, April 7th, and 14th, 2023.

To further notify residents of the public review period for the draft housing element update, additional notices were placed in the newsletter on April 21st and 28th, 2023. The review period of the draft HEU was made available for 30 days, from April 3rd, 2023, through May 3rd, 2023.

Agency Contact List

A comprehensive list of contacts was created and utilized to notify all relevant parties throughout the HEU process (Table C-1). This list includes stakeholders, non-profit organizations, housing developers, state and federal agencies, school districts, social service agencies, homelessness organizations, human services, local businesses, as well as any agency that has expressed an interest in the HEU. The agency notification list serves to facilitate effective communication and collaboration between the city and local agencies. By keeping these parties informed about the HEU process, the city can ensure that their input is considered, and the outcome is aligned with the needs and priorities of the community.

Senate Bill 18 Noticing

In accordance with Senate Bill 18 (SB 18) Government Code Section 65352.3, the City of Shafter notified local tribes of the Shafter 6th Cycle Housing Element Update. The list of tribes that were notified included:

- Big Pine Paiute Tribe of the Owens Valley
- Chumash Council of Bakersfield

- Kitanemuk & Yowlumne Tejon Indians
- Santa Rosa Rancheria Tachi Yokut Tribe
- Tejon Indian Tribe
- Tule River Indian Tribe

One consultation request was received asking for additional information relating to this Housing Element Update. The City of Shafter coordinated with this tribe to provide them with the information requested.

Housing Needs Survey

Overview of the Survey

An online survey was created to gather public input from community members on the City of Shafter's Housing Element Update. The survey was useful in collecting local perspective as it allowed community members to provide feedback on their housing needs, preferences, and challenges they face in accessing housing. The survey responses helped the City and community engagement team to identify areas where there is a need for more affordable housing, what types of housing are most in demand, and the barriers that prevent residents from accessing housing. The survey contained a total of 16 questions (Figure C-12).

The survey was created through Google Forms. This survey was advertised on the City of Shafter's website (Figure C-5). Additionally, a QR code and link to the survey was published in the first workshop flyer (Figure C-3), the first water bill mailer (Figure C-4), and social media posts (Figures C-6 and C-7). Physical versions of this survey were passed out at public outreach events (Figure C-10). Due to the large Hispanic population in the City of Shafter, the survey was offered in both English and Spanish.

Survey Results

Community members responded to the survey that was launched on October 10th, 2022, and closed on January 23rd, 2023. A total of 220 citizens completed the Housing Needs Survey. An exact breakdown of the results can be found in Figure C-12. Both the polls and community members' aggregated responses are provided in summary below. The results in the data include:

1. The majority of individuals who were surveyed live in a single-family home and believe that there is not enough housing for the community.
2. There is high support for loan, grant, and first-time home buyer assistance programs.
3. Participants say that Shafter can improve the most on affordable housing (45% of respondents) and economic development (15% of respondents).

Affordable housing is a concern among residents with support for multi-family and ADU housing. Residents also showed that they would like to be more informed about fair housing practices and housing opportunities for all income levels.

Incorporating Public Input

Multiple issues can be concluded based on the survey results. These primary issues include:

1. **Housing Shortage:** Over half of the respondents (68.2%) believe that there is not enough housing to meet the needs of the community. This indicates a housing shortage in Shafter and suggests the need for increased housing development and availability.
2. **Lack of Home Buying Assistance:** The most critical housing need in Shafter was found to be first time home buyer assistance (60.5%).
3. **Housing Affordability:** Nearly half of all respondents believe the City of Shafter can most improve on affordable housing (43.8%). This indicates a need for more lower-income housing units within the City.

The City has incorporated/addressed these concerns in the following ways:

1. **Housing Shortage:** An abundance of programs, many of which aim to address housing shortages, are listed in the document within Chapter V. A few examples of these programs include 1.1.1, 1.1.2, and 2.1.4. Program 1.1.1 aims to address the housing shortage in Shafter by rezoning specific sites, identified in Appendix B Residential Sites Inventory, to zones that can accommodate lower income housing. Program 1.1.2, the "No Net Loss Law," requires the City to maintain its unmet share of RHNA throughout the planning period. This means that Shafter must ensure that it doesn't decrease its capacity to meet housing needs, as outlined in Gov. Code §65863. Program 2.1.4, the "Accessory Dwelling Units" program, addresses the housing shortage in the City of Shafter by promoting the construction and utilization of accessory dwelling units (ADUs). For a more comprehensive list of programs aimed at narrowing the housing shortage, please reference Chapter V of the 6th Cycle Housing Element.
2. **Lack of Home Buying Assistance:** Chapter V of the 6th Cycle Housing Element contains programs, some of which address home buying assistance. One example includes Program 1.2.1, which facilitates home buying assistance through the Community Development Block Grant (CDBG) program and HOME funds. Shafter residents with low- and moderate-income can access funds to rehabilitate owner and rental units, acquire real property, and cover development costs. Another helpful program includes Program 2.1.1, which takes a proactive approach by seeking financial resources to ensure affordable housing availability. The program explores funding sources for purchasing covenants on at-risk projects, constructing new units, and replacing units. Grants can be pursued for various purposes, such as housing for disabled residents, farm workers, rehabilitation of low-income housing, and housing for large families. Another beneficial program includes Program 2.1.2 which involves collaborating with non-profit, private, and public entities to expand the affordable housing supply. This program supports non-profit corporations in making housing more affordable for different income groups by providing assistance with grant applications, identifying suitable development sites, and expediting the permitting and inspection process.
3. **Housing Affordability:** Ample programs aimed at addressing housing affordability are listed within Chapter V of this document. A few examples of these programs include 2.1.3, 2.1.4, and 2.3.1. Program 2.1.3, the "At-Risk Housing Unit Program," addresses housing affordability by annually reviewing and updating a table of housing units with affordability deed restrictions, collaborating with the Shafter Kern Housing Authority to extend affordability protections for a specific property, and maintaining contact with relevant

agencies to facilitate the acquisition and management of at-risk units by public or non-profit organizations, ensuring the continued affordability of these units. Program 2.1.4 seeks to alleviate the housing shortage by promoting the construction of accessory dwelling units (ADUs) in Shafter. These ADUs can contribute to the City's goals for extremely low, very-low, low-, and moderate-income housing by encouraging the creation of ADUs at affordable levels of rent. Program 2.3.1, "Infrastructure Improvements and Other Incentives to Facilitate Housing for Lower Income Households," addresses housing affordability in Shafter by utilizing funds from CDBG and various housing development programs to make infrastructure improvements and offer incentives that aid the development of housing for lower income households, with a focus on those currently residing in substandard dwellings, ultimately improving their housing conditions and affordability.

Public Review Periods

Draft Housing Element Public Posting

Per Government Code 65585(b)(1) the first draft Housing Element was publicly circulated for 30 days. The draft Housing Element circulated from April 3rd, 2023, through May 3rd, 2023. The draft was advertised using a wide variety of methods. An advertisement and link to the draft housing element were published in the second workshop flyer (Figure C-13), the second water bill mailer (Figure C-14), the local newspaper (Figure C-20), social media (Figures C-16 and C-17), and onto the City of Shafter's website (Figure C-5). Additionally, the draft public review period was announced during the second public workshop, held on April 17th, 2023. Once the comment period was completed, the City took 10 days to review and address any comments per Government Code 65585(b)(1) prior to submittal to HCD for review.

Revised Draft Housing Element Public Posting

Government Code 65585(b)(1) also states "...any subsequent draft revision, the local government shall post the draft revision on its internet website and shall email a link to the draft revision to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting the draft revision to the department." Therefore, the revised draft was made available on the City of Shafter's website from October 9th, 2023, through October 17th, 2023. An email, or letter, was sent to all individuals and organizations that expressed an interest in the housing element (Figure C-23).

Additional efforts to advertise the revised draft document were completed using a wide variety of methods. An advertisement and link to the revised draft housing element was published on the City of Shafter's website, a water bill mailer was sent to all utility customers throughout the City (Figure C-24), announcements were published in the cities newsletter, the Shafter Press newspaper, and various social media platforms.

Additional revised draft public postings were made available on the City of Shafter's website from December 8th, 2023, through December 15th, 2023, and January 8th, 2024, through January 15th, 2024. An email, or letter, was sent to all individuals and organizations that expressed an interest in the housing element, (Similar to Figure C-23 but with revised dates). No new comments were received from these public postings.

Public Comments

Comments received during public review of the draft Housing Element have been incorporated into the document and can be found in Table C-2.

One comment letter was received during the 30-day public review period from the San Joaquin Valley Air Pollution Control District (Figure C-25). Two additional comments were received after the 30-day public review period: One from the Kern County Superintendent of Schools and one from the Santa Rosa Rancheria Tachi-Yokut Tribe. Comments were reviewed and formal responses indicating how these comments have been considered in the production of the HEU and how they will be addressed during independent project review and approvals are outlined in Table C-2.

Two comment letters were received during the 7-day public posting of the Revised Draft Housing Element. One was a letter of support was received from the Home Builders Association of Kern County (Figure C-26). This comment letter and responses have also been incorporated into Table C-2. The second letter was a comment letter received from Self Help Enterprises (Figure C-27). This comment letter and responses have been incorporated into Table C-2.

No other comments were received during the Housing Element public review period.

Public Hearing

The Planning Commission and City Council conducted public hearings on the final Housing Element document. The City Council adopted the Housing Element and authorized City staff to submit the adopted Housing Element to HCD for their final review and certification of the 6th Cycle Housing Element. All public hearings were duly noticed in accordance with City and State requirements.

Other

Environmental Review

A CEQA Mitigated Negative Declaration (MND) has been prepared for the City for Shafter 2023-2031 Housing Element Update pursuant to CEQA Guidelines. The 2023-2031 Shafter Housing Element would not result in any direct or indirect physical changes to the environment. The Housing Element update is strictly a policy document and does not provide entitlements to any specific land use projects. As necessary, independent CEQA analysis will be required for individual projects and their associated impacts during the entitlement process.

Annual Progress Reports

Per California Government Code § 65400, an annual progress report (APR) must be submitted to HCD on a yearly basis. This APR is due by April 1st of each year and must cover the previous calendar year. The APR is intended to report on the jurisdiction's status and progress in implementing the housing element.

Provision for Update

Ongoing data collection and updating activities will occur in conjunction with the implementation of the Housing Element programs, such as incorporating the latest US Census information, periodically conducting citywide housing condition surveys, and regularly updating the residential

land inventory. Should new information elicit the need to adjust programs in order to meet stated goals, said adjustments may be made at that time.

Figures and Tables

Figure C-1
Public Outreach Plan

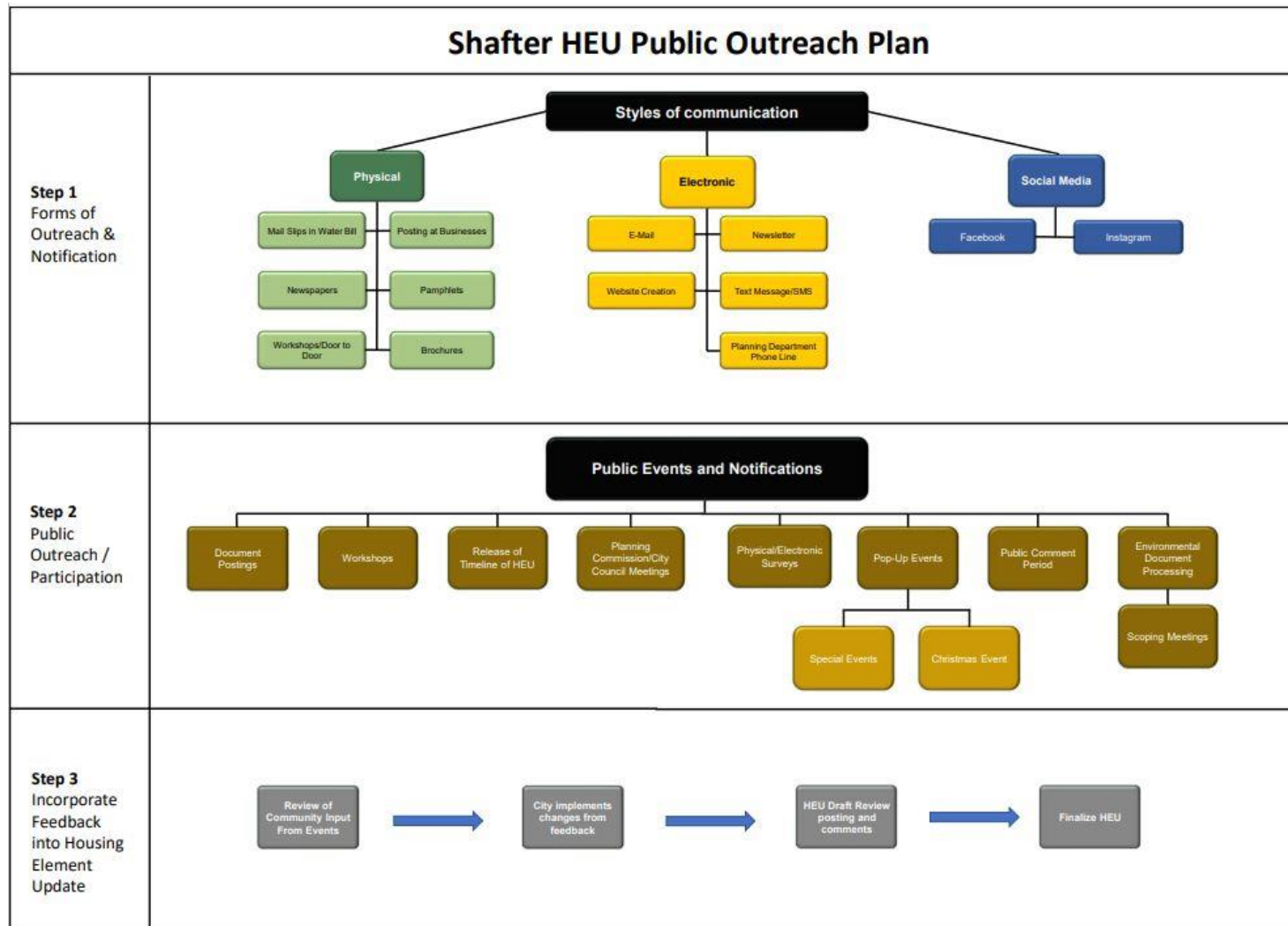


Figure C- 2
Housing Element Brochure



What is the purpose of the Housing Element?

¿Cuál es el propósito del Elemento de Vivienda?

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community.

California's local governments meet this requirement by adopting housing plans as part of their "general plan" (also required by the state). General plans serve as the local government's "blueprint" for how the city and/or county will grow and develop and include nine elements: land use, transportation, conservation, noise, open space, safety, air quality, environmental justice, and housing.

The Housing Element provides policies and associated programs to accommodate growth, produce opportunity for the development of new housing units, preserve existing housing stock and provide housing opportunities for all economic segments of the community.

Desde 1969, California ha requerido que todos los gobiernos locales (ciudades y condados) planifiquen adecuadamente para satisfacer las necesidades de vivienda de cada comunidad.

Los gobiernos locales de California cumplen con el requisito del "Plan General" (también requerido por el Estado) al adoptar el Plan de Vivienda como el "Modelo" del Gobierno local sobre cómo la ciudad y/o el condado crecerán y se desarrollarán el cual incluye nueve elementos: Uso de la tierra, Transporte, Conservación, Ruido, Espacio Abierto, Seguridad, Calidad del Aire, Justicia Ambiental y Vivienda.

El Elemento de Vivienda ofrece diplomacia y programas asociados para adaptarse al crecimiento, oportunidades y el desarrollo de nuevas unidades y la preservación de las viviendas existentes y así poder facilitar oportunidades de vivienda para todos los segmentos económicos de la comunidad.

Why is the City updating its Housing Element?

¿Por qué la Ciudad está actualizando su Elemento de Vivienda?

The City is required by State Housing law to update its Housing Element every eight years. The Housing Element is part of the City's General Plan. The current certified 5th Cycle Housing Element is for the 2014-2023 planning period. The City is in the process of preparing its 6th Cycle Housing Element for the 2024-2032 planning period.

La Ley Estatal de Vivienda exige a cada Ciudad que actualice su Elemento de Vivienda cada ocho años. El Elemento de Vivienda es parte del Plan General de la Ciudad. El actual Elemento de Vivienda está en su 5º Ciclo de certificación para el período de Planificación del 2014-2023. La Ciudad está en el proceso de preparar su Elemento de Vivienda para el 6to Ciclo para el período de Planificación del 2024-2032.

What is RHNA?

¿Que es RHNA?

Regional Housing Needs Allocation (RHNA) process is used to assign each city and county in California their "fair share" of new housing units to build. These units of housing are intended to accommodate existing need and projected growth in the region. The RHNA process is critical because it requires all cities and counties to plan for the housing needs of their residents, regardless of income, to plan for future growth and ease California's acute housing crisis.

(RHNA) se le reconoce como el proceso de Asignación Regional de Necesidades de Vivienda que se utiliza para asignar a cada ciudad y condado de California su "Porción" para poder contruir nuevas unidades de viviendas. Estas unidades de vivienda están destinadas a satisfacer las necesidades existentes y el crecimiento estimado en la región. El proceso de RHNA es crítico porque requiere que todas las ciudades y condados planifiquen las necesidades de vivienda de sus residentes, independientemente de sus ingresos, para poder planificar el crecimiento futuro y aliviar la aguda crisis de vivienda de California.

How can I get involved in the Housing Element Update process?

¿Cómo puede participar en el proceso de la actualización del Elemento de Vivienda?

Surveys - Please scan the QR code on the back of this brochure to complete the Housing Element Update survey.

Community Workshops - Please attend our Housing Element workshop. The next workshop is scheduled on Monday, November 28th at 6pm at Shafter Veterans Hall. Notifications of these scheduled workshops will be posted on the City's website.

Encuestas - Escanee el código QR en la parte posterior de este folleto para completar la encuesta de actualización del Elemento de Vivienda.

Taller Comunitario - Por favor asista a nuestro taller de Elemento de Vivienda. El próximo taller está programado para el lunes 28 de Noviembre a las 6pm en Shafter Veterans Hall. Las notificaciones de estos talleres se publicarán en el sitio web de la Ciudad.

Where can I find more information about the Housing Element Update process?

¿Dónde se puede encontrar más información sobre el proceso de actualización del Elemento de Vivienda?

The City has a dedicated webpage for the 6th Cycle Housing Element Update that can be viewed at the link below:

La Ciudad tiene una página web dedicada para la Actualización del Elemento de Vivienda del 6to Ciclo que se puede ver en el siguiente enlace:

www.shafter.com/386/Planning-Documents

Figure C-3
First Workshop Flyer



CITY OF SHAFTER: HOUSING ELEMENT UPDATE

We invite you to attend our workshop to be held at the Shafter Veterans Hall, where we will summarize what a Housing Element is, how the update process works, and how you can provide input on issues affecting housing in Shafter. This workshop event will be in an open house format where participants can interact to gather community input.

MONDAY NOVEMBER 28TH AT 6PM
SHAFTER VETERANS HALL
309 CALIFORNIA AVENUE.
SHAFTER, CA 93263



HELP SHAPE OUR
CITY'S FUTURE!

LEARN ABOUT THE
HOUSING ELEMENT

COMPLETE THE
HOUSING ELEMENT
SURVEY BY
SCANNING THE QR
CODE BELOW





CIUDAD DE SHAFTER: ACTUALIZACIÓN DEL ELEMENTO DE VIVIENDA

Los invitamos a asistir a nuestro taller que se llevará a cabo en la Shafter Sala de Veteranos, donde se presentará un resumen de lo qué es el Elemento de Vivienda, cómo funciona el proceso de actualización y cómo ustedes pueden aportar información sobre los problemas que afectan la vivienda de Shafter. El taller será en un formato abierto donde pueden reunirse y participar con la comunidad para dar pareceres.

LUNES, 28 DE NOVIEMBRE A LAS 6PM
SHAFTER SALA DE VETERANOS
309 CALIFORNIA AVENUE.
SHAFTER, CA 93263



¡AYUDE A
DESARROLLAR EL
FUTURO DE
NUESTRA CIUDAD!

APRENDA SOBRE EL
ELEMENTO DE
VIVIENDA

COMPLETE LA
ENCUESTA DEL
ELEMENTO DE
VIVIENDA AL
ESCANEAR EL
CÓDIGO QR DEBAJO



**SHAFTER PLANNING
DEPARTMENT**
 336 Pacific Ave,
 Shafter, CA 93263

661-746-5002
www.shafter.com

**DEPARTAMENTO DE
PLANIFICACIÓN DE
SHAFTNER**
 336 Pacific Ave,
 Shafter, CA 93263

661-746-5002
www.shafter.com

Figure C-4
First Workshop Water Bill Notice



**CITY OF SHAFTER
HOUSING ELEMENT UPDATE
1st Housing Element Community Workshop**

Date: Monday Nov 28th, 2022, at 6:00pm
Location: Shafter Veterans Hall
309 California Ave, Shafter, CA 93263

Purpose: To inform and engage the community and residents of the City of Shafter about the update process for the City's Housing Element.

Scan the QR code below to fill out the Housing Element Survey!



City of Shafter
Planning Department
336 Pacific Ave, Shafter, CA 93263
www.shafter.com

For more information on the Housing Element Update please contact the City of Shafter Planning Department
(661) 746-5002



**ACTUALIZACIÓN DEL ELEMENTO DE VIVIENDA DE LA CIUDAD DE SHAFTER
1er. Taller Comunitario del Elemento de Vivienda**

Fecha: Lunes, 28 de Noviembre del 2022 a las 6:00pm
Localidad: Sala de Veteranos de Shafter
309 California Ave, Shafter, CA 93263

Propósito: Informar e involucrar a la comunidad y residentes de la Ciudad de Shafter sobre el proceso de la actualización del Elemento de Vivienda.

¡Escanee el código QR a continuación para completar la encuesta del Elemento de Vivienda!



Ciudad de Shafter
Departamento de Planificación
336 Pacific Ave, Shafter, CA 93263
www.shafter.com

Para obtener más información sobre la actualización del Elemento de Vivienda, comuníquese con el Departamento de Planificación de la Ciudad de Shafter (661) 746-5002

Figure C-5
City of Shafter's Website – Housing Element Update



Figure C-6
First Workshop Notice Facebook Post



City of Shafter

Intro

This is the page of the City of Shafter.

Page · City

336 Pacific Ave , Shafter, CA, United States, California

(661) 746-5000

shafter.com

Open now ▾

Photos See all photos











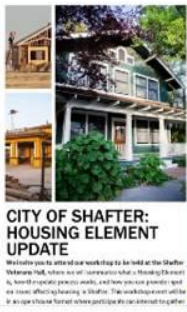
Like
Comment
Share



City of Shafter
2d · 🌐

Your Input is Needed to plan for Shafter's future! Take the survey by scanning the QR code on the flyer or by using the following link <https://docs.google.com/.../1FAIpQLScx8uFMCKd.../viewform...>

The City of Shafter also invites you to attend our Community Workshop to be held at the Shafter Veterans Hall, where we will summarize what a Housing Element is, how the update process works, and how you can provide input on ... [See more](#)

1
Like
Comment
Share



City of Shafter
4d · 🌐

CONSTRUCTION UPDATE: [Southern California Gas Company](#)

Figure C-7
First Workshop Notice Instagram Posts

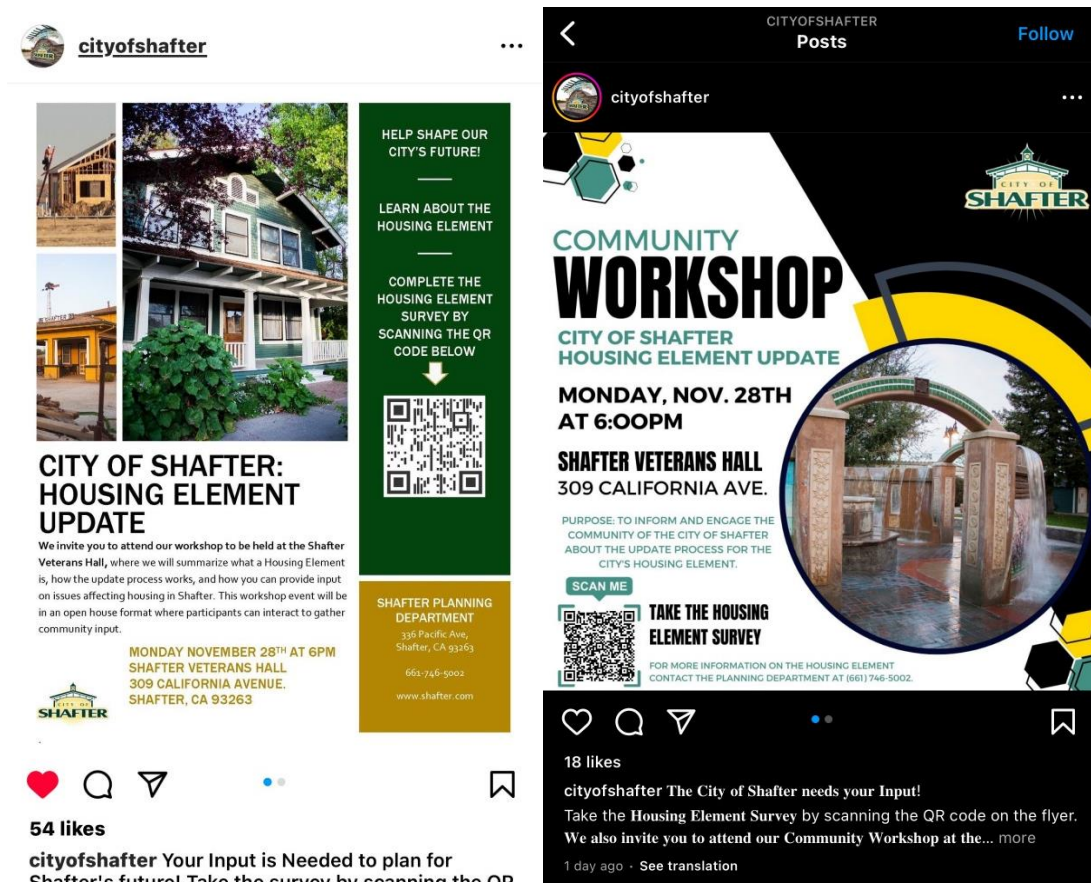


Figure C-8
Facebook Live Housing Element Workshop

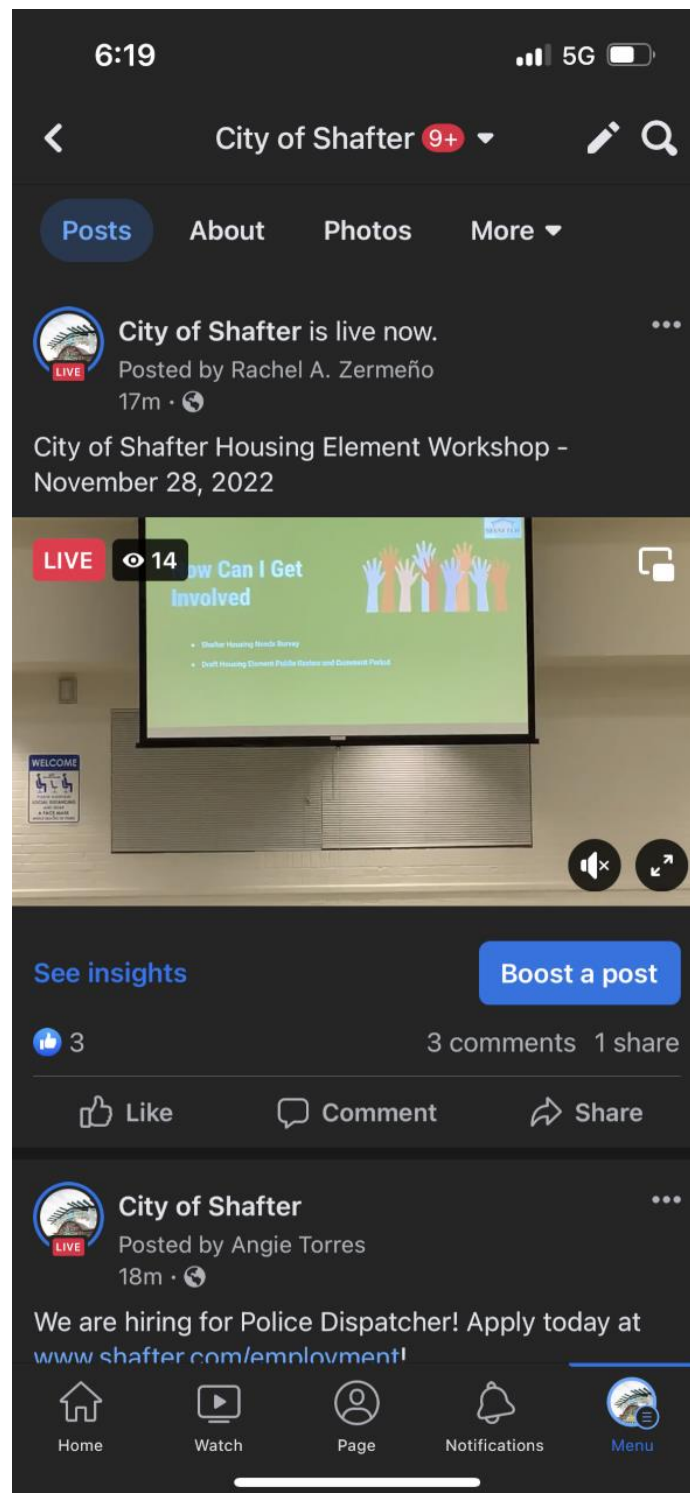


Figure C-9
First Housing Element Workshop
November 28th, 2022

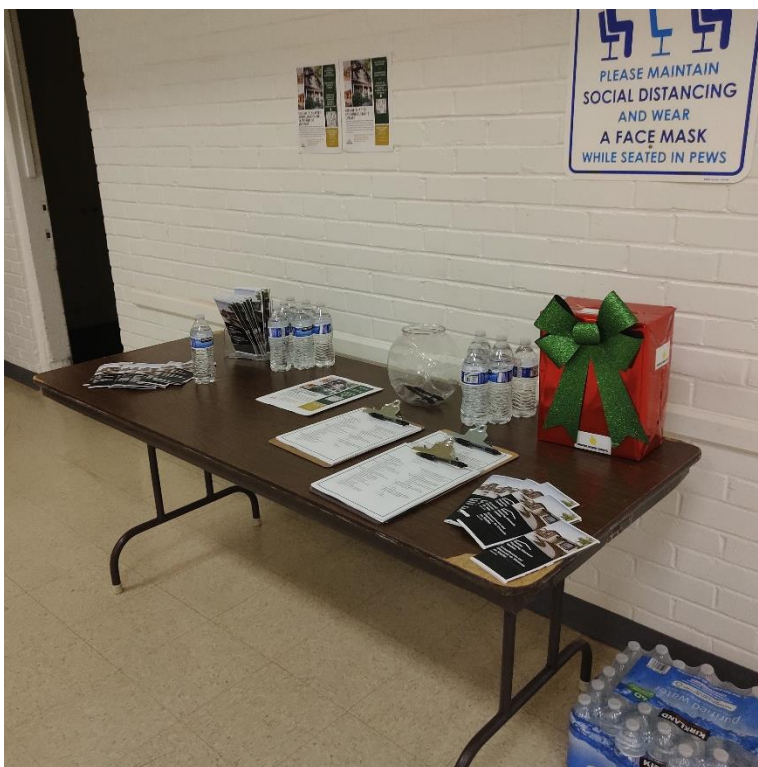


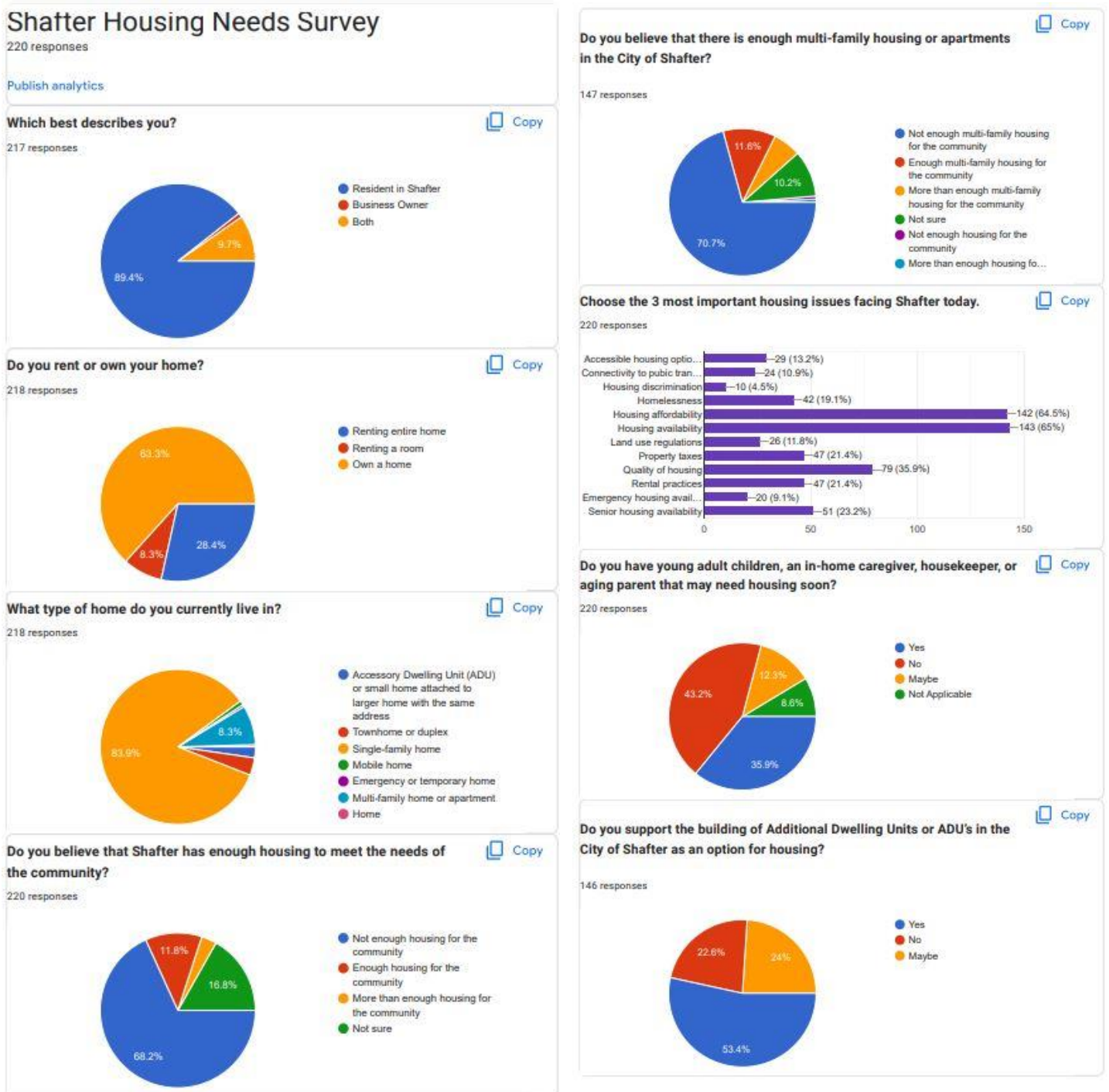
Figure C-10
Christmas Pop-Up Event
December 2nd, 2022



Figure C-11
Shafter Press Newspaper Article

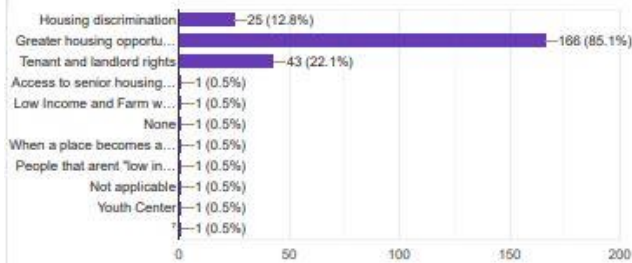
Housing meeting – City of Shafter Housing Element Update, first Housing Element Community Workshop: Monday, Nov. 28, at 6 p.m. at the Shafter Veterans Hall. 309 California Ave.

Figure C-12
Housing Needs Survey Results



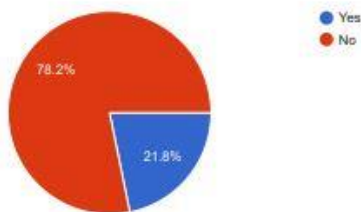
Fair housing describes a condition in which individuals of similar income levels in the same housing market have a range of choices available to them regardless of protected class status. Each resident is entitled to equal access to housing opportunities regardless of race, color, religion, sex, national origin, disability/medical condition, familial status, marital status, age, ancestry, sexual orientation, gender identity, gender expression, source of income, or any other arbitrary reason. What are the most prevalent fair housing issues/challenges in the City of Shafter?

195 responses



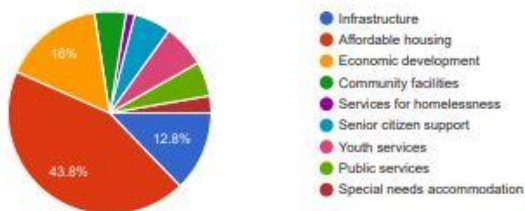
Do you know how to file a fair housing complaint under the Fair Housing Act?

211 responses



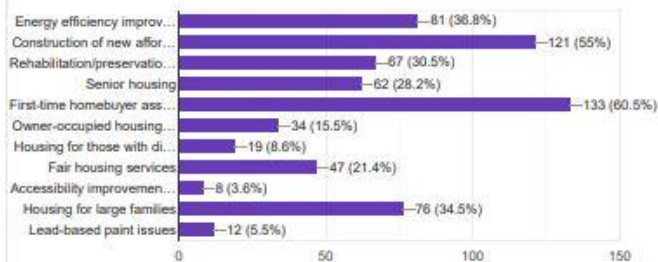
What do you think the City of Shafter can improve on?

219 responses



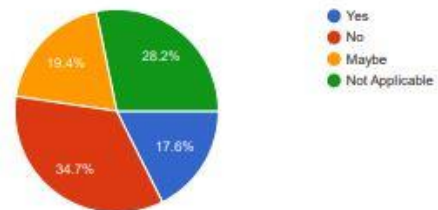
Choose three (3) of the most critical Housing needs in Shafter.

220 responses



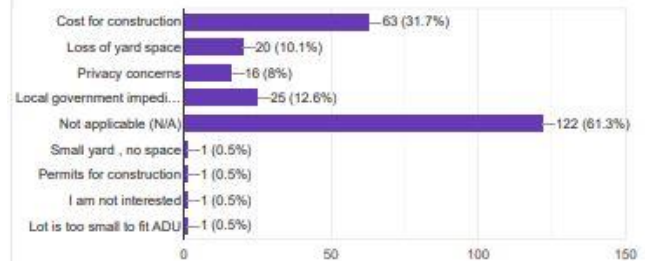
If you own a single-family residence, would you be interested in constructing an Additional Dwelling Unit (ADU) on your property?

216 responses



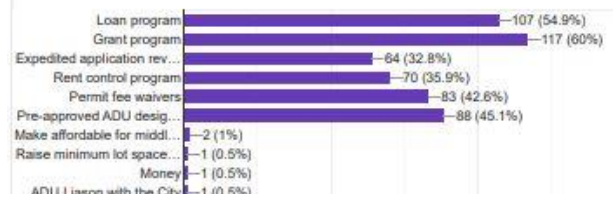
If you were interested in constructing an ADU on your property, why haven't you built one? (Select all that apply)

199 responses



To further encourage ADU's in Shafter to be made available at affordable levels, what types of incentives, programs or actions can be offered? (Select all that apply)

195 responses



Choose three (3) of the most critical Homelessness needs in Shafter.

220 responses

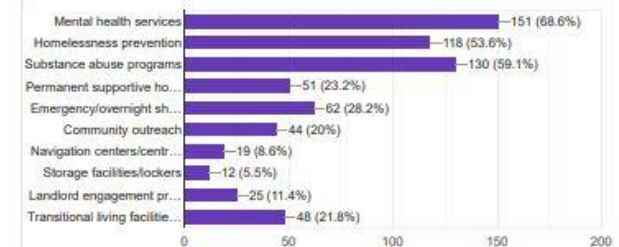


Table C-1
Public Notification List

Name	Contact phone	Email	Physical Address	Website
Cal Coalition for Rural Housing	(916) 443-4448	info@calruralhousing.org	717 K St #400, Sacramento, CA 95814	www.calruralhousing.org/
Kern County Housing Authority	(661) 631-8500		601 24th St, Bakersfield, CA 93301	
County of Kern Planning	(661) 862-8600	planning@kerncounty.gov	2700 M St #100, Bakersfield, CA 93301	https://kernplanning.com/
Self Help Enterprises	(559) 651-1000	info@selfhelpenterprises.org	8445 W Elowin Ct, Visalia, CA 93291	https://www.selfhelpenterprises.org/
Center for Race Poverty and the Environment	Tel. (661) 720-9140 - Fax. (661) 720-9483	rpatel@crpe-ej.org	(P.O. Box 6520, Visalia, CA 93290) 1012 Jefferson Street, Delano, CA 93215	https://crpe-ej.org/
Housing and Opportunity Foundation of Kern	(661)-631-8500	HKimmel@kernha.org	601 24th St, Bakersfield, CA 93301	www.kernopportunityfoundation.org
Bethany Homeless Center	(661) 322-9199	clyday@bakhc.org	1600 E Truxtun Ave, Bakersfield, CA 93305	https://www.mightycause.com/organization/Bakersfield-Homeless-Center
United Farm Workers	(661) 324-2500	info@ufwfoundation.org	917 H St, Bakersfield, CA 93304	https://ufw.org/
California Rural Assistance League	(559) 486-6278	info@crlaf.org	1921 N Gateway Blvd, Suite 102, Fresno, CA 93727	https://crla.org/
Bank of America	(661) 746-8922		261 Central Ave, Shafter, CA 93263	https://www.bankofamerica.com/
Community Action Partnership of Kern	(661) 336-5236	info@capk.org	Community Action Partnership of Kern, 5005 Business Park North, Bakersfield, CA 93309	https://www.capk.org/
United Way of Kern County	(661) 834-1820	Kristin.B@uwkern.org	The Bakersfield Californian Building, 1707 Eye St 3rd Floor, Bakersfield, CA 93301	https://uwkern.org/
Mission Bank	(661) 237-6500		1110 E Lerdo Hwy, Shafter, CA 93263	https://www.missionbank.bank/
San Joaquin Bank	(661) 746-8080		600 James St, Shafter, CA 93263	https://www.wellsfargo.com/
Wells Fargo Bank				https://www.unionbank.com/
Union Bank	(661) 758-5382		1049 7th St, Wasco, CA 93280	https://kernrc.org/
Kern Regional Center	(661) 327-8531	krcmail@kernrc.com	3200 No Sillect Ave. Bakersfield, CA 93308	
Shafter Senior Center	(661) 746-7838	district@shafterrec.com	505 Sunset Ave, Shafter, CA 93263	https://www.shafterlearning.com/
Shafter Public Library	(661) 746-5055	dfranz@shafter.com	236 James St, Shafter, CA 93263	https://www.minterfield.com/
Minter Field Airport District	(661) 393-0402	minter@minterfield.com	201 Aviation Street, Shafter CA 93263	https://www.shafter.com/70/Water
City of Shafter Public Works Water Operation Division	(661) 746-5004		720 Commerce Way, Shafter, CA 93263	https://www.swid.org/
Shafter Wasco Irrigation District	(661) 758-5369	swid@swid.org	16294 Central Valley Hwy, Wasco, CA 93280	https://www.northkernwsd.com/
North Kern Water Storage District	(661) 746-3364	nkwsd@northkernwsd.com	33380 Cawelo Extended, Bakersfield, CA 93308	
Richland School District	(661) 746-8600		331 Shafter Ave, Shafter, CA 93263	https://shafter.kernhigh.org/
Shafter High School	(661) 746-4961	dean_juola@kernhigh.org	526 Mannel Ave, Shafter, CA 93263	https://www.valleyair.org/Home.htm
San Joaquin Valley Air Pollution Control District	(661) 392-5500	svapcd@valleyair.org	34946 Flyover Ct, Bakersfield, CA 93308	
Pacific Gas and Electric	(415) 953-1000		Pacific Gas and Electric Company P.O. Box 997300 Sacramento, CA 95899-7300	https://www.pge.com/
SoCalGas	(800) 427-2000		55 West Fifth St., Los Angeles, CA 90013-1011 P.O. Box 1626 Monterey Park, CA 91754-8626	https://www.socalgas.com/
City of Bakersfield Planning	(661) 326-3733	Devpln@bakersfieldcity.us	1715 Chester Ave, Bakersfield, CA 93301	https://www.bakersfieldcity.us/265/Planning-Division
City of Wasco Planning	(661) 758-7250		764 E Street, Wasco, CA 93280	https://www.cityofwasco.org/208/Planning-Division
County of Kern Planning	(661) 862-8600		2700 M St #100, Bakersfield, CA 93301	https://kernplanning.com/
The Wonderful Company	(310) 966-5700		11444 West Olympic Blvd. Los Angeles, CA 90064	https://www.wonderful.com/
Lennar Homes	(949) 349-8000	lan.frazer@lennar.com	15131 Alton Pkwy Ste 190 Irvine, CA, 92618-2386	https://www.lennar.com/
Home Builders Association of Kern County	(661) 633-1316	dave.d@kernhomebuilders.com	P.O. Box 21118, Bakersfield, CA 93390-1118	https://kernhba.org/
Kern Council of Governments	(661) 635-2900		1401 19th St #300, Bakersfield, CA 93301	https://www.kerncog.org/
CDFW	(559) 243-4005		1234 E Shaw Ave, Fresno, CA 93710	https://wildlife.ca.gov/
Yokut Tribe	(559) 924-1278		16835 Alkali Dr. P.O Box 8 Lemoore, CA 93245	https://www.tachi-yokut-nsn.gov/
Caltrans District 6	(559) 488-4067		1352 W Olive Ave, Fresno, CA 93728	https://dot.ca.gov/caltrans-near-me/district-6
CA Senator Melissa Hurtado	(661) 395-2620	senator.hurtado@senate.ca.gov	1201 E. California Avenue, Suite A Bakersfield, CA 93307	https://sd16.senate.ca.gov/
CA Assemblymember Rudy Salas	(661) 335-0302	assemblymember.salas@assembly.ca.gov	1430 Truxtun Avenue, Suite 803 Bakersfield, CA 93301	https://www.rudysalas.com/
US House Rep David Valadao	(661) 864-7736		2700 M Street Suite 2508 Bakersfield, CA 93301	https://valadao.house.gov/

Kern County Human Services	(661) 631-6000		100 E. California Ave, Bakersfield, CA 93307	https://www.kcdhs.org/
Kern County Administrative Office	(661) 868-3140	caomailbox@kerncounty.com	1115 Truxtun Avenue, Fifth Floor Bakersfield, CA 93301	https://www.kerncounty.com/government/county-administrative-office
Bakersfield Advocacy Respect Community	661-834-2272		4500 California Ave Bakersfield, CA 93309	https://www.bakersfieldarc.org/
B-GLAD	(661) 369-8858	rabueg@gladinc.org	Agency on Deafness, Inc. 1523 10th Street Bakersfield, CA 93304	https://b-glad.org/
Kern County Public Health	(661) 321-3000	publichealth@kerncounty.com	1800 Mt. Vernon Avenue Bakersfield, CA 93306	https://kernpublichealth.com/
Caring Corner	(661) 847-7342		942 Wible Road Bakersfield, CA 93304	https://caringcorner.org/
Valley Center for the Blind	(661) 865-5115	info@valleycenterfortheblind.org	1707 Eye Street Suite 211 Bakersfield, Ca. 93301	https://myvcb.org/
California Council of the Blind	800-221-6359	ccotb@ccbn.net	2143 Hurley Way, Suite 102 Sacramento, CA 95825	http://ccbn.net/drupal7/
H.E.A.R.T.S. CONNECTION	661-328-9055	INFO@HEARTSFRC.ORG	4500 CALIFORNIA AVENUE, BAKERSFIELD, CA 93309	https://heartconnection.org/
Kern Autism Network, Inc.	661-489-3335	kernautism@gmail.com	200 Stockdale Hwy. M-10#171 Bakersfield, CA 93311	https://kernautism.org/
Kern County Behavioral Health & Recovery Services	661-868-6600		2001 28th Street Bakersfield, CA 93301	https://www.kernbhhs.org/
Kern High School District	(661) 827-3100		5801 Sundale Ave., Bakersfield, CA 93309	https://www.kernhigh.org/
California Environmental Justice Alliance	510-808-5898	ceja@caleja.org	820 Jefferson Street Oakland, CA 94612	https://caleja.org/
Richland School District	(661) 746-8600		Richland School District 331 Shafter Ave, Shafter, CA 93263	https://www.rsdshafter.org/
Norris School District	(661) 387-7000		6940 Calloway Dr. Bakersfield, CA 93312	https://www.norris.k12.ca.us/

Figure C-13
Second Workshop Flyer (English and Spanish)

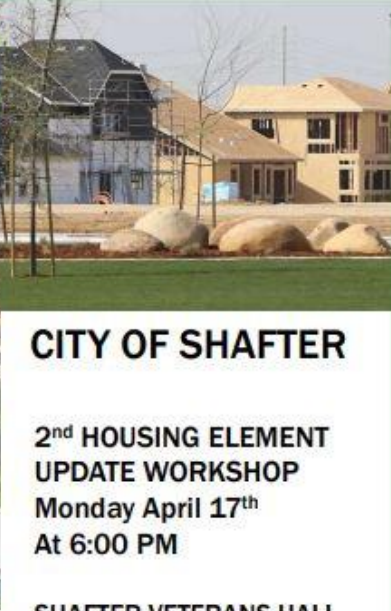
			
CITY OF SHAFTER 2nd HOUSING ELEMENT UPDATE WORKSHOP Monday April 17th At 6:00 PM SHAFTER VETERANS HALL 309 CALIFORNIA AVENUE SHAFTER, CA 93263 Purpose: To inform and update the community and residents of the City of Shafter on the Housing Element production.		CIUDAD DE SHAFTER 2° TALLER DE ACTUALIZACIÓN SOBRE EL ELEMENTO DE VIVIENDA Lunes 17 de Abril a las 6:00 PM SHAFTER VETERANS HALL 309 CALIFORNIA AVENUE SHAFTER, CA 93263 Propósito: Informar y actualizar a la Comunidad y residentes de la ciudad sobre la producción del Elemento de Vivienda de la Ciudad de Shafter.	
Draft Housing Element Public Review Period April 3rd to May 3rd <i>To View the Draft Housing Element, go to the Following Webpage Link:</i> https://shafter.com/401/HOUSING-ELEMENT-UPDATE-2024		Revisión Pública del Elemento de Vivienda preliminar, disponible del 3 de Abril al 3 de Mayo. <i>Para ver el Elemento de Vivienda preliminar, vaya al siguiente vinculo de página web:</i> https://shafter.com/401/HOUSING-ELEMENT-UPDATE-2024	
For more information, please contact SHAFTER PLANNING DEPARTMENT 336 Pacific Ave, Shafter, CA 93263 661-746-5002 www.shafter.com 		Para obtener más información, comuníquese con el Departamento De Planificación de la Ciudad de SHAFTER 336 Pacific Ave, Shafter, CA 93263 661-746-5002 www.shafter.com 	

Figure C-14
Second Workshop Water Bill Mailer (English and Spanish)

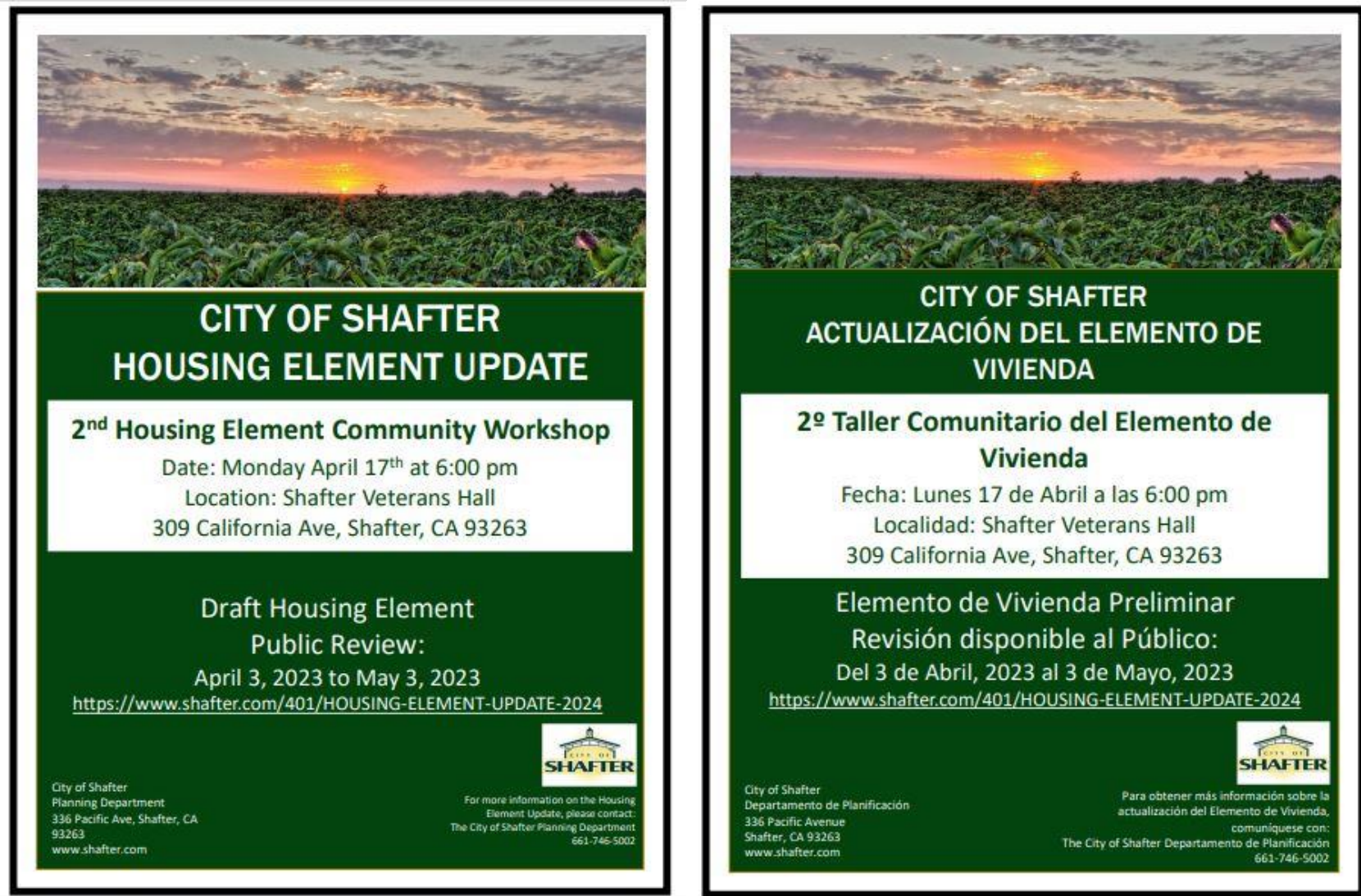


Figure C-15
Second Workshop Newspaper Notice
Published April 6th, 2023



Figure C-16
Second Workshop Instagram Post (English and Spanish)
Posted March 21st, 2023

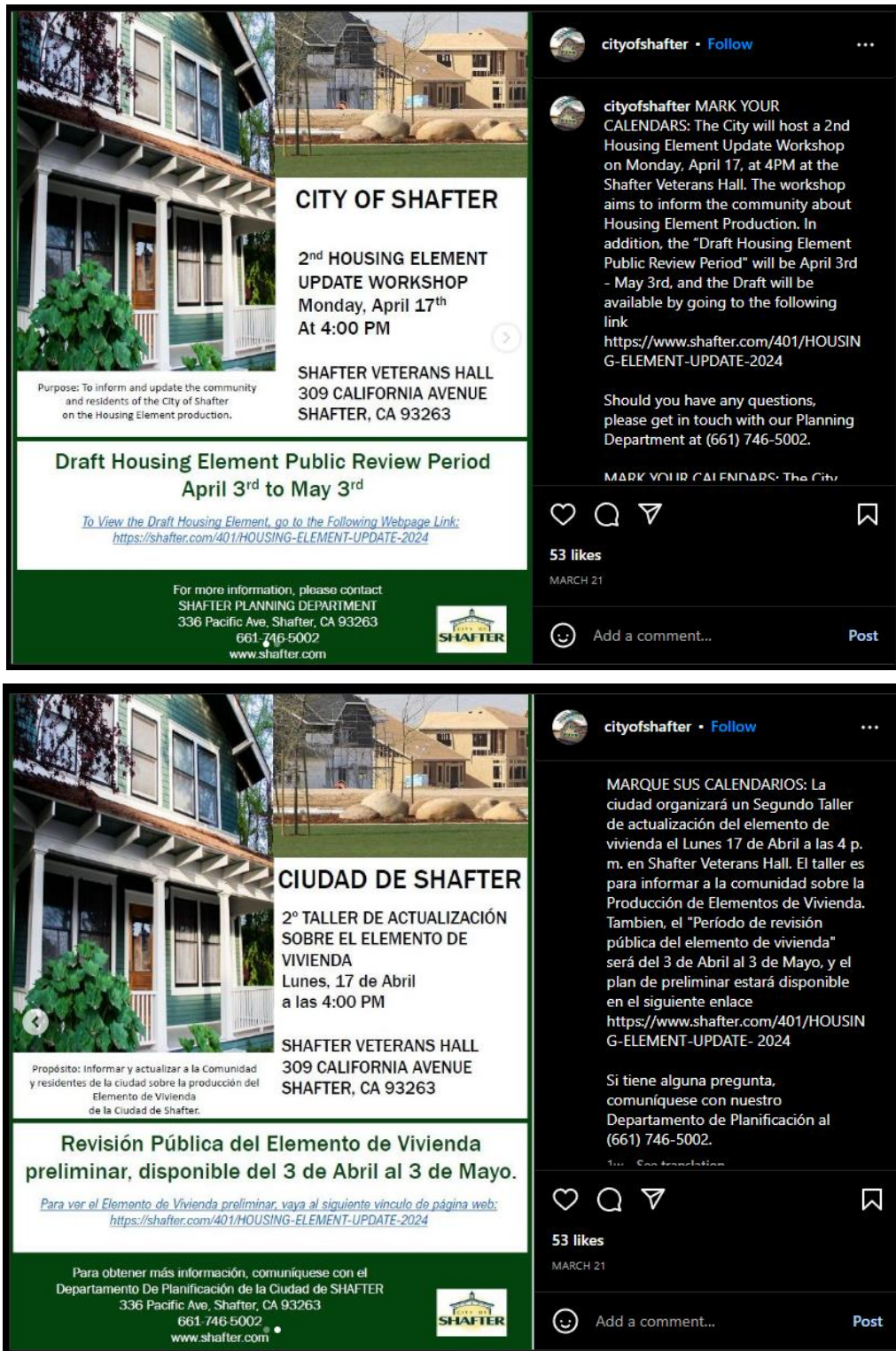


Figure C-17
Second Workshop Facebook Post
Posted March 21st, 2023

City of Shafter
March 21 · 🌐

MARK YOUR CALENDARS: The City will host a 2nd Housing Element Update Workshop on Monday, April 17, at 4PM at the Shafter Veterans Hall. The workshop aims to inform the community about Housing Element Production. In addition, the "Draft Housing Element Public Review Period" will be April 3rd - May 3rd, and the Draft will be available by going to the following link <https://www.shafter.com/401/HOUSING-ELEMENT-UPDATE-2024>

Should you have any questions, please get in touch with our Planning Department at (661) 746-5002.

MARQUE SUS CALENDARIOS: La ciudad organizará un Segundo Taller de actualización del elemento de vivienda el Lunes 17 de Abril a las 4 p. m. en Shafter Veterans Hall. El taller es para informar a la comunidad sobre la Producción de Elementos de Vivienda. También, el "Período de revisión pública del elemento de vivienda" será del 3 de Abril al 3 de Mayo, y el plan de preliminar estará disponible en el siguiente enlace <https://www.shafter.com/401/HOUSING-ELEMENT-UPDATE-2024>

Si tiene alguna pregunta, comuníquese con nuestro Departamento de Planificación al (661) 746-5002.

See Translation



CITY OF SHAFTER	CIUDAD DE SHAFTER
2nd HOUSING ELEMENT UPDATE WORKSHOP Monday, April 17 th At 4:00 PM SHAFTER VETERANS HALL 309 CALIFORNIA AVENUE SHAFTER, CA 93263	2º TALLER DE ACTUALIZACIÓN SOBRE EL ELEMENTO DE VIVIENDA Lunes, 17 de Abril a las 4:00 PM SHAFTER VETERANS HALL 309 CALIFORNIA AVENUE SHAFTER, CA 93263
Draft Housing Element Public Review Period April 3rd to May 3rd <i>To View the Draft Housing Element, go to the Following Webpage Link:</i> https://www.shafter.com/401/HOUSING-ELEMENT-UPDATE-2024	Revisión Pública del Elemento de Vivienda preliminar, disponible del 3 de Abril al 3 de Mayo. <i>Para ver el Elemento de Vivienda preliminar, vaya al siguiente vínculo de página web:</i> https://www.shafter.com/401/HOUSING-ELEMENT-UPDATE-2024

6 3 shares

Figure C-18
Second Workshop Facebook Live
Recorded April 17th, 2023



Figure C-19
Second Housing Element Workshop
Published April 17th, 2023



Figure C-20
Second Workshop Flyer in Local Newspaper
Published April 13th, 2023

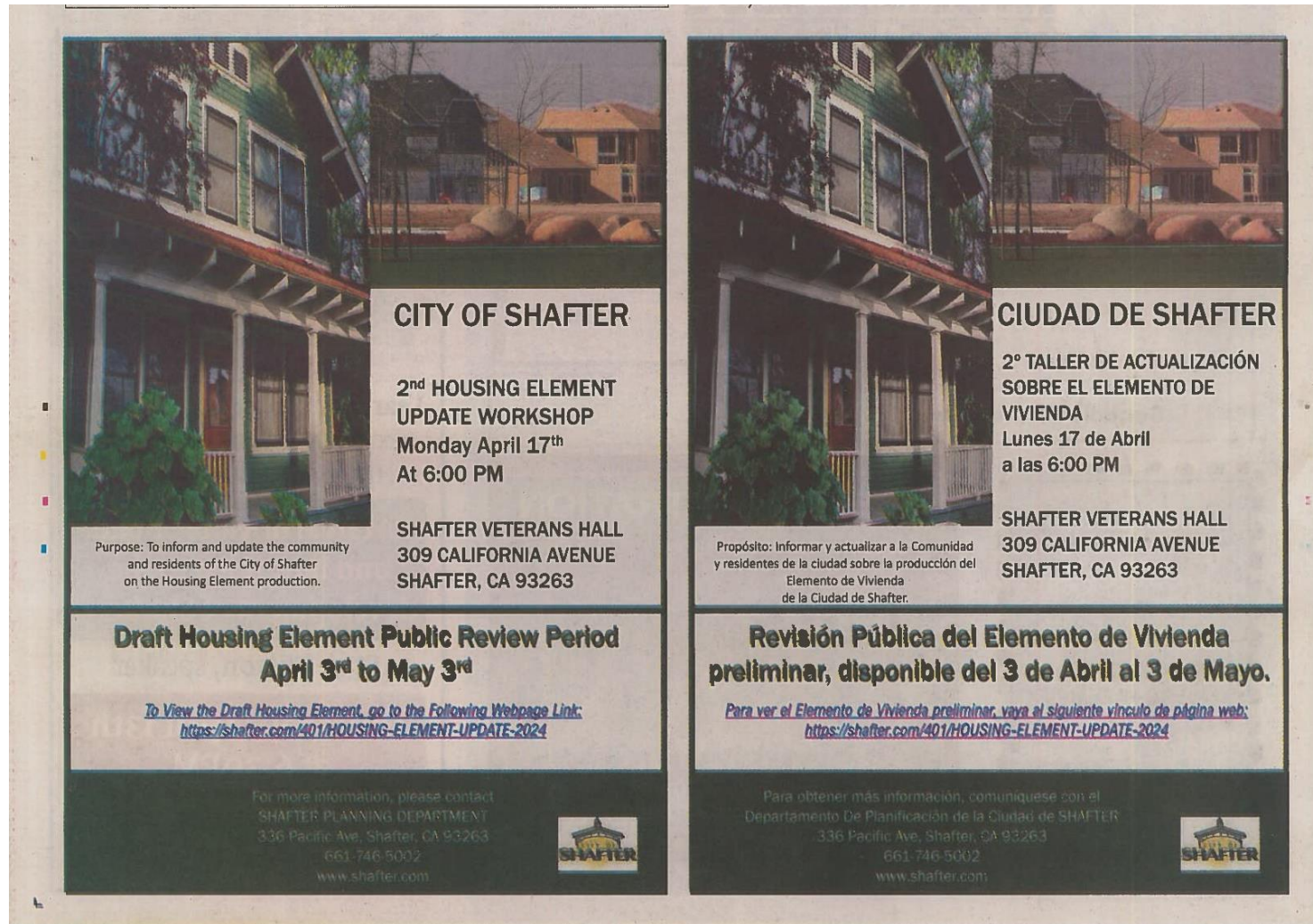


Figure C-21
Physical Version of the Online Survey (English)



City of Shafter Housing Needs Survey

Name (Optional): _____

Email (Optional): _____

1) Which best describes you?

☐ Resident in Shafter

☐ Business owner in Shafter

☐ Both

2) Do you rent or own a home?

☐ Renting entire unit

☐ Renting a room

☐ Own a home

3) What type of home do you currently live in?

☐ Accessory Dwelling Unit or a unit attached to a larger home with the same address

☐ Townhome or duplex

☐ Single-family home

☐ Mobile home

☐ Emergency or temporary home

4) Choose the 3 most important housing issues facing Shafter today:

☐ Accessible housing options (handicap or disabled)

☐ Connectivity to public transportation

☐ Housing discrimination

☐ Homelessness

☐ Housing affordability

☐ Housing availability

☐ Land use regulations

☐ Property taxes

☐ Quality of housing

☐ Rental practices

☐ Emergency housing availability

☐ Senior housing availability

5) Do you believe that Shafter has enough housing to meet the needs of the community?

☐ Not enough housing for the community

☐ Enough housing for the community

☐ More than enough housing for the community

☐ Not sure

6) Do you believe that there is enough multi-family housing or apartments in the City of Shafter?

☐ Not enough multi-family housing for the community

☐ Enough multi-family housing for the community

☐ More than enough multi-family housing for the community

☐ Not sure

7) Do you have young adult children, an in-home caregiver, housekeeper, or aging parent that may need housing soon?

☐ Yes

☐ No

☐ Maybe

☐ Not Applicable

8) Do you support the building of Additional Dwelling Units or ADU's in the City of Shafter as an option for housing?

☐ Yes

☐ No

☐ Maybe

9) If you own a single-family residence, would you be interested in constructing an Accessory Dwelling Unit (ADU) on your property?

☐ Yes

☐ No

☐ Maybe

☐ Not Applicable

10) If you were interested in constructing an ADU on your property, why haven't you built one?

☐ Cost of construction

☐ Loss of yard space

☐ Privacy concerns

☐ Local government impediments

☐ Not Applicable

☐ Other (Please explain why?): _____

11) To further encourage ADU's in Shafter to be made available at affordable levels, what types of incentives, programs or actions can be offered? (Select all that apply)

☐ Loan program

☐ Grant program

☐ Expedited application review

☐ Rent control program

☐ Permit fee waivers and building plans

☐ Pre-approved ADU design plans

12) Fair housing describes a condition in which individuals of similar income levels in the same housing market have a range of choices available to them regardless of protected class status. Each resident is entitled to equal access to housing opportunities regardless of race, color, religion, sex, national origin, disability/medical condition, familial status, marital status, age, ancestry, sexual orientation, gender identity, gender expression, source of income, or any other arbitrary reason. What are the most prevalent fair housing issues/challenges in the City of Shafter?

☐ Housing discrimination

☐ Housing opportunities for all income levels

☐ Tenant and landlord rights

☐ Other (Please explain): _____

13) Do you know how to file a fair housing complaint under the Fair Housing Act?

☐ Yes

☐ No

14) What do you think the City of Shafter can improve on the most?

☐ Infrastructure

☐ Affordable housing

☐ Economic development

☐ Community facilities

☐ Services for homelessness

☐ Senior citizen concerns

☐ Youth issues

☐ Social and public services

☐ Special needs accommodations

15) Choose up to (3) of the most critical Housing needs in Shafter.

☐ Energy efficiency improvements

☐ Construction of new affordable rental housing

☐ Rehabilitation/preservation of affordable housing

☐ Senior housing

☐ First-time homebuyer assistance

☐ Owner-occupied housing rehabilitation

☐ Housing for those with disabilities

☐ Fair housing services

☐ Accessibility improvements (ADA)

☐ Housing for large families

☐ Lead-based paint issues

16) Choose up to (3) of the most critical Homelessness needs in Shafter.

☐ Mental health services

☐ Homelessness prevention

☐ Substance abuse programs

☐ Permanent supportive housing

☐ Emergency/overnight shelter

☐ Community outreach

☐ Navigation centers/centralized services

☐ Storage facilities/lockers

☐ Landlord engagement programs

Figure C-22
Physical Version of the Online Survey (Spanish)



Encuesta de necesidades de vivienda de Shafter

Nombre: (Opcional): _____

Email (Opcional): _____

1) Cual mejor te describe?

- ☐ Residente en Shafter
- ☐ Dueño de negocio en Shafter
- ☐ Ambas cosas

2) Usted alquila o es dueño de su casa?

- ☐ Alquilar unidad completa
- ☐ Renting a room
- ☐ Own a home

3) En qué tipo de casa vive actualmente?

- ☐ Unidad de vivienda accesoria (ADU) o una unidad adjunta a una casa más grande con la misma dirección
- ☐ Casa adosada o duplex
- ☐ Casa unifamiliar
- ☐ Casa móvil
- ☐ Hogar temporal o de emergencia

4) Es coja los 3 problemas de vivienda más importantes que enfrenta Shafter hoy.

- ☐ Opciones de vivienda accesible (discapacitados o discapacitados)
- ☐ Conectividad al transporte público
- ☐ Discriminación en Vivienda
- ☐ Falta de Vivienda
- ☐ Asequibilidad de la vivienda
- ☐ Disponibilidad de vivienda
- ☐ Regulaciones perteneciendo a uso de terrenos
- ☐ Impuestos de propiedad
- ☐ Calidad de la vivienda
- ☐ Prácticas de alquilando
- ☐ Disponibilidad de vivienda de emergencia
- ☐ Disponibilidad de viviendas para personas ancianos

5) Usted cree que hay bastante multi-familiar viviendas o apartamentos en la Ciudad de Shafter?

- ☐ No hay suficiente viviendas el la comunidad
- ☐ Hay suficiente viviendas el la comunidad
- ☐ Hay mas que suficiente viviendas en la comunidad
- ☐ No estoy seguro

6) Cree usted que Shafter tiene suficientes viviendas para satisfacer las necesidades de la comunidad?

- ☐ No hay suficientes viviendas para la comunidad.
- ☐ Si hay suficiente vivienda para la comunidad.
- ☐ Si hay viendas más que suficiente para la comunidad
- ☐ No estoy Seguro

7) ¿Tiene hijos adultos jóvenes, un cuidador en el hogar, sirvienta, o un padre anciano que pueda necesitar vivienda pronto?

- ☐ Sí
- ☐ No
- ☐ Quizás
- ☐ No aplica

8) Si eres dueño de una residencia unifamiliar, le interesaría construir una Unidad de Vivienda Accesorio (ADU) en su propiedad?

- ☐ Sí
- ☐ No
- ☐ Quizás
- ☐ No aplica

9) Usted apoya construyendo adicional viviendas o ADU's en la Ciudad de Shafter?

- ☐ Si
- ☐ No
- ☐ Quizas

10) Si estaba interesado en construir una ADU en su propiedad, ¿por qué no ha construido una?

- ☐ Costo de construcción
- ☐ Pérdida de espacio en la yarda
- ☐ Preocupaciones sobre mi privacidad
- ☐ Impedimentos del gobierno local
- ☐ No aplica
- ☐ Otro: _____

11) Para fomentar que las ADU en Shafter estén disponibles a niveles asequibles, qué tipos de incentivos, programas o acciones se pueden ofrecer? (Seleccione todas las que correspondan)

- ☐ Programa de prestamos
- ☐ Programa de ayuda económica
- ☐ Revisión de aplicacon acelerada
- ☐ Programa de control de alquileres
- ☐ Exenciones de tarifas de permisos y planos de construcción
- ☐ Planos de diseño de ADU preaprobados

12) La vivienda justa describe una condición en la que las personas con niveles de ingresos similares en el mismo mercado inmobiliario tienen una variedad de opciones disponibles para ellos, independientemente del estado de clase protegida. Cada residente tiene derecho a igualdad de acceso a las oportunidades de vivienda independientemente de su raza, color, religión, sexo, origen nacional, discapacidad/condición médica, estado familiar, estado civil, edad, ascendencia, orientación sexual, identidad de género, expresión de género, fuente de ingresos , o cualquier otra razón arbitraria. Cuáles son los problemas/desafíos de vivienda justa más frecuentes en la ciudad de Shafter?

- ☐ Discriminación de Vivienda
- ☐ Oportunidades de vivienda para todos los niveles de ingresos
- ☐ Derechos de inquilinos y propietarios
- ☐ Otro: _____

13) ¿Sabe cómo presentar una queja de vivienda justa bajo la Ley de Vivienda Justa (Fair Housing Act)?

- ☐ Sí
- ☐ No

14) ¿En qué cree que la Ciudad de Shafter puede mejorar más?

- ☐ Infraestructura
- ☐ Vivienda asequible
- ☐ Desarrollo economico
- ☐ Facilidades comunitarias
- ☐ Servicios para personas sin hogar
- ☐ Preocupaciones de personas de edad
- ☐ Problemas de la juventud
- ☐ Servicios sociales y públicos
- ☐ Alojamiento para personas con necesidades especiales

15) Elija hasta (3) de las necesidades de vivienda más críticas en Shafter.

- ☐ Mejorando en la eficiencia energética
- ☐ Construcción de nuevas viviendas de alquiler asequible
- ☐ Rehabilitación/preservación de viviendas asequibles
- ☐ Vivienda para personas de edad
- ☐ Asistencia para compradores de vivienda por primera vez
- ☐ Rehabilitación de vivienda propitaria
- ☐ Vivienda para personas discapacitados
- ☐ Servicios de vivienda justa
- ☐ Mejorar accesibilidad (ADA)
- ☐ Vivienda para familias grandes
- ☐ Problemas con la pintura a base de plomo

16) Elija hasta (3) de las necesidades más críticas de personas sin hogar en Shafter.

- ☐ Servicios de salud mental
- ☐ Prevención para personas sin hogar
- ☐ Programas de abuso de sustancias
- ☐ Appoyo de viverda permanente
- ☐ Refugio de emergencia/durante la noche
- ☐ Alcanco comunitario
- ☐ Centros de navegación/servicios centralizados
- ☐ Instalaciones de almacenamiento/seguros
- ☐ Programas de participación de propietarios

Figure C-23
Revised Draft Housing Element Update Letter



October 9th, 2023

SUBJECT: Invitation to Review: City of Shafter's REVISED DRAFT 6th Cycle Housing Element Update, City of Shafter, Kern County, California

Dear Interested Party,

The City of Shafter has prepared revisions to the draft 2023-2031 Housing Element Update (HEU). These revisions are in response to comments received from the State Department of Housing and Community Development (HCD). Comments received requested refinements and additional information related to focused subject matter as shown in the highlighted additions to the document. The revised Housing Element is available for a 7-day public review period (October 9th, 2023, through October 17th, 2023) prior to re-submittal to HCD for final certification with document revisions.

Government Code 65585(b)(1) requires that "...any subsequent draft revision, the local government shall post the draft revision on its internet website and shall email a link to the draft revision to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting the draft revision to the department."

The **revised** draft Housing Element update will be made available for public review and commenting between October 9th, 2023, through October 17th, 2023. The revised draft HEU will be available to residents on the City's website at the following location:

<https://shafter.com/401/HOUSING-ELEMENT-UPDATE-2024>

To submit any comments, please email Steve Esselman, Planning Director, prior to 6pm on October 17th, 2023.

Regards,

Steve Esselman
Planning Director

Mailing Address:

City of Shafter
Planning Department
336 Pacific Avenue
Shafter, CA 93263

Email: sesselman@shafter.com

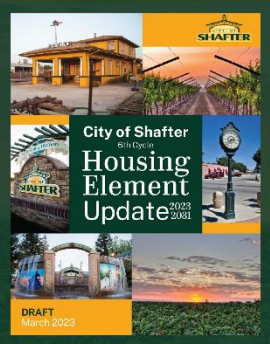


Figure C-24
Water Bill Mail Mailer (English and Spanish)

City of Shafter Housing Element Update

**REVISED DRAFT HOUSING ELEMENT
AVAILABLE FOR PUBLIC REVIEW**

Public Review Period: 10/9/23 - 10/17/23




shafter.com/401/HOUSING-ELEMENT-UPDATE-2024 🔍

City of Shafter
Planning Department
336 Pacific Avenue,
Shafter, CA, 93263
www.shafter.com

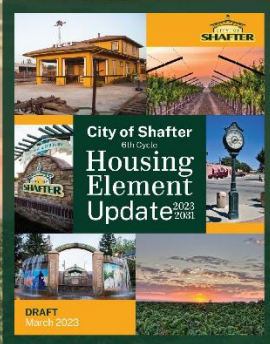


For more information
on the Housing Element
Update please contact
the City of Shafter
Planning Department
(661) 746-5002

Cuidad de Shafter Actualización Del Elemento De Vivienda

**REVISADO ELEMENTO DE VIVIENDA ESTÁ
DISPONIBLE PARA REVISIÓN PÚBLICA**

Fecha Para Revision Publica : 10/9/23 - 10/17/23




shafter.com/401/HOUSING-ELEMENT-UPDATE-2024 🔍

City of Shafter
Planning Department
336 Pacific Avenue,
Shafter, CA, 93263
www.shafter.com



Para mas informacion sobre la
Actualización del Elemento de
Vivienda, porfavor contacte
la Cuidad de Shafter al
Departamento de
Planificación (661) 746-5002

Table C-2
Summary of Public Comments and Responses

Comment Letter 1: San Joaquin Valley Air Pollution Control District	
Comment A	Response to Comment A
Development Project Siting The Housing Element is the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). Guidance and policies used to implement the Housing Element should include measures and concepts outlined in the following resources: CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: https://ww2.arb.ca.gov/our-work/programs/resource-center/strategydevelopment/land-use-resources.	The HEU does not propose development. Instead, the HEU identifies policies and programs that could be implemented to provide additional capacity for future development of dwelling units consistent with State Housing Law. However, prior to project approval, and at the discretion of the City, the City may require development project applicants to submit a technical assessment evaluating potential project operation phase-related air quality impacts. The evaluation shall be prepared in conformance with CARB's Air Quality and Land Use Handbook and determine appropriate mitigation to air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.).
Comment B	Response to Comment B
Assembly Bill 617 AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The Shafter AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP. Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the Shafter Community was adopted by the District's	The City of Shafter is committed to working SJVAPCD, residents, community businesses and other key stakeholders to reduce the exposure of harmful air pollutants to disadvantaged communities. The City will assess the emission reductions measures and strategies included in the CERP and address them for development projects within the Housing Element area, as

Governing Board in September 2019 and by CARB in February 2020. During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them for development projects within the Housing Element area, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP. For more information regarding the CERP approved for Shafter, please visit the District's website at: http://community.valleyair.org/selected-communities/shafter/	appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP.
Comment C	Response to Comment C
3.Future Development Project Related Emissions At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM2.5) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as a nonattainment for the 8-hour ozone, PM10 PM2.5 standards. Per the Housing Element, it is anticipated there will be a need for building 3,294 new housing units from current projections. As such, the District recommends that the Housing Element stipulate that future development projects identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf. The District recommends that future development projects be mitigated to the extent feasible, and that future development projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.	Prior to issuance of any construction permits, and at the discretion of the City, development project applicants may be required to prepare and submit to the City of Shafter a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Shafter Planning Division may require that applicants for new development projects incorporate mitigation measures to

As such, the Housing Element should incorporate where appropriate, a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level.

Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

3b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://www.valleyair.org/transportation/GAMAQI.pdf>.

Recommended Mitigation Measure: At a minimum, future development projects related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at:

<https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

3c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

reduce air pollutant emissions during construction activities to below these thresholds.

3a) Construction Emissions

The City of Shafter 6th Cycle Housing Element Update provides opportunities for implementing the City's required affordable housing. Future development of affordable housing would entail emissions from construction activities. Potential emissions due to future construction activities would be assessed in conjunction with City review of site-specific air quality and greenhouse gas emissions data and studies, with inclusion of appropriate Mitigation Measures. Such review would occur during the project planning process and culminate prior to approval of the relevant projects subject to review under the California Environmental Quality Act. The reviews will provide an adequate mechanism to require specific measures to mitigate potentially significant air quality and greenhouse gas emissions impacts for the City of Shafter 6th Cycle Housing Element Update.

3b) Operational Emissions

The City of Shafter 6th Cycle Housing Element Update provides opportunities for implementing

	the City's required affordable housing. Operational emissions will depend on future residential densities and associated vehicle miles traveled, in addition to such adjunct operations as building heating and air conditioning. Site-specific analysis of operational air emissions will be performed upon submission of individual development applications. 3c) <u>Recommended Model for Quantifying Air Emissions</u>. Future development associated with the HEU that requires an emission analysis would be required to be performed using the most recent version of the California Emission Estimator Model (CalEEMod).
Comment D	Response to Comment D
4. Health Risk Screening/Assessment for Future Development Projects For future development projects, the City should evaluate the risk associated with them for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions. To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel	The HEU does not propose development. Instead, the HEU identifies policies and programs that could be implemented to provide additional capacity for future development of dwelling units consistent with State Housing Law. However, prior to site specific project approvals, and at the discretion of the City, the City may evaluate new development proposals for sensitive receptors (e.g., residential, schools, day care centers) within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective. Applicants for sensitive land uses that are within the recommended buffer distances shall submit a health risk assessment (HRA) to the City prior to future project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental

exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A “Prioritization” is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association’s (CAPCOA) methodology. The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation. To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA. A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District’s significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices. A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency. The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files

Health Hazard Assessment (OEHHA0, the San Joaquin Valley Air Pollution Control District (SJVAPCD) and will follow the California Air Pollution Control Officers Association’s (CAPCOA) methodology. A project with potentially significant health risks which include impacts related to TAC’s, would require Measures to reduce risk impacts. Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project.

• HARP2 files • Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies. For assistance, please contact the District's Technical Services Department by: • E-Mailing inquiries to: hramodeler@valleyair.org • Calling (559) 230-5900 Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources.	
Comment E	Response to Comment E
5. Ambient Air Quality Analysis An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects with emissions that exceed 100 pounds per day of any pollutant. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: www.valleyair.org/ceqa.	Prior to issuance of any construction permits, at the discretion of the City, development project applicants shall prepare and submit to the City of Shafter a technical assessment evaluating potential project construction-related air quality impacts. An AAQA analysis will be prepared that evaluates the impact of Project-related emissions of criteria pollutants (CO, NO₂, SO₂, PM₁₀, PM_{2.5}) and toxic air contaminants (TACs) (e.g., diesel particulate matter or DPM) along the ambient air boundary (defined as the edge of on-site construction area) and at existing nearby sensitive receptors within 1,000 feet of Project locations and 500 feet of Project construction routes to determine if sensitive receptors are exposed to substantial pollutant concentrations.

Comment F	Response to Comment F
6. Voluntary Emission Reduction Agreement Future development projects within the Housing Element area with the potential to result in a significant impact on air quality should consider the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure. A VERA is a mitigation measure by which the project proponent provides pound-for pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve. emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient, heavy-duty trucks, and replacement of old farm tractors. In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.	Prior to issuance of any construction permits, at the discretion of the City, applicants for future development projects may enter into a Voluntary Emissions Reduction Agreement (VERA) with the San Joaquin Valley Air Pollution Control District (SJVAPCD). The VERA is intended to identify the amount of emissions to be reduced, in addition to the amount of funds to be paid by the project applicant to the SJVAPCD to implement emission reduction projects required for the project. Under this agreement, project proponents may enter into an agreement where funds are used to develop and implement emission reduction projects.

Comment G	Response to Comment G
7. Clean Lawn and Garden Equipment in the Community Since the Housing Element includes residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends future development project proponents consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas-powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: http://www.valleyair.org/grants/cgym.htm. and http://valleyair.org/grants/cgym-commercial.htm.	Comment noted. The City of Shafter will provide information on the Districts CGYM program to prospective future project proponents.
Comment H	Response to Comment H
8. On-Site Solar Deployment It is the policy of the State of California that renewable energy resources and zero carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects.	New residential development in the City of Shafter will be required to accommodate solar energy connections or sources of on-site renewable energy, per the latest 2019 California Energy Code requirements. The Energy Code requires all new residential construction to achieve net-zero emissions associated with electricity usage using on-site renewable sources. This analysis has conservatively assumed 80% of electricity usage will be captured via on-site renewable sources (i.e., solar panels), as part of the project design.

Comment I	Response to Comment I
9. Electric Vehicle Chargers To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric. charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and future development project proponents install electric vehicle chargers at project sites, and at strategic locations. Please visit www.valleyair.org/grants/chargeup.htm for more information.	Comment noted. Implementation of residential development contemplated and facilitated by the HEU would be required to comply with California State Building Energy Efficiency Standards, green building standards, and appliance efficiency regulations. The City will consider installing electric vehicle chargers for future development projects.

Comment J	Response to Comment J
10. District Rules and Regulations The District issues permits for many types of air pollution sources and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes. The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (661) 392-5665. 10a) District Rule 9510 - Indirect Source Review (ISR) The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions. Accordingly, future development projects within the Housing Element area may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism. District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NO_x or two tons of PM. The purpose of District Rule 9510 is to reduce the growth in both	The City of Shafter acknowledges that individual projects resulting from implementation of the HEU would be subject to all District rules, including 4601 and 4901. Prior to issuance of any construction permits, at the discretion of the City, project proponents may be required to demonstrate to the City that they have obtained all required permits from the San Joaquin Valley Air Pollution Control District; and that all construction activities will continuously comply with applicable regulatory standards; including but not limited to SJVAPCD Regulation VIII, Control Measures for construction emissions of PM₁₀. If it is determined that air quality impacts are found to be significant even after complying with District Rules 9510 and 9410, project proponents will be directed to enter into a VERA or other equal and feasible mitigation prior to the start of the first project activity generating emissions. The HEU does not propose development. Instead, the HEU identifies policies and programs that could be implemented to provide additional capacity for future development of dwelling units consistent with State Housing Law. Therefore, District Rule 9510 would not be applicable to the HEU as it is not a transportation project.

NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. It is preferable for the applicant to submit an AIA application as early as possible in the public agency's approval process so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>. District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510 and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org. District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants). Future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

10c) District Rule 4601 (Architectural Coatings)

The future development projects may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements, or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup, and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <http://www.valleyair.org/rules/currnrules/r4601.pdf>

10d) District Regulation VIII (Fugitive PM10 Prohibitions)

For future development projects, a project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950. The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

10e) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater. Information about District Rule 4901 can be found online at: <http://valleyair.org/rule4901/>

10f) Other District Rules and Regulations. Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Rule 4641 (Cutback, slow cure, and emulsified asphalt, paving and maintenance operations).	
Comment K	Response to Comment K
11. Future Projects / Land Use Agency Referral Documents Future development projects may require an environmental review and air emissions mitigation. A project's referral documents, and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can	Prior to issuance of any construction permits, at the discretion of the City, development project applicants may be required to prepare and submit to the City of Shafter Planning Division a technical assessment evaluating potential project construction-related air quality impacts. The evaluation would be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If construction-related criteria air

be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf	pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Shafter Planning Division may require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Division.
Comment Letter 2: Kern County Superintendent of Schools	
Comment A	Response to Comment A
It is our determination that the above-mentioned project proposing the Housing Element Update (HEU) includes the City's Housing Policy Plan, which addresses the City's identified housing needs and includes Goals, Policies, and Programs concerning housing and housing-related services, as well as the City's approach to addressing its share of the regional housing need for the 6th Cycle planning period. The HEU provides for five primary sites that, without being re-zoned to residential use, could accommodate 9,365 total units (37 Very-Low Income; 125 Low-Income; 5,023 Moderate Income; and 4,179 Above-Moderate Income). Also, the HEU indicates that other available properties within Shafter that could be re-zoned for residential use could accommodate an additional 19,135 residential units (949 Very-Low Income; 3,792 Low-Income; 7,113 Page 16 Moderate Income; and 7,281 Above-Moderate Income), which in the City Center and potential re-zoned sites, reflects a realistic capacity of 80 percent of the allowable maximum residential density will have significant effects on these districts' facilities. Pursuant to Government Code Sections 65995, 65996, and 65997, mitigation of this project's impacts on public school facilities will be limited to the collection of statutory fees at the time that	Comment noted. Shafter's HEU addresses school impacts fees on Table IV-4 which lists the following fees: a. New Construction outside Community Facilities District \$7.90 Square Foot b. New Construction inside Community Facilities District \$3.18 Square Foot c. Residential Remodels & Additions (>500 sq ft) \$4.89 Square Foot These school impact fees fall within the \$3.43-\$5.53 range indicated on Kern County Superintendent of Schools the 6/5/23 letter.

building permits are issued. Currently, these fees are set at a range of \$3.43 to \$5.53 per square foot, an amount subject to adjustment every two years.	
Comment Letter 3: Santa Rosa Rancheria Tachi-Yokut Tribe	
Comment A	Response to Comment A
Thank you for contacting the Santa Rosa Rancheria Tachi-Yokut Tribe regarding: SB 18: City of Shafter's 6th Cycle Housing Element Update, City of Shafter, Kern County, CA. The Tribe is requesting to be notified of and consulted with on all future projects relating to this Housing Element Update. The Tribe is also requesting that each project requires: a Sacred Land Files search through the Native American Heritage Commission, an archaeological record search, an archaeological survey, and to have all of the results sent to the Tribe upon completion.	The Housing Element Update is a State mandated document at its core and is intended to address the housing crisis communities are experiencing and to identify barriers and constraints that hinder development of housing for City residents in all income levels. One of the goals of the Housing Element is to streamline the housing development process so that developers are able to build affordable and equitable housing for low-income families without the burden of added costs and prolonged delays during the approval process. In an email dated June 26, 2023, from the Santa Rosa Rancheria Tachi-Yokut Tribe to the City of Shafter, the email states that the "Tribe is requesting to be notified of and consulted with on all future projects relating to this Housing Element Update. The Tribe is also requesting that each project requires: a Sacred Land Files search through the Native American Heritage Commission, an archaeological record search, an archaeological survey, and to have all of the results sent to the Tribe upon completion." The City will continue to notify and consult with the Tribe for all discretionary projects as required by SB 18 and in compliance with CEQA. A discretionary action requires the exercise of judgement or deliberation by a public body (such as the City's Planning Commission and City Council) in determining whether the project will be approved, or if a permit will be issued. As part of

	any discretionary action, the City will consider Tribal Resources per CEQA and SB 18 and in compliance with applicable law, including searching the Sacred Lands File, archaeological record searches, and archaeological surveys, if warranted. It will be the determination of City staff on the level of effort warranted based on the nature of the discretionary project being considered. For ministerial projects where compliance with SB 18 and/or CEQA has already occurred, the City will not notify or consult with the Tribe because such notification and consultation has already occurred during a previous discretionary process, such as a general plan update, general plan amendment, or other discretionary action where established law requires such compliance. Ministerial projects require only conformance with a fixed standard or objective measurement (such as the approved Zoning Ordinance or the California Building Code) and requires little or no personal judgment by a public official as to the wisdom or manner of carrying out the project.
Comment Letter 4: Home Builders Association of Kern County	
Thank you for the opportunity to review the City of Shafter's Draft Housing Element. The draft document clearly and concisely presents the constraints, and opportunities your agency is responding to in planning for the future housing needs of the community. Our Association is especially supportive of the City's stated goals to streamline its permitting processes, and to closely monitor the potential negative effects of development fees and exactions on our highly price-sensitive housing market. The document notes that Shafter does not have an Inclusionary Zoning Ordinance. Our Association is gratified to see that no specific policy or action relating to inclusionary zoning is proposed at this time. Where inclusionary zoning regulations have been adopted in the Central Valley, there have been significant negative impacts on housing production and affordability. By artificially increasing the price of new market rate housing, inclusionary zoning ordinances cause the price of all housing, including rentals, to increase. Our industry greatly appreciates the City of Shafter's efforts to maintain a friendly	Thank you for your comment. The City is pleased to have the support of the Home Builders Association of Kern County.

housing environment in our excessively-regulated state. Thanks again for the opportunity to share our thoughts.	
Comment Letter 5: Self Help Enterprises	
Comment A	Response to Comment A
Affirmatively Furthering Fair Housing: It is imperative that cities and counties include as many high or highest resource sites as possible in their Housing Element site inventory. The ratio of these sites to other lower resource sites should be 1:1. The City/County should overlay the high opportunity zones on the housing inventory map to determine sufficient high opportunity sites are included and/or identify additional high opportunity sites to be included in the site inventory. This should be done in accordance with the 2023 California Tax Credit Allocation Committee and the Department of Housing and Community Development Opportunity Mapping Methodology to promote access to opportunities.	Although the Housing Program does not contain a map overlaying the high opportunity zones on the housing inventory, Figure II-22 shows that most of the City is in the “Highest Resource” area and Figure II-54 shows that nearly all of the sites are in the “Highest Resource” portion of the City.
Comment B	Response to Comment B
Surplus sites: We encourage City/County partners to adopt a program to review all surplus property within one year of adoption of the Housing Element and make those sites available for the development of affordable housing. There are provisions in the Surplus Land Act (SLA) which allow for an expedited process for sites that qualify as “exempt surplus land” which is land determined by a local agency and verified by HCD and allows for streamlining the process for disposing of land for affordable housing. There are currently scoring incentives for funding affordable housing on surplus sites and it is imperative these sites be identified quickly and made available for the development of affordable housing.	The site inventory does not include any City-owned or leased sites. If the City identifies surplus sites in the future, the City will give priority to affordable housing development on those sites to take advantage of the available incentives for affordable housing.
Comment C	Response to Comment C
Entitlement Processes:	The City will process eligible affordable housing projects ministerially as required by SB 35, the

Increasingly, we have found it expedient to utilize “by right” pathways to project approvals through density bonus law, SB 35 permit streamlining, and the Housing Accountability Act. Frivolous and NIMBY-driven CEQA challenges have been “discovered” in valley communities to delay and sometimes kill projects. It is imperative that cities and counties ensure their ordinances and local practices do not conflict with such streamlined processes. Requirements for Conditional Use Permits in otherwise compatible zoning is to be discouraged wherever possible.	City automatically grants density bonus incentives, concessions, and waivers to projects that qualify, and follows the Housing Accountability Act which greatly limits the City’s ability to deny housing projects and condition affordable housing projects. Program 2.2.1 includes a provision to revise the code to implement SB 35 and other state statutes that require ministerial review. Although the CUP requirement for housing in commercial zones remains, housing developers can currently invoke SB 35 to use the ministerial approval process for housing developments with at least 50% affordability.
Comment D	Response to Comment D
Suitable Sites: Many jurisdictions in past Housing Element cycles have come up with what may initially look like impressive inventories of available sites, when in fact most have no feasibility for development. Suitable sites must include: a. Sewer, water, and dry utilities proximate to the site in question, without a need for upsizing or significant offsite development. b. A significant portion of the available acreage in the adequate sites inventory (at least 50%) should have minimum parcel sizes of 2.5 to 3 acres (and larger if onsite storm drainage is required.) c. Reasonable densities. In most valley communities’ reasonable densities are 20-50 units per acre, and projects below 50 units are generally not feasible in today’s funding environment. d. Access to quality transit. The City/County should adopt a program to evaluate the site inventory in relation to the transit system and ensure 75% of the inventory sites available for high density multifamily development are within 0.5 miles of a transit stop.	a. Utilities: Although not explicitly stated in this draft of the document, proximity to utilities was part of the methodology for identifying sites in the housing inventory. b. Site size: All of the sites in the “Rezoned Group” suitable for affordable housing are larger than 2.5 acres. c. Densities: Program 1.1.1 requires all rezoned sites to be developed at densities of minimum 20 units/acre. d. Transit: Unfortunately the minimum requirements for site size and the necessity to avoid TCAC areas of high segregation and poverty means that high-density sites suitable for affordable housing cannot be located convenient to existing transit stops

Comment E	Response to Comment E
Manufactured Homes: The City/County should consider adding a program to revise its zoning ordinance to add Manufactured Home on a Permanent Foundation to be allowed in all zones that allow single-family residences. The City/County should allow this in the identified zones without requiring a discretionary approval process.	P. 175 states that Shafter allows manufactured homes on properties that allow single-family housing, and that the permit process for a manufactured house on a foundation is identical to the permit process to build a conventional single-family residence. These provisions are currently in Shafter Development Code 10.160.
Comment F	Response to Comment F
Fee Waivers or Deferral: The City/County should consider a fee waiver program for projects that include 100% affordable housing serving households below 80% of area median income. If the City/County is unable to waive fees, we strongly encourage deferral for a period not to exceed 30 years with the deferral recorded as a form of deferred note and secured by the property for affordable single-family housing development and 55 years for affordable multi-family housing development. The note would be due and payable if the property were sold, refinanced, or the rent is no longer affordable (with multifamily properties), or is no longer occupied by the owner (single-family home).	The City of Shafter doesn't have funds to defer or waive fees without an outside source of funding to cover the cost. When outside sources of funding are available, Program 2.3.1 would include fee waivers/deferrals as an "Other Incentive" to support affordable housing development, Program 1.1.3 includes fee waiver/deferrals as an incentive to develop large sites for affordable housing, and Program 2.1.1 has the City apply for grants which may fund fee waivers or deferrals.

Figure C-25
Comment Letter 1



May 2, 2023

Steve Esselman
City of Shafter
Planning Department
336 Pacific Avenue
Shafter, CA 93263

Project: City of Shafter Housing Element Update 2023-2031

District Reference No: 20230357

Dear Mr. Esselman:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Housing Element Update (Housing Element) for the City of Shafter (City). The Housing Element is an eight-year plan for the years 2023-2031 that identifies strategies and programs on: 1) conserving and improving affordable housing; 2) providing adequate housing sites; 3) assisting in the development of affordable housing; 4) removing governmental and other constraints to facilitate housing development; and 5) promoting equal housing opportunities in the City of Shafter (Project). The Housing Element area includes one of the communities in the state selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities.

The District offers the following comments regarding the Project:

1) Development Project Siting

The Housing Element is the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). Guidance and policies used to implement the Housing Element should include measures and concepts outlined in the following resources:

A

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95358-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-8000 FAX: (559) 230-6061
www.valleyair.org www.healthyliving.com

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

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- CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

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2) **Assembly Bill 617**

AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The Shafter AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP.

Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the Shafter Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020.

During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them for development projects within the Housing Element area, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP.

B

For more information regarding the CERP approved for Shafter, please visit the District's website at:
<http://community.valleyair.org/selected-communities/shafter/>

3) **Future Development Project Related Emissions**

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, PM_{2.5} standards.

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Per the Housing Element, it is anticipated there will be the need for building 3,294 new housing units from current projections. As such, the District recommends that the Housing Element stipulate that future development projects identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://www.valleyair.org/transportation/GAMAQI.pdf>. The District recommends that future development projects be mitigated to the extent feasible, and that future development projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.

As such, the Housing Element should incorporate where appropriate, a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level.

Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

3b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://www.valleyair.org/transportation/GAMAQI.pdf>.

Recommended Mitigation Measure: At a minimum, future development projects related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: <https://www2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

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3c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

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4) Health Risk Screening/Assessment for Future Development Projects

For future development projects, the City should evaluate the risk associated with them for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

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Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

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http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

5) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects with emissions that exceed 100

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pounds per day of any pollutant.

An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:
www.valleyair.org/ceqa.

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6) **Voluntary Emission Reduction Agreement**

Future development projects within the Housing Element area with the potential to result in a significant impact on air quality should consider the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

F

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

Figure C-26 Comment Letter 2



Office of Mary C. Barlow... advocate for children

June 5, 2023

City of Shafter
Attn: Steve Essleman, Planning Director
336 Pacific Ave.,
Shafter, CA 93263

Our File No.: CO23-0059

RE: DEVELOPER FEES FOR: City of Shafter 2023-2031 Housing Element Update

Dear Mr. Essleman,

This office represents the Richland, Rosedale Union, Norris and Rio Bravo Greeley Union Elementary Districts and the Kern High School District with regard to the imposition of school facility fees, and appreciates the opportunity to respond on behalf of the districts regarding the proposed project. This letter is limited to addressing the possible effects which the project might have on school facilities created by students attributable to the project. It is not intended to address other possible environmental concerns which might be identified by the district(s) after reviewing it.

It is our determination that the above-mentioned project proposing the Housing Element Update (HEU) includes the City's Housing Policy Plan, which addresses the City's identified housing needs and includes Goals, Policies, and Programs concerning housing and housing-related services, as well as the City's approach to addressing its share of the regional housing need for the 8th Cycle planning period. The HEU provides for five primary sites that, without being re-zoned to residential use, could accommodate 9,385 total units (37 Very-Low Income; 125 Low-Income; 5,023 Moderate Income; and 4,179 Above-Moderate Income). Also, the HEU indicates that other available properties within Shafter that could be re-zoned for residential use could accommodate an additional 19,135 residential units (949 Very-Low Income; 3,792 Low Income; 7,113 Moderate Income; and 7,281 Above-Moderate Income), which in the City Center and potential re-zoned sites, reflects a realistic capacity of 80 percent of the allowable maximum residential density will have significant effects on these districts facilities. Pursuant to Government Code Sections 65995, 65996, and 65997, mitigation of this project's impacts on public school facilities will be limited to the collection of statutory fees at the time that building permits are issued. Currently, these fees are set at a range of \$3.43 to \$5.53 per square foot, an amount subject to adjustment every two years.

Comment
A

Thank you for the opportunity to comment on the project. Should you have any questions, or if we can be of any further assistance in this matter, please contact me at 836-4599, or through e-mail at anwatson@kern.org.

Sincerely,

Mary C. Barlow
Kern County Superintendent of Schools


Andrea Watson, Specialist
School District Facility Services

Cc: Districts

1300 17th Street – CITY CENTRE | Bakersfield, CA 93301-4533
(661) 636-4000 | FAX (661) 636-4130 | TDD (661) 536-4800 | www.kern.org

Figure C-27
Comment Letter 3

RE: SB 18: City of Shafter's 6th Cycle Housing Element Update, City of Shafter, Kern County, CA

From: Samantha McCarty <SMcCarty@tachi-yokut-nsn.gov>
Sent: Monday, June 26, 2023 3:18 PM
To: Steve Esselman <sesselman@shafter.com>
Cc: Shana Powers <SPowers@tachi-yokut-nsn.gov>; Nichole Escalon <nescalon@tachi-yokut-nsn.gov>
Subject: SB 18: City of Shafter's 6th Cycle Housing Element Update, City of Shafter, Kern County, CA

Dear Steve,

Thank you for contacting the Santa Rosa Rancheria Tachi-Yokut Tribe regarding: SB 18: City of Shafter's 6th Cycle Housing Element Update, City of Shafter, Kern County, CA. The Tribe is requesting to be notified of and consulted with on all future projects relating to this Housing Element Update. The Tribe is also requesting that each project requires: a Sacred Land Files search through the Native American Heritage Commission, an archaeological record search, an archaeological survey, and to have all of the results sent to the Tribe upon completion.

Comment
A

If you have any questions, comments, and or concerns please contact myself or the Santa Rosa Rancheria Tachi-Yokut Tribe. Thank you.

Sincerely,

Samantha McCarty

Santa Rosa Rancheria Tachi-Yokut Tribe
Cultural Specialist II
SMcCarty@tachi-yokut-nsn.gov
Office: (559) 924-1278 x 4091
Cell: (559) 633-6640

***PLEASE KEEP ALL CULTURAL STAFF IN EMAILS UNLESS STATED OTHERWISE**

"IE Fundamentals"

FUNDAMENTAL: MAKE QUALITY PERSONAL

Do your best work, always and every time. Quality is everything. The reason to do quality work is because it represents you. This focus on quality is part of what bonds us here and makes us different than other companies

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Figure C-28
Comment Letter 4

From: [David Dmohowski](#)
To: [Steve Esselman](#)
Cc: [Cali Hildebrand](#)
Subject: Draft Shafter Housing Element
Date: Monday, October 16, 2023 1:24:41 PM

Dear Steve,

Thank you for the opportunity to review the City of Shafter's Draft Housing Element. The draft document clearly and concisely presents the constraints, and opportunities your agency is responding to in planning for the future housing needs of the community.

Our Association is especially supportive of the City's stated goals to streamline its permitting processes, and to closely monitor the potential negative effects of development fees and exactions on our highly price-sensitive housing market.

The document notes that Shafter does not have an Inclusionary Zoning Ordinance. Our Association is gratified to see that no specific policy or action relating to inclusionary zoning is proposed at this time. Where inclusionary zoning regulations have been adopted in the Central Valley, there have been significant negative impacts on housing production and affordability. By artificially increasing the price of new market rate housing, inclusionary zoning ordinances cause the price of all housing, including rentals, to increase.

Our industry greatly appreciates the City of Shafter's efforts to maintain a friendly housing environment in our excessively-regulated state. Thanks again for the opportunity to share our thoughts.

Best regards,

Dave Dmohowski
Executive Officer
Home Builders Association of Kern County
661.510.8311

Figure C-29
Comment Letter 5



A Nonprofit Housing and Community Development Organization

October 20, 2023

Re: Comment Letter - 6th Cycle 2023-2031 Housing Element Update (HEU)

Dear Partner:

Self-Help Enterprises (SHE) appreciates the opportunity to comment on your 6th Cycle Housing Element Update. We believe it is essential we all work together to identify meaningful opportunities to create affordable housing opportunities in the San Joaquin valley. Our service territory includes San Joaquin, Stanislaus, Mariposa, Merced, Madera, Fresno, Tulare, Kings, and Kern counties. Incorporated as a nonprofit in 1965, SHE has built, acquired, or substantially rehabilitated nearly 16,000 units of home ownership and rental housing exclusively for low-income households in this footprint. Our general comments are outlined below:

1. **Affirmatively Furthering Fair Housing:** It is imperative that cities and counties include as many high or highest resource sites as possible in their Housing Element site inventory. The ratio of these sites to other lower resource sites should be 1:1. The City/County should overlay the high opportunity zones on the housing inventory map to determine sufficient high opportunity sites are included and/or identify additional high opportunity sites to be included in the site inventory. This should be done in accordance with the 2023 California Tax Credit Allocation Committee and the Department of Housing and Community Development Opportunity Mapping Methodology to promote access to opportunities.
2. **Surplus sites:** We encourage City/County partners to adopt a program to review all surplus property within one year of adoption of the Housing Element and make those sites available for the development of affordable housing. There are provisions in the Surplus Land Act (SLA) which allow for an expedited process for sites that qualify as “exempt surplus land” which is land determined by a local agency and verified by HCD and allows for streamlining the process for disposing of land for affordable housing. There are currently scoring incentives for funding affordable housing on surplus sites and it is imperative these sites be identified quickly and made available for the development of affordable housing.
3. **Entitlement Processes:** Increasingly, we have found it expedient to utilize “by right” pathways to project approvals through density bonus law, SB 35 permit streamlining, and the Housing Accountability Act. Frivolous and NIMBY-driven CEQA challenges have been “discovered” in valley communities to delay and sometimes kill projects. It is imperative that cities and counties ensure their ordinances and local practices do not conflict with such streamlined processes. Requirements for Conditional Use Permits in otherwise compatible zoning is to be discouraged wherever possible.



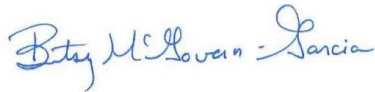
Main Office: 8445 W. Elwin Court • P.O. Box 6520 • Visalia, CA 93290 • Phone (550) 651-1000 • Fax (559) 651-3634

info@selfhelpenterprises.org • www.selfhelpenterprises.org

4. **Suitable Sites:** Many jurisdictions in past Housing Element cycles have come up with what may initially look like impressive inventories of available sites, when in fact most have no feasibility for development. Suitable sites must include:
- a. Sewer, water, and dry utilities proximate to the site in question, without a need for upsizing or significant offsite development.
 - b. A significant portion of the available acreage in the adequate sites inventory (at least 50%) should have minimum parcel sizes of 2.5 to 3 acres (and larger if onsite storm drainage is required.)
 - c. Reasonable densities. In most valley communities' reasonable densities are 20-50 units per acre, and projects below 50 units are generally not feasible in today's funding environment.
 - d. Access to quality transit. The City/County should adopt a program to evaluate the site inventory in relation to the transit system and ensure 75% of the inventory sites available for high density multifamily development are within 0.5 miles of a transit stop.
5. **Manufactured Homes**
The City/County should consider adding a program to revise its zoning ordinance to add Manufactured Home on a Permanent Foundation to be allowed in all zones that allow single-family residences. The City/County should allow this in the identified zones without requiring a discretionary approval process.
6. **Fee Waivers or Deferral**
The City/County should consider a fee waiver program for projects that include 100% affordable housing serving households below 80% of area median income. If the City/County is unable to waive fees, we strongly encourage deferral for a period not to exceed 30 years with the deferral recorded as a form of deferred note and secured by the property for affordable single-family housing development and 55 years for affordable multi-family housing development. The note would be due and payable if the property were sold, refinanced, or the rent is no longer affordable (with multifamily properties), or is no longer occupied by the owner (single-family home).

Thank you for the opportunity to comment on your Housing Element. Self-Help Enterprises is available to serve as an affordable housing resource and we encourage you to reach out if you ever have questions on how to promote and support affordable housing development in your community. If you are interested in consultation, please contact me at betsyg@selfhelpenterprises.org or at (559) 802-1653.

Sincerely,



Betsy McGovern-Garcia
Vice President

Prepared For



City of Shafter
2023 - 2031

Housing Element Update Initial Study and Mitigated Negative Declaration

July 2023



Prepared By



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DOCUMENT ORGANIZATION

This document has been organized into the following sections:

Section I - Introduction: Describes the CEQA context and purpose of an Initial Study (IS).

Section II - Project Description: Provides background information on the Lead Agency and describes the project, in response to the *CEQA Environmental Checklist*.

Section III - Environmental Factors Potentially Affected: Identifies Potentially Significant Impacts, which are later explained in Section V.

Section IV – Determination: Presents the determination regarding the appropriate environmental document for the project.

Section V – Evaluation of Environmental Impacts: Provides discussions of the possible environmental impacts of the project for specific issue areas that have been identified in the *CEQA Environmental Checklist*. For each issue area, potential effects are discussed and evaluated.

SECTION I. INTRODUCTION

Project Title:

City of Shafter 6th Cycle 2023-2031 Housing Element Update

Lead Agency Name and Address:

City of Shafter
Planning Department
336 Pacific Avenue
Shafter, California 93263

Project Location: The City of Shafter is located in the San Joaquin Valley, within Kern County, approximately 18-miles west-northwest of the City Bakersfield in the State of California.

Project Sponsor's Name, Phone Number and Address:

City of Shafter
Steve Esselman, Planning Director
Planning Department
336 Pacific Avenue
Shafter, California 93263
Email: sesselman@shafter.com

Legal Authority and Findings: The City of Shafter has prepared this Initial Study (IS) in accordance with the *Guidelines for the Implementation of CEQA* (CEQA Guidelines) (California Code of Regulations (CCR), Title 14, Chapter 3, Sections 15000, et seq.). Although consultants assisted in the preparation of this IS, all analysis, conclusions, findings, and determinations presented in the Initial Study represent the findings of the City of Shafter, acting as the Lead Agency under CEQA. In accordance with the provisions of CEQA and the State and local CEQA Guidelines, as the Lead Agency, the City of Shafter is responsible for reviewing the potential environmental effects, and after consideration, approving or denying the project.

Document Purpose: Section 15063(c) of the CEQA Guidelines defines an Initial Study as In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, §15000 et seq.). This Initial Study has been prepared to evaluate the potential environmental effects associated with the City of Shafter 2023-2031 Housing Element Update (project or proposed project), which represents the City of Shafter's policy program for the 2023-2031 6th Cycle planning period. The Housing Element is one of the State-mandated General Plan Elements and is included in the City of Shafter General Plan. The purpose of the Housing Element is to identify and plan for the City's existing and projected housing needs over a specified time period (e.g., the 6th Cycle – 2023-2031). This Initial Study includes a description of the HEU; an evaluation of the project's potential environmental impacts; the findings of the environmental

analyses; and recommended standard conditions and mitigation measures to avoid or lessen the HEU's significant adverse impacts on the environment. For the purposes of CEQA review and compliance, the City of Shafter (City) serves as the Lead Agency. In accordance with the State CEQA Guidelines, the City has the authority for environmental review and certification of the environmental documentation.

This Initial Study has evaluated each of the environmental issue areas contained in the checklist provided in Section V: Evaluation of Environmental Impacts. It provides decision-makers and the public with information concerning the potential environmental effects associated with the project implementation, and potential ways to reduce or avoid the potential environmental impacts. This Initial Study is intended to be used as a decision-making tool for the City in considering and acting on the HEU. Any responsible agency may elect to use this environmental analysis for discretionary actions associated with the HEU implementation. In each planning cycle, the California Department of Housing and Community Development (HCD) determines the Regional Housing Needs Assessment (RHNA) by income level for each region's Council of Governments (COG). The Kern County Association of Government (Kern COG) is the COG for Kern County and eleven incorporated cities within Kern County. Kern COG prepares the RHNA allocation for every city and county. The Housing Element is required to identify potential candidate housing sites by income category to meet the City's RHNA allocation.

Terminology: A "significant effect" is defined by Section 15382 of the CEQA Guidelines as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." An economic or social change by itself shall not be considered a significant effect on the environment but may be considered in determining whether the physical change is significant.

Initial Study Public Review Process

The Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration has been provided to the Kern County Clerk-Recorder and mailed to responsible agencies and others who expressed interest in being notified. A 30-day public review period has been established in accordance with Section 15073 of the State CEQA Guidelines. During the public review period, the Initial Study, including the technical appendices, can be accessed on the City's website and is available for review at the location identified below:

<https://shafter.com/386/Planning-Documents>

In reviewing the Initial Study, affected public agencies, and interested members of the public should focus on the adequacy of the document in identifying and analyzing the potential environmental impacts and the ways in which the potentially significant effects of the HEU can be avoided or mitigated. Comments on the Initial Study and the analysis contained herein may be sent to: Steve Esselman, Planning Director, City of Shafter Email: sesselman@shafter.com. Comments sent via email should include the HEU title in the subject line and a valid mailing address in the email. Following receipt and evaluation of comments, the City of Shafter will determine whether any substantial new environmental issues have been raised. If so, further documentation may be required. If not or if the issues raised do not provide substantial

evidence that the HEU will have a significant effect on the environment, the Mitigated Negative Declaration and the HEU will be considered for adoption and approval, respectively.

SECTION II. PROJECT DESCRIPTION

Project Location:

The City of Shafter is located in the southern portion of the San Joaquin Valley, in the northwest portion of Kern County. Shafter is central to many key metropolitan areas. To the north are the cities of Fresno (100 miles), Sacramento (270 miles), and San Francisco (265 miles). To the south are the cities of Bakersfield (12 miles), Los Angeles (130 miles), and San Diego (240 miles). Agricultural fields and open space, a typical characteristic of towns in the San Joaquin Valley, physically separate Shafter from these surrounding communities (reference **Figure 1: Shafter Vicinity Map** and **Figure 2: Shafter Location Map**). Irrigated agriculture is found throughout the Valley on its highly fertile alluvial soils; however, Kern County is now experiencing population growth and urbanization around existing cities. This urbanization is creating different circumstances regarding housing than have been experienced in the past.

The Housing Program:

The City of Shafter Housing Element (currently termed the Housing Program) is a State-required General Plan Element. The intent of the Housing Program is to ensure the housing needs of all economic segments of the community will be met through December 31, 2031. The Housing Program includes Goals and Policies, actions that the City will undertake to meet its housing needs, identification of funding sources, responsible entities, and time frames for implementation. In evaluating the prior Housing Program, the City analyzed and evaluated the internally stated programs it undertook. Accordingly, the City has included in this Housing Program those actions it believes can successfully be implemented and that reflect the best use of City resources. Shafter's quantified housing objectives are presented below, along with housing Goals, Policies, Implementation Programs, and other information contained in the Housing Program.

The Shafter Housing Program provides an eight-year plan for the 6th Cycle reporting period that extends from 2023 to 2031. The Housing Program identifies strategies and programs that focus on the following:

- Conserving and improving existing affordable housing;
- Providing adequate housing sites;
- Assisting in development of affordable housing;
- Removing governmental and other constraints to facilitate housing development; and,
- Promoting equal housing opportunities.

The Shafter Housing Program consists of the following primary components:

- The geographic location of the City and the role of the Housing Program in the City (Chapter I);
- An analysis of the City's demographic and housing characteristics and trends (Chapter II);
- An evaluation of resources and opportunities available to address housing issues (Chapter III);
- A review of potential market, governmental, and environmental constraints to meeting the City's identified housing needs (Chapter IV);
- The Housing Action Plan for the 6th Cycle planning period (Chapter V);
- A review of the City's accomplishments during the previous planning period (Appendix A);
- A detailed inventory of the suitable sites for housing development (Appendix B); and,
- A record of community engagement activities and public participation (Appendix C).

Furthermore, the City of Shafter is expected to accomplish the following:

- Identify and analyze current and projected housing needs of all economic segments of the community based on the regional housing needs analysis;
- Assess current and anticipated constraints to meeting regional housing needs due to both marketplace and governmental operations;
- Determine the availability of land suitable for residential land use and seek opportunities for energy conservation in residential developments;
- Set forth Policies, Programs, and Objectives that create an eight-year schedule of actions to meet housing needs by way of removing governmental and non-governmental constraints on housing production, administration of land use and development controls by offering concessions and incentives, and utilizing Federal and State financing and subsidy programs; and,
- Assess and address emergency housing and homeless housing for the community.

The proposed Housing Element Update (HEU) includes the City's Housing Policy Plan, which addresses the City's identified housing needs and includes Goals, Policies, and Programs concerning housing and housing-related services, as well as the City's approach to addressing its share of the regional housing need for the 6th Cycle planning period. The HEU provides for five primary sites that, without being re-zoned to residential use, could accommodate 9,365 total units (37 Very-Low Income; 125 Low-Income; 5,023 Moderate Income; and 4,179 Above-Moderate Income). Also, the HEU indicates that other available properties within Shafter that could be re-zoned for residential use could accommodate an additional 19,135 residential units (949 Very-Low Income; 3,792 Low-Income; 7,113 Moderate Income; and 7,281 Above-Moderate Income), which in the City Center and potential re-zoned sites, reflects a realistic capacity of 80 percent of the allowable maximum residential density. The following Table 1 summarizes this data.

There is no shortage of vacant land available for development in Shafter. The RHNA assigned numbers can be accommodated in three areas of the City. The criteria for being included in the inventory is that the site was vacant (no foundation or dwelling unit built), and the site is zoned for residential use. One area is located in and around the City center and consists of small vacant lots suitable for one dwelling unit and larger sites that can accommodate more dwelling units. The second area is the specific plan areas along 7th Standard Road. The third area is east of the City-center owned by the Wonderful Company.

Table 1 -Sites Inventory Summary

PLANNING AREA	VERY LOW	LOW	MODERATE	ABOVE MODERATE
City Center (Realistic Capacity = Acres X Max Density X 0.8)	8	8	837	0
Specific Plan Areas				
Gossamer Grove	0	0	1,079	1,078
Marcona Preserve (formerly Heritage Ranch)	0	0	441	439
Mission Lakes	29	117	2,446	2,442
Orchard Hills	0	0	220	220
Sites to be Rezoned				
Rezone (Realistic Capacity = Acres X Max Density X 0.8)	949	3,792	7,113	7,281
TOTAL 2023-2031	986	3,917	12,136	11,460

The HEU states that “the inventory in Appendix B (of the HEU) shows that the City has sufficient vacant and rezone sites to accommodate the RHNA for this planning period in all income categories.”

The City is projecting that 42 of the 678 units allocated for Very Low-Income households will be constructed as non-rented accessory dwelling units affordable to Extremely Low-Income households.

Table B-2 (2023-2031 Sites Inventory Summary Table) in Appendix B of the Shafter HEU categorizes the proposed vacant land sites into six planning areas (PA) within Shafter. These PAs include the Gossamer Grove Specific Plan, Marcona Preserve (formerly Heritage Ranch) Specific Plan, Mission Lakes Specific

Plan, and Orchard Parks Specific Plan, as well as locations adjacent to the City Center and sites identified by developers or City staff for future rezoning to accommodate residential development throughout the City (Rezone sites). The Summary Table provides the total number of potential units allocated to each income bracket within each respective PA, and demonstrates the City has the potential to far exceed the RHNA numbers within all income categories.

For the purposes of the RHNA, sites for the inventory to address RHNA numbers were in three areas of the City. The criteria for being included in the inventory is that the site was vacant (no foundation or dwelling unit built), and the site is zoned for residential use. The first area is located in and around the City center. These consist of small vacant lots suitable for one dwelling unit and larger sites that can accommodate more dwelling units. The second area is the specific plan areas along 7th Standard Road. The final area is east of the City center that is owned by the Wonderful Company. These sites and its surrounding sites supplement the shortfall of the other areas for lower income housing. **Figure 3-Site Inventory-Income Designation (Shafter)** depicts the inventory of sites and their income categories.

Table 2- Sites Inventory Summary Table 2023-2031

Planning Area (Site)	Very Low	Low	Moderate	Above Moderate	How to Calculate Income Level
City Center (80% of Realistic Capacity)	8	8	837	0	Low – 25% of Realistic capacity Very-Low - 20% of Realistic capacity
Gossamer Grove	0	0	1,079	1,078	50/50 split between Moderate-Income and Above Moderate-Income
Marcona Preserve (formerly Heritage Ranch	0	0	441	439	50/50 split between Moderate-Income and Above Moderate-Income
Mission Lakes	29	117	2,446	2,442	Low-Income – 20% of maximum unit buildout Very Low-Income – 5% of maximum buildout
Orchard Hills	0	0	220	220	50/50 split between Moderate-Income and Above Moderate-Income
Re-Zone (80% of Realistic Capacity)	949	3,792	7,113	7,281	Low-Income – 20% of Realistic Capacity Very Low-Income – 5% of Realistic Capacity
TOTAL 2023-2031	986	3,918	12,136	11,460	

SECTION III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the project, involving at least one impact that is a "Potentially Significant Impact" or a "Potentially Significant Unless Mitigation is Incorporated" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| ☐ Aesthetics | ☐ Greenhouse Gas Emissions | ☐ Population & Housing |
| ☐ Agriculture & Forestry Resources | ☒ Hazards & Hazardous Materials | ☐ Public Services |
| ☐ Air Quality | ☐ Hydrology & Water Quality | ☒ Recreation |
| ☒ Biological Resources | ☐ Land Use & Planning | ☐ Transportation & Traffic |
| ☒ Cultural Resources | ☐ Mineral Resources | ☐ Utilities & Service Systems |
| ☒ Geology & Soils | ☒ Noise | ☒ Mandatory Findings of Significance |
| ☒ Tribal Cultural Resources | ☐ Wildfire | |

DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature/Title

Date

SECTION IV. MITIGATED NEGATIVE DECLARATION

TO WHOM IT MAY CONCERN:

Pursuant to the California Environmental Quality Act of 1970 (CEQA) the State CEQA Guidelines for Implementation of CEQA and State CEQA Guidelines, the City of Shafter is the lead agency. The City of Shafter Planning Department has made an Initial Study of possible environmental impacts of the following-described project:

APPLICANT: City of Shafter, Planning Department
Steve Esselman, Planning Director
336 Pacific Avenue
Shafter, California 93263
Email: sesselman@shafter.com

APPLICATION: City of Shafter 6th Cycle 2023-2031 Housing Element Update

LOCATION: The City of Shafter is located in the San Joaquin Valley within Kern County approximately 18-miles west-northwest of the City Bakersfield.

DESCRIPTION OF PROPOSED PROJECT:

The City of Shafter Housing Element Update (HEU) for the 6th Housing Program Cycle (2023-2031) provides an assessment of housing needs within the City, identifies constraints that may impede building of housing, discusses current demographic data, and lists potential sites within the City where housing may be accommodated. The HEU is focused to satisfy the assigned City Regional Housing Needs Assessment (RHNA) numbers of 3,294 total residential units, allocated as follows: 678 Very Low-Income units; 431 Low-Income units; 604 Moderate-Income units; and 1,581 Above Moderate-Income units.

The intent of the Housing Program is to ensure housing needs of all economic segments of the community will be met through December 31, 2031. Housing Goals and Policies included in the Shafter Housing Element (Housing Program), as well as the actions that the City will undertake to meet its housing needs, are discussed in this section. A summary of actions, including identification of funding sources, responsible entities, and time frames for implementation, are also presented. In evaluating the prior Housing Program, the City analyzed the programs it undertook, and evaluated the success of the programs. Accordingly, the City has included in this Housing Program those actions it believes can successfully be implemented and that reflect the best use of the City's resources. Shafter's quantified housing objectives are presented below, along with housing Goals, Policies, and Implementation Programs.

MITIGATION MEASURES: (Included in the Proposed Project to Avoid Potentially Significant Effects) (if required): Reference Appendix A.

INCLUSION OF MITIGATION MEASURES AS PART OF THE PROJECT:

I, as applicant/authorized agent, have reviewed the mitigation measures noted above and agree to include said measures as part of this project.

Signed: _____

Dated: _____

FINDINGS: It has been found that this project, as described and proposed to be mitigated herein, will not have a significant effect on the environment that cannot be mitigated to a less than significant level and that an environmental impact report (EIR) is, therefore, not required.

PUBLIC INQUIRY: Any person may object to dispensing with such EIR or respond to the findings herein. Information relating to the proposed project is on file in the office of the Planning Department at the address shown below. Any person wishing to examine or obtain a copy of that information, or this document is seeking information as to the time and manner to so object or respond, may do so by inquiring at said office during regular business hours.

A copy of the Initial Study is attached hereto.

DATE OF MITIGATED NEGATIVE DECLARATION ADOPTION:

MITIGATED NEGATIVE DECLARATION REVIEW PERIOD ENDS: July 2, 2023

AGENCY CONSULTATION REQUIRED: (☐ Yes ☒ No)

AGENCIES CONSULTED: None

STATE CLEARINGHOUSE NUMBER (if required): 2023060062

INITIAL STUDY PREPARED BY: Infrastructure Engineers
3060 Saturn Street, Suite 250
Brea, CA 92821

DATE POSTED:

DATE OF NOTICE TO PUBLIC:

FIGURE 1. SHAFTER VICINITY MAP

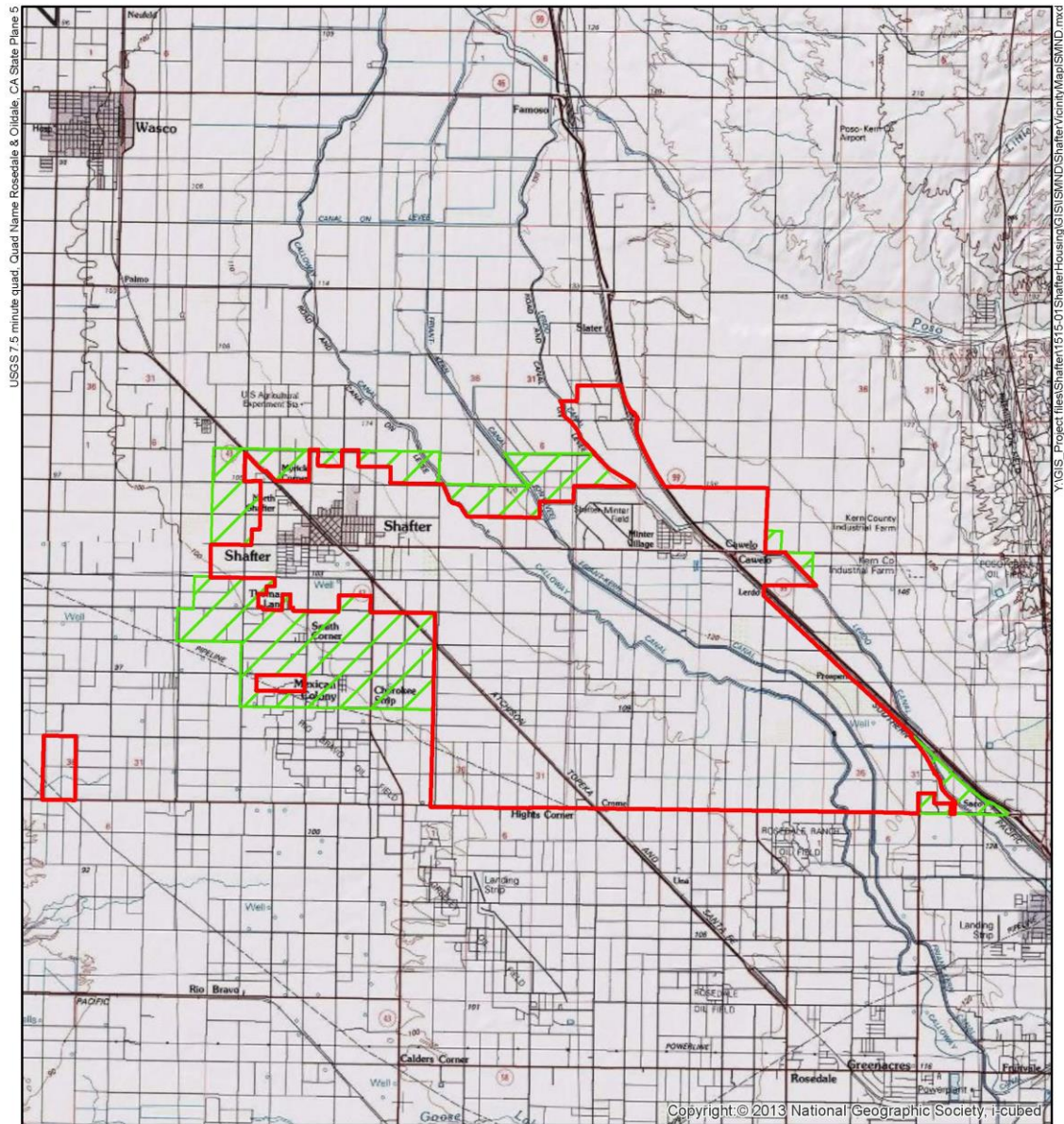


Figure 1 - Shafter Vicinity Map

City of Shafter Initial Study/Mitigated Negative Declaration

Legend

 City Limits Sphere of Influence

Map Date: 4/25/2023



Miles



FIGURE 2. SHAFTER LOCATION MAP

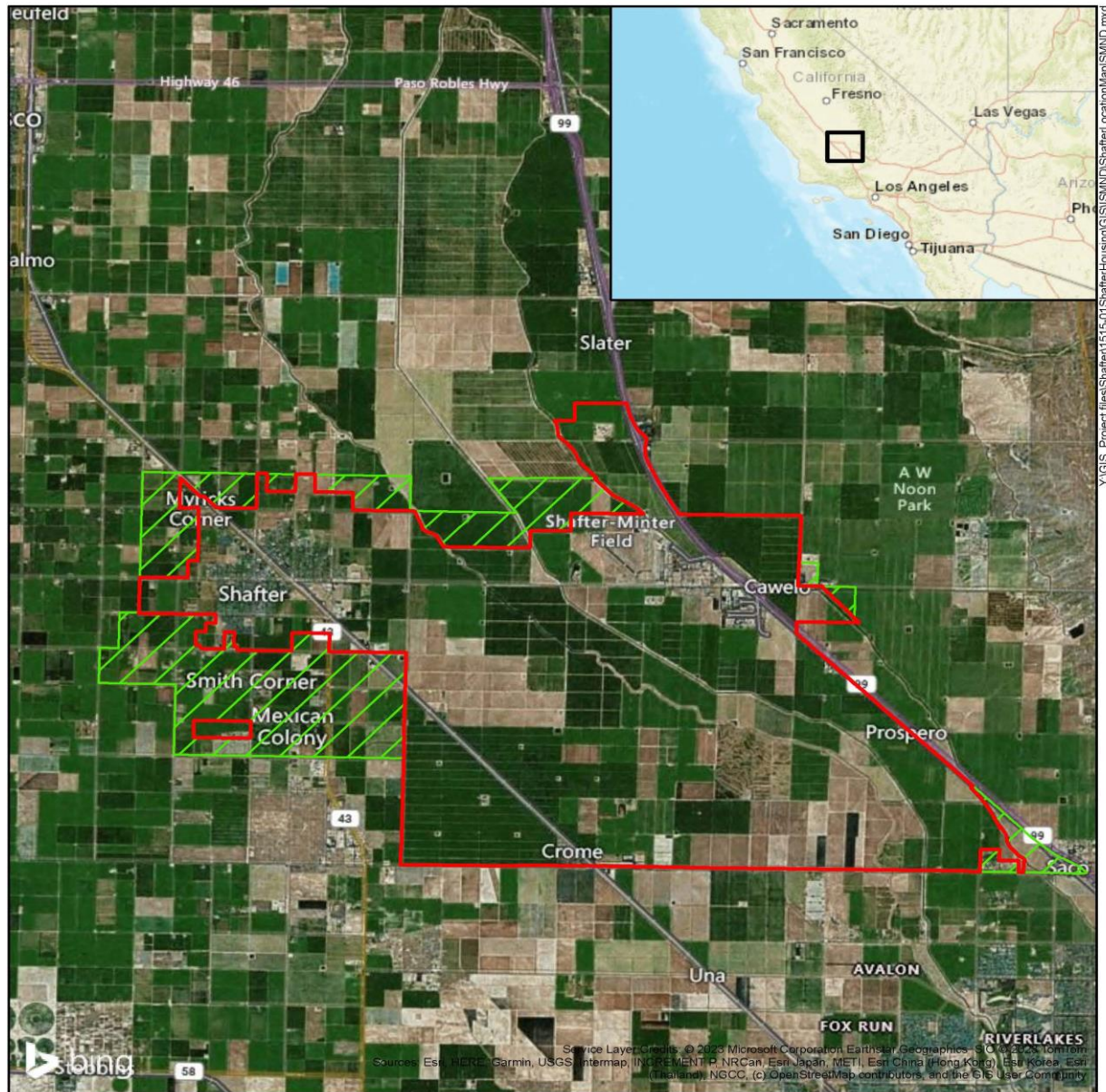


Figure 2 - Shafter Location Map

City of Shafter Initial Study/Mitigated Negative Declaration

Legend

- City Limits
- Sphere of Influence

Map Date: 4/25/2023

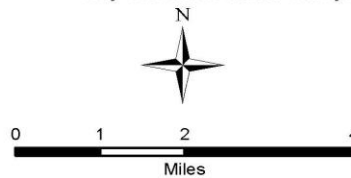


FIGURE 3-HOUSING INVENTORY LOCATIONS

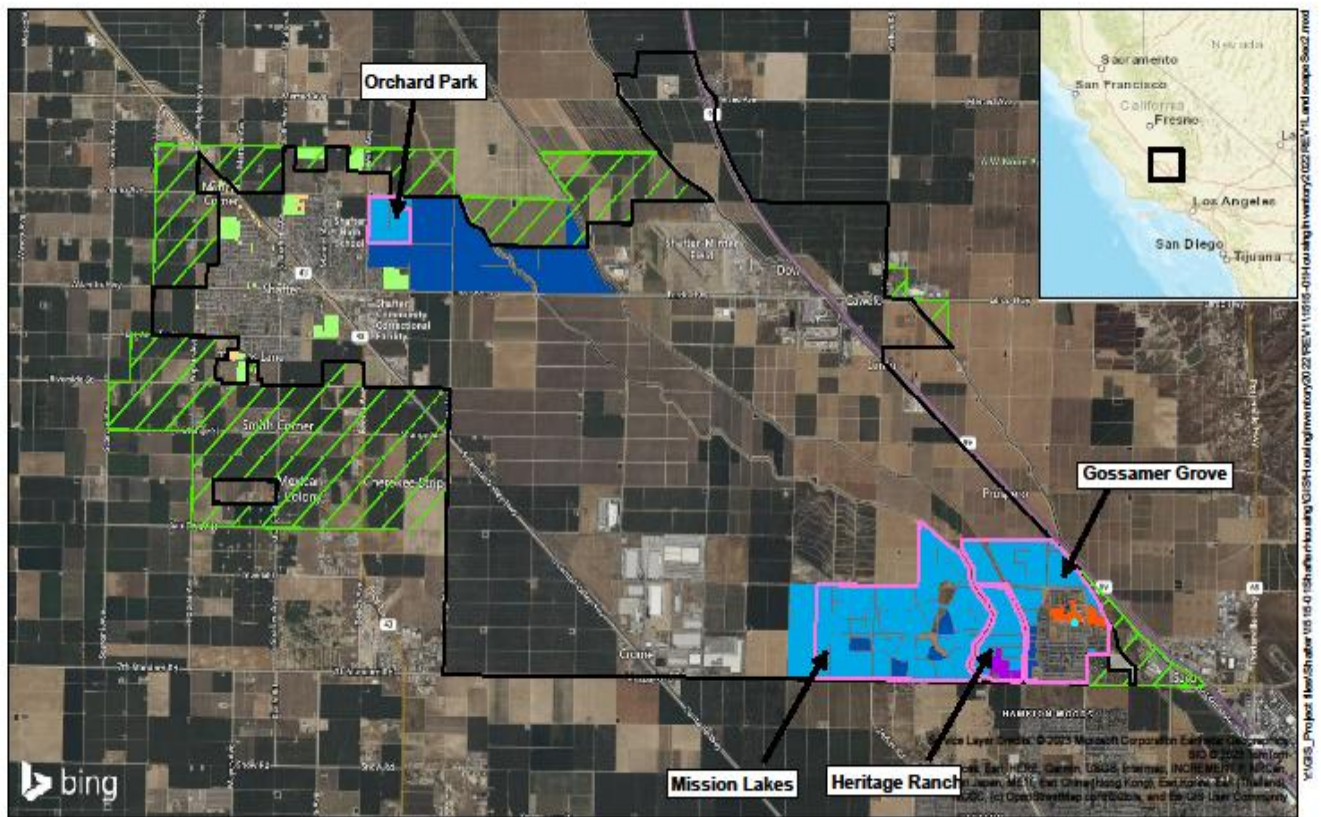
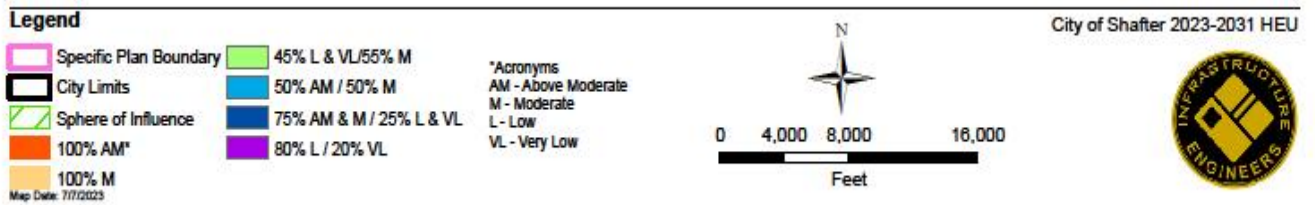


Figure 3 - Housing Inventory Locations



SECTION V. EVALUATION OF ENVIRONMENTAL IMPACTS

Potential environmental effects of the project are classified and described within the *CEQA Environmental Checklist* under the following general headings:

“No Impact” applies where the project would not result in an impact in a category.

“Less Than Significant Impact” applies where the project would result in an impact, but the magnitude of the impact is considered insignificant or negligible.

“Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an impact from a “Potentially Significant Impact” to a “Less Than Significant Impact.”

“Potentially Significant Impact” applies where the project has the potential to result in a significant and unmitigable environmental impact.

AESTHETICS

This section describes the existing aesthetics setting and the potential effects from HEU implementation. Information in this Section is derived primarily from the City of Shafter Draft General Plan Update (2005).

Regulatory Setting

State Regulations

California State Scenic Highway Program

The California Scenic Highway Program, maintained by the California Department of Transportation (Caltrans), was created by the State Legislature in 1963. The purpose of the State Scenic Highway Program is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment.

California Green Building Standards Code

Part 11, Title 124, of the California Code of regulations developed green building standards in an effort to meet the goals of California's landmark initiative AB 32, which established a comprehensive program of cost-effective reductions of greenhouse gases (GHG) to 1990 levels by 2020.

Local Regulations

City of Shafter Municipal Code

Section 10.140- Lighting, Municipal Zoning Ordinance identifies the following Development Codes for the provision of light for all types of land uses including residential land uses within the City:

- All single-family, duplex, and triplex residential dwelling units shall be equipped with security lighting affixed to the exterior of each garage and above the exterior of each front and rear door.
 - Lights shall be installed and shall be hard-wired into the electrical power source.
 - Lights shall be shielded and directed away from surrounding residential uses and shall not blink, oscillate or be of unusually high intensity.
- Outdoor light poles within residential areas, except for street lighting, shall not exceed 12 feet in height. such lighting shall be designed to project downward and shall not create glare on adjacent properties.

City of Shafter General Plan

The following are Policies pertaining to aesthetics that are applicable to the HEU.

- **Policy 3-Industrial Uses:** Require industrial development that is in proximity to residential areas to provide buffers, along with appropriate setbacks, landscaping, and screening to minimize noise, light, glare, and other impacts.
- **Policy 3-Energy Resources:** Encourage the installation of energy-efficient lighting, reduced thermostat settings, and elimination of unnecessary lighting in public facilities.

City of Shafter Municipal Code

Section 10.280 of the City of Shafter Development Code states that when a land use is proposed within a scenic area, the following criteria shall be used to evaluate the project compliance:

- **Building and Structure Placement:** The building and structure placement shall be compatible with and shall not detract from the visual setting or obstruct significant views.
- **Setbacks:** intensive land development proposals, including, but not limited to, residential facilities, commercial, and industrial activities shall be designed to blend into the natural landscape and maximize visual attributes of the natural vegetation and terrain. The design of such development proposals shall also provide for maintenance of a natural open space parallel to the right-of-way. This represents the visible land area outside the highway right-of-way which may be described as the "view from the road."
- **Access Drives:** Right-of-way access drives shall be minimized. Developments involving concentrations of commercial activities shall be designed to function as an integral unit with common parking and right-of-way access drives when feasible.
- **Roads, Pedestrian Walkways, Parking and Storage Areas:** Large scale development shall restrict the number of access points by providing common access roads. Parking and outside storage areas shall be screened from view to the maximum extent feasible from adjacent scenic or recreational resources by placement of buildings and structures, or by landscaping and plantings.
- **Above Ground Utilities:** Utilities shall be constructed and routed underground except in those situations where natural features prevent the underground routing or where safety considerations necessitate above ground construction and routing. Above ground utilities shall be constructed and routed to minimize detrimental effects on the visual setting of the designated area. Where practical, above ground utilities shall be screened from view from adjacent scenic or recreational resources by placement of buildings and structures.
- **Grading:** The alteration of the natural topography of the site shall be minimized and shall, to the extent feasible and practical, avoid detrimental effects to the visual setting of the designated area and the existing natural drainage system.
- **Storage Areas:** Outside storage areas associated with commercial or industrial activities shall be completely screened from view from the right-of way with landscaping and plantings.

Affected Environment

The City of Shafter is located in the high desert region of Kern County and is bound to the north by the City of Wasco, to the south by the City of Bakersfield, to the east and west by unincorporated Kern County. The City consists of primarily undeveloped land and agricultural lands, with distant views of the mountains and single-family residences. Land uses in the City include mostly scattered parcels developed with single-family residences, commercial land uses, and an airport. Existing sources of light include nighttime street lighting from distant residential and commercial areas and schools.

Project Impacts

Would the project:

a) Have a substantial adverse effect on a scenic vista?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less Than Significant

Discussion a): A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. A substantial adverse effect on a scenic vista is one that would degrade the view from a designated scenic view spot. Structures within a viewer's line of sight of a scenic vista may interfere with a public view of a scenic vista, either by physically blocking or screening the scenic vista from view, or by impeding or blocking access to a formerly available viewing position. Those viewers may experience scenic areas prior to residential development but could have their views of the scenic vista blocked after completion of residential development indicated in the Housing Element Update.

The City's General Plan does not identify scenic resources, therefore, the HEU would not result in a substantial adverse effect on a scenic vista. The HEU would not result in direct housing construction but would facilitate future housing development on housing sites that are located throughout the City. All new development resulting from the HEU would be required to be consistent with the City of Shafter's Municipal Code Title 17, General Development Code 10.280 Scenic Resources which contains regulations intended to protect scenic vistas. Therefore, compliance with the City's Municipal Code would not result in adverse impacts to scenic vistas and a less than significant impact would occur.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

No Impact

The City does not contain structures, rock outcroppings or historic buildings within a scenic highway. According to the California Department of Transportation (Caltrans) Highway Map, the nearest scenic highway to Shafter is State Route 65 (SR-65), located 41-miles North of the City. SR-65 is designated as eligible for listing as a scenic highway but has not yet been officially designated. The nearest officially

designated highway is State Route 33 (SR-33), located 27-miles southwest of the City.²³² Based on this distance, views of the City from SR 33 and SR 65 are not visible, therefore, no impacts associated with State Scenic Highways will occur and no additional analysis is required.

MITIGATION MEASURES

No Mitigation Measures are required.

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

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion c): The HEU would not directly result in construction of new housing but would facilitate new housing development on housing sites located throughout the City. The HEU would not conflict with applicable zoning and other regulations governing scenic quality. The City's Development Standards under Municipal Code Title 17, 10.280 Scenic Resources, protects against degrading visual character or quality of public views through its development standards. Development standards are regulations, rules, or measures pertaining to land uses and zoning that establish how future development projects would be designed. Future housing development resulting from the HEU would be required to comply with the Municipal Code regarding design compatibility of housing facilitated by the HEU with the surrounding community. As a result, any viewsheds and view corridors would be preserved. Therefore, impacts to existing visual character and quality of public views would be less than significant and no mitigation required.

MITIGATION MEASURES

No Mitigation Measures are required.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

²³² <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed October 24, 2022.

Less Than Significant

Discussion d): New home construction resulting from implementation of the HEU could potentially add new sources of light and glare to the City. Potential new light sources would be primarily exterior nighttime lighting fixtures, parking area lighting, security lighting, light glow from windows, doors and skylights, and accent lighting. This concentration of new sources of nighttime lighting near low-density areas could result in potential impacts. Undeveloped areas of the City of Shafter identified in the Housing Element Update, redevelopment of underutilized residential properties, and replacement, refurbishment, or expansion of existing deteriorated residential structures also would introduce new sources of light and glare that may adversely affect daytime or nighttime views in Shafter or that may impact sensitive biological resources. However, future housing development resulting from implementation of the HEU would be required to comply with all applicable requirements related to light and glare which include the California Green Building Standards Code that provides guidelines on lighting design elements in order to reduce light pollution and Shafter Development Standards 12.80-Light and Glare and 10.140- Lighting that protects residential neighborhoods from excessive illumination by regulating lighting orientation (directed toward walkways and driveways, or shielding).

All future residential development projects contemplated by the Housing Element Update would be required to comply with the State of California Building Energy Efficiency Standards for Residential Buildings (Title 24, Part 6 of the California Code of Regulations), which includes mandatory provisions for lighting control devices and luminaries. In addition, all outdoor lighting is required to be designed and installed in compliance with the Shafter Zoning Ordinance (Section 17.90.040 – Lighting, as follows:

“Except for residential light fixtures using less than a 75-watt bulb, the following shall apply to all outdoor lighting fixtures:

- (a) All on-site lighting shall be energy efficient, stationary, and directed away from adjoining properties and public rights-of-way.*
- (b) Light fixtures shall be shielded so no light is emitted above the horizontal plane of the bottom of the light fixture.*
- (c) Light fixtures shall be shielded so no light above 0.5 footcandle spills over onto adjacent properties and rights-of-way. There shall be no spillover (0.0 footcandle) onto adjacent residential used or zoned properties.”*

Section 10.140 of the City Zoning Ordinance requires outdoor pole lights within residential areas, except for street lighting, shall not exceed 12 feet in height. Such lighting. Shall be designed to project downward and shall not create glare on adjacent properties.

Compliance with City of Shafter regulations and implementation of General Plan Policies would ensure that light and glare from new development and redevelopment projects contemplated by the Housing Element Update would be minimized and that significant impacts would not result. Future housing development facilitated by the HEU would not create new sources of substantial light or glare. Therefore, impacts would be less than significant, and no mitigation is required.

MITIGATION MEASURES

No Mitigation Measures are required.

AGRICULTURE AND FORESTRY RESOURCES

This section describes the existing agricultural setting and the potential effects from HEU implementation. Information in this Section is derived primarily from the City of Shafter General Plan/Zoning Map and from the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program Map of Important Farmland.

Regulatory Setting

State Regulations

The California Land Conservation Act

The 1965 Land Conservation Act, commonly referred to as the Williamson Act, enables local governments to enter contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value (CDOC, 2015). The intent of the Williamson Act is to encourage voluntary land conservation, particularly conservation of agricultural land in California.

Local Regulations

City of Shafter General Plan

The following policies contained in Section 2.4 of the General Plan are applicable to the HEU.

- Policy 1: Recognize that the agricultural land use designation indicates the intended long-term developed use of land in the same manner as other General Plan land use designations, and not as a temporary “holding zone.”
 - c. Ensure that adequate land is designated for urban and rural development to meet long-term needs for housing, employment, shopping, recreation, and other non-agricultural activities.
 - d. Recognize that the Shafter General Plan land use map is a plan for the ultimate build out of the community, and not a projection of land use needs for a particular date. Thus, it is not intended that, in the future, as build out approaches, the General Plan be modified to provide for further expansion of lands designated for urban and rural uses.

Affected Environment

Agricultural fields and open space are typical characteristic of towns in the San Joaquin Valley that physically separate Shafter from these neighboring communities. Irrigated agriculture, the signature characteristic of the Valley, is found throughout the Valley on its highly fertile alluvial soils. Prime farmland and Farmland of Statewide Importance exist in various areas within and adjacent to the City.

Project Impacts

Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less than Significant

Discussion a): The HEU would not directly result in construction of new housing but would facilitate new housing development on housing sites located throughout the City. The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program's Map of Important Farmland (2018), designates sections of the City of Shafter as Urban and Built-Up Land which is primarily residential land with a density of at least six units per ten-acre parcel. Other land uses include areas of prime farmland, semi-agricultural and rural commercial land, and other land.²³³ HEU implementation could therefore convert lands specifically designated by the Department of Conservation for agricultural purposes. Site-specific analyses would need to be conducted as part of the City development process. For the purpose of this programmatic analysis, the resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

- b) Conflict with existing zoning for agricultural use, or a Williamson Contract Act?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less than Significant

Discussion b): Properties in the City of Shafter or within its Sphere of Influence are designated by the California Department of Conservation as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The City of Shafter does not contain any land within its jurisdictional boundaries or within its unincorporated Sphere of Influence that the California Department of Conservation designates Important Farmland. Therefore, implementation of the 6th Cycle Housing Element Update could result in impacts pertaining to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Other land uses

²³³ <https://maps.conservation.ca.gov/DLRP/CIFE>, Accessed March 6, 2023.

include areas of prime farmland, semi-agricultural and rural commercial land, and other land.²³⁴ HEU implementation could therefore convert lands specifically designated by the Department of Conservation for agricultural purposes. Site-specific analyses would need to be conducted as part of the City development process. For the purpose of this programmatic analysis, the resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☒ No Impact

No Impact

Discussion c): California Public Resources Code Section 12220(g) defines forest land as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Section 4526 of the California Public Resources Code defines timberland as land, other than land owned by the federal government or land designated by the State as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees.

According to the USDA Forestry Map Finder, there are no forest or timberlands in the City of Shafter, the nearest forest is located approximately 26-miles east in the Sequoia National Forest.²³⁵ Implementation of the HEU would not conflict with existing zoning and not require the re-zoning of designated forest or timberland lands to accommodate the project. Therefore, implementation of the HEU would not have an impact on forest lands or timberlands during any phase of the project and no impact would occur.

MITIGATION MEASURES

No Mitigation Measures are required.

²³⁴ <https://maps.conservation.ca.gov/DLRP/CIFE>, Accessed March 6, 2023.

²³⁵ <https://www.fs.usda.gov/mapfinder>. Accessed March 7, 2023.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

No Impact

Discussion d): There are no forest resources within the City of Shafter. Rather, the United States Department of Agriculture classifies Shafter as “Non-Forest,” as indicated by California Forest Inventory and Analysis survey information. In addition, there are no timberland resources or timberland zoned “Timberland Production” areas within the City of Shafter or within its Sphere of Influence. Therefore, no impact would result from implementation of the 6th Cycle Housing Element Update.

MITIGATION MEASURES

No Mitigation Measures are required.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

No Impact

Discussion e): As discussed above, the candidate sites do not contain any Farmland or forest lands which would be converted to either non-agricultural or non-forest use. Therefore, there are no Farmlands or forests which would be converted to either non-agricultural or non-forest use and no impact would occur during any phase of implementation of the 6th Cycle Housing Element Update.

MITIGATION MEASURES

No Mitigation Measures are required.

AIR QUALITY

This section describes the existing air quality setting and potential effects from implementation of the HEU. Descriptions and analysis in this section are provided in part by the San Joaquin Valley Air Pollution Control District. <https://www.community.valleyair.org> and the City of Shafter General Plan.

Regulatory Setting

Federal and State Regulations

Federal Clean Air Act

The United States Environmental Protection Agency (U.S. EPA) is responsible for national and interstate air pollution issues and policies. The U.S. EPA sets national vehicle and stationary source emission standards, oversees approval of all State Implementation Plans (SIP), provides research and guidance for air pollution programs, and sets National Ambient Air Quality Standards (NAAQS) under the Federal Clean Air Act (FCAA) for criteria pollutants, which are Ozone (O₃), Particulate Matter (PM₁₀), Fine Particulate Matter (PM_{2.5}), carbon monoxide (CO), Nitrogen Dioxide (NO₂), Sulfur Dioxide (SO₂), and Lead.

State Implementation Plan

A State Implementation Plan (SIP) is a document prepared by each state describing existing air quality conditions and measures that will be followed to attain and maintain federal standards. The SIP for the State of California is administered by the California Air Resources Board (CARB), which has overall responsibility for statewide air quality maintenance and air pollution prevention. California's SIP incorporates individual Federal Attainment Plans for regional air districts – these air districts prepare their federal attainment plans, which are sent to CARB to be approved and incorporated into the California SIP. Federal Attainment plans include the technical foundation for understanding air quality (e.g., emission inventories and air quality monitoring), control measures and strategies, and enforcement mechanisms.

California Clean Air Act

Under the California Clean Air Act (CCAA), CARB requires that each local air district prepare and maintain an air quality management plan to achieve compliance with California Ambient Air Quality Standards (CAAQS). These standards are generally more stringent and apply to more pollutants than the NAAQS (i.e., visibility reducing particulates, hydrogen sulfide, and sulfates). CARB also has passed numerous regulations to reduce the public's exposure to air emissions. For example, the In-Use Off-Road Diesel Vehicle Regulation includes enforceable elements, such as limits on vehicle idling to no more than five consecutive minutes, and equipment reporting and labeling.

Local Regulations

San Joaquin Valley Air Pollution Control District

Shafter is located within the San Joaquin Valley Air Basin and is monitored by the San Joaquin Valley Air Pollution Control District (District). The District is comprised up of eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare and the San Joaquin Valley Air Basin portion of Kern county. The District's mission is to improve the health and quality of life for all Valley residents through efficient, effective, and entrepreneurial air quality management strategies. The District

operates and maintains an expansive network of air monitoring sites throughout the eight counties of the San Joaquin Valley. A total of 24 sites are currently operated directly by the District or in collaboration with the California Air Resources Board (ARB). Several air monitoring platforms throughout Shafter were set up at various locations including an air monitoring platform at Golden Elementary School, Sequoia Elementary School, Grimmway Elementary School, and the Shafter Department of Motor Vehicles.

City of Shafter Municipal Code

The City of Shafter Municipal Code, Title 17, Ordinance 472, discusses air quality regulations and requirements of the San Joaquin Valley Unified Air Pollution Control District that have been adopted by the City.

- Code 12.30: No operation or activity shall cause the emission of any smoke, fly ash, dust, fumes, gases, or other forms of air pollution which can cause material damage to health, or which can cause excessive dirt on any other lot. No emission shall be permitted which exceeds the requirements of the San Joaquin Valley Unified Air Pollution Control District and/or the requirements of any Air Quality Plan adopted by the City.

City of Shafter General Plan

The following air quality policies discussed in *Section 6.7-Air Quality* relevant to this HEU are listed below:

- Policy 1: Require development projects to minimize the generation of particulate emissions during construction by implementing appropriate dust abatement actions.
- Policy 2: Promote land use patterns that provide close proximity between residential neighborhoods and employment/shopping areas to reduce vehicular trip lengths and facilitate walking and the use of bicycles.
- Policy 3: Encourage developers of large residential and non-residential projects to participate in programs and to take measures to improve traffic flow and/or reduce vehicle trips resulting in decreased vehicular emissions. Examples of such efforts may include, but are not limited to, the following: Development of mixed-use projects that provide housing and employment in close proximity and that facilitate pedestrian and bicycle transportation to work and permit consolidation of vehicular trips.
- Policy 7: Provide physical separations between (1) proposed new industries having the potential for emitting toxic air contaminants and (2) existing and proposed sensitive receptors (e.g., residential areas, schools, and hospitals).

Affected Environment

Local Climate and Meteorological Conditions

The City of Shafter is located within the boundaries of the San Joaquin Valley Air Pollution Control District (District) which is the second largest air basin in California, stretching 250 miles north from the Tehachapi Mountains to the San Joaquin-Sacramento Delta in the north. The basin averages 35 miles in width between the Coast Ranges to the west and the Sierra Nevada Mountains to the east. The entire Air Basin, including Kern County, is designated as a severe non-attainment area for Ozone. Particulate matter finer

than ten microns, “PM10,” (Oildale-Manor Street station) also exceeds the State and Federal standards. Carbon Monoxide (Bakersfield-Golden State Highway station) and Nitrogen Dioxide (Shafter-Walker Street station) do not equal or exceed relevant State and Federal standards.

Ambient Air Quality Attainment Status

Local monitoring data are used to designate areas as nonattainment, maintenance, attainment, or unclassified for the NAAQS and CAAQS. The four designations are defined as follows.

- Nonattainment: assigned to areas where monitored pollutant concentrations consistently violate the standard in question.
- Maintenance: assigned to areas where monitored pollutant concentrations exceeded the standard in question in the past but are no longer in violation of that standard.
- Attainment: assigned to areas where pollutant concentrations meet the standard in question over a designated period of time.
- Unclassified: assigned to areas where data are insufficient to determine whether a pollutant is violating the standard in question.

Project Impacts

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

- | | | | |
|--|--|---|------------------------------------|
| ☐ Potentially
Significant Impact | ☐ Less Than
Significant with
Mitigation | ☒ Less Than
Significant Impact | ☐ No Impact |
|--|--|---|------------------------------------|

Less than Significant

Discussion a): The City of Shafter is located within the San Joaquin Valley Air Pollution Control District. Under the Federal Clean Air Act, the District has adopted a variety of Air Quality Management Plans for a variety of non-attainment pollutants. The District is responsible for maintaining and ensuring compliance with the Air Quality Management Plans. State CEQA Guidelines and the Federal Clean Air Act (Sections 176 and 316) contain specific references on the need to evaluate consistencies between the proposed project and the applicable Air Quality Attainment Plan (AQAP) for the project site. To accomplish this, the California Air Resources Board (CARB) has developed a three-step approach to determine project conformity with the applicable AQAP:

1. Determination that an AQAP is being implemented in the area where the project is being proposed. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has implemented the current, modified AQAP as approved by CARB.
2. The proposed project must be consistent with the growth assumptions of the applicable AQAP. The proposed project land use type was not anticipated in the current growth assumptions. Therefore, growth assumptions in the City of Shafter General Plan Update will be modified with the approval of the HEU.

3. The project must contain in its design all reasonably available and feasible air quality control measures. The proposed project incorporates various policy and rule-required implementation measures that will reduce related emissions.

The California Clean Air Act (CCAA) and AQAP identify transportation control measures as methods to further reduce emissions from mobile sources. Strategies identified to reduce vehicular emissions such as reductions in vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, and traffic congestion, to reduce vehicular emissions, can be implemented as control measures under the CCAA as well. Additional measures may also be implemented through the building process such as providing electrical outlets on exterior walls of structures to encourage use of electrical landscape maintenance equipment or measures such as electrical outlets for electrical systems on diesel trucks to reduce or eliminate idling time.

As the growth represented by the HEU will be updated in the City of Shafter General Plan and incorporated into the AQAP, conclusions may be drawn from the following criteria:

- That, by definition, the proposed emissions from the project are below the SJVAPCD's established emissions impact thresholds and
- That the primary source of emissions from the project will be motor vehicles that are licensed through the State of California and whose emissions are already incorporated into CARB's San Joaquin Valley Emissions Inventory.

Based on these factors, HEU implementation is consistent with the AQAP.

The Kern Council of Governments (Kern COG) Regional Conformity Analysis determination demonstrates that the regional transportation expenditure plans (Destination 2042 Regional Transportation Plan and Federal Transportation Improvement Program) in the Kern County portion of the San Joaquin Valley air quality attainment areas would not hinder the efforts set out in CARB's SIP for each area's nonattainment pollutants [carbon monoxide (CO), ozone (O₃), and particulate matter less than 10 microns (PM₁₀)]. The analysis uses an adopted regional growth forecast, governed by both the adopted Kern COG Policy and Procedure Manual and a Memorandum of Understanding between the County of Kern and Kern COG (representing itself and outlying municipal member agencies).

The Kern COG Regional Conformity Analysis considers General Plan Amendments (GPA) and Zone Changes that were enacted at the time of the analysis as projected growth within the area based on land use designations incorporated within the City of Shafter General Plan. Land use designations that are altered based on subsequent GPAs that were not included in the Regional Conformity Analysis were not incorporated into the Kern COG analysis. Consequently, if a proposed project is not included in the regional growth forecast using the latest planning assumptions, it may not be said to conform to the regional growth forecast.

Item 2 under Section 3 – Model Maintenance Procedure, of the Kern COG Regional Transportation Modeling Policy and Procedure Manual states “Land Use Data – General Plan land capacity data” or “Build-out capacity” is used to distribute the forecasted County totals, and may be updated as new information becomes available, and is revised in regular consultation with local planning departments.”

Under current policies, only after a GPA is approved, can housing and employment assumptions be updated to reflect the capacity changes. Since the proposed development does require a GPA and Zone Change, the existing growth forecast will be modified to reflect these changes. To determine whether the forecasted growth for the project area is sufficient to account for the projected increases in employment, an analysis based on Kern COG regional forecast was conducted.

As the HEU implementation would be completed in compliance with SJVAPCD Regulation VIII, dust control measures would be taken to ensure compliance specifically during grading and construction phases. Therefore, the HEU would not conflict with or obstruct implementation of the applicable air quality plan.

These Plans address multiple federal PM_{2.5} standards. Preparing a single plan instead of three separate plans allows for the development of a more robust and health protective plan that incorporates stronger control measures over a more expeditious timeframe than may otherwise be required. Furthermore, a focused public process provides greater opportunity for public engagement and participation in the PM_{2.5} attainment planning process. These Plans addresses the following standards: 1997 PM_{2.5} Standard (24-hour 65 µg/m³ and Annual 15 µg/m³).

- Plan focus on annual standard – San Joaquin Valley has already attained 24-hour portion of the standard, based on monitoring data from the three-year period from 2014 to 2016.
- Attainment deadline of December 31, 2015
- Serious area 5% Plan with attainment deadline of December 31, 2020, 2006 24-hour PM_{2.5} standard of 35 µg/m³
- Serious area Plan with attainment deadline of December 31, 2024, with 5-year extension request 2012 annual PM_{2.5} standard of 12 µg/m³:
- Attainment deadline under “Serious” classification of December 31, 2025
- This Plan would be submitted three years ahead of the 2022 federal submission deadline.

The HEU does not propose development. Instead, the HEU identifies policies and programs that could be implemented to provide additional capacity for future development of dwelling units consistent with State Housing Law. The City can accommodate some of the future housing needs based on sites currently zoned for or permitting residential uses. However, rezones may be required to accommodate the RHNA allocation. The HEU would not result in direct housing construction but would facilitate and provide a policy framework for future housing development on candidate housing sites throughout the City. A total potential development capacity of 3,492 housing units is assumed. As such, future housing on these sites would be developed with greater density than assumed in the General Plan and Kern KOG’s growth projections.

Construction Emissions

The City of Shafter 6th Cycle Housing Element Update provides opportunities for implementing the City’s required affordable housing. Future development of affordable housing would entail emissions from construction activities. Potential emissions due to future construction activities would be assessed in conjunction with City review of site-specific air quality and greenhouse gas emissions data and studies, with inclusion of appropriate Mitigation Measures. Such review would occur during the project planning process and culminate prior to approval of the relevant projects subject to review under the California Environmental Quality Act. The reviews will provide an adequate mechanism to require specific measures to mitigate potentially significant air quality and greenhouse gas emissions impacts for the City of Shafter 6th Cycle Housing Element Update.

Operational Emissions

The City of Shafter 6th Cycle Housing Element Update provides opportunities for implementing the City’s required affordable housing. Operational emissions will depend on future residential densities and associated vehicle miles traveled, in addition to such adjunct operations as building heating and air

conditioning. Site-specific analysis of operational air emissions will be performed upon submission of individual development applications.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Discussion b):

Less than Significant

Future residential development would result in an increase in criteria pollutants during construction activities, such as excavation and grading, and operational activities. However, residential developments are not considered a source of emission, such as odors, which would adversely affect a substantial number of people.

Operational emissions generated by both stationary and mobile sources would result from normal daily activities as part of the occupation of future residential development. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices, the operation of landscape maintenance equipment, generators, and the use of consumer products. Mobile emissions would be generated by motor vehicles traveling to and from future residential development.

The SJVAPCD has currently adopted CEQA significance thresholds for criteria pollutant emissions for projects during construction and operation based on its Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). The District has established thresholds of significance for criteria pollutant emissions, which are based on the District's New Sources Review (NSR) offset requirements for stationary sources. Using the project type, size and number of vehicle trips, the District has pre-quantified emissions and determined values below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance criteria for pollutants.

The U.S. Environmental Protection Agency (EPA) periodically reviews and establishes health-based national air quality standards also referred to as NAAQS for ozone, particulates, and other criteria air pollutants guided by the Clean Air Act. The District has adopted several air quality attainment plans over the years that identify measures needed in the Valley to attain EPA's increasingly stringent NAAQS. The District has implemented these plans and adopted nearly 650 rules that have resulted in significant emissions reductions. Therefore, projects that do not exceed NAAQS emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts. As a result of the District's stringent and comprehensive air quality management strategy along with significant investments made by Valley business and residents,

PM2.5 and ozone levels are now at historically low levels and providing Valley residents with the associated health benefits.

The 2022 Plan for the 2015 8-hour Ozone Standard (2022 Ozone Plan or Plan) uses extensive science and research, state of the art air quality modeling, and the best available information in developing a strategy to attain the federal 2015 national ambient air quality standard (NAAQS) for ozone of seventy parts per billion (ppb) as expeditiously as practicable. Building on decades of developing and implementing effective air pollution control strategies, this Plan demonstrates that the reductions being achieved by the San Joaquin Valley Air Pollution Control District (District) and the California Air Resources Board (CARB) strategy (72% reduction in NOx emissions by 2037) ensures expeditious attainment of the 2015 8-hour ozone standard by the 2037 attainment deadline. Over the years, the District and CARB have adopted numerous attainment plans (State Implementation Plans, or SIPs), which serve as the primary vehicles for improving air quality in the San Joaquin Valley. Each SIP builds upon the work of prior plans, while establishing the path for continued air quality improvements. Following the adoption of each attainment plan, the District implements plan strategies through regulatory development, outreach, continued research, and incentive programs. Each attainment plan is just one milestone in the District's continued effort to improve air quality in the San Joaquin Valley.

The District and CARB are now conducting a public process to develop an updated Plan for the 2012 PM2.5 standard, to submit required components by the June and December 2023 deadlines. This updated Plan will build on existing air quality strategies, and the comprehensive NOx emissions reduction strategies included in existing ozone and PM2.5 attainment plans will greatly contribute to meeting the federal PM2.5 standard.

In addition to SJVAPCD air quality standards are protected through a number of General Plan policies. In particular, implementing Policy 1 that requires projects to minimize the generation of particulate emissions during construction by implementing appropriate dust abatement actions; Policy 3 that encourages developers of large residential and non-residential projects to participate in programs and to take measures to improve traffic flow and/or reduce vehicle trips resulting in decreased vehicular emissions and Policy 7 that provides physical separations between (1) proposed new industries having the potential for emitting toxic air contaminants and (2) existing and proposed sensitive receptors (e.g., residential areas, schools, and hospitals).

Future residential development would also be required to meet SJVAPCD thresholds during construction and operation. Measures such as dust control and equipment type are applied to grading or clearing permits.

Future development associated with the project would also be subject to environmental review pursuant to CEQA, as applicable, and the City's local procedures to determine if any long-term air quality impacts would occur from the operation of a specific new development. As such, future implementation of the project would not result in a cumulative net increase of any criteria pollutant in which the project region is in nonattainment under federal and state ambient air quality standards.

Therefore, the project would not directly violate air quality standards or cause cumulatively considerable air pollutants, and impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

c) Expose sensitive receptors to substantial pollutant concentrations?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion c): Sensitive receptors are places where people who are more susceptible to air pollution than the general population, including children, athletes, the elderly, and the chronically ill are located. Typical land uses where substantial numbers of sensitive receptors are often found are schools, daycare centers, parks, recreation areas, medical facilities, nursing homes, and convalescent care facilities. Residential areas are also considered to be sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to pollutants. Future development would result in an increase in criteria pollutants that would impact sensitive receptors during construction activities, such as excavation and grading, and operational activities. However, residential developments once operational are not considered sources of emissions, such as odors, which would adversely affect a substantial number of people. Future development would be required to comply with local regulations such as the General Plan policies related to air quality, conform with the California Clean Air Act (CCAA) and AQAP thresholds during construction and operation. Compliance with these policies and regulations is part of the construction rather than entitlement process. Measures such as dust control and equipment type are applied to grading or clearing permits. Therefore, the project would not directly expose sensitive receptors to pollutant concentrations or create objectionable odors, and there would be less than significant impact.

MITIGATION MEASURES

No Mitigation Measures are required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion d): As a general matter, the types of land use development that pose potential odor problems include wastewater treatment plants, refineries, landfills, composting facilities, and transfer stations. No

such uses would occupy the candidate sites or the project area. Therefore, HEU implementation would not create objectionable odors that would affect a substantial number of people and impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

BIOLOGICAL RESOURCES

This section describes the existing biological resources setting and potential effects from implementation of the HEU. Descriptions and analysis in this section are based primarily on information provided in the City of Shafter General Plan and Shafter Municipal Code.

Regulatory Setting

Federal Regulations

Federal Endangered Species Act

Section 7 of the Federal Endangered Species Act (FESA) requires Federal agencies to ensure that actions they engage in, permit, or fund do not jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of designated critical habitat for these species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (50 Code of Federal Regulations (CFR) Part 10 and Part 21) protects migratory birds, their occupied nests, and their eggs from disturbance or destruction. “Migratory birds” include all nongame, wild birds found in the U.S., except for the house sparrow (*Passer domesticus*), European starling (*Sturnus vulgaris*), and rock pigeon (*Columba livia*).

State Regulations

California Fish and Game Code

The California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) may list species as threatened or endangered under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA), respectively. The USFWS can designate critical habitat that identifies specific areas that are essential to the conservation of a listed species. Sections 3503, 3513, and 3800 of the California Fish and Game Code prohibit the take of birds protected under the MBTA and protects their occupied nests. On September 22, 2020, Section 2074.2 of the California Fish and Game Code accepted for consideration the petition submitted to list the western Joshua tree (*Yucca brevifolia*) as threatened or endangered under the California Endangered Species Act. Based on that finding and the acceptance of the petition, the Commission determined that western Joshua tree is a candidate species as defined by Section 2068 of the Fish and Game Code.

State-listed species and those petitioned for listing are protected under the California Endangered Species Act (CESA). Under Section 2080.1 of the California Fish and Game Code, if a species is both Federally and State listed, a consistent determination with the protections of FESA permits (if there would be take of listed species) is required. Under Section 2081, if a species is state-listed only, consultation with the California Department of Fish and Wildlife (CDFW) is required in order to obtain an incidental take permit if the project could result in take of a state-listed species. Because the project is expected to result in impacts on state-listed species, consultation with the CDFW is anticipated.

Invasive Species

Executive Order 13112 directs all Federal agencies to refrain from authorizing, funding, or carrying out actions or projects that may spread invasive species. This Order further directs Federal agencies to prevent the introduction of invasive species, control and monitor existing invasive species populations, restore native species to invaded ecosystems, research and develop prevention and control methods for invasive species, and promote public education on invasive species. As the project proponent, the City, or its designee, would be responsible for complying with Executive Order 13112 and ensuring that HEU implementation would not contribute to the spread of invasive species. Plants listed in the Pest Ratings of Noxious Weed Species and Noxious Weed Seed (California Department of Food and Agriculture, 2003) would not be used as part of the project.

Federal Protection and Classifications

The Federal Endangered Species Act of 1973 (FESA) defines an endangered species as “any species that is in danger of extinction throughout all or a significant portion of its range.” Threatened species are defined as “any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.” It is unlawful to “take” any listed species. “Take” is defined as follows “...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Also, the USFWS, through regulation, has interpreted the terms “harm” and “harass” to include certain types of habitat modification as forms of a “take.” These interpretations generally are considered and applied on a case-by-case basis and often vary from species to species. In the case where a property owner seeks permission from a Federal agency for an action that could affect a federally listed plant and animal species, the property owner and agency are required to consult with the USFWS.

State of California Protection and Classifications

The California Endangered Species Act (CESA) defines an endangered species as “... a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” The State defines a threatened species as “... a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter....” Candidate species are defined as “... a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list.” Candidate species may be afforded temporary protection as though they already were listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the Federal FESA, the CESA does not include listing provisions for invertebrate species.

CESA addresses the taking of threatened or endangered species by stating “no person shall import into this state, export out of this state, or take, possess, or sell within this state, any species, or any part of

product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided....” CESA defines “take” as “...hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” The State has authorized exceptions to all “take” that require “...permits or memorandums of understanding...” and can be authorized for “...endangered species, threatened, species, or candidate species for scientific, educational, or management purposes.”

In addition, some sensitive mammals and birds are protected by the State as Fully Protected Mammals or Fully Protected Birds. California Species of Special Concern listings include special status species, including all State and Federal protected and candidate taxa, Bureau of Land Management and United States Forest Service sensitive species, species considered to be declining or rare by the CNPS or National Audubon Society, and a selection of species considered to be under population stress but not formally proposed for listing.

Nesting birds, including raptors, and passerines and non-passerine land birds are protected under the California Fish and Game Code. The CDFW typically recommends surveys for nesting birds that potentially could be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by the CDFW.

California Native Plant Society

The CNPS is a private plant conservation organization dedicated to monitoring and protecting sensitive species in California. The organization has compiled an inventory comprised of information focused on geographic distribution and qualitative characterization of rare, threatened, or endangered vascular plant species of California. The list serves as the candidate list for listing as threatened and endangered by the CDFW.

Threat rank is an extension added onto the California Rare Plant Rank (CRPR) and designates the level of endangerment by a 1 to 3 ranking with one being the most endangered and 3 being the least endangered. A Threat Rank is present for all California Rare Plant Rank 1B, 2, 4, and the majority of California Rare Plant Rank 3. California Rare Plant Rank 4 plants are seldom assigned a Threat Rank of 0.1, as they generally have large enough populations to not have significant threats to their continued existence in California. However, certain conditions exist to make the plant a species of concern and hence be assigned a California Rare Plant Rank. In addition, all California Rare Plant Rank 1A (presumed extinct in California), and some California Rare Plant Rank 3 (need more information) plants, which lack threat information, do not have a Threat Rank extension.

Local Regulations

City of Shafter General Plan

The following goals and policies applicable to the HEU are contained in Section 6.4-Biological Habitats and Wildlife Resources of the Conservation Element of the City of Shafter’s General Plan:

- **Policy 1-** Ensure that development proposals, including City-sponsored projects, are analyzed for short- and long-term impacts to biological resources.
- **Policy 2-** Direct development projects away from lands with sensitive biological resources to the extent feasible. Where alternative sites are infeasible, unavailable, or otherwise undesirable, require the implementation of appropriate mitigation measures.
- **Policy 3-** Whenever a biological resources survey is undertaken to determine the presence or absence of a threatened or endangered species, or of a species of special concern identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game, require the survey to follow established protocols for the species in question prior to any final determination that the species is absent from the site.

Affected Environment

The Shafter HEU Planning area has been developed with agricultural, urban, and petroleum production uses. Native vegetation that is present within the area consists of widely scattered remnants of grassland and saltbush scrub. Habitat for “Species of Special Concern” may remain in the Rio Bravo Oil Field outside the high-intensity production area. The canals that cross the Planning Area have little or no marsh or riparian cover. Agricultural ponds that exist within the Planning Areas are primarily kept clear of vegetation and do not have significant habitat value for breeding or foraging wildlife.

Project Impacts

Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less Than Significant with Mitigation

Discussion a): The HEU does not propose construction of housing or other development; rather, it provides capacity for future housing development for six primary candidate housing sites. However, future housing development could potentially impact candidate, sensitive, or special status wildlife or plant species through direct or indirect disturbance or elimination of essential habitat, if located near such resources. According to the City General Plan, the burrowing owl (*Athene cunicularia hypugea*), San Joaquin kit fox (*Vulpes macrotis*), badger (*Taxidea taxus*), and spadefoot toad (*Scaphiopus hammondi*) are known to persist within agricultural areas in the southern San Joaquin Valley.

Future housing development facilitated by the HEU would comply with Federal, State, and local regulations. Compliance with the regulatory framework would ensure that no habitat would be impaired during development, construction, or operations. Future housing development would be subject to General Plan Conservation Element Policies 1 and 3, which require applicants proposing development within biologically sensitive areas to determine short and long-term impacts to biological resources and to consult with the California State Department of Fish and Wildlife. Compliance with Policy 1 would

identify areas for special protection and create protection measures for specified habitat and sensitive species.

Future housing development facilitated by the HEU would have the potential to impact nesting birds which may be located on any of the candidate sites and have acclimated to urban life and nest and forage in local trees and shrubs. Potentially impacted bird species are protected under the Migratory Bird Treaty Act (MBTA). If vegetation clearing associated with contemplated residential development would occur during the bird breeding season (February 1 to July 15 for raptors and January 15 to August 31 for other birds), direct impacts to nesting birds could occur. All future housing development facilitated by the HEU would be subject to the City's development review process per City of Shafter Municipal Code, Title 17, Chapter II, Section 2 (Planning Application Requirements and Forms). Future housing developments facilitated by the HEU would require implementing mitigation measures MM BIO-1, MM BIO-2 and MM BIO-3, which would reduce any residential project impacts to a less than significant level.

MITIGATION MEASURES

MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, may at the discretion of the City, be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species which may include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Cotch Bumble Bee, and Burrowing Owl all species of concern in the San Joaquin Valley region. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.

MM BIO-2: If it is determined that potential impacts to nesting birds may occur as a result of an individual project, then housing development activities contemplated in the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be established around such active nests, and no construction within the buffer shall be allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

MM BIO-3: If San Joaquin Kit Fox species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less Than Significant with Mitigation

Discussion b): While the HEU does not specifically propose residential development and resulting alteration of a known or potential riparian habitat, it is possible that potential future housing development projects resulting from implementation of the HEU could directly or indirectly impact riparian habitats or sensitive natural areas. However, future site-specific housing development facilitated by the HEU would comply with General Plan Policy 1 which ensures that development proposals, including City-sponsored projects, are analyzed for short- and long-term impacts to biological resources. Additionally, future housing development facilitated by the HEU would be subject to the City's development review process and comply with General Plan policies. Further, future housing development facilitated by the HEU would be required to comply with MM BIO-1, MM BIO-2 and MM BIO-3 for avoiding and minimizing construction and operations impacts to riparian habitat or other sensitive vegetation communities. Therefore, resultant impacts would be less than significant level with implementation of specified mitigation.

Mitigation Measures

MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey which may include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Crotch Bumble Bee, and Burrowing Owl all species of concern in the San Joaquin Valley region. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.

MM BIO-2: Housing development activities contemplated in the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be established around such active nests, and no construction within the buffer shall be allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

MM BIO-3: If San Joaquin Kit Fox species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less Than Significant with Mitigation

Discussion c) While the HEU does not specifically propose alteration of a known or potential jurisdictional wetland or other waters of the U.S. or State, it is possible that potential future site-specific housing development projects resulting from implementation of the HEU could directly or indirectly impact jurisdictional waters or wetlands. According to the City's General Plan, the canals that cross the City's Planning Areas have little or no marsh or riparian cover. Agricultural ponds that exist within the Planning Areas are primarily kept clear of vegetation and do not have significant habitat value for breeding or foraging wildlife. Regardless, future housing development would be required to implement Mitigation Measure MM BIO-1 which would require a site-specific biological study to be conducted in order to determine what impacts could be had on riparian habitat or other sensitive vegetation communities through consultation with the appropriate agencies. If necessary, development on specific sites will need to incorporate design to mitigate effects. Implementation of MM BIO-1 would reduce the potential for future housing development to result in substantial adverse effect, either directly or indirectly, on any known wetlands or other waters of the U.S. and State. Therefore, potential impacts related to wetland resources would be less than significant level with implementation of specified mitigation.

Mitigation Measures

MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey which may include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Crotch Bumble Bee, and Burrowing Owl all species of concern in the San Joaquin Valley region. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

☐ Potentially
Significant Impact

☒ Less Than
Significant with
Mitigation

☐ Less Than
Significant Impact

☐ No Impact

Less Than Significant with Mitigation

Discussion d): The City consists of developed and urbanized areas including rural desert and agricultural areas. According to the City's General Plan, there are no natural corridors that wildlife can use to move freely through the Shafter HEU Planning Area, although, common and sensitive wildlife is known to utilize and move through agricultural lands and cross highways. Future housing development contemplated in the HEU has the potential to impact nesting birds which have acclimated to urban life and nest and forage in the local trees and shrubs. Regardless, future housing development facilitated by the HEU would be required to adhere to all Federal, State, and local requirements for avoiding and minimizing interference with the movement of any native resident or migratory fish and wildlife species, migratory wildlife species, or migratory wildlife corridors. Applications for future housing development stemming from the HEU, where the City has determined a potential for impacts to a wildlife corridor, would be required to implement the **Mitigation Measures MM BIO-1, MM BIO-2 and MM BIO-3**. Compliance with **Mitigation Measures MM BIO-1, MM BIO-2 and MM BIO-3**, future housing development would reduce impacts to any identified wildlife corridor to a less than significant level.

Mitigation Measures

MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey which may include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Crotch Bumble Bee, and Burrowing Owl all species of concern in the San Joaquin Valley region. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.

MM BIO-2: Housing development activities contemplated in the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be established around such active nests, and no construction within the buffer shall be allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

MM BIO-3: If San Joaquin Kit Fox species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

☐ Potentially
Significant Impact

☐ Less Than
Significant with
Mitigation

☒ Less Than
Significant Impact

☐ No Impact

Less Than Significant

Discussion e): Implementation of residential development contemplated in the HEU would not be expected to conflict with the adopted 2005 City of Shafter General Plan Update and is not subject to any local ordinances. Regardless, future housing development facilitated by the HEU would be required to adhere to all Federal, State, and local requirements for protecting biological resources. All future housing development facilitated by the HEU would be subject to the City's development review process per City of Shafter Municipal Code, Title 17, Chapter II, Section 2 (Planning Application Requirements and Forms). Therefore, impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less than Significant

Discussion f): The Shafter HEU Planning area has been developed with agricultural, urban, and petroleum production uses. Native vegetation that is present within the area consists of widely scattered remnants of grassland and saltbush scrub. Habitat for "Species of Special Concern" may remain in the Rio Bravo Oil Field outside the high-intensity production area.

Sensitive upland wildlife species of the San Joaquin Valley are known to persist in the saltbush scrub and grassland areas in the oil fields, since these parcels are usually relatively undisturbed, although typically grazed, compared to the surrounding agricultural areas. Regardless, future housing development facilitated by the HEU would be required to adhere to all Federal, State, and local requirements for protecting biological resources. All future housing development facilitated by the HEU would be subject to the City's development review process per City of Shafter Municipal Code, Title 17, Chapter II, Section 2 (Planning Application Requirements and Forms). Therefore, impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

CULTURAL RESOURCES

This section describes the existing cultural resources setting and potential effects from implementation of the 6th Cycle HEU. Descriptions and analysis in this section are based on information provided in the City of Shafter General Plan.

Regulatory Setting

Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act (NHPA) is legislation intended to preserve historical and archaeological sites in the U.S. Section 106 of the NHPA requires Federal agencies to consider effects of their undertaking on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment.

State Regulations

California Environmental Quality Act (CEQA)

CEQA (PRC Chapter 2.6, Section 21083.2 and CCR Title 145, Chapter 3, Article 5, Section 15064.5) calls for evaluation and recordation of historic and archaeological resources. The criteria for determining the significance of impacts to cultural resources are based on Section 15064.5 of the CEQA Guidelines and Guidelines for the Nomination of Properties to the California Register. Properties eligible for listing in the California Register and subject to review under CEQA are those meeting the criteria for listing in the California Register, National Register, or designation under a local ordinance. CEQA requires public agencies and private interests to identify potential adverse impacts or environmental consequences of their projects on any object or site of significance with respect to history. CEQA also provides protection for paleontological remains.

California Register of Historical Resources

The California Register criteria are based on National Register criteria. For a property to be eligible for inclusion on the California Register, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of people important to local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation. In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven

aspects: location, setting, design, materials, workmanship, feeling, and association. Finally, CEQA requires that significant effects on unique archaeological resources be considered and addressed. CEQA defines a unique archaeological resource as any archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
2. Has a special quality such as being the oldest of its type or the best
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

California Public Resources Code

PRC 21083.2, 5097.5, 30244, and 21084.1

According to PRC 21083.2 (a), if archaeological resources are determined to be significant, then the impacts on that resource should be addressed. PRC 5097.5 prohibits the excavation and/or the removal of a “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands.” PRC 30244 requires reasonable mitigation of adverse impacts on paleontological resources resulting from development on public land.

PRC 21084.1 gives the lead agency power to determine if a resource is a historical resource, even if the resource is not listed or eligible for listing in the California Register of Historical Resources or a local register of historical places. In addition, the lead agency can determine that a resource is a historical resource, even if it is not deemed significant in a historical resource survey.

Native American Heritage Act

The Native American Heritage Act, passed by California in 1976, established the Native American Heritage Commission (NAHC) for protecting Native American religious values on state property. The NAHC not only protects the heritage of Native Americans, but also ensures their participation in matters concerning heritage sites. The Commission’s duty is to assist both Federal and State agencies in protecting Native American sacred places and provide recommendations concerning Native American heritage in accordance with environmental law and policy. The Act protects burials from disturbance, vandalism, and accidental destruction. It also stipulates which specific procedures laid out in the California Health and Safety Code must be implemented if a Native American burial is uncovered during project construction or archaeological data recovery.

California Assembly Bill 52

(PRC 21080.1, 21080.3.1, and 21080.3.2)

As of July 1, 2015, Assembly Bill (AB) 52 requires public agencies to consult with California Native American tribes identified by the NAHC for the purpose of mitigating impacts on tribal cultural resources. The specific directives of the bill are as follows:

“Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section (PRC Section 21080.1(d)).”

The legislation imposes new requirements for consultation regarding projects that may affect a tribal cultural resource, includes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures.

Assembly Bill 52 added Tribal Cultural Resources to the categories of Cultural Resources in CEQA. “Tribal resources” are defined as either (1) sites, features, places cultural landscapes, sacred places and objects with cultural value to a California Native American tribe” that are included in the State register of historical resources or a local register of historical resources, or that are determined to be eligible for inclusion in the State register; or, (2) resources determined by the lead agency, in its discretion, to be significant based on the criteria for listing in the State register. Under this legislation, a project that may cause a substantial adverse change in the significance of a tribal cultural resource is defined as a project that may have a significant effect on the environment. Where a project may have a significant impact on a tribal cultural resource, the lead agency’s environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact.

Assembly Bill 52 further requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If a tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe. Consultation may include discussing the type of environmental review necessary, significance of tribal cultural resources, and significance of project impacts on tribal cultural resources, and alternatives and mitigation measures recommended by the tribe. The parties must consult in good faith, and consultation is considered concluded when either the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource (if such a significant effect exists) or when a party concludes mutual agreement cannot be attained.

The legislation also identifies Mitigation Measures that may be considered to avoid significant impacts if there is no agreement on appropriate mitigation. Recommended measures include the following:

- Preservation in place;
- Protecting the cultural character and integrity of the resource;
- Protecting the traditional use of the resource;
- Protecting the confidentiality of the resource; and,
- Permanent conservation easements with culturally appropriate management criteria.

California Senate Bill 18 (Traditional Tribal Cultural Places Act – 2004)

California State law provides for limited protection of Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places, such as the following: sanctified cemeteries; religious ceremonial sites, shrines; burial grounds; prehistoric ruins; archaeological sites; and sacred sites.

California Senate Bill 18 (2005) placed new requirements on local governments for developments in or near a Traditional Tribal Cultural Place (TTCP). Local jurisdictions must provide opportunities for involvement of California Native American tribes in the land planning process to preserve traditional tribal cultural places. The Final Tribal Guidelines recommends the Native American Heritage Commission provide written information within 30 days to inform the Lead Agency if a proposed project is determined to be near a TTCP and another 90 days for tribes to respond to a local government if the tribes want to consult to determine whether the project would have an adverse impact on the TTCP. If the Native American Heritage Commission, the tribe(s) and interested parties agree upon mitigation measures necessary for the proposed project, the mitigation measures would be included in the project EIR. If the City and tribe agree adequate mitigation or preservation measures cannot be implemented, neither party is obligated to act. SB 18 also amended California Civil Code Section 815.3 to add California Native American tribes to the list of entities that can acquire and hold conservation easements to protect their cultural places.

California Health and Safety Code Section 7050.5

California Health and Safety Code Section 7050.5 requires that if human remains are discovered during ground disturbing activities, the County Coroner must be notified, and no further disturbance is authorized to occur until the County Coroner has decided of origin and disposition of the remains. If the human remains are determined to be prehistoric, the coroner must notify the NAHC, who will determine and notify a Most Likely Descendant (MLD). The MLD then inspects the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Local Regulations

City of Shafter General Plan

The following goals and policies applicable to the project are contained in Section 6.6-Cultural Resources of the General Plan:

- Policy 1: Require new developments to analyze, and therefore avoid or mitigate impacts to archaeological, paleontological, and historic resources in accordance with applicable CEQA guidelines and provisions of the California Public Resources Code
- Policy 2: Require that areas found to contain significant artifacts or fossils be examined by a qualified consulting archaeologist or paleontologist for recommendations concerning protection and preservation, implementing those recommendations as part of the mitigation measures required for the project.
- Policy 3: As a standard condition of approval for new development projects, require that if cultural or paleontological resources are encountered during grading, alteration of earth materials in the

vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources.

- **Policy 4:** Preserve historic structures and ensure that alterations to historic buildings and their immediate settings are compatible with the character of the surrounding neighborhood. Ensure that specific rehabilitation projects follow the Secretary of the Interior's Standards for Rehabilitation.
- **Policy 5:** Preserve significant historic structures. Consider various alternatives to demolition of these structures, including adaptive reuse of historic buildings for contemporary uses.
- **Policy 6:** Preserve sites that are eligible for the National Register of Historic Places and pursue listing eligible sites in the register.
- **Policy 7:** Through the development review process, ensure that projects with street frontage adjacent to the Green Hotel, Shafter Depot, or Santa Fe Foreman's Home be designed to be sensitive to the character of historic buildings. The project review may consider: Scale, height, and massing; Fenestration; Architectural details; Building materials; and Site Planning.

Affected Environment

Agricultural activities have occurred in the City of Shafter and in its vicinity has been cultivated since the late 1800s. Along with mining activities and urban development, these activities have disturbed much of the surface of the land in the Planning Area. There may remain, however, subsurface archaeological sites that are undisturbed. There are several remaining historical structures and/or sites in the Shafter area. The City has received sediments from the Coast Ranges to the west, the Sierra Nevada Mountains to the east, and to a lesser degree from activity on the San Andreas Fault system. These sediments contain different species of fossils, reflecting the different periods of deposition. Vertebrate fossils found in these formations are significant as defined under State and Federal citations.

Project Impacts

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less than Significant with Mitigation

Discussion a): Historical resources are buildings, structures, objects, sites, and districts of significance in history, archaeology, architecture, and culture. These resources include intact structures of any type that are 50 years or more of age and can include houses, structures such as irrigation works and engineering features.

Although the HEU does not propose any specific development, future residential development in Shafter contemplated and facilitated by the HEU potentially could result in direct or indirect impacts to historical

resources through physical demolition, destruction, relocation, or alteration of potential historic resources. The likelihood of encountering historical resources on developed properties is greater than the corresponding likelihood on vacant properties. Most of the area comprising the candidate sites identified in the HEU are vacant.

The Shafter Planning Area has been cultivated since the late 1800s. Along with mining activities and urban development, these activities have disturbed much of the surface of the land in the HEU Planning Area. There may however remain subsurface archaeological sites that are undisturbed. There are several remaining historical structures and/or sites in the Shafter area, including the following:

Shafter Cotton Research Station. The 120- acre center was established in 1922. The cotton variety developed at the station resulted in the widespread cultivation of premium cottons in the San Joaquin Valley for a worldwide market. The Station is listed in the National Register of Historic Places and is a California Point of Historical Interest.

Shafter/Minter Field Airport. This air facility was built and maintained to train military pilots during World War II. It was originally registered by the state as a historical site for the role it played in the War. An air museum has been established to preserve artifacts from World War II.

Site of the Flight of the Gossamer Condor. A plaque at Shafter Airport commemorates the occasion of the world's first man-powered flight to complete the "Kremer Circuit," a figure-eight around two pylons one-half mile apart. Shafter Depot. This structure, located at the corner of State Route 43 and Lerdo Highway, was erected in 1917, and has been restored to its original state. Many pieces of Shafter's history, including a railroad office complete with furniture and equipment and pre-World War II farm machinery, are on display.

The Green Hotel was built in 1913 by the Kern County Land Company to accommodate prospective buyers. It is the oldest commercial building in Shafter and has been restored. The Hotel is listed in the National Register of Historic Places and is a California Point of Historical Interest.

Santa Fe Foreman's Home. This structure, constructed in 1889 by the Santa Fe Railroad to house railroad foremen, was the first home built in Shafter. It is located at the corner of Central Avenue and Santa Fe Way. The Shafter Historical Society has been responsible for preserving the Green Hotel and the Shafter Depot.

Paleontological resources are recognized as nonrenewable resources significant to our culture, and are afforded protection by Federal, State, and local environmental guidelines. The Planning Area has received sediments from the Coast Ranges to the west, the Sierra Nevada Mountains to the east, and to a lesser degree from activity on the San Andreas Fault system. These sediments contain different species of fossils, reflecting the different periods of deposition. The vertebrate fossils found in these formations are significant as defined under State and Federal citations. They are also important because they help provide dates concerning rates and frequency of fault activity, and the timing and rates of rise on such major mountain ranges as the Sierra Nevada.

Future residential development on the HEU candidate sites would be subject to development review and be required to comply with all Federal, State, and local requirements pertaining to avoiding impacts to

historical resources. Furthermore, all future residential development contemplated and facilitated by the HEU would be subject to the City's development review process and may include CEQA review, as well as compliance with City General Plan Policies addressing historical resources. If the City determines it likely that future development on identified candidate housing sites could impact unidentified historical resources, implementation of **Mitigation Measure MM CR-1** below would be required. Such implementation, together with compliance with Federal and State regulations and City General Plan Policies would ensure any resultant impact to historical resources would be reduced to a less than significant level.

MITIGATION MEASURES

MM-CR-1: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to historic resources may exist, may be required to comply with the following mitigation framework: For any building or structure older than 50 years of age having its original structural integrity intact, the Applicant shall retain a qualified professional historian to determine if said building/structure is historically significant. The evaluation shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in State CEQA Guidelines Section 15064.5. The Applicant shall submit a Historical Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of historical resources, identification of potential impacts from the proposed development, and evaluation of the significance of any identified historical resources.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less than Significant with Mitigation

Discussion b): The HEU does not directly propose any future residential development and does not propose any related grading or excavation. Future residential development contemplated and facilitated by the HEU would involve grading or excavation activities, some of which might impact previously unknown archaeological resources on the candidate sites. There is a potential likelihood of finding archaeological resources on identified vacant candidate sites. If such resources are encountered, implementation of **Mitigation Measure MM CR-2**, in combination with compliance with the State- and City-established regulatory frameworks, would ensure any resultant impacts to archaeological resources would be reduced to a less than significant level.

MITIGATION MEASURES

MM CR-2: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to archaeological resources, shall be required to comply with the following mitigation framework: Prior to issuance of any permit future residential development on an undisturbed site, the Applicant shall retain a qualified archaeologist to conduct an archaeological

survey to evaluate the presence of cultural resources and the need for project impact mitigation by preservation, relocation, or other method(s). The Applicant shall submit an Archaeological Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of archaeological resources, identification of potential impacts from the HEU, and evaluation of the significance of any identified archaeological resources. If there are potentially significant impacts to an identified archaeological/cultural resource, the Assessment also shall recommend appropriate mitigation required by the Applicant to reduce impacts to a less than significant level.

c) Disturb any human remains, including those interred outside of formal cemeteries?

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less than Significant with Mitigation

Discussion c): Residential development contemplated in the HEU would not occur on any land containing a cemetery. There are no known formal cemeteries located within the contemplated residential development sites. If human remains are discovered during Project grading or other ground disturbing activities, the project would be required to comply with applicable provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq. and to comply with **Mitigation Measure MM CR-1** below. The resultant impact would be reduced to a less than significant level.

MITIGATION MEASURES

MM-CR-1: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to historic resources may exist, shall be required to comply with the following mitigation framework: For any building or structure older than 50 years of age having its original structural integrity intact, the Applicant shall retain a qualified professional historian to determine if said building/structure is historically significant. The evaluation shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in State CEQA Guidelines Section 15064.5. The Applicant shall submit a Historical Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of historical resources, identification of potential impacts from the proposed development, and evaluation of the significance of any identified historical resources.

ENERGY

Regulatory Setting

This section describes the existing energy resources setting and generalized potential effects from implementation of the HEU. Information in this section is based primarily on information contained in the Shafter General Plan and the Shafter Municipal Code.

State Regulations

California Energy Commission

The regulations directly applicable to the project are Building Energy Efficiency Standards, Title 24, Part 6, and CALGreen Title 24, Part 11. These regulations include but are not limited to the use of energy efficient heating and cooling systems, water conserving plumbing and water-efficient irrigation systems. Residential development contemplated in the HEU would be required to demonstrate compliance with these regulations as part of the building permit and inspection process.

Local Regulations

City of Shafter General Plan

The following Goals and Policies are applicable to the contemplated residential development are contained in Section 6.8-Energy Resources of the General Plan:

- Policy 1: Continue to implement Title 24 of the State Building Code and provide incentives to new development to exceed its energy efficiency standards through increased use of passive solar design and daylighting.
- Policy 2: Promote the use of site design, landscaping, and solar orientation to decrease the need for summer cooling and winter heating.
- Policy 3: Encourage the installation of energy efficient lighting, reduced thermostat settings, and elimination of unnecessary lighting in public facilities.
 - Encourage the incorporation of recycled materials in new construction, where feasible.
 - Promote the use of solar, wind, and other alternative energy generation systems as part of new planned development.
- Policy 4: Encourage the incorporation of recycled materials in new construction, where feasible.

City of Shafter Municipal Code

Residential projects contemplated by the HEU must comply with the City's Development Code includes Development Codes that encourage use of energy conservation techniques in all new developments.

Affected Environment

Pacific Gas and Electric provides electrical and natural gas services to Shafter.

Project Impacts

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less Than Significant

Discussion a: The HEU would not directly result in residential construction. Rather, the HEU would facilitate and provide a policy context for future residential development on the six identified candidate sites. However, residential development contemplated in the HEU would require use of construction equipment including power tools, earth moving equipment, construction vehicles, and material handling equipment. Use of energy resources during grading and construction activities would be temporary in nature and could be expected to last throughout the 6th Cycle time frame. Temporary impacts during grading and construction would not represent a significant demand for available supplies.

This future residential development would result in direct consumption of electricity and natural gas. Grading and construction equipment would use diesel fuel. Vehicles and vehicle trips associated with workers' commutes also would result in fuel and energy use. During grading and construction activities some incidental energy conservation would occur through compliance with State requirements. Construction equipment also would be required to comply with current United States Environmental Protection Agency and California Air Resources Board engine emissions standards. All grading and construction-related activities would be subject to project level review and approval by appropriate City staff.

San Joaquin Valley Air Quality Management District regulations pertaining to energy conservation would require the compliance of each individual residential development. Future residential developments would be subject to project-specific review and approval to ensure compliance with applicable City of Shafter General Plan Goals and Policies, and with City of Shafter Municipal Code requirements. HEU buildout would not foreseeably result in inefficient, wasteful, or unnecessary consumption of energy during grading and construction activities contemplated by the HEU.

Therefore, HEU-related development activities fuel consumption would not be more inefficient, wasteful, or unnecessary than other similar residential projects. During operation of each residential project, occupancy of the HEU-contemplated residences would result in consumption of electricity and natural gas. According to the U.S. Energy Information Administration, in 2015, households on average, in the western U.S consumed about 10,330 kilowatt hours (kWh) of electricity annually which averages to about 867 (kWh) per month. The State of California averages about 557 (kWh) per month, which is far below the national average (867 kWh). The average annual energy use per home has been declining over the recent past due in part to improvements to building insulation and materials; improved efficiencies in

heating and cooling equipment, water heaters, refrigerators, lighting, appliances, energy conserving designs and operational programs. In addition, new residential development will be required to accommodate solar energy connections or sources of on-site renewable energy, per the latest 2019 California Energy Code requirements. The Energy Code requires all new residential construction to achieve net-zero emissions associated with electricity usage using on-site renewable sources. This analysis has conservatively assumed 80% of electricity usage will be captured via on-site renewable sources (i.e., solar panels), as part of the project design.

New residential development would not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other single-family land use projects of similar scale and configuration. Therefore, individual project-related operational impacts due to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☒ No Impact

No Impact

Discussion b: Implementation of residential development contemplated and facilitated by the HEU would be required to comply with California State Building Energy Efficiency Standards, green building standards, and appliance efficiency regulations. The residential development would not cause inefficient, wasteful, or unnecessary energy consumption; therefore, no adverse impact would result. Contemplated residential development therefore would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Future residential development contemplated and facilitated by the HEU would be required to be consistent with City of Shafter Municipal Code requirements related to renewable energy and energy efficiency and with all existing California Building Code (CMMC Title 5, Chapter 1, Section 5-1 [Construction Codes Adopted]) energy requirements. Such compliance with the existing regulations and CMMC would reduce any identified impacts to a less than significant level.

MITIGATION MEASURES

No Mitigation Measures are required.

GEOLOGY AND SOILS

This section describes the existing geology and soil setting and the potential effects from residential implementation on the identified six candidate sites. Descriptions and analysis in this section are based on information provided in part by the City of Shafter General Plan.

Regulatory Setting

State Regulations

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (AP Act) (PRC Sections 2621 to 2630) was passed in 1972 to provide a statewide mechanism for reducing the hazard of surface fault rupture to structures used for human occupancy. The main purpose of the AP Act is to prevent siting of buildings used for human occupancy across the traces of active faults. It should be noted that the AP Act addresses the potential hazard of surface fault rupture and is not directed toward other earthquake hazards, such as seismically induced ground shaking or landslides.

The law requires the State Geologist to identify regulatory zones (known as Alquist-Priolo (AP) Fault Zones) around surface traces of active faults, and to depict these zones on topographic base maps, typically at a scale of one inch to 2,000 feet. AP Fault Zones vary in width, although they are often 0.75 mile wide. Once published, the maps are distributed to affected cities, counties, and State agencies for their use in planning and controlling new or renewed construction. Except for single-family wood-frame and steel-frame dwellings that are not part of a larger development (i.e., four units or more), local agencies are required to regulate development within the mapped zones. In general, construction within 50 feet of an active fault zone is prohibited.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) (PRC Sections 2690 to 2699.6), which was passed in 1990, addresses earthquake hazards other than surface fault rupture. These hazards include strong ground shaking, earthquake-induced landslides, liquefaction, or other ground failures. Much like the AP Act discussed above, the State Geologist maps these seismic hazard zones to assist local government in the land use planning process. SHMA states, “It is necessary to identify and map seismic hazard zones in order for cities and counties to adequately prepare the safety element of their general plans and to encourage land use management policies and regulations to reduce and mitigate those hazards to protect public health and safety.” SHMA also states, “Cities and counties shall require, prior to the approval of a project located in a seismic hazard zone, a geotechnical report defining and delineating any seismic hazard.”

California Building Code

The State of California provides minimum standards for building design through the California Building Standards Code (CBC) (CCR, Title 24). Where no other building codes apply, Chapter 29 regulates excavation, foundations, and retaining walls. The CBC applies to building design and construction in the state and is based on the Federal Uniform Building Code (UBC) used widely throughout the country (generally adopted on a state-by-state or district-by-district basis). The CBC has been modified for California conditions with more detailed and/or more stringent regulations.

The State Earthquake Protection Law (California Health and Safety Code Section 19100, et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. The CBC identifies seismic factors that must be considered in structural design. Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, and Appendix Chapter A33 regulates grading activities, including drainage and erosion control and construction on unstable soils, such as expansive soils and areas subject to liquefaction. The CBC is updated every three years, and the current 2013 CBC took effect January 1, 2014.

Local Regulations

City of Shafter General Plan

The following goals and policies that are relevant to the proposed project are contained in Section 7.0-Environmental Hazards Program of the Shafter General Plan:

- Policy 1: Require that all new developments comply with the most recent Uniform Building Code's seismic design standards.
- Policy 2: Promote earthquake survival and ability to function after a major earthquake as the primary objective in the siting, design, and construction of emergency services facilities (e.g., fire stations, police stations, and medical facilities).
- Policy 3: Encourage the retrofitting of emergency services and high occupancy structures which could be vulnerable to seismic activity to meet existing code requirements.
- Policy 4: Require geologic and soils reports to be prepared for proposed development sites (including specialized soils reports in areas suspected of having problems with potential bearing strength, expansion, settlement, or subsidence), and incorporate the findings and recommendations of these studies into project development standards.
 - The objective of these studies is to ensure that the standards of the Uniform Building code are met, and that structures designed for human occupancy are not in danger of collapse or significant structural damage with corresponding hazards to human occupants.
 - Where structural damage can be mitigated through structural design, ensure that potential soils hazards do not pose risks of human injury or loss of life in outdoor areas of a development site.
- Policy 5: Provide information and establish incentives for property owners to rehabilitate existing properties.
- Policy 6: Encourage the purchase of earthquake insurance by residents and businesses.
- Policy 7: Work with PG&E, pipeline companies, and industrial uses to implement measures to safeguard the public from seismic hazards associated with high voltage transmission lines, caustic and toxic gas and fuel lines, and flammable storage facilities.
- Policy 8: Encourage continued investigation by State agencies of geologic conditions within the area to promote public awareness of potential geologic and seismic hazards.

City of Shafter Municipal Code

Section 10.320-Soils Reports of Shafter's Municipal Codes Development Standards requires the following:

1. A preliminary soils report, prepared by a civil engineer registered in the State of California, based upon adequate test borings, shall be required for every subdivision for which a final tract map is required, and may be required by the City Engineer for other development applications. The preliminary soils report requirement may be waived if the City Engineer finds that sufficient knowledge exists as to the quality of the soils located on the development site.
2. In the event the preliminary soils report indicates the presence of critically expansive soils or other soils problems which, if not corrected, could lead to structural defects, a soils investigation of each lot, parcel, or building site in the subdivision or development may be required. Such soils reports must be performed by a civil engineer, registered in the State of California, who shall recommend a corrective action likely to prevent structural damage to each structure proposed to be constructed in the area where such an identified soils problem exists.
3. The subdivision, or other type of development, or any portion thereof where soil problems exist, may be approved by the City Engineer if it is determined that a recommended action would prevent an occurrence of damage to any structure to be constructed and that the issuance of a building permit be subject to the inclusion of such recommended action(s) for the construction of each structure involved.
4. All soils reports prepared specifically for subdivisions shall be kept on file for public inspection by the City, pursuant to the provisions of Section 66434.5 of the Subdivision Map Act.
5. Final soils reports shall certify that all soils meet engineering requirements prior to issuance of any building permit.

Affected Environment

The primary candidate sites occupy approximately 24,000 acres in the northwesterly and the southeasterly portions of the City. Many of the candidate sites are undeveloped.

Project Impacts

Would the project:

- a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
 - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

☐ Potentially Significant Impact	☐ Less Than Significant with Mitigation	☒ Less Than Significant Impact	☐ No Impact
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Less Than Significant

Discussion a) i): The HEU would not result in direct residential construction but would facilitate future residential development on identified candidate sites. The candidate housing sites are not located within a State-designated Alquist-Priolo Earthquake Fault Zone. No known surface expression of fault traces is

thought to cross the sites. Therefore, HEU contemplated and facilitated residential development would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault. However, the City of Shafter is surrounded on three sides by active fault systems. Several of these systems are less than 10 miles from the City limits. In addition, there are faults outside the San Joaquin Valley that are sufficiently near Shafter that a major earthquake could affect the City. No impact would result.

MITIGATION MEASURES

No Mitigation Measures are required.

ii) Strong seismic ground shaking?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less Than Significant

Discussion a) ii): The potential severity of ground shaking depends on many factors, including distance from the originating fault, the earthquake magnitude, and the nature of the subsurface materials. Seismic ground shaking is not expected to materially affect construction of the proposed project because the event would be short-term, and construction would immediately cease upon experiencing an earthquake. The potential for seismic ground shaking in the vicinity of the candidate sites during operation is unavoidable. However, the City of Shafter is surrounded on three sides by active fault systems. Several of these systems are less than 10 miles from the City limits. In addition, there are faults outside the San Joaquin Valley that are sufficiently near Shafter that a major earthquake could affect the City. All residential development contemplated and facilitated by the HEU would be designed to conform with all relevant building codes and with City General Plan Goals and Policies that, among other things, require geologic and soils reports to be prepared for all development sites. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

iii) Seismic-related ground failure, including liquefaction?

☐ Potentially Significant Impact ☒ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☐ No Impact

Less than Significant with Mitigation

Discussion a) iii): Liquefaction in soils and sediments occurs during earthquake events when soil material is transformed from a solid state to a liquid state generated by an increase in pressure between pore space and soil particles. The HEU would not result in direct residential construction but would facilitate

future residential development on identified candidate sites. However, all future residential construction could be subject to liquefaction. The City-required geologic and soils reports for all development sites would identify potential ground failure hazards. All future housing would be subject to the City of Shafter's development review process and would be required to comply with all City, State, and Federal requirements. As a result, any identified impacts related to potential hazards from soil failure, including liquefaction, would be reduced to a less than significant level.

MITIGATION MEASURES

MM GEO-1 During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.

iv) Landslides?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☒ No Impact

No Impact

Discussion a) iv): The HEU would not result in direct residential construction but would facilitate future residential development on identified candidate sites. The identified candidate sites are relatively flat and are not located in the vicinity of slopes or hillsides that could potentially be susceptible to landslides. Therefore, no impact would occur from residential development contemplated or facilitated in the HEU.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Result in substantial soil erosion or the loss of topsoil?

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less Than Significant with Mitigation

Discussion b): The HEU would not result in direct residential construction but would facilitate future residential development on identified candidate sites. Much of the candidate sites area is vacant and thereby could be subject to wind-caused soil erosion. Developers of the future residential units will be required to comply with specific City requirements that govern wind and water erosion during site preparation (grading; excavation) and construction activities to control soil erosion. The City of Shafter Municipal Code (Chapter 15-28.070) specifies requirements needing to be satisfied prior to issuance of a

Grading Permit for any applicable project. In addition, following residential development, each development site would be paved over and landscaped, which would minimize soil erosion. Therefore, the resultant level of impact would be less than significant. Implementation of **Mitigation Measure MM GEO-1** would ensure any related impact would be reduced to a less than significant level.

MITIGATION MEASURES

MM GEO-1 During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.

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

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less Than Significant with Mitigation

Discussion c):

Landslide/Lateral Spreading

The Shafter HEU would not result in direct residential construction but would facilitate future residential development on identified candidate sites. The identified candidate sites are relatively flat with minor grade variation for drainage purposes. Most of the areas surrounding the development sites are similarly level and lack prominent geological features typically associated with landslides such as hillsides or riverbanks. Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water; typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope. Because failure tends to propagate as block failures, it is difficult to analyze and estimate where the first tension crack will form. The City-required Soils Engineering Report and Engineering Geology Report will determine if, and where, such conditions exist on the identified candidate development sites. The level of impacts associated with lateral spreading on the candidate residential development sites likely would be less than significant.

Subsidence

Land subsidence is a gradual settling or sudden sinking of the Earth's surface owing to subsurface movement of earth materials. Subsidence is most often attributed to human activity, mainly from the removal of subsurface water. Other principal causes of subsidence are aquifer groundwater pumping, system compaction, drainage of organic soils, underground mining, hydro compaction, natural compaction, sinkholes, and thawing permafrost. Groundwater pumping or soil compaction is not considered a substantial problem in the broader project area. As a result, land subsidence, which is often

a byproduct of the exploitation of groundwater, would also not be considered a substantial issue in the project area. The HEU would not result in direct residential construction but would facilitate future residential development on identified candidate sites. The City-required Soils Engineering Report and Engineering Geology Report will determine groundwater depths on each individual candidate site. Shafter and its vicinity are subject to moderate to severe ground shaking as a result of alluvial soils that underlie the City and the City's proximity to active faults. In addition, thick sedimentary deposits in Shafter create a likelihood that a strong earthquake or other geological disturbance in the area could cause ground subsidence on properties within the City limits. Impact levels associated with the HEU are less than significant.

Liquefaction or Collapse

Liquefaction describes a phenomenon in which cyclic stresses, produced by earthquake-induced ground motion, create excess pore pressures in relatively cohesionless and some low-plastic silt and clay soils. These soils may thereby acquire a high degree of mobility, which can lead to lateral movement, sliding, settlement of loose sediments, sand boils and other damaging deformations. This phenomenon occurs only below the water table, but, after liquefaction occurs, the liquefied soil/water matrix can propagate upward into overlying non-saturated soil as excess pore water dissipates. The HEU would not result in direct residential construction but would facilitate future residential development on identified candidate sites. The City-required Soils Engineering Report and Engineering Geology Report will determine site-specific conditions and likelihood of liquefaction or soil collapse. Therefore, the level of impacts related to the HEU that are associated with collapse would be less than significant.

MITIGATION MEASURES

MM GEO-1 During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less Than Significant with Mitigation

Discussion d): Expansive soils generally have a significant amount of clay particles, which can give up water (shrink) or take on water (swell). According to the Natural Resources Conservation Service, United States Department of Agriculture, Web Soil Survey, the proposed project site primarily consists of soils classified

as Lavic Loamy Fine Sand.²³⁶ Lavic Loamy Fine Sand are not a clay soil and is generally not susceptible to expansion.

Shafter and its vicinity are subject to moderate to severe ground shaking as a result of alluvial soils that underlie the City and the City's proximity to active faults. In addition, thick sedimentary deposits in Shafter create a likelihood that a strong earthquake or other geological disturbance in the area could cause ground subsidence on properties within the City limits.

Notwithstanding, the project would be required to comply with Shafter Municipal Code (Chapter 15-28.070) which sets forth the procedures governing the requirements for Soils Engineering Reports and Engineering Geology Reports, which are required in support of discretionary project applications.

To reduce the any potential impacts related to expansive soils, a Geotechnical Investigation shall be implemented during construction of the proposed project through the incorporation of **Mitigation Measure MM GEO-1** below. With the incorporation of this Mitigation Measure, impacts associated with residential development contemplated and facilitated by the HEU pertaining to expansive soils would be less than significant.

MITIGATION MEASURES

MM GEO-1 During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion e): The HEU would not result in direct residential construction but would facilitate future residential development on identified candidate sites. Associated residential development would not require septic tanks or any other alternative wastewater disposal system but would connect directly to City-operated wastewater treatment facilities. Therefore, the level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

²³⁶ Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: <http://websoilsurvey.sc.egov.usda.gov/>. Accessed October 4, 2022.

GREENHOUSE GAS EMISSIONS

This section describes the existing greenhouse gas emissions setting and potential effects from implementation of residential development contemplated and facilitated by the HEU. Information in this section is based on information provided in the City of Shafter General Plan and by Federal and State regulations and programs.

Regulatory Setting

Federal Regulations

Greenhouse Gas Endangerment

On December 7, 2009, the United States Environmental Protection Agency (U.S. EPA) signed two distinct findings regarding greenhouse gases (GHG) under Section 202(a) of the FCAA:

- The U.S. EPA finds that the current and projected concentrations of the mix of six key GHGs—Carbon Dioxide (CO₂), Methane (CH₄), Nitrous Oxide (N₂O), Hydrofluorocarbons (HFC), Perfluorocarbons (PFC), and Sulfur Hexafluoride (SF₆)—in the atmosphere threaten the public health and welfare of current and future generations. This is referred to as the endangerment finding.
- The U.S. EPA finds that the combined emissions of CO₂, CH₄, N₂O, and HFCs from new motor vehicles and motor vehicle engines contribute to the atmospheric concentrations of these key GHGs and hence to the threat of climate change. This is referred to as the cause or contribute finding.

State Regulations

There are numerous state plans, policies, regulations, and laws related to GHGs and global climate change that 1) establish overall state policies and GHG reduction targets; 2) require state or local actions that result in direct or indirect GHG emission reductions for the project; 3) require CEQA analysis of GHG emissions; and 4) provide generally accepted guidance in performing GHG analyses. The major components of California's climate change policy are reviewed below.

Assembly Bill 32, the California Global Warming Solutions Act of 2006

AB 32 was signed by former Governor Arnold Schwarzenegger in September 2006 and is now codified as Sections 38500–38599 of the California Health and Safety Code. Assembly Bill 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020.

Senate Bill 97 and Amendments to the State CEQA Guidelines

As directed by Senate Bill 97, the California Natural Resources Agency adopted amendments to the State CEQA Guidelines on December 30, 2009, adding a new Section 15064.4, "Determining the Significance of Impacts from Greenhouse Gas Emissions," and a new Section 15126.4(c), "Mitigation Measures Related to Greenhouse Gas Emissions." The amendments became effective on March 18, 2010.

CARB GHG Emissions Data and Scoping Plan

AB 32 requires CARB to develop a scoping plan to lower the state's GHG emissions to meet the 2020 limit. The AB 32 Scoping Plan was approved at the December 2008 CARB meeting, and the First Update to the AB 32 Scoping Plan was approved in May 2014 (CARB, 2014). Key elements of the scoping plan include expanding and strengthening existing energy efficiency programs and building and appliance standards; achieving a statewide renewable energy mix of 33 percent; developing a California cap and trade program linked with other similar programs; establishing targets for transportation-related GHG emissions for regions throughout California, and pursuing policies and incentives to achieve those targets; implementing existing laws and standards, such as California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard; and issuing targeted fees to fund the state's long-term commitment to AB 32 administration.

2017 Climate Change Scoping Plan Update (November 2017)

The 2017 Scoping Plan Update identifies California's post-2020 reduction strategy and reflects the 2030 target of a 340 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by Senate Bill 32. Key programs the proposed Second Update builds upon include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard, and much cleaner cars, trucks, and freight movement, utilizing cleaner, renewable energy, and strategies to reduce methane emissions from agricultural and other wastes. Major elements of the 2017 Scoping Plan framework include the following:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing ZEV buses and trucks;
- Low Carbon Fuel Standard (LCFS), with an increased stringency (18 percent by 2030);
- Implementing Senate Bill 350, which expands the Renewables Portfolio Standard (RPS) to 50 percent RPS and doubles energy efficiency savings by 2030;
- California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology and deployment of ZEV trucks;
- Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing methane and hydrofluorocarbon emissions by 40 percent and anthropogenic black carbon emissions by 50 percent by year 2030;
- Continued implementation of Senate Bill 375;
- Post-2020 Cap-and-Trade Program that includes declining caps;
- Twenty percent reduction in greenhouse gas emissions from refineries by 2030; and,
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

The 2017 Scoping Plan also identifies local governments as essential partners in achieving California's long-term greenhouse gas reduction goals and identifies local actions to reduce greenhouse gas emissions.

2022 Climate Change Scoping Plan Update

The Update assessed progress toward achieving the Senate Bill 32 2030 target and lay out a path to achieve carbon neutrality by 2045. Achieving carbon neutrality will require the State of California to consider engineered carbon removal at the source of emissions and directly from the atmosphere. The California Air Resources Board and the California natural Resources Agency have assembled expert to discuss recent market trends, potential applications, environmental factors, and community considerations for engineered (technical solutions) carbon removal. The term “engineered” is inclusive of, but not limited to, projects that capture carbon emissions from industrial facilities, filter carbon emissions directly from the atmosphere, and safely store carbon in geologic formations.

Achieving carbon neutrality will bring several changes to California, including moving the State away from fossil fuel combustion in a manner that supports job retention and creation as California makes a just transition toward a clean energy economy.

Local Regulations

No goals or policies regarding Greenhouse Gases are included in Shafter’s General Plan or Municipal Code.

Affected Environment

According to climate scientists, the earth’s climate has been warming for the past century; 97 percent of climate scientists believes that this warming trend is related to the release of certain gases into the atmosphere by human activities (NASA, 2015). The most recognized GHGs include CO₂, CH₄, N₂O, water vapor, ozone, aerosols, HFCs, chlorofluorocarbons (CFCs), PFCs, and SF₆.

Emissions of GHGs contributing to global climate change are largely attributable to human activities associated with industrial/manufacturing, utility, transportation, residential, and agricultural sectors. About 75 percent of human emissions of CO₂ to the global atmosphere during the past 20 years are a result of fossil fuel burning. Atmospheric concentrations of CO₂, CH₄, and N₂O have increased 31 percent, 151 percent, and 17 percent, respectively, since the year 1750 (Intergovernmental Panel on Climate Change, 2001).

Worldwide, California is ranked as the 12th largest emitter of GHGs. Based on the most recent GHG emissions inventory, California’s gross annual emissions of GHGs in 2013 totaled 459.3 million metric tons of carbon dioxide equivalents (MTCO₂e) (CARB, 2013). Most of California’s emissions, approximately 81 percent, consist of CO₂ produced from fossil fuel combustion. The transportation sector is the single largest category of California’s GHG emissions, accounting for approximately 37 percent of the state’s total GHG emissions, followed by electricity consumption (from both in-state and out-of-state providers), which accounts for a total of roughly 23 percent of the state’s total GHG emissions, and then the industrial sector accounting for approximately 20 percent of the state’s total GHG emissions. The contribution from each of the various other use sectors contribute roughly one to eight percent each to the total GHG emissions inventory (CARB, 2013).

Project Impacts

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less than Significant

Discussion a): The HEU does not propose any specific residential development, however, residential development contemplated and facilitated by the HEU would be subject to permits and City of Shafter plan check processes. Future residential development would occur according to market conditions and at the discretion of individual property owners/developers. The HEU does identify six primary candidate sites that would more than meet the 6th Cycle RHNA requirements for the City. The new housing would induce population growth in the City. United States Census data indicates that the number of persons per household in Shafter is 3.84. Therefore, at full build out of the RHNA required number of units for Shafter, the increase in population would be 12,649 persons. The increased population would lead to an increase in Vehicle Miles Traveled, construction activities, stationary area sources (e.g., space and water heating, landscape maintenance equipment, consumer products use), energy consumption, water supply, and solid waste generation. Increased greenhouse gas emissions would incrementally contribute to global climate change. Future residential development contemplated and facilitated by the HEU would comply with Title 24 green building standards for new development. Such compliance would result in lower emissions from the City overall and would support greenhouse gas reduction efforts. In addition, future residential development would be subject to Shafter's development review process, CEQA evaluation, and plan check process. Future applicants would be required to prepare air quality and GHG emissions studies using the California Emissions Estimator Model (CalEEMod), which relies upon project-specific land use data to calculate emissions. Site-specific details are not available for this analysis of the HEU, which is programmatic in nature. Future residential projects such as those contemplated and facilitated by the HEU, would be required to demonstrate compliance with all State and City regulations pertaining to lessening of greenhouse gas emissions. Therefore, the HEU's potential impact pertaining to GHG generation, either directly or indirectly, with compliance with State and Federal regulations, would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐ Potentially
Significant Impact

☐ Less Than
Significant with
Mitigation

☒ Less Than
Significant Impact

☐ No Impact

Less than Significant

Discussion b): The use of heavy mobile construction equipment, delivery of construction materials, hauling of construction debris, and worker commutes would result in the generation of GHGs. Future residential projects such as those contemplated and facilitated by the HEU, would be required to demonstrate compliance with all State and City regulations pertaining to lessening of greenhouse gas emissions. Therefore, the HEU's potential impact pertaining to GHG generation, and conflict with an applicable plan, policy or regulation would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

HAZARDS AND HAZARDOUS MATERIALS

This section describes the existing hazards and hazardous materials setting and potential effects from HEU implementation. Descriptions and analysis in this section are based on information provided in the City of Shafter General Plan and by the Hazardous Waste and Substances Sites (Cortese) List.

Regulatory Setting

Federal Regulations

U.S. Environmental Protection Agency

The U.S. EPA's purpose is to protect human health and the environment by writing and enforcing regulations based on laws passed by Congress. The U.S. EPA relies on the National Priorities List (NPL), which is a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the U.S. and its territories. The NPL is intended primarily to guide the U.S. EPA in determining which sites warrant further investigation.

The Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) is a database used by the U.S. EPA to track activities conducted under its Superfund program. Specific information is tracked for each individual site. WasteLAN is the name of the regional version of this database.

Resource Conservation and Recovery Act (RCRA)

RCRA Subtitle C addresses hazardous waste generation, handling, transportation, storage, treatment, and disposal. RCRA establishes a system that uses hazardous waste manifests to track the movement of hazardous waste from generation to disposal (cradle-to-grave). The 1984 amendments to RCRA created a national priority for waste minimization. Subtitle D establishes national minimum requirements for solid waste disposal sites and practices and requires States to develop plans for the management of wastes within their jurisdictions. Subtitle I require monitoring and containment systems for underground storage tanks (USTs) that hold hazardous materials. Owners of USTs must demonstrate financial assurance for the cleanup of a potential leaking tank.

State Regulations

Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by state and local agencies and developers to comply with CEQA requirements by providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency to develop an updated Cortese List at least annually. The California Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information for the Cortese List.

Department of Toxic Substances Control (EnviroStor/Haznet)

The mission of the Department of Toxic Substances Control (DTSC) is to provide the highest level of safety, and to protect public health and the environment from toxic harm. DTSC provides a listing of all existing information on permits and corrective action at hazardous waste facilities, as well as site cleanup projects on the EnviroStor/Haznet database.

California Hazardous Waste Control Law

The California Hazardous Waste Control Law (HWCL) is the primary hazardous waste statute in California. The law states that generators have the primary duty to determine whether their waste is hazardous and to ensure their proper management. HWCL also establishes criteria for the reuse and recycling of hazardous waste. The law exceeds RCRA requirements by mandating source reduction planning, and a much broader requirement for permitting facilities that treat hazardous waste. The law also regulates several types of waste and waste management activities that are not covered by RCRA.

California Code of Regulations

Most state and federal regulations and requirements that apply to generators of hazardous waste are spelled out in CCR, Title 22, Division 4.5. Title 22 contains detailed compliance requirements for hazardous waste generators and transporters, and treatment, storage, and disposal facilities. Most RCRA regulations have been duplicated and integrated into Title 22. However, because DTSC regulates hazardous waste more stringently than the U.S. EPA, Title 22 contains fewer exemptions and exclusions than RCRA, and regulates a wider range of waste types and waste management activities. To make regulatory requirements more accessible and easier to follow, California compiled the hazardous materials, waste, and toxics-related regulations into CCR, Title 26, "Toxics."

Local Regulations

City of Shafter General Plan

The following goals and policies applicable to the project are contained in Section 7.5-Hazardous Materials section of the City of Shafter General Plan:

- Policy 1: Implement the provisions of the Kern County Integrated Waste Management Plan and the Household Hazardous Waste component of the City's Source Reduction and Recycling Element, including, but not limited to, provisions for pretreatment and disposal, storage, handling, and emergency responses.
- Policy 2: Promote the reduction, recycling, and safe disposal of household hazardous wastes through public education and awareness.

Affected Environment

Most of the candidate residential sites identified in the HEU consist of vacant undeveloped land with very sparse vegetation. There may have been previous agriculture activities that resulted in contamination of the identified candidate sites.

Project Impacts

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

☐ Potentially
Significant Impact

☐ Less Than
Significant with
Mitigation

☒ Less Than
Significant Impact

☐ No Impact

Less Than Significant

Discussion a):

Short-Term Construction Impacts

Environmental exposure to hazardous materials can occur through the following:

- transportation accidents;
- environmentally unsound disposal methods;
- improper handling of hazardous materials or hazardous wastes; and/or,
- emergencies such as explosions or fires.

Severity of these potential effects varies by type of activity, concentration and/or type of hazardous materials or wastes, and proximity to sensitive receptors.

Although the HEU does not directly propose housing development, hazardous materials would be handled at each project site during construction of the residential units contemplated and facilitated by the HEU. These hazardous materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain construction equipment and vehicles. This handling of hazardous materials would be a temporary activity coinciding with the short-term construction phase of residential units expected to last during the duration of the 6th Cycle. These materials would be transported, used, stored, and disposed of according to County, State, and Federal regulations. Even though hazardous materials associated with the operation and maintenance of construction equipment and vehicles may be stored on each project site, it is expected that only the amounts needed would be kept onsite, and any handling of such materials will be limited in both quantities and concentrations. Removal and disposal of hazardous materials from the project site would not be required as the project site is currently vacant with no structures. The resultant level of impact would be less than significant.

Long-Term Operation Impacts

Future residential development contemplated and facilitated by the HEU would not involve ongoing or use of substantial quantities of hazardous materials during occupancy of housing units. Because of the nature of the project, hazardous materials used onsite may vary, but would likely be limited to fertilizers, herbicides, pesticides, solvents, cleaning agents, and similar materials used for daily residential operations and maintenance activities. These types of materials are common and represent a low risk to people and the environment when used as intended. Therefore, long-term operational impacts associated with hazardous materials would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

☐ Potentially
Significant Impact

☒ Less Than
Significant with
Mitigation

☐ Less Than
Significant Impact

☐ No Impact

Less Than Significant with Mitigation

Discussion b): The HEU would not directly result in residential construction; rather, the HEU would facilitate future housing development in Shafter. This residential development would involve excavation and grading activities that could expose construction employees and the public to unknown hazardous material in soil or groundwater. Each future discretionary application for residential development on the identified candidate residential sites would be reviewed by City staff to confirm compliance with all City regulations. In addition, implementation of **Mitigation Measure MM HAZ- 1**, which requires preparation and submittal of a Phase I Environmental Site Assessment in accordance with the latest STM protocol be made for each residential project facilitated by the HEU. The Phase I Environmental Site Assessment would identify specific Recognized Environmental Conditions (REC) that may require further sampling or remediation by a qualified hazardous materials specialist. Implementation of **Mitigation Measure MM HAZ-2** provides instructions for contractors to identify and rectify suspected hazardous wastes inadvertently discovered during grading or construction activities. These assessments would include a review of local, State, Tribal, and Federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps, and physical setting sources. Although future residential development could accidentally release hazardous materials into the environment, the City of Shafter discretionary and plan review processes, together with compliance with **Mitigation Measure MM HAZ- 1** and **Mitigation Measure MM HAZ-2**, would ensure no significant hazard would result. Following compliance with the established regulations, all Federal, State, and local regulations, and implementation of **Mitigation Measure MM HAZ- 1** potential impacts involving accidental discovery of unknown wastes or hazardous materials during grading and construction activities would be reduced to a less than significant level.

MITIGATION MEASURES

MM HAZ-1: Each Applicant for a new residential project contemplated by the HEU that will require City of Shafter discretionary approval may be required to prepare a Phase I Environmental Site Assessment in accordance with the latest ASTM protocol for such assessments and shall submit said Environmental Site Assessment to the appropriate City Department for review and approval. If the Phase I Environmental Site Assessment indicates evidence that contamination exists on the individual site that could require cleanup to avoid danger to people or damage to the environment, the Applicant shall complete a Phase II level review that will fully characterize the nature and extent of such contamination and the scope of required cleanup procedures. The City of Shafter shall consider the results of the Phase II Assessment as part of the CEQA compliance process prior to taking any discretionary action on the identified residential project.

MM HAZ-2: If an Applicant or Applicant's contractor for any residential project/development contemplated in and facilitated by the HEU discovers unknown wastes or suspect materials during grading and construction activities that are thought to involve hazardous waste or materials, the Applicant or Applicant's contractor may be required to do the following:

- Immediately cease work in the suspected contaminant's vicinity, remove workers and the public from the suspected contaminated area, and secure said area;
- Notify the Applicant's Environmental Professional and immediately implement proper remedial activities that are recommended; and,
- Notify the Shafter City Engineer and Planning and Community Development Director and implement measures to further secure the area.

In addition, the Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if any required.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less Than Significant

Discussion c): Activities associated with the construction and operation of housing generally would not include the use of hazardous materials that would emit hazardous emissions. However, any future residential development facilitated by the HEU must comply with mandatory requirements and regulations pertaining to emissions or handling of hazardous materials, substances, or wastes near schools. Compliance with the California Hazardous Waste Control Law, California Health, and Safety Code, and RCRA regulations that regulate how to transport and handle hazardous and non-hazardous materials and waste would reduce potential impacts associated with accidental release of hazardous materials within one-quarter mile of an existing or planned school to a less than significant level.

MITIGATION MEASURES

No Mitigation Measures are required.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

☐ Potentially Significant Impact ☒ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

Less than Significant Impact with Mitigation

Discussion d): Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control (DTSC) Envirostor website to identify whether any candidate site is listed in the database as a Cortese site. There are twenty listings in the EnviroStor list in the Cortese site data base for the City of Shafter.²³⁷ As a result, specific development proposals on any of the HEU-identified candidate sites would need to be accompanied by a Phase I Hazards Assessment with appropriate recommendations, as specified in **Mitigation Measure MM HAZ-1**. Implementation of **Mitigation Measure MM HAZ-1** would reduce the potential impact to a less than significant level.

MITIGATION MEASURES

MM HAZ-1: Each Applicant for a new residential project contemplated by the HEU that will require City of Shafter discretionary approval shall prepare a Phase I Environmental Site Assessment in accordance with the latest ASTM protocol for such assessments and shall submit said Environmental Site Assessment to the appropriate City Department for review and approval. If the Phase I Environmental Site Assessment indicates evidence that contamination exists on the individual site that could require cleanup to avoid danger to people or damage to the environment, the Applicant shall complete a Phase II level review that will fully characterize the nature and extent of such contamination and the scope of required cleanup procedures. The City of Shafter shall consider the results of the Phase II Assessment as part of the CEQA compliance process prior to taking any discretionary action on the identified residential project.

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

²³⁷ <https://www.envirostor.dtsc.ca.gov/>. Accessed March 2023

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less Than Significant

Kern County adopted the Airport Land Use Compatibility Plan which includes incorporated cities in the County including the City of Shafter. The purpose of the Plan was to establish procedures and criteria by which the County of Kern and affected cities can address compatibility issues when making planning decisions regarding airports and the land uses around them. The Plan is used as a reference and guide in evaluating impact and designing mitigation. Minter Field Airport is located in the northeastern region of the City, therefore, the HEU would be located within the boundary of the adopted Airport Land Use Plan for Minter Airport (Shafter 2005). The airport provides services such as flight training; supporting area agricultural and business operations; and aircraft fueling, storage, and maintenance. As is typical of most general aviation airports, the dominant type of aircraft based at Shafter Airport/Minter Field is the single-engine, propeller-driven, airplane, comprising 87% of the total (Shafter 2005). A potential housing site is located approximately 0.5 miles west of the airport. Proposed residential developments, including land division consisting of five or more dwellings shall be subject to compatibility review by the City. Therefore, based on City review of housing development prior to construction, the project would not result in a safety hazard for people residing or working in the project area because of a public airport or public use airport and impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

No Impact

Discussion f): HEU-contemplated and facilitated residential development would include construction of new roadways that would provide new access to the development sites, as necessary. The development would therefore not establish any barrier that would interfere with any adopted emergency response or evacuation plan and would be required to meet City of Shafter codes to provide emergency exits. Furthermore, City and County Fire officials will review the associated discretionary applications to ensure adequate fire service and safety because of project implementation. Therefore, no impact will result.

MITIGATION MEASURES

No Mitigation Measures are required.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

☐ Potentially
Significant Impact

☐ Less Than
Significant with
Mitigation

☐ Less Than
Significant Impact

☒ No Impact

No Impact

Discussion g): The City of Shafter does not contain any lands that are in a “Very High, High, or Moderate” Fire Hazard Zone. Therefore, future residential development contemplated and facilitated by the HEU would not directly or indirectly expose people or structures to a risk of loss, injury or death involving wildland fires. No impact would result.

MITIGATION MEASURES

No Mitigation Measures are required.

HYDROLOGY AND WATER QUALITY

This section describes the hydrology and water quality setting and the potential related effects from HEU implementation. Descriptions and analysis in this section are based in part on information provided in the City of Shafter General Plan and City of Shafter Municipal Code.

Regulatory Setting

Federal Regulations

Federal Emergency Management Agency (FEMA)

FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to jurisdictions that comply with FEMA regulations to limit development within floodplains. FEMA also prepares Flood Insurance Rate Maps (FIRMs) to identify areas subject to flooding. These FIRMs provide flood information and identify flood hazard zones. FEMA's minimum level of flood protection for new development is the 100-year flood event, also described as a flood having a one percent chance of being equaled or exceeded in any given year with an average recurrence interval of one hundred years.

Clean Water Act (CWA)

U.S. EPA serves as the lead federal agency responsible for water quality management. The CWA of 1972 is the primary federal law that governs and authorizes water quality control activities by the U.S. EPA and individual states. Section 303 of the CWA requires individual states to adopt water quality standards for all surface waters of the U.S.

The NPDES permit program was established under Section 402 of the CWA to regulate municipal and industrial discharges to surface waters of the U.S. from municipal separate storm sewer systems (MS4s). Federal NPDES permit regulations have been established for a broad range of discharges, including point source municipal waste discharges and non-point source storm water runoff.

Safe Drinking Water Act

Under the Safe Drinking Water Act (Public Law 93-523), passed in 1974, the U.S. EPA regulates contaminants of concern to domestic water supply. Contaminants of concern relevant to domestic water supply are defined as those that pose a public health threat or that alter the aesthetic acceptability of the water. These types of contaminants are regulated by the U.S. EPA's primary and secondary maximum contaminant levels (MCLs), which are applicable to treated water supplies delivered to a distribution system.

The U.S. EPA has delegated to the California Department of Public Health (CDPH) the responsibility for administering California's drinking-water program. The CDPH is accountable to the U.S. EPA for program implementation and for adopting standards and regulations that are at least as stringent as those developed by the U.S. EPA. The applicable state primary and secondary MCLs are set forth in CCR, Title 22, Division 4, Chapter 15, Article 4.

State Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) of 1969 is California's statutory authority for the protection of water quality. Under the Porter-Cologne Act, the State must adopt water quality policies, plans, and objectives that protect the State's waters for the use and enjoyment of its residents. The Porter-Cologne Act requires the State Water Resources Control Board (SWRCB) and its Regional Water Quality Control Boards (RWQCB) to adopt and periodically update water quality control plans (Basin Plans). Basin Plans are the regional water quality control plans required by both the CWA and Porter-Cologne Act, in which beneficial uses, water quality objectives, and implementation programs are established for each of the RWQCBs. The Porter-Cologne Act also requires waste dischargers to notify the RWQCBs of their activities through the preparation of Reports of Waste Discharge and authorizes the SWRCB and its RWQCBs to issue and enforce waste discharge requirements, NPDES permits, Section 401 water quality certifications, and other approval actions.

In California, the SWRCB has broad authority over water quality control issues for the state. The SWRCB is responsible for developing statewide water quality policy and exercises the powers delegated to the State by the federal government under the CWA. Other state agencies with jurisdiction over water quality regulation in California include the California Department of Health Services for drinking water regulations, the California Department of Pesticide Regulation, the California Department of Fish and Wildlife, and the Office of Environmental Health and Hazard Assessment.

NPDES Permit System and Waste Discharge Requirements for Construction

The 1972 amendment to the CWA established the NPDES permit program. The NPDES permit program outlined in the CWA contains effluent limitation guidelines, water quality requirements, and permit program requirements for discharges to waters of the United States. The EPA has overall responsibility for the NPDES program, but administration of the program in California has been delegated to the SWRCB and the nine RWQCBs.

Local Regulations

City of Shafter General Plan

The following policies relevant to the proposed project are included in Section 4.5-Drainage and Flooding section of the City's Development Standards:

- Policy 1: Require dedication and improvement of stormwater detention, retention, and conveyance facilities as a condition of approval for new development where needed to protect on-site and downstream development from flooding.
- Policy 2: Require adequate infrastructure to be in place and operational prior to occupancy of new development, such that new development will not negatively impact the performance of drainage facilities serving existing developed areas.

The following policies relevant to the proposed project are included in Section 7.3-Flooding and Drainage section of the City's Development Standards:

- **Policy 1:** Ensure that structures designed for human occupancy are constructed outside of the 100-year floodplain as specified by FEMA, unless a special study has been conducted to ensure that the base floor elevation of the structure is located above the 100-year floodplain, and that the structure is flood-proofed below that level.
- **Policy 2:** Through the development review process, require construction and dedication of needed drainage and flood control facilities.
- **Policy 3:** On a regular basis, review and update the City's Storm Drain Master Plan to ensure that street and storm drain flood control systems are designed to accommodate identified storm flows.
- **Policy 4:** Where construction of a retention or detention basin is needed to support new development, require the development to provide for its construction and maintenance.

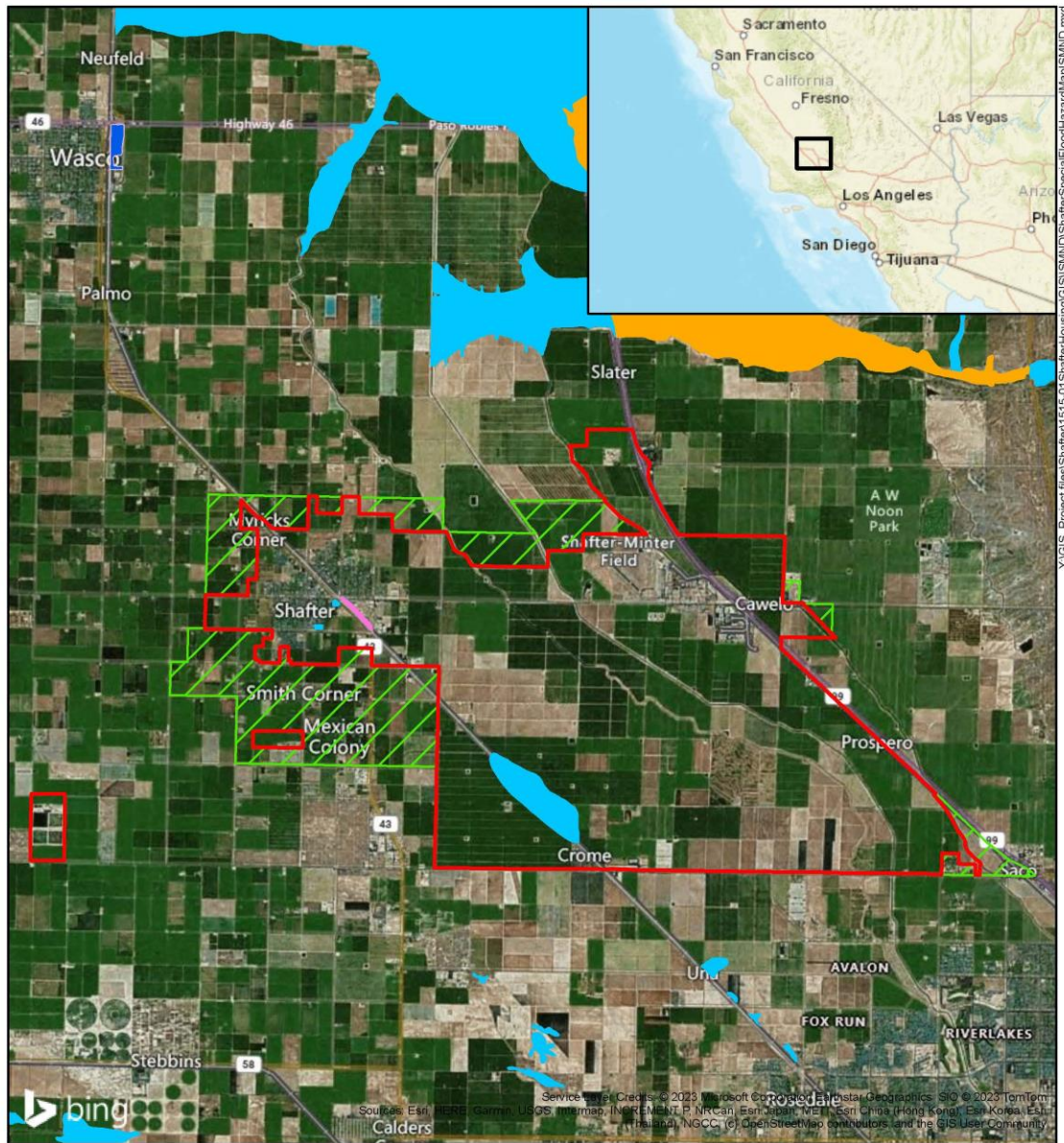
City of Shafter Municipal Code

During design review, the Development Standards of the City's Municipal Code encourage improved drainage from lots directly to a street storm drain, or through public or privately maintained easements.

Special Floods Area

The Federal Emergency Management Agency (FEMA) created flood maps to assist mortgage lenders to determine insurance requirements and assist communities in developing strategies to reduce their flood risk. These identified areas are known as Special Flood Hazard Areas (SFHA). An SFHA is defined as the area that will be inundated by a flood event having a one percent chance of being equaled or exceeded in any given year. The one percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas are labeled Zone B or Zone X (shaded) and are also shown on Flood Insurance Rate Maps (FIRM) and are the areas between the limits of the base flood and the 0.2%-annual-chance (500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2%-annual-chance flood, are labeled Zone C or Zone X (unshaded) Figure 3.

FIGURE 4. SPECIAL FLOOD HAZARD MAP



Legend

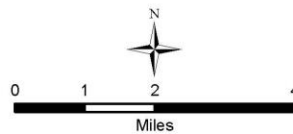
- City Limits
- Sphere of Influence

Flood Zone

- A - Area inundated by the Base Flood with no Base Flood Elevations
 - AE - Area inundated by the Base Flood with Base Flood Elevations
 - AH - Area inundated by the Base Flood with flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
 - AO - Area inundated by the Base Flood with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
 - D - Areas in which flood hazards are undetermined, but
- Map Date: 4/25/2023

Figure 3 - Special Flood Hazard Map

City of Shafter Initial Study/Mitigated Negative Declaration



Affected Environment

The City of Shafter has very few areas that are flood hazard areas. However, there are four areas that are considered flood hazard areas. Three such areas are labeled as Zone A and one such area is labeled as Zone AO. Two of the Zone A areas are directly on, or next to, the railroad. The other Zone A area is a detention basin built near a residential community to protect it from flooding. The area labeled AO is also directly along the railroad.

Project Impacts

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

- | | | | |
|--|--|---|------------------------------------|
| ☐ Potentially
Significant Impact | ☐ Less Than
Significant with
Mitigation | ☒ Less Than
Significant Impact | ☐ No Impact |
|--|--|---|------------------------------------|

Less Than Significant

Discussion a): The Shafter HEU does not propose any specific residential development. Future residential development contemplated and facilitated by the HEU would be subject to City discretionary permits and plan check processes. In addition, future residential development would occur according to housing market conditions and at the discretion of affected individual property owners. Future residential development could result in potential impacts to water quality, as follows:

- During the grading and construction activities where the potential for erosion, siltation, and sedimentation would be greatest.
- Subsequently to residential construction and before establishment of ground cover, when the potential for erosion may remain high; and,
- After completion of residential development when impacts pertaining to sedimentation would decrease markedly but those associated with urban runoff would increase.
- Urban runoff discharges into storm drains, which will be constructed as part of said residential development. Polluted runoff can include a wide assortment of environmental, storm water characteristics depend on site conditions (e.g., land use; impervious cover; pollution prevention practices), rain events (rate and duration of rainfall; intensity; time between rain events), soil type and particle sizes, vehicular traffic, and atmospheric deposition.

Construction of housing units associated with implementation of the HEU has the potential to result in short-term impacts to water quality. Activities such as utility installation, grading, ground clearing, landscaping, and building construction could result in generating potential water pollutants such as chemicals, paints, silt, debris that may affect the water quality. During grading and construction activities, the potential for erosion, siltation, and sedimentation would be greatest. In addition, impacts could occur prior to establishment of ground cover when the erosion potential may be relatively high. Future HEU

residential development projects would be subject to compliance with the established regulatory framework pertaining to water quality maintenance. Future residential development that disturbs more than one acre of land surface would be required to obtain coverage under the National Pollution Discharge Elimination System (NPDES) storm water program. The NPDES Construction General Permit Program requires implementation of Best Management Practices (BMP) to reduce or prevent pollutant discharge from development activities to the Maximum Extent Practicable for urban runoff and meeting the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology standards for construction-related storm water. Construction activities would be required to comply with a project specific Stormwater Pollution Prevention Program (SWPPP) that identifies erosion control and sediment control BMP that would meet or exceed measures required by the Construction Activity General Permit to control potential construction-related pollutants. Erosion controls are intended and designed to prevent erosion, whereas sediment controls are intended and designed to trap sediment once it has been mobilized. In addition, future residential development projects would be subject to City of Shafter Municipal Code (Section 15.28) regulations governing grading and erosion control.

Upon full build out, residential buildings, concrete walkways, ac pavement, sidewalks and streets would create impervious surfaces that would contribute to stormwater runoff. Future residential development would be required to comply with existing State Water Quality Control Board water quality standards and waste discharge regulations. Future HEU-facilitated residential development would comply with these regulations and waste discharges would be connected to the existing or new public wastewater system. Thereby, future residential development contemplated and facilitated by the HEU would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that project may impede sustainable groundwater management of the basin?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion b): Increased impervious surfaces reduce the amount of surface water available for infiltration to groundwater sources. Future residential development on the mostly vacant candidate sites contemplated and facilitated by the HEU would increase impervious surfaces, decrease water infiltration into the groundwater basin, and reduce groundwater recharge.

Future HEU-facilitated residential development would be required to incorporate design features that would reduce impervious areas as feasible and thereby promote water infiltration. Treatment control and hydromodification management facilities would promote stormwater retention and infiltration. Also, future residential development on candidate residential sites would comply with water quality standards intended to reduce runoff, increase infiltration, and improve water quality. In addition, future residential development contemplated and facilitated by the HEU would be required to comply with all Federal, State, and local requirements for avoiding and minimizing construction and operational impacts to groundwater supplies. Compliance with these requirements thereby would not decrease groundwater supplies and would not interfere with groundwater recharge. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion c): Future HEU-facilitated residential development would be required to incorporate design features that would reduce impervious areas as feasible and thereby promote water infiltration. Treatment control and hydromodification management facilities would promote stormwater retention and infiltration. Also, future residential development on candidate residential sites would comply with water quality standards intended to reduce runoff, increase infiltration, and improve water quality. In addition, future residential development contemplated and facilitated by the HEU would be required to

comply with all Federal, State, and local requirements for avoiding and minimizing construction and operational impacts to groundwater supplies. Compliance with these requirements thereby would not alter the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

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

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☒ No Impact

No Impact

Discussion d): According to the Federal Emergency Management Agency (FEMA), portions of the City of Shafter are located within a flood hazard zone. Residential development would be subject to provisions in the City Municipal Code (Section 15.44 – Floodplain Management). None of the candidate sites are located within a tsunami inundation zone. In addition, housing resulting from implementing the HEU would not be at risk from seiche because there is no water body around any of the candidate sites capable of producing as seiche. No impact would result from residential development contemplated by or facilitated by the HEU.

MITIGATION MEASURES

No Mitigation Measures are required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan??

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☒ No Impact

No Impact

Discussion e): The California Sustainable Groundwater Management Act (2014) provides authority for agencies to develop and implement groundwater sustainability plans or alternative plans that demonstrate water basins are being managed sustainably. The City of Shafter Municipal Code and other regulations are designed to protect water resources and improve water quality. Future HEU-facilitated residential developments would be required to prepare a stormwater management plan and to incorporate stormwater standards manual requirements into design plans to minimize potential impacts

to water quality. In addition, dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres are required to comply with discharge standards. All future housing development contemplated and facilitated by the HEU would be subject to the City of Shafter's development review process, which may include review pursuant to CEQA, and would be required to comply with all Federal, state, and local requirements for avoiding and minimizing conflicts with or obstruction of implementation of a Water Quality Control Plan. Thereby, future residential development contemplated and facilitated by the HEU would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

LAND USE AND PLANNING

This section describes the existing land use and planning setting and potential effects from HEU implementation. The narrative in this section is informed by the City of Shafter General Plan and City of Shafter Municipal Code.

Regulatory Setting

State Regulations

California Government Code Section 65300, et seq. establishes the obligation of cities and counties to adopt and implement general plans. The general plan is a comprehensive, long-term, and general document that describes plans for the physical development of a city or county and of any land outside its boundaries that, in the City's or County's judgment, bears relation to its planning. The general plan addresses a broad range of topics, including at a minimum, land use, circulation, housing, conservation, open space, noise, and safety. In addressing these topics, the general plan identifies the goals, objectives, policies, principles, standards, and plan proposals that support the City's or county's vision for the area.

The State Zoning Law (California Government Code Section 65800, et seq.) establishes that zoning ordinances, which are laws that define allowable land uses within a specific zone district, are required to be consistent with the general plan.

Local Regulations

City of Shafter General Plan

Section 2.5-Residential Uses of the City's General Plan identify the following policies applicable to the proposed project:

- **Policy 1:** Promote the development of rural residential areas and rural communities that provide for and protect rural lifestyles and are compatible with nearby agricultural uses.

- Policy 2: Maintain and promote suburban density, single-family areas that will accommodate a range of densities from small lot subdivisions in a planned community setting to traditional subdivisions to large lot equestrian-oriented developments.
- Policy 3: Broaden the range of housing types and encourage innovation in available housing types. In addition to traditional single-family housing, provide:
 - Move-up and executive housing opportunities.
 - Housing for those desiring amenities not typically found in small town subdivisions (e.g., common open space and recreational areas).
 - Opportunities for those not desiring a dwelling on an individual lot or a mobile home lifestyle; and
 - Appropriate housing for active seniors and those requiring some degree of assistance or care.
 - Ensure that multifamily projects fit the scale of the community, are consistent with Shafter's small town community character, are of high quality, and are well maintained.
 - Promote the development of residential projects that provide semi-private and private open space and recreation facilities.
 - Support efficient management of local agricultural production activities by encouraging the provision of adequate farm worker and farm family housing within and adjacent to agricultural areas.
 - Design new residential development with identifiable neighborhood units. Street design should route through traffic around, rather than through new neighborhoods. Neighborhood streets should be quiet, safe, and amenable to bicycle and pedestrian uses.

Affected Environment

Most of the built environment in the City of Shafter is residential, with varying types of densities.

Project Impacts

Would the project:

a) Physically divide an established community?

- | | | | |
|--|--|--|---|
| ☐ Potentially
Significant Impact | ☐ Less Than
Significant with
Mitigation | ☐ Less Than
Significant Impact | ☒ No Impact |
|--|--|--|---|

No Impact

Discussion a): The largest of the identified candidate residential sites in the HEU are in the extreme southeasterly portion of the City. Other candidate residential sites are in the extreme northwesterly portion of the City and within the City Center. The following Table 3 provides the six primary candidate sites and the units that can be accommodated on those sites. As demonstrated, the candidate sites can accommodate far more units than the City RHNA requirement of 3,294 units.

Table 3-HEU Candidate Residential Sites

PLANNING AREA	VERY LOW	LOW	MODERATE	ABOVE MODERATE
City Center (Realistic Capacity = Acres X Max Density X 0.8)	8	8	837	0
Specific Plan Areas				
Gossamer Grove	0	0	1,079	1,078
Marcona Preserve (formerly Heritage Ranch)	0	0	441	439
Mission Lakes	29	117	2,446	2,442
Orchard Hills	0	0	220	220
Sites to be Rezoned				
Rezone (Realistic Capacity = Acres X Max Density X 0.8)	949	3,792	7,113	7,281
TOTAL 2023-2031	986	3,917	12,136	11,460

Sufficient vacant land is available to accommodate the required new residential units, particularly within the specific plan areas. No existing communities or neighborhoods would be divided because of the contemplated and facilitated residential development. Thus, development of the project site is a logical continuation of the development pattern in the area as proposed by the General Plan and will not divide an established community. Therefore, no impacts would occur that would divide an established community.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion b): Only candidate properties near the City Center would need to be rezoned to accommodate the residential density indicated in Table 3 and no other candidate sites would need to be rezoned. The HEU is required to comply with applicable state housing laws. Thereby, the HEU would be consistent with applicable land use and planning policies in the state, regional, and local context necessary to comply with that legislation and includes HEU consistency with the City General Plan. As a result, future residential development contemplated and facilitated by the HEU would be consistent with all applicable land use and planning policies and regulations intended to minimize environmental effects. Therefore, residential development contemplated and facilitated by the HEU would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Less than significant impact would result.

MITIGATION MEASURES

No Mitigation Measures are required.

MINERAL RESOURCES

This section describes the existing mineral resources setting and potential effects from implementation of the HEU-identified candidate residential sites.

Regulatory Setting

Federal

Surface Mining and Reclamation Act (SMARA)

SMARA was enacted in 1975 for the purpose of establishing mineral resource management policies within the general plan by local agencies. (SMARA) has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are identified:

- Mineral Resource Zone 1 (MRZ-1): This land use classification refers to areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

- Mineral Resource Zone 2 (MRZ-2): This land use classification refers to areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- Mineral Resource Zone 3 (MRZ-3): This land use classification refers to areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgrade it to MRZ-1.
- Mineral Resource Zone 4 (MRZ-4): This land use classification refers to areas where available information is inadequate for assignment to any other mineral resource zone.

State

California Department of Conservation

The State Mining and Geology Board (SMGB) serves as a regulatory, policy, and appeals body representing the State's interests in the reclamation of mined lands, geology, geologic and seismologic hazards, and the conservation of mineral resources.

Affected Environment

No land within the candidate sites is designated for mineral use extraction or processing.

Project Impacts

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

No Impact

Discussion a): No land within the candidate sites is designated for mineral use extraction or processing. Therefore, residential development contemplated and facilitated by the HEU would not reduce the availability of any minerals that could be of value to the region or state. No impact would occur.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

- ☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

No Impact

Discussion b): No land within the candidate sites is designated for mineral use extraction or processing. Therefore, residential development contemplated and facilitated by the HEU would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would result.

MITIGATION MEASURES

No Mitigation Measures are required.

NOISE

This section describes the existing noise setting and potential effects from HEU residential implementation on the identified candidate residential sites. The primary sources for the following narrative and analysis are the City of Shafter General Plan and the City of Shafter Municipal Code.

Regulatory Setting

State

Building Standards Administrative Code

The State of California has established regulations that help prevent adverse impacts to occupants of buildings located near noise sources. Referred to as the “State Noise Insulation Standard,” it requires buildings to meet performance standards through design and/or building materials that would offset any noise source in the vicinity of the receptor. State regulations include requirements for the construction of new hotels, motels, apartment houses, and dwellings other than detached single-family dwellings that are intended to limit the extent of noise transmitted into habitable spaces. These requirements are found in the California Code of Regulations, Title 24 (known as the Building Standards Administrative Code), Part 2 (known as the California Building Code), Appendix Chapters 12 and 12A. For limiting noise transmitted between adjacent dwelling units, the noise insulation standards specify the extent to which walls, doors, and floor ceiling assemblies must block or absorb sound. For limiting noise from exterior noise sources, the noise insulation standards set an interior standard of 45 dBA L_{dn} in any habitable room with all doors and windows closed. In addition, the standards require preparation of an acoustical analysis demonstrating the way dwelling units have been designed to meet this interior standard, where such units are proposed in an area with exterior noise levels greater than 60 dBA L_{dn} .

Government Code Section 65302 mandates that the legislative body of each county and city in California adopt a noise element as part of its comprehensive general plan. The local noise element must recognize

the land use compatibility guidelines published by the State Department of Health Services. The guidelines rank noise and land use compatibility in terms of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable.

Local

City of Shafter General Plan

The following policies contained in Section 7.7-Noise, of the General Plan are applicable to the HEU:

- Policy 3: Minimize motor vehicle noise in residential areas through proper route location and sensitive roadway design.
- Policy 4: Provide planned industrial areas with truck access routes that are separated from residential areas to the maximum feasible extent.
- Policy 5: Where new development (including construction and improvement of roadways) is proposed in areas exceeding the General Plan Noise Objective, or where the development of proposed uses could result in an increase in noise, require a detailed noise attenuation study to be prepared to determine appropriate mitigation needed to meet the City's noise objectives, and incorporate such mitigation in too provide a safe and comfortable living environment for new residential, business, and commercial developments in Shafter which are minimally affected by noise.
- Policy 6: When new development proposes a potentially significant noise source, require a noise analysis to be prepared. Require appropriate noise mitigation when the proposed project will exceed General Plan noise objectives or cause an audible (3.0 dBA) increase in noise in areas where General Plan noise objectives are already exceeded as the result of existing development.
- Policy 7: Utilize site and architectural design features to mitigate noise impacts, where feasible. In addition to sound barriers, consider:
 - Increasing building setbacks to further separate the noise-sensitive use from the noise source.
 - Locating uses that are the most tolerant of noise closer to the noise source and use the buildings housing these uses as noise barriers.
 - Orient delivery, loading docks, and outdoor work areas away from noise sensitive uses.
 - Place noise-tolerant uses, such as parking areas, and noise-tolerant structures, such as garages, between the noise source and sensitive receptor.
 - Cluster office, commercial, or multifamily residential structures to reduce noise levels within interior open space areas.
 - Provide double-glazed and double paned windows on the side of the structure facing a major noise source, and place entries away from the noise source to the extent possible.
- Policy 8: Where feasible, use noise barriers (walls, berms, or a combination thereof) to reduce significant noise impacts. Where noise barriers are constructed, require appropriate landscaping treatment to be provided.

- Policy 9: Continue enforcement of California Noise Insulation Standards (Title 25, Section 1092, California Administrative Code).
- Policy 10: Regulate the hours of construction activities in order to avoid or mitigate noise impacts on adjacent noise-sensitive land uses.

The following policy contained in Section 3.0-Transportation Program of the General Plan applicable to the HEU:

- Policy 3: Support efforts at Minter Field/Shafter Airport to minimize negative effects of air transportation, such as air pollution, noise, and safety hazards.

City of Shafter Municipal Code

Section 10.180-Noise Hazards, of the City's Development Code identifies the following relevant to the proposed project:

a. When a land use application or development permit is proposed within the 65 dB CNEL noise contour and such a proposed use or noise associated with such a use is adjacent to a residential one district or residential use, the following standards shall apply:

- (1) Noise levels shall be identified. An acoustical report shall be performed to identify noise impacts and any recommendation for noise attenuation or other mitigation measures to be incorporated into the design standards or conditions of approval as applicable.
- (2) interior noise levels in residences dwelling units and educational institutions shall not exceed 45 dB(A) CNEL emanating from sources outside of the affected building.
- (3) Exterior noise levels in residential land use areas shall not exceed 65 dB(A) CNEL.
- (4) Ability to mitigate exterior noises to the levels of 65 dB(A) CNEL shall be considered by the reviewing authority when determining the actual CNEL level with which the land uses must comply.
- (5) In areas where noise exceeds the noise standard, steps shall be taken to mitigate noise levels. An acoustical report identifying mitigation measures shall be required and reviewed by the Environmental Health Services Department prior to issuance of any required development permits or approval of land use applications.

Affected Environment

Noise is defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep. Several noise measurement scales exist which are used to describe noise in a particular location. A *decibel* (dB) is a unit of measurement which indicates the relative intensity of a sound. The zero point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3.0 dB or less are only perceptible in laboratory environments. Audible increases in noise levels refer to a change of 3.0 dB or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense, 30 dB is 1,000 times more intense. Each 10-dB increase in sound level is perceived as approximately a doubling of loudness. Sound

intensity is normally measured through the A-weighted sound level (dBA). The candidate sites are vacant or in a partially developed area of the City with mostly residential uses. The existing noise environment within the City of Shafter is characterized by the area's general level of development. Ambient noise levels are therefore increased because of roadway traffic, industrial activities, and other human activities. Table 4 - Population Density and Associated Ambient Noise Levels summarizes typical ambient noise levels based on level of development.

Table 4-Population Density and Ambient Noise Levels

Population Density	dBA, Ldn
Rural 40-50	40-50
Small town or quiet suburban residential	50
Normal suburban residential	55
Urban residential	60
Noise urban residential	65
Very noisy urban residential	70
Downtown, major metropolis	75-80
Area adjoining freeways or near major airport	80-90
Notes: dBA=A weighted decibels Ldn=day-night level	

Source: Draft Initial Study/Mitigated negative Declaration, Silver Peak Solar Project, February 24, 2011

Given the rural nature of the City, baseline ambient noise levels are assumed to be approximately 40-50 Ldn.

Project Impacts

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

☐ Potentially
Significant Impact

☒ Less Than
Significant with
Mitigation

☐ Less Than
Significant Impact

☐ No Impact

Less Than Significant with Mitigation

Discussion a):

Existing Ambient Noise Levels

Most of the candidate sites are in rural areas of Shafter or are in areas partially developed with single-family residences and residential streets. The existing noise environment is primarily characterized by roadway traffic and other human activities. Based on the character of the candidate sites, baseline ambient levels would be estimated to be approximately 4-50 Ldn.

Noise Impacts Construction

The HEU would not result in direct residential construction but would facilitate and provide a policy framework for future residential construction in Shafter. Construction activities for the future residential development could result in short-term and intermittent increases in noise levels in the candidate sites vicinity. Noise levels would vary depending on construction activity, equipment type, duration of use, and the distance between noise source and receiver. Typical sound emission characteristics of construction equipment that may be used during residential grading and construction are provided in Table 5. The noise levels are described in terms of Lmax, which is the maximum sound level of a particular noise event measured at 50 feet.

Table 5- Construction Equipment Noise Levels

Equipment Type	Maximum Noise Level (Lmax) of Equipment at 50 Feet (in A-weighted decibels (dBA))
Dump Truck	76
Front End Loader	79
Air Compressor	78
Pneumatic Tools	85
Concrete Mixer Truck	79
Concrete Pump Truck	81
Bulldozer	85
Source: U.S. Department of Transportation, Federal Highway Administration, 2011 Notes: The noise levels shown above are actual, measured noise levels based on measurements performed for the Central Artery/Tunnel Project. Noise measurements were averaged to compute the actual emission level.	

Noise levels will be loudest during the grading phase from the use of a bulldozer, which at 50 feet, ranges from 85 to 90 dBA. For every doubling of distance, the sound level reduces by six dBA. Construction noise will have a temporary or periodic increase ambient noise level above the existing within the project vicinity. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise generation related to construction activities is addressed in Section 8.24.030 of the City of Shafter Municipal Code which states as follows:

“Within a residential zone, or within a radius of five hundred feet therefrom, no person shall operate equipment, for the construction or repair of buildings, structures or projects, which creates noise exceeding the ambient noise level beyond fifty feet from the source between the hours of seven p.m. and seven a.m.”

Implementation of residential development contemplated and facilitated by the HEU would not result in direct construction of housing; rather, it would facilitate and provide a policy framework for future housing development in Shafter. This future housing development would result in construction noise generated from grading and construction activities. Construction would involve the following general sequence: (1) site preparation and/or demolition of any existing structures on the candidate site; (2) grading and utilities construction; (3) building construction; (4) paving; and (5) application of architectural coatings. Typical construction equipment would include backhoes, excavators, graders, loaders, compactors, cranes, trucks, pavers, pneumatic tools, generator sets, and air compressors. With the possible exception of pile-driving activities, construction equipment with substantially higher noise-

generation characteristics would not be anticipated to be used for construction of typical residential developments. Typical construction equipment generates maximum noise levels at 50 feet from the noise source that ranges from 80 dBA for backhoes and loading trucks to 85-90 dBA for graders and excavators.

Construction noise can vary from day to day, depending on the level of activity and the specific type of equipment used. Also, residential construction activities associated with future housing development facilitated by the HEU are anticipated to occur in incremental phases over time and based on market demand, economic, and planning factors. Thereby, construction-related noise would not be concentrated in any one constant area in Shafter.

Future residential development facilitated by the HEU would be required to comply with the City's noise restrictions indicated above. Furthermore, the City Planning Department may require an acoustical analysis for future residential development projects that may be in a noise environment that may affect future residents. The acoustical analysis would ensure development and operation of future residential projects would meet City standards.

Noise Impacts During Operation

Future residential development contemplated and facilitated by the HEU would result in additional noise sources from housing, people, pets, and automobiles in the new communities. Noise also would be generated from stationary operation related sources such as heating, ventilation, and air conditioning (HVAC) units, tankless water heaters, generators, and lawn maintenance equipment. Specific information about HVAC units for the new residential units is not now known. Typically, acoustical enclosures around the HVAC units decrease audible noise. Also, increased vehicular traffic accompanying the increased number of residential units would add to traffic noise on Shafter roadways. Future HEU-facilitated residential development would be subject to the City of Shafter discretionary application review process.

Implementation of **Mitigation Measures MM NOI-1, MM NOI-2, and MM NOI-3** would reduce noise impacts from grading and construction activities and from operation of future residential development facilitated by the HEU to a less than significant level.

MITIGATION MEASURES

MM NOI-1: To reduce potential grading and construction noise impacts, each Applicant for a specific project the City may require construction contractors to implement a site-specific Noise Reduction Program that shall include the following measures, ongoing through any demolition, grading, and/or construction.

- Equipment and trucks used for residential development shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.
- Impact tools (e.g., jack hammers, pavement breakers, rock drills) used for residential development shall be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used. External jackets on the tools shall be used where feasible. Quieter procedures shall be used, whenever feasible.

- Stationary construction-related noise sources shall be located as far from adjacent receptors as possible and shall be muffled and incorporate insulation barriers or other measures to the extent feasible.

MM NOI-2: Prior to any demolition or construction activities that may be necessary, in order to obtain a grading permit, or building permit approval, each applicant proposing a specific project shall submit to the City of Shafter Planning Department for approval, a list of measures to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction activities. At a minimum, these measures shall include the following:

- A procedure for notifying the City Code Enforcement Officer and Police Department about regular construction hours and off-hours.
- A requirement for a sign to be posted by the Applicant on-site that specifies the permitted construction days and hours, and notification procedure, and whom to notify in the event of a noise-related concern. The sign also shall include the construction contractor's telephone numbers during regular construction hours and off-hours.
- A requirement for a pre-construction meeting to be held with the Applicant and general contractor/on-site project manager to confirm that noise measures and practices are completed.

MM NOI-3: All noise-generating residential construction activities shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m., Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

Implementation of the above Mitigation Measures would ensure any noise-related impacts associated with future residential development facilitated by the HEU will be reduced to a less than significant level.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion b): Groundborne vibration results from sound waves radiating through the ground. The sound caused by groundborne vibration is called groundborne noise. The ground motion caused by groundborne vibration is measured as peak particle velocity (PPV) in inches per second, and groundborne noise is measured as vibration decibels (Vdb). Typical outdoor sources of perceptible groundborne vibration and noise are construction equipment and traffic on rough roads.

The Federal Transit Administration (FTA) has published standard vibration level and peak particle velocities for construction equipment operations. The calculated root mean square (RMS) velocity level

expressed in Vdb and PPV for construction equipment at distances of 25, 50, and 100 feet are listed on **Table 6**.

Table 6-Vibration Levels of Construction Equipment

Equipment	PPV at 25 feet (ft.) in inches per second (in/sec)	RMS at 25 ft. (Vdb)	PPV at 50 ft. (in/sec)	RMS at 50 ft. (Vdb)	PPV at 100 ft. (in/sec)	RMS at 100 ft. (Vdb)
Loaded Truck	0.0760	86	0.0269	77	0.0095	68
Jackhammer	0.0350	79	0.0124	70	0.0044	61
Small Bulldozer	0.0030	58	0.0011	49	0.0004	40

Source: Federal Transit Administration, 2006

Notes: PPV = peak particle velocity; in/sec = inches per second; RMS = root mean square; Vdb = vibration decibels

The FTA uses a PPV of 0.2 inch per second as the vibration damage threshold for fragile buildings and a PPV of 0.12 inch per second for extremely fragile historic buildings. The FTA criterion for infrequent groundborne noise events (fewer than 30 events per day) that may cause annoyance is 80 Vdb for residences and other buildings where people normally sleep. While this project is not a transit project being proposed by the FTA, these FTA thresholds are being used for this analysis as a comparison to the FTA-published vibration levels for construction equipment. According to the Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018,²³⁸ while ground vibrations from construction activities do not often reach the levels that can damage structures, construction vibration may result in building damage or prolonged annoyance from activities such as blasting, piledriving, vibratory compaction, demolition, and drilling or excavation near sensitive structures. Residential development contemplated and facilitated by the HEU does not require these types of construction activities. Therefore, the impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

²³⁸ <https://www.transit.dot.gov/research-innovation/transit-noise-and-vibration-impact-assessment-manual-report-0123>.

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

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion c): A potential candidate HEU housing site is located approximately 0.5 miles west of the airport. Proposed residential developments, including land division consisting of five or more dwellings shall be subject to compatibility review by the City. Therefore, based on City review of housing development prior to construction, the project would not result in a safety hazard for people residing or working in the project area because of a public airport or public use airport and impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

POPULATION AND HOUSING

This section describes the existing population and housing setting from implementation of residential development contemplated and facilitated by the HEU. Descriptions and analysis in this section are based on information contained in the City of Shafter General Plan, California State Housing Laws, and United States Census Bureau data.

Regulatory Setting

State

Housing Requirements of the Sustainable Community Strategy

In accordance with Senate Bill (SB) 375, the Sustainable Community Strategy must accommodate regional housing needs allocations on the California side of the region with the goal of consistency between future land use and transportation plans. Each jurisdiction must provide for Very Low, Low, Moderate, and Above Moderate-income categories in its Housing Element with the land use allocations governed by the City of Shafter.

Regional Housing Needs Allocation (RHNA)

Housing Element regulations require local jurisdictions to plan for the construction of a share of the region's projected housing needs. This share is called the RHNA. The specific RHNA number for a jurisdiction is important because state law mandates that each jurisdiction provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community to meet or exceed this number of housing units. The Kern Council of Governments (Kern COG), as the regional

planning agency, calculates the RHNA for individual jurisdictions within Kern County, including the City of Shafter.

Kern Council of Governments (Kern COG)

Kern COG is the official comprehensive regional planning agency for the eleven incorporated cities in Kern County. Kern COG coordinates its transportation planning activities with adjacent areas through Caltrans Districts 6 and 9. The region is adjacent to Caltrans Districts 5, 7 and 8 as well. Land use planning, including analysis of present land uses and projections of future uses, analysis of population trends and projections of future populations and their distribution is carried out.

Kern COG is designated to prepare the Regional Housing Allocation Plan in accordance with California Government Code Section 65584. The plan addresses all housing needs from all income levels in the Kern region. The need is based on available census data, market demand for housing, employment opportunities, the availability of suitable sites, public facilities, commuting patterns, and population projections. Kern COG evaluates these criteria and determines the existing and projected housing needs for the region.

Local

City of Shafter General Plan

The following policies contained in *Section 2.5-Residential Uses*, of the City's General Plan are applicable to the HEU:

- Policy 1: Promote the development of rural residential areas and rural communities that provide for and protect rural lifestyles and are compatible with nearby agricultural uses.
- Policy 2: Maintain and promote suburban density, single-family areas that will accommodate a range of densities from small lot subdivisions in a planned community setting to traditional subdivisions to large lot equestrian-oriented developments.
- Policy 3: Broaden the range of housing types and encourage innovation in available housing types. In addition to traditional single-family housing, provide:
 - a) Move-up and executive housing opportunities;
 - b) Housing for those desiring amenities not typically found in small town subdivisions (e.g., common open space and recreational areas);
 - c) Opportunities for those not desiring a dwelling on an individual lot or a mobile home lifestyle; and
 - d) Appropriate housing for active seniors and those requiring some degree of assistance or care.
- Policy 4: Ensure that multifamily projects fit the scale of the community, are consistent with Shafter's small town community character, are of high quality, and are well maintained.
- Policy 5: Promote the development of residential projects that provide semi-private and private open space and recreation facilities.

- Policy 6: Support efficient management of local agricultural production activities by encouraging the provision of adequate farm workers and farm family housing within and adjacent to agricultural areas.
- Policy 7: Design new residential development with identifiable neighborhood units. Street design should route through traffic around, rather than through new neighborhoods. Neighborhood streets should be quiet, safe, and amenable to bicycle and pedestrian use.

Affected Environment

According to the 2020 census, the City of Shafter had approximately 19,964 residents which comprised of 84.2% Hispanic or Latino followed by 12.8% white and 12.5% two or more races. There were approximately 5,109 households with 57.3% of households owner-occupied.

Project Impacts

Would the project:

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

☐ Potentially
Significant Impact

☐ Less Than
Significant with
Mitigation

☒ Less Than
Significant Impact

☐ No Impact

Less Than Significant

Discussion a): The HEU would not result in direct residential construction; rather, the HEU would facilitate and provide a policy framework for future residential development in the City of Shafter. To meet the City's 6th Cycle RHNA allocation of 3,492 dwelling units, the HEU identifies six candidate sites that could accommodate the RHNA allocation which would induce population growth in Shafter. The development would occur according to market conditions and at the discretion of individual property owners. United States Census data indicates that the number of persons per household in Shafter is 3.84. Therefore, at full build out of the RHNA required number of units for Shafter, the increase in population would be approximately 12,649 persons. The United States Census Bureau estimated Shafter's population on April 1, 2020, to be 19,953 and the number of households in the City on July 1, 2021, to be 4,981. Full buildout of the RHNA allocation for Shafter would increase the City population by 61 percent, a significant increase. However, all new residential development would be accompanied by development of infrastructure required to serve the new housing. Furthermore, there is more than sufficient land in Shafter to accommodate the contemplated new development and to exceed the RHNA allocation by a substantial number.

Table 7 provides the total number of potential units allocated to each income bracket within each respective Planning Area (PA), and demonstrates the City has the potential to far exceed the RHNA numbers within all income categories. The Housing Element Update provides for five primary sites that,

without being re-zoned to residential use, could accommodate 9,365 total units (37 Very-Low Income; 125 Low-Income; 5,023 Moderate Income; and 4,179 Above-Moderate Income). Also, the HEU indicates that other available properties within Shafter that could be re-zoned for residential use could accommodate an additional 19,135 residential units (949 Very-Low Income; 3,792 Low-Income; 7,113 Moderate Income; and 7,281 Above-Moderate Income), which in the City Center and potential re-zoned sites, reflects a realistic capacity of 80 percent of the allowable maximum residential density. The resultant level of impact would be less than significant.

Table 7- Sites Inventory Summary

PLANNING AREA	VERY LOW	LOW		MODERATE	ABOVE MODERATE
City Center (Realistic Capacity = Acres X Max Density X 0.8)	8	8		837	0
Specific Plan Areas					
Gossamer Grove	0	0		1,079	1,078
Marcona Preserve (formerly Heritage Ranch)	0	0		441	439
Mission Lakes	29	117		2,446	2,442
Orchard Hills	0	0		220	220
Sites to be Rezoned					
Rezone (Realistic Capacity = Acres X Max Density X 0.8)	949	3,792		7,113	7,281
TOTAL 2023-2031	986	3,917		12,136	11,460

MITIGATION MEASURES

No Mitigation Measures are required.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☒ No Impact

No Impact

Discussion b): Table 7 provides the total number of potential units allocated to each income bracket within each respective PA, and demonstrates the City has the potential to far exceed the RHNA numbers within all income categories. The Housing Element Update provides for five primary sites that, without being re-zoned to residential use, could accommodate 9,365 total units (37 Very-Low Income; 125 Low-Income; 5,023 Moderate Income; and 4,179 Above-Moderate Income). Also, the HEU indicates that other available properties within Shafter that could be re-zoned for residential use could accommodate an additional 19,135 residential units (949 Very-Low Income; 3,792 Low-Income; 7,113 Moderate Income; and 7,281 Above-Moderate Income), which in the City Center and potential re-zoned sites, reflects a realistic capacity of 80 percent of the allowable maximum residential density. No substantial numbers of existing housing would occur, and no impacts would result.

MITIGATION MEASURES

No Mitigation Measures are required.

PUBLIC SERVICES

This section describes the public services setting and the potential effects from HEU implementation on public services. Information for this section was provided by the City of Shafter General Plan and the City of Shafter Municipal Code.

Regulatory Setting

State

California Building Standards Code

The 2022 California Building Standards Code (CBC), contained in Part 2 of Title 24 of the California Code of Regulations (CCR), identifies building design standards, including those for fire safety. The CBC is based on the 1997 Uniform Building Code but has been modified for California conditions. It is adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local city and county building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in multi-family buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

California Fire Code

The California Fire Code, contained in Part 9 of CCR Title 24, incorporates by adoption the International Fire Code of the International Code Council, with California amendments. The California Fire Code regulates building standards set forth in the CBC, fire department access, fire protection systems and devices, fire and explosion hazards safety, hazardous materials storage and use, and standards for building inspection. The California Fire Code is updated and published every 3 years by the California Building Standards Commission.

Mitigation Fee Act

Enacted as AB 1600 on January 1, 1989, the Mitigation Fee Act (California Government Code 66000-66008) requires a local agency that is establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency also must demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development project on which it is to be levied.

California Government Code, Section 65995(b) and Education Code, Section 17620

SB 50 amended Section 65995 of the California Government Code, which contains limitations on Section 17620 of the Education Code, the statute that authorizes school districts to assess development fees within school district boundaries. Section 65995(b)(3) of the Government Code requires the maximum square footage assessment for development to be increased every 2 years, according to inflation adjustments.

Quimby Act

The Quimby Act sets a standard park space to population ratio of up to 3 acres of park space per 1,000 persons. Cities with a ratio of higher than three acres per 1,000 persons can set a standard of up to five acres per 1,000 persons for new development. The calculation of a City's park space to population ratio is based on a comparison of the population count of the last federal Census to the amount of City-owned parkland. A 1982 amendment (Assembly Bill [AB] 1600) requires agencies to clearly show a reasonable relationship between the public need for a recreation facility or park land and the type of development project on which the fee is imposed.

Local

City of Shafter General Plan

The following policies contained in the City's General Plan area applicable to implementation of the HEU:

Section 4.2-Water Facilities

- Policy 1: Ensure that adequate infrastructure is in place and operational prior to occupancy of new development, such that new development will not negatively impact the performance of water facilities serving existing developed areas.

Section 4.3-Sewer Facilities

- Policy 1: Ensure that adequate infrastructure is in place and operational prior to occupancy of new development, such that new development will not negatively impact the performance of sewer facilities serving existing developed areas.

Section 4.6-Schools

- Policy 2: Require new development to provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities, as determined by the responsible school district.
- Policy 3: Require new development to pay all legally established fees, participate in land-based financing districts established by local school districts for the acquisition and development of school sites with adequate, permanent classroom space, or provide equivalent capital improvements, as required.

Section 4.7-Parks

- Policy 2: Require new development to provide land and improvements to meet the City's parks and recreation objective or pay fees in lieu of the provision of improved parkland.

Section 4.8-Fire Protection

- Policy 1: Work with the Kern County Fire Department to site new fire stations such that all of the area planned for urban development will be within a two-mile response distance of a fire station.
- Policy 2: Prior to approval of discretionary development projects, require written verification from the Kern County Fire Department that a five-minute response time can be maintained for 80 percent of emergency fire, medical, and hazardous materials calls on a citywide basis.
- Policy 5: Through the development review process, ensure that adequate water for fire flows can be provided to individual projects.

Section 4.9-Police Protection

- Policy 2: Provide basic requirements and incentives for the provision of design features in new development to reduce the potential for crime. These include, but are not limited to:
 - Providing well-lighted and visible streets and street names, entrances, addresses, recreation areas, and parking areas;
 - Limiting access into and between buildings to reduce escape routes and make undetected entry difficult;
 - Providing landscaping that permits surveillance of open areas and entryways, and does not create places for concealment;

Affected Environment

Fire Protection

The City of Shafter contracts with the Kern County Fire Department (KCFD) for fire protection services. The KCFD provides response to all fire and life safety emergencies including, but not limited to, fires, hazardous materials, vehicle accidents, rescues, airplane crashes, bomb threats, and medical aid. Fire prevention services are provided from Station 32, located at 325 Sunset Avenue in Shafter. This station

operates three shifts, each staffed full-time by paid personnel, consisting of one captain, one engineer, and one firefighter. Station 61, located at 6400 Fruitvale Avenue, is currently and would continue to be the station serving the southeastern portion of the City. This station contains both an engine company and a ladder company, each with a full-time captain, engineer, and firefighter.

Police Protection

Law enforcement and public protection services are provided by the City of Shafter Police Department, located at 201 Central Valley Highway, and provided by the Kern County Sheriff's Department, and the California Highway Patrol. Police protection services within the incorporated limits of the City of Shafter are provided by the Shafter Police Department, which maintains a force of uniformed officers and a police supervisor on a 24 hour per day, seven days per week basis. Police protection services within unincorporated areas are provided by the Kern County Sheriff's Department from its Buttonwillow Substation, which provides service to unincorporated County areas south and west of the City and its McFarland Substation, which serves unincorporated areas north and east of the City. Unincorporated County areas south of 7th Standard Road are patrolled by officers from the Sheriff's "Rosedale Substation." The California Highway Patrol (CHP) provides traffic enforcement on major roads, State highways, and freeways within the City.

Schools

Shafter is home to the Richland School District which oversees operation of four schools: Golden Oak Elementary School (K-6), Redwood Elementary School (K-6), Sequoia Elementary School (K-6) and Richland Junior High School. Class sizes in grades K-3 average 20 students, while grades 4-8 average 30 students. Shafter is also home to Shafter High School, a member of the Kern High School District, both Districts are part of the Shafter Education Partnership. The Kern High School District serves grades 9-12. The Norris School District (grades K-8) serves the southeastern portion of Shafter. The Maple Elementary School District serves an area in the western portion of the City. Other school districts serve portions of the City along the southern boundary, including Rio Bravo-Greeley Union Elementary School District and Rosedale Union Elementary School District.

Parks

Park and recreation facilities within the City of Shafter are provided by four entities: the City of Shafter, the Shafter Recreation and Park District, North Bakersfield Recreation and Park District, and the Kern County Park and Recreation Department. The North Bakersfield Recreation and Park District covers the southeastern portion of the City along a ½-mile wide strip north of 7th Standard Road. Kern County provides regional park facilities. The City of Shafter has seven parks totaling over 30-acres which include: Mannel Park; Kirschenmann Park; Stringham Park; Rodriguez Park; Town Square; Veteran Park; Flight Park. The City of Shafter's Veteran Building Facility is available for commercial and/or private events.

Other Public Facilities

The Shafter Public Library located at 236 James Street provides library services and summer events and activities to residents in the City.

Project Impacts

a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

- i) **Fire protection?**
- ii) **Police protection?**
- iii) **Schools?**
- iv) **Parks?**
- v) **Other public facilities?**

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less than Significant

Discussion a) The HEU would not result in direct residential construction; rather, the HEU would facilitate and provide a policy framework for future residential development in the City of Shafter. To meet the City's 6th Cycle RHNA allocation of 3,492 dwelling units, the HEU identifies six candidate sites that could accommodate the RHNA allocation. The development would induce population growth in Shafter. The development would occur according to market conditions and at the discretion of individual property owners. The HEU does identify six primary candidate sites that would more than meet the 6th Cycle RHNA requirements for the City. New housing would induce population growth. United States Census data indicates that the number of persons per household in Shafter is 3.84. Therefore, at full build out of the RHNA required number of units for Shafter, the increase in population would be 12,649 persons. The United States Census Bureau estimated Shafter's population on April 1, 2020, to be 19,953 and the number of households in the City on July 1, 2021, to be 4,981. A Full buildout of the RHNA allocation for Shafter would increase the City population by 61 percent, a significant increase. However, compliance with required development act fees would ensure the resultant level of impact would be less than significant.

Fire Protection

Less Than Significant

The Kern County Fire Department (KCFD) provides fire protection and emergency services to the City of Shafter. The KCFD provides response to all fire and life safety emergencies including, but not limited to, fires, hazardous materials, vehicle accidents, rescues, airplane crashes, bomb threats, and medical aid. Fire prevention services are provided from Station 32, located at 325 Sunset Avenue in Shafter. This station operates three shifts, each staffed full-time by paid personnel, consisting of one captain, one

engineer, and one firefighter. Station 61, located at 6400 Fruitvale Avenue, is currently and would continue to be the station serving the southeastern portion of the City. This station contains both an engine company and a ladder company, each with a full-time captain, engineer, and firefighter.

Implementation of the HEU would not directly result in new residential construction but would guide and provide a policy framework for future residential development within the City. Future residential development facilitated by the HEU would result in an estimated population growth of 12,649 persons, which would incrementally increase demand for fire protection and emergency service in the City. It is possible that new fire stations would be necessary to serve the new development. However, future residential development would be required to provide adequate infrastructure and access to the development and will be required to contribute a fair share toward funding provision of appropriate fire and emergency medical service as determined necessary to adequately serve the new development. As a result, each new residential project would not result in physical impacts associated with provision or construction of fire protection and emergency service facilities.

Future residential development facilitated by the HEU would be subject to the City of Shafter's development review process and the 2019 California Fire Code, which requires new construction projects to comply with fire safety standards and fire prevention measures such as smoke and carbon monoxide sensors, fire extinguishers, and sprinkler systems to reduce the burden to fire service providers. City-required fees also would apply to new residential development facilitated in the HEU. Payment of such fees would assist funding construction and operation of new fire protection and emergency service facilities and thereby minimize future residential project operational impacts to such services. Also, future residential developers would be required to submit a will-serve letter or service questionnaire to the Fire Department in conjunction with development project applications to ensure fire protection and emergency service are available to serve future residential developments. Compliance with the established regulatory framework would minimize impacts to fire protection and emergency services to a less than significant level.

Police Protection

Less Than Significant

Law enforcement and public protection services are provided by the City of Shafter Police Department, located at 201 Central Valley Highway, and provided by the Kern County Sheriff's Department, and the California Highway Patrol. Police protection services within the incorporated limits of the City of Shafter are provided by the Shafter Police Department, which maintains a force of uniformed officers and a police supervisor on a 24 hour per day, seven days per week basis. Police protection services within unincorporated areas are provided by the Kern County Sheriff's Department from its Buttonwillow Substation, which provides service to unincorporated County areas south and west of the City and its McFarland Substation, which serves unincorporated areas north and east of the City. Unincorporated County areas south of 7th Standard Road are patrolled by officers from the Sheriff's "Rosedale Substation." Future residential development facilitated by the HEU would result in an estimated population growth of 12,649 persons, which would incrementally increase demand for police protection

service in the City. It is possible that new police stations would be necessary to serve the new development. However, future residential development would be required to provide adequate infrastructure and access to the development and would be required to contribute a fair share toward funding provision of appropriate police protection service as determined necessary to adequately serve the new development. As a result, each new residential project would not result in physical impacts associated with provision or construction of police protection facilities.

The City collects a Development Impact Fee to assist the City in providing capital improvement costs for police protection facilities. Payment of the Development Impact Fee would be applied to police facilities and/or equipment, to offset the incremental increase in the demand for police protection services that would be created by the Project. Therefore, the new residential development would not result in the need to construct new or physically altered police facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for police protection. Impacts would be less than significant.

Schools

Less Than Significant

The HEU would not result in direct residential construction; rather, the HEU would facilitate and provide a policy framework for future residential development in the City of Shafter. To meet the City's 6th Cycle RHNA allocation of 3,492 dwelling units, the HEU identifies six candidate sites that could accommodate the RHNA allocation which would induce population growth in Shafter. United States Census data indicates that the number of persons per household in Shafter is 3.84. Therefore, at full build out of the RHNA required number of units for Shafter, the increase in population would be 12,649 persons. The United States Census Bureau estimated Shafter's population on April 1, 2020, to be 19,953 and the number of households in the City on July 1, 2021, to be 4,981. Therefore, full buildout of the RHNA allocation for Shafter would increase the City population significantly by 61 percent. Table 8 depicts the anticipated number of students the proposed project would generate based on single-family households.

Table 8-Student Generation Rates

School Level	Student Generation Factor		Number of Students
Elementary School	0.6239		2,563
Middle School	0.1651		822
High School	NA		NA
Total	-----		3,385
Notes:			
1) Elementary and Junior High School generation rates are based upon the Richland School District School Facilities Needs Analysis Report, September 10, 2020.			
2) High School student generation rates for Shafter High Schools are not available.			

According to State law (Government Code § 65995-6), school districts have the authority to levy a new construction fee per square foot of industrial construction for the purpose of funding the reconstruction or construction of new school facilities. Pursuant to Section 65995(3) (h) of the California Government Code, the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities.” Therefore, the payment of school impact fees for residential development would offset the potential impacts of increased student enrollment related to the implementation of the project resulting in less than significant impacts.

Future residential development facilitated by the HEU would be required to comply with State Senate Bill 50, which allows school districts to collect impact fees from developers of new residential and non-residential projects. These fees are evaluated on an annual basis and would be collected at the time of issuance of a Building Permit for each residential project. Pursuant to California Government Code Section 65995(3)(h), “payment of statutory fees is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use or development of real property...” Payment of such fees would provide an adequate financial base to construct new and to equip existing schools in Shafter. Therefore, impacts pertaining to construction of school facilities would be less than significant.

Parks

Less Than Significant

The HEU would facilitate and provide a policy framework for future residential development on six primary candidate sites in Shafter. Future residential growth and population increase (12,649 persons) would increase the demand incrementally for park facilities in the City. This topic is discussed in more detail in Section 16 (Recreation) of this document and the level of impact would be less than significant.

Other Public Facilities (Library and Churches)

Less Than Significant

The HEU does not propose specific construction of new or physically altered public facilities. Future HEU-facilitated residential development could warrant construction of new library facilities or physically altered existing facilities. Any future expansion of existing facilities for construction of new facilities, if required, would be subject to environmental review. Demand would be partially offset by funding generated by an increased residential population. In addition, payment of the Development Impact Fee would ensure that the Project provides a fair share of funds for additional public services. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

RECREATION

This section describes the recreation facilities setting and the potential effects from HEU implementation on recreation in the City of Shafter. This narrative is primarily provided by the City of Shafter General Plan and the City of Shafter Municipal Code.

Regulatory Setting

State

Quimby Act

The Quimby Act sets a standard park space to population ratio of up to three acres of park space per 1,000 persons. Cities with a ratio of higher than three acres per 1,000 persons can set a standard of up to five acres per 1,000 persons for new development. The calculation of a City's park space to population ratio is based on a comparison of the population count of the last federal Census to the amount of City-owned parkland. A 1982 amendment (Assembly Bill [AB] 1600) requires agencies to clearly show a reasonable relationship between the public need for a recreation facility or park land and the type of development project on which the fee is imposed.

Local

City of Shafter General Plan

The following policies contained in Section 4.7-Parks and Recreation of the General Plan are relevant to the implementation of the proposed project:

- Policy 2: Require new development to provide land and improvements to meet the City's parks and recreation objective or pay fees in lieu of the provision of improved parkland.
- Policy 8: In addition to the provisions of the Quimby Act, pursue use of park fees through grants and land-based financing districts.

Affected Environment

Park and recreation facilities within the City of Shafter are provided by four entities: the City of Shafter, the Shafter Recreation and Park District, North Bakersfield Recreation and Park District, and the Kern County Park and Recreation Department. The North Bakersfield Recreation and Park District covers the southeastern portion of the City along a ½-mile wide strip north of 7th Standard Road. Kern County provides regional park facilities. The City of Shafter has seven parks totaling over 30-acres which include: Mannel Park; Kirschenmann Park; Stringham Park; Rodriguez Park; Town Square; Veteran Park; Flight Park. The City of Shafter's Veteran Building Facility is available for commercial and/or private events.

Project Impacts

Would the project:

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

☐ Potentially
Significant Impact☒ Less Than
Significant with
Mitigation☐ Less Than
Significant Impact☐ No Impact**Less Than Significant with Mitigation**

Discussion a): The HEU would facilitate and provide a policy framework for future residential development on six primary candidate sites in Shafter. Future residential growth and population increase (12,649 persons) would increase the demand incrementally for parks and other recreation facilities in the City such that substantial physical deterioration could occur or be accelerated. All future residential development facilitated by the HEU would be subject to the City development review process and must comply with Shafter Municipal Code requirements. The City may in the future require payment of fees to help fund park improvements or park land acquisition. Payment of such fees would assist funding acquisition and development of new or rehabilitation of existing park and recreational facilities necessary to accommodate recreational demands created by addition of new residential units and concomitant residential population. Most of the vacant candidate sites identified in the Shafter HEU are within Specific Plan areas, which can provide additional park and recreation facilities as needed or required. Thereby, the HEU-facilitated residential development could not result in substantial physical deterioration of existing neighborhood or regional parks. However, with implementation of **Mitigation Measure MM REC-1** and **Mitigation Measure MM REC-2**, the resulting impacts would be reduced to less than significant.

MITIGATION MEASURES

MM REC-1: Prior to issuance of a Building Permit for any individual residential project for which the City of Shafter park land dedication requirements would not be met, the Applicant of said project shall pay park fees the City of Shafter shall establish and assess to provide park and recreational facilities to serve future residents of the proposed new HEU-facilitated residential units.

MM REC-2: Every developer of residential projects contemplated and facilitated by the HEU, at the discretion of the City may I be required to dedicate a portion of the project site, pay a fee in lieu thereof, or do a combination of both, as the City of Shafter may require., for the purpose of providing park and recreational facilities to serve future residents of each individual residential development. In determination of whether a developer shall dedicate land, pay a fee in lieu of land dedication, or a combination of both, the following procedures may be used:

- a) Applicant required to or desiring to dedicate property for park and recreational purposes shall, upon filing a tentative map for approval, check with the City of Shafter to determine whether the subject property has been designated for a park site. If an Applicant's property is designated, the Applicant/developer shall coordinate with the necessary City departments to incorporate the park site(s) into the development plan for the respective residential development.
- b) If the Applicant's property is not so designated, and a school site is proposed within, or in proximity to, the development site, a park site adjacent to the school site, the City may require the Applicant/developer shall coordinate with the appropriate City departments to incorporate the park site(s) into the respective residential development plan.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

- ☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less than Significant

Discussion b): Residential development contemplated and facilitated by the HEU would not result in direct housing construction but enable residential development on the identified candidate sites. This future residential development would increase demand for parks and recreational facilities in the future. Greater demands on parks and recreational facilities would potentially result in the need to provide new or expanded facilities to maintain an acceptable level of recreational service in Shafter. The HEU does not propose construction of new or physically altered parks or recreational facilities. Therefore, HEU implementation would not result in substantial environmental impacts in this regard. However, future residential development could warrant construction of new or physically altered parks and/or recreational facilities. Any future expansion of existing facilities or construction of new facilities would be subject to environmental review and must comply with any applicable City development review actions related to expansion of recreational facilities. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

TRANSPORTATION AND TRAFFIC

Regulatory Setting

Federal Regulations

Federal Highway Administration's Highway Safety Improvement Program (HSIP)

The goal of the program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal lands. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads.

State Regulations

California State Transportation Agency

The mission of the California State Transportation Agency (CalSTA) is to develop and coordinate the policies and programs of the state's transportation entities to achieve the state's mobility, safety, and air quality objectives from its transportation system.

Local Regulations

City of Shafter General Plan

The following policies contained in *Section 3.2-Streets and Highway's*, of the City's General Plan are relevant to implementation of the proposed project:

- **Policy 2:** C Maintain design standards and protect the primary purpose of the roadways shown in the Circulation Plan (previously referenced Figure 3-1) consistent with the following guidelines:
 - Local Streets (52' to 66' right-of-way) provide access to abutting properties and are designed to discourage through traffic within residential neighborhoods. Within residential neighborhoods, local streets will have 52' to 60' rights-of-way, depending upon the amount of traffic the road is intended to accommodate. Within commercial, business park, and industrial areas, local streets would have larger rights-of-way, up to 66'.
- **Policy 7:** Pursue the establishment of traffic impact mitigation fees on new development to ensure that transportation improvements are constructed in a timely manner.
- **Policy 10:** Design and reconfigure collector and local roadways to improve circulation within and connections to residential, commercial, and industrial areas.
 - Implement appropriate measures to mitigate speeding and other traffic impacts in residential areas. –
 - Implement roadway patterns that limit through traffic on local residential streets. If cul-de-sacs are proposed, encourage the cul-de-sac's design to be open ended as a method to increase pedestrian and bicycle connectivity.

- **Policy 11:** Require the design of new developments to focus through traffic onto arterial streets.
- **Policy 13:** Locate driveways on corner parcels as far away from the intersection as is possible.
- **Policy 17:** Require new development to construct all on-site roadways, including Transportation Program routes, and provide a fair share contribution for needed off-site improvements. Contributions for off-site improvements may be in the form of fees and/or physical improvements, as determined by the City Engineer.

City of Shafter Municipal Code

For specific plan areas, a circulation plan showing existing and proposed public and private streets, pedestrian ways, trails, and related transportation access or circulation features required to serve the proposed development. The circulation plan shall be supported by schematic designs of principal traffic and circulation improvements and such traffic engineering data as required by the City to demonstrate that existing and proposed facilities, both within and outside the zone, shall be adequate to serve land uses proposed by the Development Plan.

Affected Environment

Transportation Network

In the City of Shafter, regional roadways include State Routes 99 and 43, as well as 7th Standard Road and Lerdo Highway. State Route 99 is a limited access freeway that runs from northwest to southeast along the eastern edge of the General Plan study area. It is currently constructed with four travel lanes and interchanges at Lerdo Highway and 7th Standard Road. State Route 43 runs from the northwestern portion of the General Plan study area southeast through central Shafter and then turns in a southerly direction at Beech Avenue. It is currently constructed as a four-lane divided highway through the central portion of the City, and as a two-lane facility where it continues in a southerly direction. Lerdo Highway is the main east-west roadway connecting central Shafter to State Route 99 and Interstate 5. It is currently constructed as a four-lane divided highway from Interstate 5 (west of the study area) to Mannel Avenue in central Shafter, and then as a two-lane undivided highway east to State Route 99. 7th Standard Road forms the southerly boundary of the City of Shafter and its planning area. It is currently being improved from a two-lane roadway to a divided four-lane highway between State Route 99 and Santa Fe Way.

Project Impacts

Would the project:

- a) Conflict with an applicable plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?**

☐ Potentially
Significant Impact

☐ Less Than
Significant with
Mitigation

☒ Less Than
Significant Impact

☐ No Impact

Less than Significant

Discussion a): Residential development contemplated and facilitated by the HEU would total at least 3,492 units to comply with Shafter's 6th Cycle RHNA allocation. However, the HEU would not result in direct housing construction but would facilitate and provide a policy framework for future residential development on the identified candidate sites in the City. The HEU does not include any goals or policies that would conflict with plans or other regulations that address Shafter's vehicular circulation system. The City will review future residential projects on a case-by-case basis to verify consistency with applicable City regulations that pertain to the circulation system. All future development projects facilitated by the HEU would be subject to the City development review process, which may include review pursuant to CEQA and be required to comply with General Plan Policies indicated above and with Municipal Code requirements. Thereby, future HEU-facilitated residential projects would not conflict with an adopted program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities. Therefore, the resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☒ No Impact

No Impact

Discussion b): Changes to California Environmental Quality Act (CEQA) Guidelines were adopted in December 2018, which require all lead agencies to adopt Vehicle Miles Traveled (VMT) as a replacement for automobile delay-based level of service (LOS) as the new measure for identifying transportation impacts for land use projects. This statewide mandate took effect July 1, 2020. Impacts related to LOS will be evaluated through the City's development review process apart from CEQA. A project is considered to have a less than significant impact related to VMT if it is in a low VMT generating traffic analysis zone (TAZ).

CEQA Guidelines Section 15064.3 subdivision (b)(2) focuses on impacts that result from certain transportation projects. The HEU is not a transportation project, as a result, no impacts on this issue will result. CEQA Guidelines Section 15064.3 subdivision (b)(3) and (b)(4) focuses on the evaluation of a project's VMT. The HEU will not create a significant amount of traffic in the surrounding area because the HEU does not propose specific residential development. As a result, the HEU will not result in a conflict or be inconsistent with Section 15064.3 subdivision (b) of the CEQA Guidelines and no impacts will occur.

MITIGATION MEASURES

No Mitigation Measures are required.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- ☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less than Significant

Discussion c): The HEU would not result in direct residential construction but would facilitate future residential development in the City of Shafter. The candidate residential sites are concentrated in the northwest and southeast portions of the City. Site-specific details for future residential development on the candidate housing sites are not known presently. Future HEU-facilitated residential development, on a case-by-case basis, will be reviewed and be required to comply with the Shafter General Plan, Shafter Municipal Code, and State of California requirements pertaining to circulation design.

City of Shafter General Plan Section 3.0 – Transportation Program Policy 1 in part requires the following:

- Promote the design of roadways to optimize safe traffic flow within established roadway configurations by minimizing driveways and intersections, uncontrolled access to adjacent parcels, on-street parking, and frequent stops.
- Provide adequate capacity at intersections to accommodate future traffic volumes by installing intersection traffic improvements and traffic control devices, as needed, as development occurs.
- Facilitate the synchronization of traffic signals.

Transportation Program Policy 10 provides for the following:

- Design and reconfigure collector and local roadways to improve circulation within and connections to residential, commercial, and industrial areas.
 - Implement appropriate measures to mitigate speeding and other traffic impacts in residential areas.
 - Implement roadway patterns that limit through traffic on local residential streets.

The City of Shafter Engineering Division will review project traffic circulation needs and design issues during the plan check review process. Future residential development facilitated by the HEU would be required to comply with applicable building and fire safety regulations mandated for design of new housing and emergency access. Thereby, residential development facilitated by the HEU will not increase hazards due to a geometric design feature or incompatible uses. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

d) Result in inadequate emergency access?

- ☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less than Significant Impact ☐ No Impact

Less than Significant

Discussion d): The City Engineering Division will review project traffic circulation needs and design issues during the plan check review process. Future residential development facilitated by the HEU would be required to comply with applicable building and fire safety regulations mandated for design of new housing and emergency access.

In addition, California Building Code standards apply to new construction and development of emergency access issues associated with earthquakes, flooding, climate/strong winds, and water shortages. Future HEU-facilitated residential development would be required to comply with current, applicable building and fire safety regulations pertaining to design of new housing and emergency access. Compliance with the City of Shafter General Plan, City of Shafter Municipal Code, California Fire Code, and California Building Code standards would ensure future residential development facilitated by the HEU will provide adequate emergency access. Thereby, the resultant level of impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

TRIBAL CULTURAL RESOURCES

This section describes the Tribal Cultural Resources setting and the potential effects from HEU implementation on Tribal Cultural Resources. The information in this section is primarily obtained from the City of Shafter General Plan and by results of Tribal Consultations.

Regulatory Setting

State Regulations

California Senate Bill 18

California State law provides for limited protection of Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places, such as the following: sanctified cemeteries, religious, ceremonial sites, shrines, burial grounds, prehistoric ruins, archaeological sites; and sacred sites. California Senate Bill 18 placed new requirements on local governments for developments in or near a Traditional Tribal Cultural Place (TTCP). Local jurisdictions must provide opportunities for involvement of California Native American tribes in the land planning process to preserve traditional tribal cultural places. The Final Tribal Guidelines recommends the Native American Heritage Commission provide written information within 30 days to inform the Lead Agency if a proposed project is determined to be near a TTCP and another 90 days for tribes to respond to a local government if the tribes want to consult to determine whether the project would have an adverse impact on the TTCP. SB 18 also amended California Civil Code Section 815.3 to add California Native American tribes to the list of entities that can acquire and hold conservation easements to protect their cultural places.

Assembly Bill 52 CEQA Tribal Consultation

Assembly Bill 52 (AB 52) took effect July 1, 2015, and requires consultation with California Native American tribes and consideration of tribal cultural resources in the CEQA process. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and tribal governments, public agencies, and Applicants would have information available early in the proposed Project's planning process, to identify and address potential adverse impacts to tribal cultural resources.

California Native American Graves Protection and repatriation Act (CalNAGPAR)

California State Assembly 978 (AB 978), requiring all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items to provide a process for the identification and repatriation of these items to the appropriate tribes. The bill also created a Repatriation Oversight Commission with oversight authority.

California Native American Heritage Commission

The Native American Heritage Commission (NAHC) identifies, catalogs, and protects Native American cultural resources -- ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California. The NAHC is also charged with ensuring California Native American tribes' accessibility to ancient Native American cultural resources on public lands, overseeing the treatment and disposition of inadvertently

discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act (CalNAGPRA), among many other powers and duties.

Local Regulations

City of Shafter General Plan

Section 6.6-Cultural Resources of the City's General Plan consist of the following policies relevant to implementation of the proposed project:

- **Policy 1:** Require new developments to analyze, and therefore avoid or mitigate impacts to archaeological, paleontological, and historic resources in accordance with applicable CEQA guidelines and provisions of the California Public Resources Code. Identify, protect, and minimize impacts to archaeological and paleontological resources.
- **Policy 2:** Require that areas found to contain significant artifacts or fossils be examined by a qualified consulting archaeologist or paleontologist for recommendations concerning protection and preservation, implementing those recommendations as part of the mitigation measures required for the project. Review proposed development for the possibility of cultural resources and for compliance with the cultural resources program.
- **Policy 3:** As a standard condition of approval for new development projects, require that if cultural or paleontological resources are encountered during grading, alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources.

Affected Environment

The City of Shafter has received sediments from the Coast Ranges to the west, the Sierra Nevada Mountains to the east, and to a lesser degree from activity on the San Andreas Fault system. These sediments contain different species of fossils, reflecting the different periods of deposition. The vertebrate fossils found in these formations are significant as defined under State and Federal citations. They are also important because they help provide dates concerning rates and frequency of fault activity, and the timing and rates of rise on such major mountain ranges as the Sierra Nevada.

Project Impacts

Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**
- ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public**

Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less than Significant with Mitigation.

Discussion a): Chapter 532 Statutes of 2014, known as California Assembly Bill 52 (AB 52) requires lead agencies evaluate a project’s potential impact on “tribal cultural resources.” These resources include “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources.” Also, AB 52 gives lead agencies discretion to determine, based on substantial evidence, whether a resource qualifies as a “tribal cultural resource.” In compliance with California Public Resources Code Section 21080.3.1(b), the City of Shafter has provided formal notification to California Native American tribal representatives identified by the California Native American Heritage Commission. Native American groups may have knowledge about cultural resources in the Shafter vicinity and may have concerns about adverse effects on tribal cultural resources from development, such as the effects defined in California Public Resources Code Section 21074. The City of Shafter contacted the following tribal representatives:

- Big Pine Paiute Tribe of the Owens Valley
- Chumash Council of Bakersfield
- Kitanemuk & Yowlumne Tejon Indians
- Santa Rosa Rancheria Tachi Yokut Tribe
- Tejon Indian Tribe
- Tule River Indian Tribe

The 30-day AB 52 Tribal consultation period ended on June 19, 2023, no requests for consultation were received from any of the tribes contacted.

Although the HEU does not propose any specific development or ground disturbing activities, it is reasonable to assume that future residential development on the identified candidate housing sites facilitated by the HEU could directly or indirectly impact undiscovered subsurface tribal cultural resources during grading and/or construction activities. The possibility of encountering such resources is greater on vacant, undeveloped properties than on developed sites. Most of the candidate sites identified in the HEU are vacant and thereby the likelihood of discovering tribal cultural resources is greater on these candidate sites.

The HEU proposes no specific grading or construction activities. Therefore, details pertaining to future residential development on the candidate sites facilitated by the HEU are unknown at present. No site-specific cultural resource surveys were conducted for this programmatic level of analysis.

Future HEU-facilitated residential development on the identified candidate sites would be subject to Shafter's development process and would be required to comply with Federal, State, and local requirements for protection of tribal cultural resources. This includes compliance with State CEQA Guidelines Section 21074 and with Shafter General Plan Environmental Management Program Policies 1 and 2, as stated above. Also, implementation of **Mitigation Measure MM TR-1** would require Applicants/Developers to immediately cease any ground-disturbing activities upon discovery of any tribal, cultural, or archaeological resources, which would reduce any potential future impacts to such cultural resources to a less than significant level.

MITIGATION MEASURES

MM TR-1: Upon discovery of any tribal, cultural, or archaeological resources during ground-disturbing activities, the Applicant/Developer shall immediately cease such activities in the immediate vicinity. The finding then will be assessed by a qualified archaeologist retained by the Applicant/Developer and a tribal monitor/consultant approved by the consulting Tribal Group. The Applicant/Developer shall promptly notify the City of Shafter Director of Planning about the discovery of resources. If the resources are Native American in origin, the consulting tribe shall coordinate with the landowner pertaining to treatment and curation of such resources. Typically, the tribe will request preservation in place or recovery for educational purposes. At the direction of the qualified archaeologist and tribal monitor/consultant, and in coordination with the City of Shafter Planning Department, work may continue other parts of the affected site while evaluation, and if necessary, additional protective measures are completed at the affected portion of the site pursuant to State CEQA Guidelines Section 15064.5(f). If the qualified archaeologist determines a resource to constitute a "historical resource" or "unique archaeological resource," time and funding to allow for sufficient implementation of avoidance measures must be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment upon identification of unique archaeological resources (Public Resources Code Section 21083.2(b)). If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All tribal cultural resources shall be returned to the consulting tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution, with a research interest in the materials. Acceptance and curation of the historic archaeological materials will be at the discretion of the institution. If no institution accepts the archaeological material, the material shall be offered to the consulting tribe or the Shafter Historical Society for educational purposes.

UTILITIES AND SERVICE SYSTEMS

This section describes the utilities and service systems setting and potential effects from implementation on of the HEU. Descriptions and analysis in this section are based on information provided in part by the City of Shafter May 2021 Final Draft 2020 Urban Water Management Plan.

Regulatory Setting

Federal Regulations

Water

Federal Safe Drinking Water Act

The Safe Drinking Water Act authorizes the Environmental Protection Agency (EPA) to establish national standards for drinking water, called the National Primary Drinking Water Regulations, to protect against both naturally occurring and man-made contaminants. These standards set enforceable maximum contaminant levels in drinking water and require all water providers in the United States to treat water to remove contaminants, except for private wells serving fewer than twenty-five people. In California, the State Department of Health Services conducts most enforcement activities.

Wastewater

Clean Water Act

The Water Pollution Control Act of 1972, more commonly known as the Clean Water Act (CWA), regulates the discharge of pollutants into watersheds throughout the nation. Under the CWA, the EPA implements pollution control programs and sets wastewater standards.

National Pollutant Discharge Elimination System (NPDES)

The NPDES permit program was established within the CWA to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant.

State Regulations

Water

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act (Porter-Cologne) of 1969, the State Water Resources Control Board (SWRCB) has the ultimate authority over state water rights and water quality policy. Porter-Cologne also establishes nine RWQCBs to oversee water quality on a day-to-day basis at the local and regional level. RWQCBs engage in several water quality functions in their respective regions. RWQCBs

regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. The City of Shafter is overseen by the Lahontan Regional Water Quality Control Board.

Water Conservation Act of 2009

This Act was drafted to protect statewide water sources. The Act called for a 20 percent reduction in water use in California by the year 2020. Failure to comply with interim and final targets (20% reduction) make each non-complying jurisdiction ineligible for grants and loans from the State needed to attain water self-sufficiency.

Local Regulations

City of Shafter General Plan

Section 6.8-Energy Resources of the City's General Plan contains the following policies applicable to implementation of the proposed project:

- **Policy 1:** Continue to implement Title 24 of the State Building Code and provide incentives to new development to exceed its energy efficiency standards through increased use of passive solar design and daylighting.
- **Policy 2:** Promote the use of site design, landscaping, and solar orientation to decrease the need for summer cooling and winter heating.
- **Policy 3:** Encourage the installation of energy efficient lighting, reduced thermostat settings, and elimination of unnecessary lighting in public facilities.
- **Policy 4:** Encourage the incorporation of recycled materials in new construction, where feasible.

City of Shafter 2020 Urban Water Management Plan

The California Urban Water Management Planning Act (1983 and subsequently amended several times) requires "every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually, to prepare and adopt, in accordance with prescribed requirements, an Urban Water Management Plan." The Urban Water Management Plans (UWMP) must be filed with the California Department of Water Resources (DWR) every five years and must describe and evaluate reasonable and practical efficient water uses, reclamation, and conservation activities. UWMPs are considered a foundation document and source of information for Water Supply Assessments (Senate Bill 610) and Written Verifications of Water Supply (SB 221). Also, a UWMP may serve as a long-range planning document for water supply, a source of data for development of a regional water plan, and a source document for jurisdictions as they prepare their General Plans.

One primary object of the Urban Water Management Planning Act is the assessment of demands and supplies over a 20-year or 25-year planning horizon under normal rainfall conditions and under various drought conditions. The Act also requires water shortage contingency planning and drought response actions be included in a UWMP.

The 2020 City of Shafter Urban Water Management Plan (UWMP) provides a framework for long-term water planning and informs the public of the City's plans for long-term resource planning to ensure

adequate water supplies for existing and future demands. The UWMP documents the availability of an appropriate level of reliability of water service sufficient to meet the needs of the City's customers during normal, single dry and multiple dry years. The sections of the UWMP are the following: Introduction/Service Area Description; Water Sources and Supplies; Recycled Water Opportunities; Water Quality; Water Use; Reliability Planning; Contingency Planning; Conservation Measures; and Appendices. The Shafter UWMP includes background information pertaining to the City's history, water system, and water supplies. Also, the UWMP analyzes recent water demands and projects future water supply capacity and water demands through 2045. In addition, the Shafter UWMP analyzes the effects of water quality, drought, and emergencies on the City water supply reliability.

Affected Environment

Water

The City of Shafter owns and operates its own public water system, including groundwater wells, above-ground water storage tanks with booster stations, an above-ground tank and booster plant, and water distribution lines. Treatment of the City's water supply is achieved by chlorination. Shafter's water service area comprises approximately 75 percent of the City limits, as well as additional areas outside the City limits. Three-fourths of the City's growth is outside the water service area and is serviced by the Oildale Mutual Water Company (OMWC). On average, commercial and industrial users account for approximately one-third of total City water usage. The City currently uses only potable water to meet the needs of its water service area.

Sewer

Shafter's Department of Public Works is responsible for the operation and maintenance of the City's public sewer system. Wastewater treatment service within the City is accomplished through a co-ownership of the Shafter/North of the River Sanitation District (NORSRD) regional treatment plant that guarantees a set share of the treatment plants to the City of Shafter. The North of the River Sanitary District owns two-thirds of the wastewater treatment plant, and the City of Shafter owns one-third of the plant. Wastewater generated within the Planning Area is transported through several miles of gravity sewer lines and several lift stations to the Shafter/NORSRD Wastewater Treatment Facility, located on a 160-acre site on 7th Standard Road within the City of Shafter.

Solid Waste

Two franchise haulers, American Refuse and Varner Brothers, serve newly annexed territories in the City of Shafter. The City owns collection equipment and operates residential, commercial, and industrial trash pickup services within the core community. Solid waste that is collected within the City is typically delivered and disposed of at the Shafter/Wasco Landfill and the Bakersfield Metropolitan (Bena) Landfill. These landfills are owned and operated by the Kern County Waste Management Department. The Shafter/Wasco Landfill is the City's primary landfill, while the Bena Landfill accepts some refuse from industrial uses within the City. Both facilities are designated as Class III landfills and have the capacity to serve projected solid waste disposal needs through January 2030.

Electricity

The Pacific Gas and Electric Company (PG&E) provides electricity to the City.

Natural Gas

The Pacific Gas and Electric Company (PG&E) provides natural gas to the City.

Project Impacts

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less Than Significant

Discussion a): The City of Shafter receives 100% of its water supply from groundwater produced from the San Joaquin Valley Basin, Kern County Sub Basin of the Tulare Lake Hydrologic Region. Currently, the City operates six active groundwater production wells that have a combined nominal capacity of 8,600 gallons per minute (gpm). The City maintains five operating above-ground storage tanks with a combined storage capacity of 5.45 million gallons and is planning to construct a new 850,000-gallon storage and booster station in the southeast Shafter Service Area in 2023. The City also plans to replace the storage and booster station of Tank 1 by 2024; the new storage facility will have an 850,000-gallon capacity. The City maintains and operates five booster stations, each of which are located at one of the five storage tanks. The City distributes water to residential, commercial, and other customers through approximately 4,800 service connections using an approximate 87-mile network of distribution mains that range in size from 4 to 18 inches.

Although the residential build out facilitated by the HEU would eventually add 12,649 residents to the City, HEU implementation would not require the relocation or construction of new utility infrastructure which could cause a significant environmental effect. The new residential units contemplated and facilitated by the HEU will be constructed over time on a combination of the six identified candidate sites. Each development on a specific candidate site will require analysis of the existing and any planned water conveyance system.

The Shafter UWMP indicates the City does not expect to have a water supply shortage through 2045 under normal or under drought conditions. The City's overall water supplies (wells) are resilient to water droughts and to water quality issues. Furthermore, the 2020 Shafter UWMP states that "if the water consumption rates per resident in the City decrease as this UWMP projects, the City can expect to meet water demands through the year 2045, in spite of a growth of 50% (2% annually)." The UWMP also

recommends conservation tools that will enable the City's residents to conserve water and maximize water use efficiency.

It should be noted that the UWMP indicates that the City currently does not utilize the entire capacity of all its groundwater wells but is expected to increase pumping by approximately 13 percent within 10 years. The UWMP indicates "total production should continue to increase through...2045. Therefore, it can be expected that the City will construct new groundwater wells to meet projected demands. In the interim, the City will maximize the production of its existing wells, but also maximize conservation efforts and programs." Groundwater pumping volume for 2045 is expected to be 25% greater than the 2020 volume, "...despite a projected population growth of nearly 70 percent. "Furthermore, alternative water sources (e.g., recycled water; recycled stormwater; greywater) may be accessible. The UWMP states that "Senate Bill 1087 requires that water use projections of a UWMP include the projected water use for single-family and multi-family residential for lower income households as identified in the housing element of any city, county, or city and county in the service area of the supplier. The residential sector projections [for the City of Shafter] include projected low-income housing per the City's [5th Cycle] Housing Element." The City's projected water use for 2020-2045 indicates the residential sector will account for 72.7% of water demand in Shafter.

Projected water demands and supplies in Shafter are based on the following assumptions:

- Consumption rate of 217 gallons per capita day beginning in 2020.
- Decreasing consumption rate, starting from 217 gallons per capita day in 2020 with a passive savings of 0.5% annually (due to an increase in water-use efficiency)

For drought-time demands, a small degree of increase is expected.

Compliance with existing regulations and with UWMP recommendations and findings will ensure the resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

Sewer Service

The City provides wastewater collection services within its service area and provides wastewater collection to a few small unincorporated communities south of the City's core area and north of 7th Standard Road. Municipal wastewater in the wastewater service area is generated from a combination of residential, commercial, institutional, and industrial sewer discharges. The City wastewater collection system drains primarily from north to south, and from east to west. Wastewater discharged from the City is collected from a network of approximately eighty-five miles of gravity sewer mains.

Currently, Kern County manages a collection system for the Mexican Colony portion of South Shafter and pays the City to convey sewer flows to the Shafter Avenue outfall pipeline. The UWMP states that "within two years, it is anticipated that State grant funds will construct additional conveyance systems to allow all unincorporated South Shafter water customers to receive sewer service." After this grant project is completed, the City will assume all sewer collection systems in South Shafter, including the Mexican Colony.

Improvements to the City Wastewater Treatment Plant (the only treatment facility serving the City) were estimated to begin in 2022 to accommodate additional generated wastewater. Development facilitated by the HEU would connect to the existing waterlines in public right-of-way in the immediate vicinity.

Compliance with existing regulations and with UWMP recommendations and findings will ensure the resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

Storm Drainage

Implementation of the HEU would include storm water drainage improvements. However, housing resulting from the HEU would connect to the existing storm drains in the public right-of-way in the immediate vicinity of the candidate residential sites and would not require the relocation of water facilities or connections. The resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

Electricity

Southern California Edison (SCE) is the main provider of electricity to the City of Shafter. The HEU is in a built-up community with existing infrastructure and would therefore connect to the existing electrical transmission infrastructure.

The resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

Natural Gas

Southwest Gas Corporation (SGC) is the main provider of natural gas to the City. The HEU is in a built-up community with existing infrastructure and would therefore connect to the existing natural gas transmission infrastructure.

The resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

Telecommunications

Cable TV, internet, telephone service, cellular service would connect to existing facilities that are maintained by various service providers.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

- | | | | |
|--|--|---|------------------------------------|
| ☐ Potentially
Significant Impact | ☐ Less Than
Significant with
Mitigation | ☒ Less Than
Significant Impact | ☐ No Impact |
|--|--|---|------------------------------------|

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Less Than Significant

Discussion b): The Shafter UWMP indicates the City does not expect to have a water supply shortage through 2045 under normal or under drought conditions. The City's overall water supplies (wells) are resilient to water droughts and to water quality issues. Furthermore, the 2020 Shafter UWMP states that "if the water consumption rates per resident in the City decrease as this UWMP projects, the City can expect to meet water demands through the year 2045, in spite of a growth of 50% (2% annually)." The UWMP also recommends conservation tools that will enable the City's residents to conserve water and maximize water use efficiency.

It should be noted that the UWMP indicates that the City currently does not utilize the entire capacity of all of its groundwater wells but is expected to increase pumping by approximately 13% within 10 years. The UWMP indicates "total production should continue to increase through 2045. Therefore, it can be expected that the City will construct new groundwater wells to meet projected demands. In the interim, the City will maximize the production of its existing wells, but also maximize conservation efforts and programs." Groundwater pumping volume for 2045 is expected to be 25% greater than the 2020 volume, "...despite a projected population growth of nearly 70%. "Furthermore, alternative water sources (e.g., recycled water; recycled stormwater; greywater) may be accessible. The UWMP states that "Senate Bill 1087 requires that water use projections of a UWMP include the projected water use for single-family and multi-family residential for lower income households as identified in the housing element of any city, county, or city and county in the service area of the supplier. The residential sector projections [for the City of Shafter] include projected low-income housing per the City's [5th Cycle] Housing Element." The City's projected water use for 2020-2045 indicates the residential sector will account for 72.7% of water demand in Shafter.

Projected water demands and supplies in Shafter are based on the following assumptions:

- Consumption rate of 217 gallons per capita day beginning in 2020.
- Decreasing consumption rate, starting from 217 gallons per capita day in 2020 with a passive savings of 0.5% annually (due to an increase in water-use efficiency)

For drought-time demands, a small degree of increase is expected.

Compliance with existing regulations and with UWMP recommendations and findings will ensure the resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

The resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion c): The UWMP states that “within two years, it is anticipated that State grant funds will construct additional conveyance systems to allow all unincorporated South Shafter water customers to receive sewer service.” After this grant project is completed, the City will assume all sewer collection systems in South Shafter, including the Mexican Colony.

Improvements to the City Wastewater Treatment Plant (the only treatment facility serving the City) were needed to begin in 2022 to accommodate additional generated wastewater. Development facilitated by the HEU would connect to the existing waterlines in public right-of-way in the immediate vicinity.

Compliance with existing regulations and with UWMP recommendations and findings will ensure the resultant level of impact from implementation of residential development contemplated and facilitated by the HEU would be maintained at less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion d): Two franchise haulers, American Refuse and Varner Brothers, serve newly annexed territories in the City of Shafter. The City owns collection equipment and operates residential, commercial, and industrial trash pickup services within the core community. Solid waste that is collected within the City is typically delivered and disposed of at the Shafter/Wasco Landfill and the Bakersfield Metropolitan (Bena) Landfill. These landfills are owned and operated by the Kern County Waste Management Department. The Shafter/Wasco Landfill is the City's primary landfill, while the Bena Landfill accepts some refuse from industrial uses within the City. Both of these facilities are designated as Class III landfills and have the capacity to serve projected solid waste disposal needs through January 2030.

The City will continue to implement a variety of solid waste reduction, recycling, and re-use measures to meet its obligation under AB 939 and HEU-facilitated residential development will be required to comply with all City General Plan Policies and Municipal Code regulations pertaining to solid waste reduction. The resultant level of impact would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

- ☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion e): Two franchise haulers, American Refuse and Varner Brothers, serve newly annexed territories in the City of Shafter. The City owns collection equipment and operates residential, commercial, and industrial trash pickup services within the core community. Solid waste that is collected within the City is typically delivered and disposed of at the Shafter/Wasco Landfill and the Bakersfield Metropolitan (Bena) Landfill. These landfills are owned and operated by the Kern County Waste Management Department. The Shafter/Wasco Landfill is the City's primary landfill, while the Bena Landfill accepts some refuse from industrial uses within the City. Both of these facilities are designated as Class III landfills and have the capacity to serve projected solid waste disposal needs through January 2030.

The City will continue to implement a variety of solid waste reduction, recycling, and re-use measures to meet its obligation under AB 939. The following General Plan Policies are applicable to the HEU:

- Provide the best possible service for the collection of solid waste, recyclables, and green waste at the lowest possible cost.
- Provide and promote opportunities to reduce solid waste generation at home and in businesses and public facilities; make possible the safe disposal of hazardous materials.
- Require builders to incorporate appropriate storage areas for recyclables in new commercial, industrial, and public developments.
- Support the identification and selection of new landfill sites in remote locations of the County, where such sites would not impact existing or proposed parks or water storage facilities.
- Limit the location of solid waste transfer stations to areas where heavy industrial uses would be appropriate, avoiding traffic, odor, and other environmental impacts on the community.

Under any circumstance, solid waste must be disposed of in accordance with Federal and State laws. Impacts related to solid waste disposal methods and regulations would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

WILDFIRE

Regulatory Setting

State Regulations

California Department of Forestry and Fire Protection (CAL FIRE)

CAL FIRE is responsible for providing wildland fire protection, fire prevention, and resource management on more than thirty-one million acres of State Responsibility Area (SRA) lands throughout California. In addition, CAL FIRE provides emergency services to 115 local government cooperators through agreements with districts, cities, and counties.

California Senate Bill 1241 (SB 1241)

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a safety element for the protection of the community from unreasonable risks associated with, among other things, wildland, and urban fires. The safety element includes requirements for state responsibility areas, as defined, and very high fire hazard severity zones, as defined.

Local Regulations

City of Shafter General Plan

Section 4.8-Fire Protection

- Policy 1: Work with the Kern County Fire Department to site new fire stations such that all of the area planned for urban development will be within a two-mile response distance of a fire station.
- Policy 2: Prior to approval of discretionary development projects, require written verification from the Kern County Fire Department that a five-minute response time can be maintained for 80 percent of emergency fire, medical, and hazardous materials calls on a citywide basis.
- Policy 5: Through the development review process, ensure that adequate water for fire flows can be provided to individual projects.
-

Affected Environment

The City of Shafter contracts with the Kern County Fire Department (KCFD) for fire protection services. The KCFD provides response to all fire and life safety emergencies including, but not limited to, fires, hazardous materials, vehicle accidents, rescues, airplane crashes, bomb threats, and medical aid. Fire prevention services are provided from Station 32, located at 325 Sunset Avenue in Shafter. This station operates three shifts, each staffed full-time by paid personnel, consisting of one captain, one engineer, and one firefighter. Station 61, located at 6400 Fruitvale Avenue, is currently and would continue to be

the station serving the southeastern portion of the City. This station contains both an engine company and a ladder company, each with a full-time captain, engineer, and firefighter.

Project Impacts

Would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

- | | | | |
|--|--|---|------------------------------------|
| ☐ Potentially
Significant Impact | ☐ Less Than
Significant with
Mitigation | ☒ Less Than
Significant Impact | ☐ No Impact |
|--|--|---|------------------------------------|

Less Than Significant

Discussion a): According to Cal Fire’s Fire Hazard Severity Zone Map, the City of Shafter is not located within a very high fire hazard severity zone for a Local Responsibility Area. No candidate housing sites are near a fire hazard severity zone. The HEU-identified candidate sites are mostly vacant properties in the extreme northwest and southeast portions of the City. Residential development contemplated and facilitated by the HEU would not involve the closure or alteration of any existing evacuation routes or emergency access road to the candidate sites, unless the City of Shafter approves an alternate circulation plan to be in effect at time of residential development occurring. Prior to All HEU-facilitated residential development will be reviewed by City and County Fire officials to ensure adequate fire service and safety as a result of project implementation. Future residential development facilitated by the HEU would not substantially impair an adopted emergency response plan or emergency evacuation plan because no part of Shafter is within a very high fire hazard severity zone. As a result, potential impacts to adopted emergency response plan or emergency evacuation will be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

- | | | | |
|--|--|--|---|
| ☐ Potentially
Significant Impact | ☐ Less Than
Significant with
Mitigation | ☐ Less Than
Significant Impact | ☒ No Impact |
|--|--|--|---|

No Impact

Discussion b): According to the November 21, 2022, CALFIRE “State Responsibility Area – Fire Hazard Zones” Map for Kern County, no portion of Shafter is located within a very high fire hazard severity zone. Therefore, future HEU-facilitated residential development would not exacerbate wildfire risks and would not expose future housing occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, no impact would result.

MITIGATION MEASURES

No Mitigation Measures are required.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☒ No Impact

No Impact

Discussion c): No portion of Shafter is located within a very high fire hazard severity zone. Therefore, future residential development facilitated by the HEU would not require installation or maintenance of infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impact to the environment. No impact would result.

MITIGATION MEASURES

No Mitigation Measures are required.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

☐ Potentially Significant Impact ☐ Less Than Significant with Mitigation ☒ Less Than Significant Impact ☐ No Impact

Less Than Significant

Discussion d): No portion of Shafter is located within a very high fire hazard severity zone. Therefore, future HEU-facilitated residential development would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes associated with a very high fire hazard severity zone. Additionally, the HEU candidate sites are relatively flat consisting of natural occurring desert landscape and is not located in the vicinity of slopes or hillsides that could potentially be susceptible to landslides or downstream flooding. Therefore, the impacts would be less than significant.

MITIGATION MEASURES

No Mitigation Measures are required.

MANDATORY FINDINGS OF SIGNIFICANCE

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

☐ Potentially Significant Impact
 ☐ Less Than Significant with Mitigation
 ☒ Less Than Significant Impact
 ☐ No Impact

Less Than Significant

Discussion a): The foregoing analysis indicates HEU implementation does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten or eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

The HEU would not result in direct housing construction but would facilitate and provide a policy framework for future housing development on identified candidate residential sites throughout Shafter. All future housing development facilitated by the HEU would be subject to the City of Shafter's development review process and required to adhere to all federal, state, and local requirements. HEU implementation would not result in any direct environmental impacts that would substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

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

☐ Potentially Significant Impact
 ☒ Less Than Significant with Mitigation
 ☐ Less Than Significant Impact
 ☐ No Impact

Less Than Significant with Mitigation

Discussion b): State CEQA Guidelines Section 15065(a)(3) defines "cumulatively considerable" as times when "the incremental effects of an individual project are significant when viewed in connection with the

effects of past projects, the effects of other current projects, and the effects of probable future projects.” This document provides a programmatic analysis of the effects of implementation of the 6th Cycle Housing Element Update.

HEU implementation would facilitate and provide a policy framework for future housing development on the six identified candidate residential sites in Shafter, most of which are vacant property. Future residential development facilitated by the HEU would occur as market conditions allow and at the discretion of the individual property owners; be subject to the City development review process; be subject to environmental review under CEQA. Only one of the candidate sites, which would not be necessary to accommodate the 6th Cycle RHNA allocation for Shafter, would require a change of zone to accommodate residential development. Based on these factors, and since all future housing development facilitated by the HEU would be subject to the City development review process, the HEU implementation would not result in environmental effects that are individually limited through implementation of specified Mitigation Measures, but cumulatively considerable.

Mitigation Measures are contained in Appendix A to this document.

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

☐ Potentially Significant Impact ☒ Less Than Significant with Mitigation ☐ Less Than Significant Impact ☐ No Impact

Less Than Significant with Mitigation

Discussion c): There are no known substantial adverse effects on human beings that would be caused by implementation of the 6th Cycle Shafter HEU. The HEU would facilitate future residential development on six identified candidate sites, generally in the extreme northwestern and extreme southeaster areas of the City but would not result in direct residential construction. The HEU provides physical capacity for future residential development consistent with California State Housing Law. The candidate housing sites are dispersed such that adverse changes in City neighborhoods would be avoided and aesthetic impacts would not occur. The dispersion also would reduce adverse environmental impacts. HEU implementation would create adequate housing availability for households of all income levels, especially for lower-income households, as mandated by Shafter’s RHNA allocated units. Impacts of HEU implementation would be less than significant after incorporation of identified Mitigation Measures contained in Appendix A.

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United States Census data (2020)

City of Shafter General Plan

City of Shafter Municipal Code

City of Shafter 6th Cycle Housing Element Update

APPENDIX A-MITIGATION MEASURES

BIOLOGICAL RESOURCES

MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, may at the discretion of the City, be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species which may include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Cotch Bumble Bee, and Burrowing Owl all species of concern in the San Joaquin Valley region. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey which may include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Cotch Bumble Bee, and Burrowing Owl all species of concern in the San Joaquin Valley region. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.

MM BIO-2: If it is determined that potential impacts to nesting birds may occur as a result of an individual project, then housing development activities contemplated in the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be established around such active nests, and no construction within the buffer shall be allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).

MM BIO-3: If San Joaquin Kit Fox species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA.

Cultural Resources

MM-CR-1: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to historic resources may occur, at the discretion of the City, the Applicant may be required to comply with the following mitigation framework: For any building or structure older than 50 years of age having its original structural integrity intact, the Applicant shall retain a qualified professional historian to determine if said building/structure is historically significant. The evaluation shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in State CEQA Guidelines Section 15064.5. The Applicant shall submit a Historical Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of historical resources, identification of potential impacts from the proposed development, and evaluation of the significance of any identified historical resources.

MM CR-2: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to archaeological resources, shall be required to comply with the following mitigation framework: Prior to issuance of any permit future residential development on an undisturbed site, the Applicant shall retain a qualified archaeologist to conduct an archaeological survey to evaluate the presence of cultural resources and the need for project impact mitigation by preservation, relocation, or other method(s). If deemed necessary, by the City, the Applicant may be required to submit an Archaeological Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of archaeological resources, identification of potential impacts from the proposed project, and evaluation of the significance of any identified archaeological resources. If there are potentially significant impacts to an identified archaeological/cultural resource, the Assessment also shall recommend appropriate mitigation required by the Applicant to reduce impacts to a less than significant level.

Geology and Soils

MM GEO-1: During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter General Plan and the Municipal Code (Chapter 15-28.070, Sections D and E). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.

Hazards and Hazardous Materials

MM HAZ-1: Each Applicant for a new residential project contemplated by the HEU that will require City of Shafter discretionary approval, if deemed necessary by the City, the Applicant may be required to prepare a Phase I Environmental Site Assessment in accordance with the latest ASTM protocol for such assessments and shall submit said Environmental Site Assessment to the appropriate City Department for review and approval. If the Phase I Environmental Site Assessment indicates evidence that contamination exists on the individual site that could require cleanup to avoid danger to people or damage to the environment, the Applicant shall complete a Phase II level review that will fully characterize the nature and extent of such contamination and the scope of required cleanup procedures. The City of Shafter shall consider the results of the Phase II Assessment as part of the CEQA compliance process prior to taking any discretionary action on the identified residential project.

MM HAZ-2: If an Applicant or Applicant's contractor for any residential project/development contemplated in and facilitated by the HEU discovers unknown wastes or suspect materials during grading and construction activities that are thought to involve hazardous waste or materials, the Applicant or Applicant's contractor may be required to do the following:

- Immediately cease work in the suspected contaminant's vicinity, remove workers and the public from the suspected contaminated area, and secure said area;
- Notify the Applicant's Environmental Professional and immediately implement proper remedial activities that are recommended; and,
- Notify the Shafter City Engineer and Planning and Community Development Director and implement measures to further secure the area.

In addition, the Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if any required.

Noise

MM NOI-1: If deemed necessary by the City to reduce project development (grading and construction) noise impacts, the Applicant will require construction contractors to implement a site-specific Noise Reduction Program that shall include the following measures, ongoing through any demolition, grading, and/or construction.

- Equipment and trucks used for residential development shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.
- Impact tools (e.g., jack hammers, pavement breakers, rock drills) used for residential development shall be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used. External jackets on the tools shall be used where feasible. Quieter procedures shall be used, whenever feasible.
- Stationary construction-related noise sources shall be located as far from adjacent receptors as possible and shall be muffled and incorporate insulation barriers or other measures to the extent feasible.

MM NOI-2: Prior to any demolition activities that may be necessary, Grading Permit, or Building Permit approval, each Applicant for a specific project shall submit to the City of Shafter Planning Department for approval a list of measures to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or construction activities. At a minimum, these measures shall include the following:

- A procedure for notifying the City Code Enforcement Officer and Police Department about regular construction hours and off-hours.
- A requirement for a sign to be posted by the Applicant on-site that specifies the permitted construction days and hours, and notification procedure, and whom to notify in the event of a noise-related concern. The sign also shall include the construction contractor's telephone numbers during regular construction hours and off-hours.
- A requirement for a pre-construction meeting to be held with the Applicant and general contractor/on-site project manager to confirm that noise measures and practices are completed.

Implementation of the above Mitigation Measures would ensure any noise-related impacts associated with future residential development facilitated by the HEU will be reduced to a less than significant level.

MM NOI-3: All noise-generating residential construction activities shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m., Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

Recreation

MM REC-1: Prior to issuance of a Building Permit for any individual residential project for which the City of Shafter park land dedication requirements would not be met, the Applicant of said project shall pay park fees the City of Shafter shall establish and assess to provide park and recreational facilities to serve future residents of the proposed new HEU-facilitated residential units.

MM REC-2: Every developer of residential projects contemplated and facilitated by the HEU, at the discretion of the City may be required to dedicate a portion of the project site, pay a fee in lieu thereof, or do a combination of both, as the City of Shafter may require., for the purpose of providing park and recreational facilities to serve future residents of each individual residential development. In determination of whether a developer shall dedicate land, pay a fee in lieu of land dedication, or a combination of both, the following procedures may be used:

- (a) Applicant required to or desiring to dedicate property for park and recreational purposes shall, upon filing a tentative map for approval, check with the City of Shafter to determine whether the subject property has been designated for a park site. If an Applicant's property is designated, the Applicant/developer shall coordinate with the necessary City departments to incorporate the park site(s) into the development plan for the respective residential development.
- (b) If the Applicant's property is not so designated, and a school site is proposed within, or in proximity to, the development site, a park site adjacent to the school site, the City may require the Applicant/developer shall coordinate with the appropriate City departments to incorporate the park site(s) into the respective residential development plan.

Tribal Cultural Resources

MM TR-1: Upon discovery of any tribal, cultural, or archaeological resources during ground-disturbing activities, the Applicant/Developer shall immediately cease such activities in the immediate vicinity. The findings will then be assessed by a qualified archaeologist retained by the Applicant/Developer and a tribal monitor/consultant approved by the consulting Tribal Group. The Applicant/Developer shall promptly notify the City of Shafter Director of Planning about the discovery of resources. If the resources are Native American in origin, the consulting tribe shall coordinate with the landowner pertaining to treatment and curation of such resources. Typically, the tribe will request preservation in place or recovery for educational purposes. At the direction of the qualified archaeologist and tribal monitor/consultant, and in coordination with the City of Shafter Planning Department, work may continue on other parts of the affected site while evaluation, and if necessary, additional protective measures are completed at the affected portion of the site pursuant to State CEQA Guidelines Section 15064.5(f). If the qualified archaeologist determines a resource to constitute a "historical resource" or "unique archaeological resource," time and funding to allow for sufficient implementation of avoidance measures must be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment upon identification of unique archaeological resources (Public Resources Code Section 21083.2(b)). If preservation in place is not feasible, treatment may include implementation

of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All tribal cultural resources shall be returned to the consulting tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution, with a research interest in the materials. Acceptance and curation of the historic archaeological materials will be at the discretion of the institution. If no institution accepts the archaeological material, the material shall be offered to the consulting tribe or the Shafter Historical Society for educational purposes.

MM TR-1: Upon discovery of any tribal, cultural, or archaeological resources during ground-disturbing activities, the Applicant/Developer shall immediately cease such activities in the immediate vicinity. The finding then will be assessed by a qualified archaeologist retained by the Applicant/Developer and a tribal monitor/consultant approved by the consulting Tribal Group. The Applicant/Developer shall promptly notify the City of Shafter Director of Planning about the discovery of resources. If the resources are Native American in origin, the consulting tribe shall coordinate with the landowner pertaining to treatment and curation of such resources. Typically, the tribe will request preservation in place or recovery for educational purposes. At the direction of the qualified archaeologist and tribal monitor/consultant, and in coordination with the City of Shafter Planning Department, work may continue other parts of the affected site while evaluation, and if necessary, additional protective measures are completed at the affected portion of the site pursuant to State CEQA Guidelines Section 15064.5(f). If the qualified archaeologist determines a resource to constitute a “historical resource” or “unique archaeological resource,” time and funding to allow for sufficient implementation of avoidance measures must be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment upon identification of unique archaeological resources (Public Resources Code Section 21083.2(b)). If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All tribal cultural resources shall be returned to the consulting tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution, with a research interest in the materials. Acceptance and curation of the historic archaeological materials will be at the discretion of the institution. If no institution accepts the archaeological material, the material shall be offered to the consulting tribe or the Shafter Historical Society for educational purposes.

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APPENDIX B-MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) is a CEQA-required component of the Mitigated Negative Declaration (MND) process for the project. The results of the environmental analyses, including proposed mitigation measures, are documented in the Final MND.

CEQA requires that agencies adopting MNDs take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval.

As part of the CEQA environmental review procedures, Section 21081.6 requires a public agency to adopt a monitoring and reporting program to ensure efficacy and enforceability of any mitigation measures applied to a proposed project. The lead agency must adopt an MMRP for mitigation measures incorporated into the project or proposed as conditions of approval. The MMRP must be designed to ensure compliance during project implementation. As stated in Section 21081.6(a)(1):

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so, requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

Table 1 is the final MMRP matrix. The table lists each of the mitigation measures proposed in the Final MND and specifies the agency responsible for implementation of the mitigation measure and the time period for the mitigation measure.

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Biological Resources					
Impact A: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, may at the discretion of the City, be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species which may include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Cotch Bumble Bee, and Burrowing Owl all species of concern in the San Joaquin Valley region. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the	City of Shafter	Applicant	Permitting	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
	potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.				
Impact A	MM BIO-2: Housing development activities contemplated in the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence,	City of Shafter	Applicant	Pre-Construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be established around such active nests, and no construction within the buffer shall allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).				
Impact A	MM BIO-3: If San Joaquin Kit Fox species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State	City of Shafter	Applicant	Permitting	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	Incidental Take Permit (ITP)pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA.				
Impact B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.	MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the	City of Shafter	Applicant	Permitting	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact B	significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.				
Impact B	MM BIO-2: Housing development activities contemplated in the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the	City of Shafter	Applicant	Permitting	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact B	survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be established around such active nests, and no construction within the buffer shall allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest).				
Impact B	MM BIO-3: If San Joaquin Kit Fox species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP)pursuant to Fish and	City of Shafter	Applicant	Pre-Construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact B	Game Code section 2081 subdivision (b) necessary to comply with CESA.				
Impact C: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect	City of Shafter	Applicant	Permitting	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact C	impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.				

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact D: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.	MM BIO-1: Applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the HEU, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A Biological Resources Report shall be submitted to the City to document the results of the biological resources survey. The report shall include (1) methods used to determine presence of sensitive biological resources; (2) vegetation mapping all vegetation communities and/or land cover types; (3) locations of any sensitive plant or wildlife species; (4) an evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) an evaluation of the significance of any potential direct or indirect impacts from the proposed site-specific project. If potentially significant impacts to sensitive biological resources are identified, future	City of Shafter	Applicant	Pre-Construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact D	project-level grading and site plans shall incorporate Project Design Features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impact level to less than significant.				

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact D	MM BIO-2: Housing development activities contemplated in the HEU shall avoid the bird breeding season (typically January through July for raptors and February through August for other avian species), if feasible. If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish and Game Code and minimize the potential for project delay, nesting bird surveys shall be performed by the qualified biologist prior to project commencement. In the event active nests are discovered, a suitable buffer (distance to be determined by the biologist or overriding agencies) shall be	City of Shafter	Applicant	Pre-Construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact D	established around such active nests, and no construction within the buffer shall allowed until the biologist has determined that the nest(s) is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest). MM BIO-3: If San Joaquin Kit Fox species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP)pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA.				
Cultural Resources					
Impact A: Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	MM-CR-1: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to historic resources may exist, may be shall be required to comply with the following mitigation framework: For any building or structure older than 50 years of age having its original structural integrity intact, the Applicant shall retain a qualified professional historian to determine if said building/structure is	City of Shafter	Applicant	At point of application	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	historically significant. The evaluation shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in State CEQA Guidelines Section 15064.5. The Applicant shall submit a Historical Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of historical resources, identification of potential impacts from the proposed development, and evaluation of the significance of any identified historical resources.				
Impact B: Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	MM CR-2: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to archaeological resources, shall be required to comply with the following mitigation framework: Prior to issuance of any permit future residential development on an undisturbed site, the Applicant shall retain a qualified archaeologist to conduct an archaeological survey to evaluate the presence of cultural resources and the need for project impact mitigation by preservation, relocation, or other method(s). The Applicant shall submit an	City of Shafter	Applicant	Permitting	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact B	Archaeological Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of archaeological resources, identification of potential impacts from the HEU, and evaluation of the significance of any identified archaeological resources. If there are potentially significant impacts to an identified archaeological/cultural resource, the Assessment also shall recommend appropriate mitigation required by the Applicant to reduce impacts to a less than significant level.				
Impact C: Disturb any human remains, including those interred outside of formal cemeteries?	MM-CR-1: Applications for future development contemplated and facilitated by the HEU, where the City of Shafter has determined a potential for impacts to historic resources may exist, shall be required to comply with the following mitigation framework: For any building or structure older than 50 years of age having its original structural integrity intact, the Applicant shall retain a qualified professional historian to determine if said building/structure is historically significant. The evaluation shall be based on criteria such as age, location, context, association with an important person or event,	City of Shafter	Applicant	At point of application	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact C	uniqueness, or structural integrity, as indicated in State CEQA Guidelines Section 15064.5. The Applicant shall submit a Historical Resource Assessment to the City of Shafter that shall include methods used to determine presence or absence of historical resources, identification of potential impacts from the proposed development, and evaluation of the significance of any identified historical resources.				
Geology and Soils					
Impact A (iii): Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	MM GEO-1: During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.	City of Shafter	Applicant	Pre-construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact B: Result in substantial soil erosion or the loss of topsoil?	MM GEO-1: During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.	City of Shafter	Applicant	Pre-construction	
Impact C: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	MM GEO-1: During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.	City of Shafter	Applicant	Pre-construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact D: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	MM GEO-1: During HEU implementation, each residential development shall prepare a Geotechnical Investigation Report as described in the Shafter Municipal Code (Chapter 15-28.070). Successful incorporation of these specifications shall be verified by the City of Shafter Building Official prior to the issuance of a Grading Permit.	City of Shafter	Applicant	Pre-construction	
Hazards and Hazardous Materials					
Impact B: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous	MM HAZ-1: Each Applicant for a new residential project contemplated by the HEU that will require City of Shafter discretionary approval may be required to shall prepare a Phase I Environmental Site Assessment in accordance with the latest ASTM protocol for such assessments and shall submit said Environmental Site Assessment to the appropriate City Department for review and approval. If the Phase I Environmental Site Assessment indicates evidence that contamination exists on the individual site that could require cleanup to avoid danger to people	City of Shafter	Applicant	Discretionary phase of project	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
materials into the environment?	or damage to the environment, the Applicant shall complete a Phase II level review that will fully characterize the nature and extent of such contamination and the scope of required cleanup procedures. The City of Shafter shall consider the results of the Phase II Assessment as part of the CEQA compliance process prior to taking any discretionary action on the identified residential project.				
Impact B:	MM HAZ-2: If an Applicant or Applicant's contractor for any residential project/development contemplated in and facilitated by the HEU discovers unknown wastes or suspect materials during grading and construction activities that are thought to involve hazardous waste or materials, the Applicant or Applicant's contractor may be required to shall do the following: •Immediately cease work in the suspected contaminant's vicinity, remove workers and the public from the suspected contaminated area, and secure said area;	City of Shafter	Applicant's Contractor	Grading and Construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact B	•Notify the Applicant's Environmental Professional and immediately implement proper remedial activities that are recommended; and, •Notify the Shafter City Engineer and Planning and Community Development Director and implement measures to further secure the area. In addition, the Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if any required.				
Impact D: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the	MM HAZ-1: Each Applicant for a new residential project contemplated by the HEU that will require City of Shafter discretionary approval shall prepare a Phase I Environmental Site Assessment in accordance with the latest ASTM protocol for such assessments and shall submit said Environmental Site Assessment to the appropriate City Department for review and approval. If the Phase I Environmental Site Assessment indicates evidence that contamination exists on the individual site that could require cleanup to avoid danger to people or damage to the environment, the Applicant shall complete a Phase II level review that will	City of Shafter	Applicant	Discretionary phase of project	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
public or the environment?	fully characterize the nature and extent of such contamination and the scope of required cleanup procedures. The City of Shafter shall consider the results of the Phase II Assessment as part of the CEQA compliance process prior to taking any discretionary action on the identified residential project.				
Noise					
Impact A: Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	MM NOI-1: To reduce potential grading and construction noise impacts, each Applicant for a specific project the City shall require construction contractors to implement a site-specific Noise Reduction Program that shall include the following measures, ongoing through any demolition, grading, and/or construction. •Equipment and trucks used for residential development shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.	City of Shafter	Applicant	Grading and Construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	•Impact tools (e.g., jack hammers, pavement breakers, rock drills) used for residential development shall be hydraulically or electronically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used. External jackets on the tools shall be used where feasible. Quieter procedures shall be used, whenever feasible. •Stationary construction-related noise sources shall be located as far from adjacent receptors as possible and shall be muffled and incorporate insulation barriers or other measures to the extent feasible.				
Impact A	MM NOI-2: Prior to any demolition or construction activities that may be necessary, in order to obtain a grading permit, or building permit approval, each applicant proposing a specific project shall submit to the City of Shafter Planning Department for approval, a list of measures to respond to and track complaints pertaining to construction noise, ongoing throughout demolition, grading, and/or	City of Shafter	Applicant	Prior to demolition	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	construction activities. At a minimum, these measures shall include the following: •A procedure for notifying the City Code Enforcement Officer and Police Department about regular construction hours and off-hours. •A requirement for a sign to be posted by the Applicant on-site that specifies the permitted construction days and hours, and notification procedure, and whom to notify in the event of a noise-related concern. The sign also shall include the construction contractor's telephone numbers during regular construction hours and off-hours. •A requirement for a pre-construction meeting to be held with the Applicant and general contractor/on-site project manager to confirm that noise measures and practices are completed.				
Impact A	MM NOI-3: All noise-generating residential construction activities shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m., Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal	City of Shafter	Contractor	Construction	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day. Implementation of the above Mitigation Measures would ensure any noise-related impacts associated with future residential development facilitated by the HEU will be reduced to a less than significant level.				
Recreation					
Impact A: Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	MM REC-1: Prior to issuance of a Building Permit for any individual residential project for which the City of Shafter park land dedication requirements would not be met, the Applicant of said project shall pay park fees the City of Shafter shall establish and assess to provide park and recreational facilities to serve future residents of the proposed new HEU-facilitated residential units.	City of Shafter	Applicant	Prior to Building Permit Issuance	
	MM REC-2: Every developer of residential projects contemplated and facilitated by the HEU may shall be required to dedicate a portion of the project site or pay a fee in lieu thereof, or do a combination of both, as the City of Shafter	City of Shafter	Applicant	Before proposal	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	may require, for the purpose of providing park and recreational facilities to serve future residents of each individual residential development. In determination of whether a developer shall dedicate land, pay a fee in lieu of land dedication, or a combination of both, the following procedure may be used: (a)Applicant required to or desiring to dedicate property for park and recreational purposes shall, upon filing a tentative map for approval, check with the City of Shafter to determine whether the subject property has been designated for a park site. If an Applicant's property is designated, the Applicant/developer will coordinate with the necessary City departments to incorporate the park site(s) into the development plan for the respective residential development. (b)If the Applicant's property is not so designated, and a school site is proposed within, or in proximity to, the development site, a park site adjacent to the school site may be required to be developed and the Applicant/developer shall coordinate with the appropriate City				

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Impact A	departments to incorporate the park site(s) into the respective residential development plan.				
Tribal Cultural Resources					
Impact A: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native	MM TR-1: Upon discovery of any tribal, cultural, or archaeological resources during ground-disturbing activities, the Applicant/Developer shall immediately cease such activities in the immediate vicinity. The finding then will be assessed by a qualified archaeologist retained by the Applicant/Developer and a tribal monitor/consultant approved by the consulting Tribal Group. The Applicant/Developer shall promptly notify the City of Shafter Director of Planning about the discovery of resources. If the resources are Native American in origin, the consulting tribe shall coordinate with the landowner pertaining to treatment and curation of such resources. Typically, the tribe will request preservation in place or recovery for educational purposes. At the direction of the qualified archaeologist and tribal monitor/consultant, and in coordination with the City of Shafter Planning Department, work may continue other parts of the affected site	City of Shafter	Applicant	Project Groundbreaking	

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
American tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources	while evaluation, and if necessary, additional protective measures are completed at the affected portion of the site pursuant to State CEQA Guidelines Section 15064.5(f). If the qualified archaeologist determines a resource to constitute a “historical resource” or “unique archaeological resource,” time and funding to allow for sufficient implementation of avoidance measures must be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment upon identification of unique archaeological resources (Public Resources Code Section 21083.2(b)). If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All tribal cultural resources shall be returned to the consulting tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution, with a research interest in the				

Impact	Mitigation Measures	Responsible Monitoring Party	Responsible Implementing Party	Implementation Phase	Completion Date / Initials
Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	materials. Acceptance and curation of the historic archaeological materials will be at the discretion of the institution. If no institution accepts the archaeological material, the material shall be offered to the consulting tribe or the Shafter Historical Society for educational purposes.				

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APPENDIX C-RESPONSE TO COMMENTS ON THE DRAFT IS MND

This section includes the comments received during circulation of the Draft Initial Study and Mitigated Negative Declaration (IS-MND) prepared for the Shafter 6th Cycle Element Housing Update and responses to those comments. Corrections or additional text discussed in the responses to comments are also shown in the text of the Final IS-MND in strikethrough (for deleted text) and underline (for added text) format. (Additional minor clarifications and corrections to typographical errors not based on responses to comments may also be shown in strikeout/underline format in the Final IS-MND. None of these changes introduce significant new information or affect the conclusions of the IS-MND.) The IS-MND was circulated for a 30-day public review period that began on June 2, 2023, and concluded on July 2, 2023. The Housing Element Update received three comment letters on the Draft IS-MND.

Each comment letter on the following page has been numbered sequentially and each separate issue raised by the commenter has been assigned a letter. Following the letters, the responses to each comment are listed sequentially in the table following the letters. The letters identify first the number of the comment letter, and then the letter assigned to each issue (Comment A, Response to Comment A) for example, indicates that the response is for the first issue raised in comment Letter #1.

Comment Letter #1



June 22, 2023

Steve Esselman
Planning Director
City of Shafter
336 Pacific Ave.
Shafter, CA 93263

Via email: sesselman@shafter.com

RE: Notice of Intent to Adopt a Mitigated Negative Declaration for City of Shafter 2023-2031 Housing Element Update

Dear Mr. Esselman,

The Wonderful Company LLC ("Wonderful") is proud to be a member of the community of Shafter and looks forward to working with the City of Shafter ("City") to ensure a bright and promising future for its residents. We have reviewed the City's Draft Housing Element Update 2024 and the Notice of Intent to Adopt a Mitigated Negative Declaration for the City of Shafter 2023-2031 Housing Element Update and ask that the City take the following into consideration prior to finalizing the updated Housing Element.

Wonderful, and its related entities, farm and process almonds, pistachios, various citrus varieties, pomegranates, wine grapes and nursery stock throughout the Central Valley of California. We are dedicated to bringing healthy products to market in an environmentally sound and sustainable manner. This commitment to health and well-being extends beyond our orchards and is why Wonderful has focused on developing a state-of-the-art logistics center in the City of Shafter, providing the community with high-paying jobs in the field of logistics and one-of-a-kind training opportunities.

We support the City's efforts to update the Housing Element but have concerns that the proposal may unintentionally inhibit certain growth opportunities by not providing sufficient flexibility. Specifically, we ask that adequate flexibility, with regard to density associated with the Regional Housing Needs Allocation (RHNA) categories, be built into the final Housing Element to ensure future development projects meet the needs of the City's residents. Although Wonderful is committed to assisting in meeting housing needs, we cannot agree to any mandatory density requirements for residential housing development on our properties.

Comment
A

Additionally, there were no maps included in the proposals that clearly show the properties which are being designated to meet the City's RHNA requirements. We request that the City provide a map within the document that clearly indicates all the locations described in the proposal and the "Very Low" and "Low" income housing proposed for each property.

Comment
B

We believe that the goal of the City's Housing Element is to provide housing for all income levels that enables vibrant, healthy and safe neighborhoods and encourages innovative residential designs to accomplish that goal. Wonderful remains dedicated to our mission of providing the residents of Shafter

Comment
C

with a mix of affordable housing opportunities and look forward to working with the City to ensure its housing obligations are realized.

Sincerely,



John Guinn, PE
Executive Vice President
Wonderful Real Estate

Con't
Comment
C

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Comment Letter #2



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 3, 2023

Steve Esselman, Planning Director
City of Shafter
336 Pacific Avenue
Shafter, California 93263
sesselman@shafter.com

**Subject: City of Shafter 2023-2031 Housing Element Update EIR (Project)
Initial Study/Mitigated Negative Declaration
SCH No. 2023060062**

Dear Steve Esselman:

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration (MND) from the City of Shafter for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

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City of Shafter
July 3, 2023
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projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Shafter

Objective: The City of Shafter Housing Element (HEU) is a State-required General Plan Element. The intent of the Housing Program is to ensure the housing needs of all economic segments of the community will be met through December 31, 2031. The Housing Program includes Goals, Policies, and actions that the City will undertake to meet its housing needs, identification of funding sources, responsible entities, and time frames for implementation. The Project identifies strategies and programs that focus on the following:

- Conserving and improving existing affordable housing;
- Providing adequate housing sites;
- Assisting in development of affordable housing;
- Removing governmental and other constraints to facilitate housing development; and,
- Promoting equal housing opportunities.

The HEU provides for five primary sites that are currently zoned for residential use and could accommodate 9,365 total units (37 very-low income; 125 low-income; 5,023 moderate income; and 4,179 above-moderate income). Also, the HEU indicates that other available properties within Shafter that could be re-zoned for residential use could

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accommodate an additional 19,135 residential units (949 very-low income; 3,792 low-income; 7,113 moderate income; and 7,281 above-moderate income).

Location: The Project is the City of Shafter, located in the San Joaquin Valley, within Kern County, approximately 18 miles west-northwest of the City of Bakersfield.

Timeframe: 2023 through December 31, 2031.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Shafter in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project.

There may be special-status resources present in and adjacent to the Project site. These resources may need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities. CDFW is concerned with potential impacts to special-status species including, but not limited to, the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*), the State threatened tricolor blackbird (*Agelaius tricolor*), the State threatened Swainson's hawk (*Buteo swainsoni*), the State candidate-listed endangered Crotch bumble bee (*Bombus crotchii*), and the State species of special concern burrowing owl (*Athene cunicularia*).

Comment
A

San Joaquin Kit Fox

The California Natural Diversity Database (CNDDDB) documents a San Joaquin kit fox (SJKF) record within the Project site (CDFW 2023a). Their populations are known to fluctuate over years and presence or absence in any one year does not necessarily reduce the potential for kit fox to occur on a site. It is important to note that SJKF may be attracted to the Project area due to the type and level of activity and the loose, friable soils that are created as a result of intensive ground disturbance. If plowed fields are left fallow for any length of time, SJKF can quickly move in and utilize these areas for both denning and foraging. CDFW recommends following the USFWS's "Standard Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance" (2011) survey protocols and that they be conducted as part of the biological technical studies conducted as part of the CEQA documents for future housing projects. If this species is detected during surveys, consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA. CDFW advises that avoidance, minimization, and mitigation measures for SJKF be fully addressed in the MND.

Comment
B

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Swainson's Hawk

Swainson's hawk (SWHA) exhibit high nest-site fidelity year after year in the San Joaquin Valley (CDFW 2016). The Project as proposed will involve noise, groundwork, and movement of workers that could affect nests and has the potential to result in nest abandonment, significantly impacting local nesting SWHA. Without appropriate avoidance and minimization measures for SWHA, potential significant impacts that may result from project activities include nest abandonment, and reduced nesting success (loss or reduced health or vigor of eggs or young).

CDFW agrees with the MND that housing development activities will be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, CDFW recommends protocol surveys be conducted by a qualified biologist following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000) during the survey season prior to project construction. CDFW recommends a minimum no-disturbance buffer of 0.5-mile be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If an active SWHA nest is detected during surveys and a 0.5-mile buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the project and avoid take. If take cannot be avoided, take authorization through the issuance of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

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Tricolored Blackbird

Tricolor blackbird (TRBL) have the potential to nest within and adjacent to the Project site. Without appropriate avoidance and minimization measures for TRBL, potential significant impacts include nest and/or colony abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young.

TRBL are known to nest in alfalfa, wheat, and other low agricultural crop fields. TRBL aggregate and nest colonially, forming colonies of up to 100,000 nests (Meese et al. 2014). Approximately 86% of the global population is found in the San Joaquin Valley (Kelsey 2008, Weintraub et al. 2016). Increasingly, TRBL are forming larger colonies that contain progressively larger proportions of the species' total population (Kelsey 2008). In 2008, for example, 55% of the species' global population nested in only two colonies, which were located in silage fields (Kelsey 2008). In 2017, approximately 30,000 TRBL were distributed among only 16 colonies in Merced County (Meese 2017). Nesting can occur synchronously, with all eggs laid within one week (Orians 1961). For these reasons, depending on timing, disturbance to nesting colonies can cause abandonment, significantly impacting TRBL populations (Meese et al. 2014). CDFW recommends the following avoidance and minimization measures be incorporated into the MND for this Project.

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CDFW agrees with the MND that housing development activities will be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, CDFW recommends that a survey for suitable habitat be conducted by a qualified biologist with knowledge of TRBL natural history and behaviors as part of the biological technical studies conducted in support of the CEQA document for each housing project. If suitable habitat is present, CDFW recommends a qualified biologist conduct focused surveys for nesting TRBL no more than 10 days prior to the start of ground-disturbing activities. If an active TRBL nesting colony is found during pre-activity surveys, CDFW recommends implementation of a minimum 300-foot no disturbance buffer around the colony in accordance with CDFW's *"Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015"* (CDFW 2015). CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival. It is important to note that TRBL colonies can expand over time. For this reason, CDFW also recommends conducting pre-activity surveys of an identified nesting colony within 10 days prior to the start of ground or vegetation disturbing activities to reassess the colony's areal extent. If a TRBL nesting colony is detected during surveys, consultation with CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground-disturbing activities.

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Crotch Bumble Bee

Crotch Bumble Bee (CBB) have the potential to occur within the Project site. CBB was once common throughout most of central and southern California. However, it now appears to be absent from most of their range, especially in the central portion of its historic range within California's Central Valley (Hatfield et al. 2014). Analyses by the Xerces Society et al. (2018) suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years.

Suitable CBB habitat includes areas of grasslands and upland scrub that contain requisite habitat elements, such as small mammal burrows. CBB primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2015). Overwintering sites utilized by CBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Therefore, ground disturbance and vegetation removal associated with project activities have the potential to significantly impact local CBB populations.

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CDFW agrees with the MND that for future housing development facilitated by the HEU, surveys will be conducted on sites that contain the presence of any sensitive biological resources. CDFW recommends that a habitat assessment be conducted for suitable

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CBB habitat, CBB nesting habitat, and CBB foraging resources, and that surveys follow CDFW's *Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species* (CDFW 2023b). If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement project activities and avoid take. Any detection of CBB prior to or during project implementation warrants consultation with CDFW to discuss how to avoid take.

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Burrowing Owl

Burrowing owl (BUOW) have the potential to be present on and adjacent to the Project site. It is possible project activities could impact this species. BUOW have the potential to be year-round residents. Dispersing juveniles, migrants, transients or new colonizers and can utilize the project site year-round. Therefore, CDFW recommends the survey methodology described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012) be followed before beginning ground disturbing activities. In the event that BUOW are found, CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

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Location	Time of Year	Level of Disturbance		
		Low	Mod	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Failure to implement the recommended buffer zones could cause adult BUOW to abandon the nest, cause eggs or young to be directly impacted (crushed), and/or result in reproductive failure, in violation of Fish and Game Code and the Migratory Bird Treaty Act.

Nesting birds

CDFW agrees with the MND that housing development activities will avoid the bird breeding season. If ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the project proponent is responsible for ensuring that implementation of the project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above. In the event that ground-disturbing activities were to occur during the bird breeding season, CDFW recommends that a qualified biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance

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to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the project site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

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If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

California Natural Diversity Database

Please note that the CNDDB is populated by and records voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDB does not mean a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special status species are present at or near the Project area.

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Lake and Streambed Alteration

Future residential development may be subject to CDFW's regulatory authority pursuant Fish and Game Code Section 1600 et seq. Fish and Game Code section 1602 requires the project proponent to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or

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intermittent as well as those that are perennial in nature. For additional information on notification requirements, please contact our staff in the LSA Program at (559) 243-4593, or by electronic mail at R4LSA@wildlife.ca.gov.

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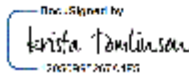
Federally Listed Species

CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to SJKF. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground disturbing activities.

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CDFW appreciates the opportunity to comment on the Project to assist the City of Shafter in identifying and mitigating the Project's impacts on biological resources. If you have any questions, please contact Jaime Marquez, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3200, or by electronic mail at Jaime.Marquez@wildlife.ca.gov.

Sincerely,


Krista Tomlinson for Julie A. Vance
Regional Manager

cc: Patricia Cole, USFWS
Patricia_Cole@fws.gov

CDFW LSA/1600;
R4LSA@wildlife.ca.gov

State Clearinghouse,
Governor's Office of Planning and Research
State.Clearinghouse@opr.ca.gov

Attachment 1

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Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

PROJECT: City of Shafter 2023-2031 Housing Element Update EIR

SCH No.: 2023060062

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure: SJKF	
SJKF take authorization	
Mitigation Measure: SWHA	
SWHA surveys	
SWHA take authorization	
Mitigation Measure: TRBL	
TRBL surveys	
TRBL consultation with CDFW	
Mitigation Measure: CBB	
CBB survey/habitat assessment	
CBB consultation with CDFW	
Mitigation Measure: BUOW	
BUOW surveys	
<i>Before Impacting the Bed, Bank, or Channel of any Stream or River</i>	
Mitigation Measure: Notification to CDFW's Lake and Streambed Alteration Program	
<i>During Construction</i>	
Mitigation Measure: SWHA	
SWHA avoidance buffer	
Mitigation Measure: TRBL	
TRBL avoidance buffer	
Mitigation Measure: BUOW	
BUOW avoidance buffer	

Comment Letter #3



July 3, 2023

Steve Esselman
City of Shafter
Planning Department
336 Pacific Avenue
Shafter, CA 93263

Project: City of Shafter 2023-2031 Housing Element Update Initial Study and Mitigated Negative Declaration

District CEQA Reference No: 20230504

Dear Mr. Esselman:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration (MND) for the Housing Element Update (Housing Element) for the City of Shafter (City). The Housing Element is an eight-year plan (2023-2031), that identifies strategies and programs consisting of: 1) conserving and improving affordable housing; 2) providing adequate housing sites; 3) assisting in the development of affordable housing; 4) removing governmental and other constraints to facilitate housing development; and 5) promoting equal housing opportunities in the City of Shafter (Project). The Housing Element area is included in one of the communities in the state selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities.

The District offers the following comments regarding the Project:

1) Development Project Siting

The Housing Element is the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). Guidance and policies used to implement the

Comment
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Housing Element should include measures and concepts outlined in the following resources:

- CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>

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2) **Assembly Bill 617**

AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The Shafter AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP.

Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the Shafter Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020.

During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them for development projects within the Housing Element area, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP.

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For more information regarding the CERP approved for Shafter, please visit the District's website at:

<http://community.valleyair.org/selected-communities/shafter/>

3) **Future Development Project Related Emissions**

Per the Housing Element, it is anticipated there will be the need for building 3,294 new housing units. With the future build-out of housing units, the MND specifies that future development projects within the Housing Element will identify and

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characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://www.valleyair.org/transportation/GAMAQI.pdf>. The District recommends that future projects be mitigated to the extent feasible, and that future projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.

As such, the Housing Element should incorporate where appropriate, a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level.

Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

The MND includes Policy 1, which *"requires development projects to minimize the generation of particulate emissions during construction by implementing appropriate dust abatement actions."* The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

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3b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://www.valleyair.org/transportation/GAMAQI.pdf>.

Recommended Mitigation Measure: At a minimum, future development projects related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as measures that reduce Vehicle Miles Traveled (VMTs) and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: <https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

3c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which

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uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

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4) Health Risk Screening/Assessment for Future Development Projects

For future development projects, the City should evaluate the risk associated with them for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

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Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling

protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

http://www.vallevair.org/transportation/ceqa_idx.htm.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

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The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@vallevair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

5) **Ambient Air Quality Analysis**

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects with emissions that exceed 100 pounds per day of any pollutant.

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An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

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Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:
www.valleyair.org/ceqa.

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6) **Voluntary Emission Reduction Agreement**

Future development projects within the Housing Element area with the potential to result in a significant impact on air quality should consider the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation of technologies.

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In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

7) **Clean Lawn and Garden Equipment in the Community**

Since the Housing Element consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends future development project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for

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replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at:
<http://www.valleyair.org/grants/covm.htm>
and <http://valleyair.org/grants/cgym-commercial.htm>.

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8) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects.

Comment
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9) Electric Vehicle Chargers

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Comment
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Please visit www.valleyair.org/grants/chargeup.htm for more information.

10) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

Comment
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The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (661) 392-5665.

10a) District Rule 9510 - Indirect Source Review (ISR)

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Accordingly, future development projects within the Housing Element area may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,000 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

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District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NO_x or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission

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reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

10b) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

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Future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbuln.htm>.

10c) District Rule 4601 (Architectural Coatings)

The future development projects may be subject to District Rule 4601 since it utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <http://www.valleyair.org/rules/curmrules/r4601.pdf>

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10d) District Regulation VIII (Fugitive PM10 Prohibitions)

For future development projects, a project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

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The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

10e) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:

<http://valleyair.org/rule4901/>

10f) Other District Rules and Regulations

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

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11) Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: <https://www.valleyair.org/transportation/GAMAQI.pdf>

Comment
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12) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

Comment
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If you have any questions or require further information, please contact Michael Corder by e-mail at Michael.Corder@valleyair.org or by phone at (559) 230-5818.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager

City of Shafter
Initial Study/Mitigated Negative Declaration
Summary of Public Comments and Responses

The Wonderful Company Comment Letter #1	
Comment A	Response to Comment A
We support the City's efforts to update the Housing Element but have concerns that the proposal may unintentionally inhibit certain growth opportunities by not providing sufficient flexibility. Specifically, we ask that adequate flexibility, with regard to density associated with the Regional Housing Needs Allocation (RHNA) categories, be built into the final Housing element to ensure future development projects meet the needs of the City's residents. Although Wonderful is committed to assisting in meeting housing needs, we cannot agree to any mandatory density requirements for residential housing development on our properties.	The City of Shafter's Housing Element (HEU) identified agricultural lands currently owned by the Wonderful Company located east of the City Center as a potential site to rezoned to R-3 (Medium-High Density) to supplement the overall shortfall in available land for lower income housing to meet the City's Regional Housing Needs Allocation (RHNA) number of 1,109 units for low-income housing. The City's total RHNA for all income levels is 3,294. According to the City of Shafter's Municipal Code, Page 4-5, Table 4.B, there are no minimum density requirements per acre listed for R-3 zones, there is, however, a maximum density of 24 dwelling units per acre, additionally, multiple family dwellings are allowed by right in R-3 Districts. The City of Shafter has no shortage of open land for development. The RHNA housing allocation for Shafter for the current 6th Cycle is 3,294 units in all income

	categories, the draft Housing Element identified the potential for the City to far exceed the RHNA number of 3,294 in all income categories with only a shortfall in sites adequately zoned for low-income (with a min density of 20 du/acre). In total, with the current rezoning program, the City identified 11,460 housing units that can be accommodated in three areas within the City for all income categories. Considering R-3 zones do not have minimum density requirements but do have a maximum density of 24 dwelling units per acre, the Wonderful Company would have the flexibility to develop up to 24 dwelling units per acre as indicated in the City's Municipal Code. The intention of the Housing Element Update is not to mandate cities to develop housing units based on the RHNA allocation but rather, it is required that cities show that they have adequate land zoned appropriately to meet the housing needs of all economic segments of the community. The rezoning of identified parcels to R-3 would enable property owners to develop up to 24 du/acre on those sites, but it is not required that those densities are met on said sites. The City is rezoning sufficient land to ensure that if all parcels are not developed to max density, there is still adequate land to accommodate the RHNA. To reiterate, there is no mandate requiring R-3 designated parcels to develop at max densities, the only requirement would be multi-family housing is developed.
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	For further information on the Housing Element, The draft HEU can be viewed on the City's website at: https://shafter.com/DocumentCenter/View/5044/Housing-Element.
Comment B	Response to Comment B
Additionally, there were no maps included in the proposals that clearly show the properties which are being designated to meet the City's RHNA requirements. We request that the City provide a map within the document that clearly indicates all the locations described in the proposal and the 'Very Low' and 'Low' income housing proposed for each property.	Comment noted. The City of Shafter's Initial Study/Mitigated Negative Declaration (ISMND) did not include maps depicting the properties which are being designated to meet the City's RHNA requirements. Upon finalizing the ISMND, maps that depict property locations and income designations will be included in the final version of the ISMND. However, please refer to the Draft Housing Element, Figure B-1 (Housing Inventory Locations) on page 210 of the document which depicts the potential housing locations within the City and Figure 11-47 (Site Inventory-Income designation (Shafter)) on page 107 of the Housing Element depicts the inventory of sites and their income designation. The entire draft (including maps) of the HEU can found on the City's website at: https://shafter.com/DocumentCenter/View/5044/Housing-Element

Comment C	Response to Comment C
We believe that the goal of the City's Housing Element is to provide housing for all income levels that enables vibrant, healthy, and safe neighborhoods and encourages innovative residential designs to accomplish that goal. Wonderful remains dedicated to our mission of providing the residents of Shafter with a mix of affordable housing opportunities and look forward to working with the City to ensure its housing obligations are realized.	Comment noted. The City of Shafter appreciates your support.
California Department of Fish and Game Comment Letter #2	
Comment A	Response to Comment A
COMMENTS AND RECOMMENDATIONS CDFW offers the following comments and recommendations to assist the City of Shafter in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project. There may be special-status resources present in and adjacent to the Project site. These resources may need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities. CDFW is concerned with potential impacts to special-status species including, but not limited to, the State threatened and federally endangered San Joaquin kit fox (<i>Vulpes macrotis mutica</i>), the State threatened tricolor blackbird (<i>Agelaius tricolor</i>), the State threatened Swainson's hawk (<i>Buteo swainson</i>), the State candidate-listed endangered Crotch bumble bee (<i>Bombus crotchii</i>), and the State species of special concern burrowing owl (<i>Athene cunicularia</i>).	Comment Noted. The HEU would not result in direct residential construction; rather, the HEU would facilitate and provide a policy framework for future residential development in the City of Shafter. However, as identified in the IS/MND mitigation measures, during pre-construction and prior to grading or construction activities at each Project site, the City of Shafter would require Project applicants to conduct site-specific general biological resources survey by a qualified biologist on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. Mitigation Measure BIO-1 in the IS/MND requires applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, a site-specific general biological resources survey shall be conducted on sites that contain the presence of

	any sensitive biological resources, including any sensitive plant or wildlife species. Mitigation BIO-1, has been revised to include the San Joaquin Kit Fox, Swainson's Hawk, Tricolored Blackbird, Cotch Bumble Bee, and Burrowing Owl as species of concern in the San Joaquin Valley region.
Comment B	Response to Comment B
San Joaquin Kit Fox The California Natural Diversity Database (CNDDDB) documents a San Joaquin kit fox (SJKF) record within the Project site (CDFW2023a). Their populations are known to fluctuate over years and presence or absence in any one year does not necessarily reduce the potential for kit fox to occur on a site. It is important to note that SJKF may be attracted to the Project area due to the type and level of activity and the loose, friable soils that are created as a result of intensive ground disturbance. If plowed fields are left fallow for any length of time, SJKF can quickly move in and utilize these areas for both denning and foraging. CDFW recommends following the USFWS's "Standard Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance" (2011) survey protocol and that they be conducted as part of the biological technical studies conducted as part of the CEQA documents for future housing projects. If this species is detected during surveys, a) consultation with the CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081 subdivision (b) necessary to comply with CESA. CDFW advises that avoidance, minimization, and mitigation measures for SJKF be fully addressed in the MND.	Mitigation Measure (MM BIO-1) in the IS/MND, requires applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. The draft IS/MND does not include specific measures for SJKF. However, an additional measure specific to SJKF will be included in the final IS/MND.

Comment C	Response to Comment C
Swainson's Hawk Swainson's hawk (SWHA) exhibits high nest-site fidelity year after year in the San Joaquin Valley (CDFW 2016). The Project as proposed will involve noise, groundwork, and movement of workers that could affect nests and has the potential to result in nest abandonment, significantly impacting local nesting SWHA. Without appropriate avoidance and minimization measures for SWHA, potential significant impacts that may result from project activities include nest abandonment, and reduced nesting success (loss or reduced health or vigor of eggs or young). CDFW agrees with the MND that housing development activities will be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, CDFW recommends protocol surveys be conducted by a qualified biologist following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHATAC 2000) during the survey season prior to project construction. CDFW recommends a minimum no-disturbance buffer of 0.5-mile be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If an active SWHA nest is detected during surveys and a 0.5-mile buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the project and avoid take. If take cannot be avoided, take authorization through the issuance of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.	Mitigation Measure BIO-2 in the IS/MND requires Applicants to avoid construction during the bird breeding season (January through July for raptors and February through August for other avian species). If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. Furthermore, if an active SWHA nest is detected during surveys and a 0.5-mile buffer is not feasible, consultation with CDFW will be initiated to discuss how to implement the Project and avoid take.
Comment D	Response to Comment D
Tricolored Blackbird Tricolor blackbird (TRBL) have the potential to nest within and adjacent to the Project site. Without appropriate avoidance and minimization measures for TRBL, potential significant impacts include nest and/or colony abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young. TRBL are known to nest in alfalfa, wheat, and other low agricultural crop fields. TRBL aggregate and nest colonially, forming colonies of up to 100,000 nests (Meese et al.	Mitigation Measure BIO-2 in the IS/MND requires Applicants to avoid construction during the bird breeding season (January through July for raptors and February through August for other avian species). If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird

2014). Approximately 86% of the global population is found in the San Joaquin Valley (Kelsey 2008, Weintraub et al. 2016). Increasingly, TRBL are forming larger colonies that contain progressively larger proportions of the species' total population (Kelsey2008). In 2008, for example, 55% of the species' global population nested in only two colonies, which were located in silage fields (Kelsey 2008). In 2017, approximately 30,000 TRBL were distributed among only 16colonies in Merced County (Meese2017). Nesting can occur synchronously, with all eggs laid within one week (Orians 1961). For these reasons, depending on timing, disturbance to nesting colonies can cause abandonment, significantly impacting TRBL populations (Meese et al. 2014). CDFW recommends the following avoidance and minimization measures be incorporated into the MND for this Project. CDFW agrees with the MND that housing development activities will be timed to avoid the normal bird breeding season (February 1 through September 15). However, if construction must take place during that time, CDFW recommends that a survey for suitable habitat be conducted by a qualified biologist with knowledge of TRBL natural history and behaviors as part of the biological technical studies conducted in support of the CEQA document for each housing project. If suitable habitat is present, CDFW recommends a qualified biologist conduct focused surveys for nesting TRBL no more than 10 days prior to the start of ground-disturbing activities. If an active TRBL nesting colony is found during pre-activity surveys, CDFW recommends implementation of a minimum 300-foot no disturbance buffer around the colony in accordance with CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW2015). CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival. It is important to note that TRBL colonies can expand over time. For this reason, CDFW also recommends conducting pre-activity surveys of an identified nesting colony within 10 days prior to the start of ground or vegetation disturbing activities to reassess the colony's areal extent. If a TRBL nesting colony is detected during surveys, consultation with CDFW is warranted to discuss how to implement the project and avoid take, or if avoidance is not feasible, to acquire an	survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. Furthermore, if an active TRBL nest is detected during surveys and a 300-foot no disturbance buffer is not feasible, consultation with CDFW will be initiated to discuss how to implement the project and avoid take.
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ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground-disturbing activities.	
Comment E	Response to Comment E
Crotch Bumble Bee Crotch Bumblebee (CBB) have the potential to occur within the Project site. CBB was identified to have the potential to significantly impact local CBB populations. CDFW agrees with the MND that for future housing development facilitated by the HEU, surveys will be conducted on sites that contain the presence of any sensitive biological resources. CDFW recommends that a habitat assessment was once common throughout most of central and southern California. However, it now appears to be absent from most of their range, especially in the central portion of its historic range within California's Central Valley (Hatfield et al. 2014). Analyses by the Xerxes Society et al. (2018) suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years. Suitable CBB habitat includes areas of grasslands and upland scrub that contain requisite habitat elements, such as small mammal burrows. CBB primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, underbrush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2015). Overwintering sites utilized by CBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Therefore, ground disturbance and vegetation removal associated with project activities be conducted for suitable CBB habitat, CBB nesting habitat, and CBB foraging resources, and that surveys follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW2023b). If ground-disturbing activities occur during the over wintering period (October through February), consultation with CDFW is warranted to discuss how to implement project activities and avoid take. Any detection of CBB prior to or during project implementation warrants consultation with CDFW to discuss how to avoid take.	Mitigation Measure (MM BIO-1) in the IS/MND, requires applications for future housing development facilitated by the HEU, where the City has determined a potential for impacts to special-status wildlife and plants species, a site-specific general biological resources survey shall be conducted on sites that contain the presence of any sensitive biological resources, including any sensitive plant or wildlife species. Furthermore, if a ground disturbing activities take place between October-February consultation with CDFW will be initiated to discuss how to implement the project and avoid take.

Comment F	Response to Comment F																							
Burrowing Owl Burrowing owl (BUOW) has the potential to be present on and adjacent to the Project site. It is possible project activities could impact this species. BUOW has the potential to be year-round residents. Dispersing juveniles, migrants, transients, or new colonizers and can utilize the project site year-round. Therefore, CDFW recommends the survey methodology described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012) be followed before beginning ground disturbing activities. In the event that BUOW are found, CDFW’s Staff Report on Burrowing Owl Mitigation (CDFG 2012) recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. <table><tr><th rowspan="2">Location</th><th rowspan="2">Time of Year</th><th colspan="3">Level of Disturbance</th></tr><tr><th>Low</th><th>Med</th><th>High</th></tr><tr><td>Nesting sites</td><td>April 1-Aug 15</td><td>200 m*</td><td>500 m</td><td>500 m</td></tr><tr><td>Nesting sites</td><td>Aug 16-Oct 15</td><td>200 m</td><td>200 m</td><td>500 m</td></tr><tr><td>Nesting sites</td><td>Oct 16-Mar 31</td><td>50 m</td><td>100 m</td><td>500 m</td></tr></table> * meters (m) Failure to implement the recommended buffer zones could cause adult BUOW to abandon the nest, cause eggs or young to be directly impacted (crushed), and/or result in reproductive failure, in violation of Fish and Game Code and the Migratory Bird Treaty Act.	Location	Time of Year	Level of Disturbance			Low	Med	High	Nesting sites	April 1-Aug 15	200 m*	500 m	500 m	Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m	Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m	Mitigation Measure BIO-2 in the IS/MND requires Applicants to avoid construction during the bird breeding season (January through July for raptors and February through August for other avian species). If breeding season avoidance is not feasible, the site-specific applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. Furthermore, if an active BUOW nest is detected during surveys and a level of disturbance buffer is not feasible, consultation with CDFW will be initiated.
Location			Time of Year	Level of Disturbance																				
	Low	Med		High																				
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m																				
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m																				
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m																				
Comment G	Response to Comment G																							
Nesting birds CDFW agrees with the MND that housing development activities will avoid the bird breeding season. If ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the project proponent is responsible for ensuring that implementation of the project does not	Mitigation Measure BIO-2 in the IS/MND requires Applicants to avoid construction during the bird breeding season (January through July for raptors and February through August for other avian species). If breeding season avoidance is not feasible, the site-specific																							

result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above. In the event that ground-disturbing activities were to occur during the bird breeding season, CDFW recommends that a qualified biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the project site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.	applicant shall be responsible for retaining a qualified biologist who will conduct a pre-construction nesting bird survey prior to the commencement of any ground disturbing activities to determine the presence/absence, location, and status of any active nests on or adjacent to the survey area. The extent of the survey buffer area surrounding each site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. Furthermore, if an active SWHA nest is detected during surveys and a 0.5-mile buffer is not feasible, consultation with CDFW will be initiated to discuss how to implement the project and avoid take.
Comment H	Response to Comment H
California Natural Diversity Database Please note that the CNDDDB is populated by and records voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting	Comment noted.

species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special status species are present at or near the Project area.	
Comment I	Response to Comment I
Lake and Streambed Alteration Future residential development may be subject to CDFW's regulatory authority pursuant Fish and Game Code Section 1600 et seq. Fish and Game Code section 1602 requires the project proponent to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. For additional information on notification requirements, please contact our staff in the LSA Program at (559) 243-4593, or by electronic mail at R4LSA@wildlife.ca.gov.	According to the City of Shafter's General Plan, the drainage canals that cross the City's Planning Areas have little or no marsh or riparian cover. Agricultural ponds that exist within the Planning Areas are primarily kept clear of vegetation and do not have significant habitat value for breeding or foraging wildlife. Regardless, future housing development would be required to implement Mitigation Measure MM BIO-1 which would require a site-specific biological study to be conducted in order to determine what impacts could be had on riparian habitat or other sensitive vegetation communities through consultation with the appropriate agencies.
Comment J	Response to Comment J
Federally Listed Species CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to SJKE. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground disturbing activities. CDFW appreciates the opportunity to comment on the Project to assist the City of Shafter in identifying and mitigating the Project's impacts on biological resources. If you have any	Future housing development facilitated by the HEU would comply with Federal, State, and local regulations. Compliance with the regulatory framework would ensure that no habitat would be impaired during development, construction, or operations. Future housing development would be subject to General Plan Conservation Element Policies 1 and 3, which require applicants proposing development within biologically sensitive areas to determine short and long-term impacts to biological resources and to consult with the California State

questions, please contact Jaime Marquez, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3200, or by electronic mail at Jaime.Marquez@wildlife.ca.gov.	Department of Fish and Wildlife. Compliance with Policy 1 would identify areas for special protection and create protection measures for specified habitat and sensitive species.
San Joaquin Valley Air Pollution District Control Comment Letter #3	
Comment A	Response to Comment A
Development Project Siting The Housing Element is the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). Guidance and policies used to implement the Housing Element should include measures and concepts outlined in the following resources: • CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: https://ww2.arb.ca.gov/our-work/programs/resource-center/strategydevelopment/land-use-resources.	The HEU does not propose development. Instead, the HEU identifies policies and programs that could be implemented to provide additional capacity for future development of dwelling units consistent with State Housing Law. However, prior to project approval, and at the discretion of the City, the City may require development project applicants to submit a technical assessment evaluating potential project operation phase-related air quality impacts. The evaluation shall be prepared in conformance with CARB's Air Quality and Land Use Handbook and determine appropriate mitigation to air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.).
Comment B	Response to Comment B
Assembly Bill 617 AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The Shafter AB 617 community is one of the statewide communities selected by	The City of Shafter is committed to working SJVAPCD, residents, community businesses and other key stakeholders to reduce the exposure of harmful air pollutants to disadvantaged communities. The City will assess the emission reductions measures and strategies

CARB for development and implementation of a CERP. Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the Shafter Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020. During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them for development projects within the Housing Element area, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP. For more information regarding the CERP approved for Shafter, please visit the District's website at: http://community.valleyair.org/selected-communities/shafter/	included in the CERP and address them for development projects within the Housing Element area, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP.
Comment C	Response to Comment C
3.Future Development Project Related Emissions At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as a nonattainment for the 8-hour ozone, PM₁₀ PM_{2.5} standards. Per the Housing Element, it is anticipated there will be the need for building 3,294 new housing units from current projections. As such, the District recommends that the Housing Element stipulate that future development projects identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air	Prior to issuance of any construction permits, and at the discretion of the City, development project applicants may be required to prepare and submit to the City of Shafter a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (SJVAPCD) methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts

Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf. The District recommends that future development projects be mitigated to the extent feasible, and that future development projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds. As such, the Housing Element should incorporate where appropriate, a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level. Environmental reviews of potential impacts on air quality should incorporate the following items: 3a) Construction Emissions The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment. 3b) Operational Emissions Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://www.valleyair.org/transportation/GAMAQI.pdf. Recommended Mitigation Measure: At a minimum, future development projects related impacts on air quality should be reduced to levels of significance through	(GAMAQI), the City of Shafter Planning Division may require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. 3a) Construction Emissions The City of Shafter 6th Cycle Housing Element Update provides opportunities for implementing the City's required affordable housing. Future development of affordable housing would entail emissions from construction activities. Potential emissions due to future construction activities would be assessed in conjunction with City review of site-specific air quality and greenhouse gas emissions data and studies, with inclusion of appropriate Mitigation Measures. Such review would occur during the project planning process and culminate prior to approval of the relevant projects subject to review under the California Environmental Quality Act. The reviews will provide an adequate mechanism to require specific measures to mitigate potentially significant air quality and greenhouse gas emissions impacts for the City of Shafter 6th Cycle Housing Element Update. 3b) Operational Emissions The City of Shafter 6th Cycle Housing Element Update provides opportunities for implementing the City's
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incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf 3c) Recommended Model for Quantifying Air Emissions Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.	required affordable housing. Operational emissions will depend on future residential densities and associated vehicle miles traveled, in addition to such adjunct operations as building heating and air conditioning. Site-specific analysis of operational air emissions will be performed upon submission of individual development applications. 3c) Recommended Model for Quantifying Air Emissions. Future development associated with the HEU that requires an emission analysis would be required to be performed using the most recent version of the California Emission Estimator Model (CalEEMod).
Comment D	Response to Comment D
4. Health Risk Screening/Assessment for Future Development Projects For future development projects, the City should evaluate the risk associated with them for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions. To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.	The HEU does not propose development. Instead, the HEU identifies policies and programs that could be implemented to provide additional capacity for future development of dwelling units consistent with State Housing Law. However, prior to site specific project approvals, and at the discretion of the City, the City may evaluate new development proposals for sensitive receptors (e.g., residential, schools, day care centers) within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective. Applicants for sensitive land uses that are within the recommended buffer distances shall submit a health risk assessment (HRA) to the City prior to future project approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA), the

<u>Prioritization (Screening Health Risk Assessment):</u> A “Prioritization” is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association’s (CAPCOA) methodology. The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation. To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here: http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORI.TIZATION-CALCULATOR.xls <u>Health Risk Assessment:</u> Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA. A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District’s established risk thresholds, which can be found here: http://www.valleyair.org/transportation/ceqa_idx.htm. A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency. The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:	San Joaquin Valley Air Pollution Control District (SJVAPCD) and will follow the California Air Pollution Control Officers Association’s (CAPCOA) methodology. A project with potentially significant health risks which include impacts related to TAC’s, would require Measures to reduce risk impacts. Mitigation measures identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site development plan as a component of the proposed project.
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• HRA (AERMOD) modeling files • HARP2 files • Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies. For assistance, please contact the District's Technical Services Department by: • E-Mailing inquiries to: hramodeler@valleyair.org • Calling (559) 230-5900 Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources.	
Comment E	Response to Comment E
5. Ambient Air Quality Analysis An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects with emissions that exceed 100 pounds per day of any pollutant. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: www.valleyair.org/ceqa.	Prior to issuance of any construction permits, at the discretion of the City, development project applicants shall prepare and submit to the City of Shafter a technical assessment evaluating potential project construction-related air quality impacts. An AAQA analysis will be prepared that evaluates the impact of Project-related emissions of criteria pollutants (CO, NO₂, SO₂, PM₁₀, PM_{2.5}) and toxic air contaminants (TACs) (e.g., diesel particulate matter or DPM) along the ambient air boundary (defined as the edge of on-site construction area) and at existing nearby sensitive receptors within 1,000 feet of Project locations and 500 feet of Project construction routes to determine if sensitive receptors are exposed to substantial pollutant concentrations.
Comment F	Response to Comment F
6. Voluntary Emission Reduction Agreement Future development projects within the Housing Element area with the potential to result in a significant impact on air quality should consider the feasibility of	Prior to issuance of any construction permits, at the discretion of the City, applicants for future development projects may enter into a Voluntary Emissions Reduction

implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure. A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient, heavy-duty trucks, and replacement of old farm tractors. In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.	Agreement (VERA) with the San Joaquin Valley Air Pollution Control District (SJVAPCD). The VERA is intended to identify the amount of emissions to be reduced, in addition to the amount of funds to be paid by the project applicant to the SJVAPCD to implement emission reduction projects required for the project. Under this agreement, project proponents may enter into an agreement where funds are used to develop and implement emission reduction projects.
Comment G	Response to Comment G
7. Clean Lawn and Garden Equipment in the Community Since the Housing Element includes residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends future development project proponents consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas-powered lawn and garden equipment. More	Comment noted. The City of Shafter will provide information on the Districts CGYM program to prospective future project proponents.

information on the District CGYM program and funding can be found at: http://www.valleyair.org/grants/cgym.htm. and http://valleyair.org/grants/cgym-commercial.htm.	
Comment H	Response to Comment H
8. On-Site Solar Deployment It is the policy of the State of California that renewable energy resources and zero carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects.	New residential development in the City of Shafter will be required to accommodate solar energy connections or sources of on-site renewable energy, per the latest 2019 California Energy Code requirements. The Energy Code requires all new residential construction to achieve net-zero emissions associated with electricity usage using on-site renewable sources. This analysis has conservatively assumed 80% of electricity usage will be captured via on-site renewable sources (i.e., solar panels), as part of the project design.
Comment I	Response to Comment I
9. Electric Vehicle Chargers To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and future development project proponents install electric vehicle chargers at project sites, and at strategic locations. Please visit www.valleyair.org/grants/chargeup.htm for more information.	Comment noted. Implementation of residential development contemplated and facilitated by the HEU would be required to comply with California State Building Energy Efficiency Standards, green building standards, and appliance efficiency regulations. The City will consider installing electric vehicle chargers for future development projects.
Comment J	Response to Comment J
10. District Rules and Regulations The District issues permits for many types of air pollution sources and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual	The City of Shafter acknowledges that individual projects resulting from implementation of the HEU would be subject to all District rules, including 4601 and 4901. Prior to issuance of any construction permits, at the discretion of the City, project proponents may be required to

rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes. The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (661) 392-5665. 10a) District Rule 9510 - Indirect Source Review (ISR) The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions. Accordingly, future development projects within the Housing Element area may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism. District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM. The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.	demonstrate to the City that they have obtained all required permits from the San Joaquin Valley Air Pollution Control District; and that all construction activities will continuously comply with applicable regulatory standards; including but not limited to SJVAPCD Regulation VIII, Control Measures for construction emissions of PM10. If it is determined that air quality impacts are found to be significant even after complying with District Rules 9510 and 9410, project proponents will be directed to enter into a VERA or other equal and feasible mitigation prior to the start of the first project activity generating emissions. The HEU does not propose development. Instead, the HEU identifies policies and programs that could be implemented to provide additional capacity for future development of dwelling units consistent with State Housing Law. Therefore, District Rule 9510 would not be applicable to the HEU as it is not a transportation project.
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In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. It is preferable for the applicant to submit an AIA application as early as possible in the public agency's approval process so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>. District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510 and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

10b) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants). Future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

10c) District Rule 4601 (Architectural Coatings)

The future development projects may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements, or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup, and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <http://www.valleyair.org/rules/currnrules/r4601.pdf>

10d) District Regulation VIII (Fugitive PM10 Prohibitions)

For future development projects, a project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other

Earthmoving Activities. Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950. The application for both the Construction Notification and Dust Control Plan can be found online at: https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx Information about District Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm 10e) District Rule 4901 - Wood Burning Fireplaces and Heaters The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater. Information about District Rule 4901 can be found online at: http://valleyair.org/rule4901/ 10f) Other District Rules and Regulations. Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Rule 4641 (Cutback, slow cure, and emulsified asphalt, paving and maintenance operations).	
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Comment K	Response to Comment K
11. Future Projects / Land Use Agency Referral Documents Future development projects may require an environmental review and air emissions mitigation. A project's referral documents, and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf	Prior to issuance of any construction permits, at the discretion of the City, development project applicants may be required to prepare and submit to the City of Shafter Planning Division a technical assessment evaluating potential project construction-related air quality impacts. The evaluation would be prepared in conformance with SJVAPCD methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SJVAPCD adopted thresholds of significance, as identified in the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), the City of Shafter Planning Division may require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Division.
Comment L	Response to Comment L
District Comment Letter The District recommends that a copy of the District's comments be provided to the Project proponent.	Comment noted. A copy of this letter will be provided to the project Applicant.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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August 14, 2023

Steve Esselman, Director
Planning Department
City of Shafter
336 Pacific Avenue
Shafter, CA 93263

Dear Steve Esselman:

RE: City of Shafter's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the City of Shafter's (City) draft housing element received for review on May 16, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Gov. Code, § 65580 et seq). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the City failed to adopt a compliant housing element within 120 days of the statutory deadline (December 31, 2023), any rezoning to make prior identified sites available or accommodate the regional housing needs allocation (RHNA) must be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the City fails to adopt a compliant housing

element within one year from the statutory deadline, the element cannot be found in substantial compliance until all necessary rezones are completed pursuant to Government Code section 65583, subdivision (c)(1)(A) and Government Code section 65583.2, subdivision (c).

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the City's effort during the review and update, including timeliness of submittal of this initial draft housing element. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact me at paul.mcdougall@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF SHAFTER

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <https://www.hcd.ca.gov/planning-and-community-development/hcd-memos>. Among other resources, the housing element section contains HCD's latest technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks> and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

General: While the element includes a program-by-program review of implementation, it should specifically re-evaluate Programs 1.2.5 (Water and Sewer Coordination), 1.3.1 (Energy Conservation), 2.3.3 (Large Sites) and 2.3.4 (Lot Consolidation). These programs appear to have objectives that were essential to compliance in the prior planning cycle. Yet, the programs were eliminated or were not appropriately modified. The element should better describe the objectives from the prior planning cycle, report progress in implementation, evaluate the effectiveness of the program in achieving objectives and add or modify current programs, as appropriate.

Housing for Specials Needs: As part of the review of programs in the past cycle, the element must provide an evaluation of the cumulative effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers and persons experiencing homelessness). Programs should be revised as appropriate to reflect the results of this evaluation.

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Outreach and Enforcement: While the element generally describes the City partners with the Kern County Fair Housing Coordinator, it should discuss the effectiveness of that partnership in terms of outreach and addressing complaints to better formulate policies and programs.

Further, the element should evaluate the number and characteristics of complaints in the City as well as compliance with state and federal fair housing laws, including any past lawsuits, consent decrees or other related fair housing legal matters. For more information, please see HCD's Affirmatively Furthering Fair Housing (AFFH) Guidance (starting on p. 29) at https://www.hcd.ca.gov/community-development/affh/docs/AFFH_Document_Final_4-27-2021.pdf.

Racially and Ethnically Concentrated Areas of Poverty(R/ECAP): The element identifies an area of High Segregation and Poverty and should include specific analysis to understand the conditions of the area relative to other areas and better formulate appropriate policies and programs. For example, the analysis should discuss demographics (e.g., income, housing types, housing age), housing conditions, neighborhood conditions, infrastructure, access to opportunities (e.g., parks, schools, amenities, community facilities and programs, transportation mobility, safe route to schools) and compare those conditions to other areas of the City, including newer master planned areas.

Disparities in Access to Opportunity: The element should discuss disparities in access to transportation opportunities, particularly for protected classes and lower-income households by geography or area. For more information, please see HCD's AFFH Guidance.

Disproportionate Housing Needs, including Displacement Risk: The element includes some general information on persons experiencing homelessness and housing conditions but should also evaluate those needs, impacts and patterns within the City, such as areas of higher need. For homelessness, the element should examine patterns of need or areas with higher concentrations of persons experiencing homelessness, including access to transportation and services. For housing conditions, the element should discuss any areas of potentially higher needs of rehabilitation and replacement. The element should utilize local data and knowledge such as service providers and code enforcement officials to assist this analysis.

In addition, to better evaluate displacement risks, the element could utilize new data available for displacement risk on HCD's AFFH Data Viewer available at <https://www.hcd.ca.gov/planning-and-community-development/affirmatively-furthering-fair-housing>.

Identified Sites and AFFH: The analysis must identify whether sites improve or exacerbate conditions and whether sites are isolated by income group. A full analysis should address the income categories of identified sites with respect to location, the number of sites and units by all income groups and how that affects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). The element should also discuss whether the distribution of sites improves or exacerbates conditions. If sites exacerbate conditions, the element should identify further program actions that will be taken to promote equitable quality of life throughout the community (e.g., anti-displacement and place-based community revitalization strategies).

Local Data and Knowledge and Other Relevant Factors: The City consists of only a few census tracts and these boundaries do not coincide with the City boundaries which can

complicate the AFFH analysis when only using federal and state data. Further and as a result, in many cases, the analysis of patterns and trends is minimal or absent. The element must supplement the state and federal data with local data and knowledge and other relevant factors to complete an analysis and better evaluate patterns and trends. For example, local data and knowledge can include information from City staff such as code enforcement officials, city engineers. This information can also include service providers, past planning documents, past assessments of need in funding applications, County analysis of impediments and, particularly, could be based on focused outreach on fair housing issues. Other relevant factors can include demographics, governmental and nongovernmental actions, historical land use and zoning practices (e.g., past redlining/Greenlining, restrictive covenants, planning documents, etc.), disparities in investment to specific communities including transportation investments, seeking investment or lack thereof to promote affordability and inclusion, local initiatives, or other information that may have impeded housing choices and mobility.

Contributing Factors to Fair Housing Issues: While the element lists broad categories of analysis (e.g., segregation and integration), it should also list and prioritize contributing factors to fair housing issues based on the AFFH analysis. Contributing factors are underlying issue areas that are intended to provide direction and context for appropriate policies and programs. Examples include lack of a community revitalization strategy, land use and zoning practices, lack of investments in neighborhoods. For more information, please see HCD's AFFH Guidance, starting on page 68.

2. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income households. (Gov. Code, § 65583, subd. (a)(1).)*

Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)

Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)

Extremely Low-Income (ELI) Households: The element does not address this requirement. The element must quantify existing and projected ELI households and analyze their housing needs. The analysis of ELI housing needs should address household characteristics such as tenure, overpayment and overcrowding and should analyze resources, effectiveness of strategies and the magnitude of needs. The projected housing need for ELI households can be calculated by using available census data to determine the number of very low-income households that qualify as ELI households or presume that 50 percent of the regional housing need allocation (RHNA) for very low-income households qualify as ELI households. For additional information, please see HCD's Building Blocks.

Housing Conditions: While the element discusses the age of housing units (p. 26) but must also estimate the number of units needing rehabilitation and replacement. This estimate can be obtained from a variety of sources such as the City's code enforcement department.

Special Housing Needs: While the element generally quantifies special housing needs, it should also analyze those needs. The analysis should include, but is not limited to, factors such as household income, tenure, housing types, zoning, and available resources. Local officials, special needs service providers, or City/County social and health service providers may be able to assist with information to complete the analysis. In addition, the analysis should address:

- *Farmworkers*: While the element includes data on farmworkers from the Census, this data is generally a significant undercount. In addition, the element should utilize County level data available through the United States Department of Agriculture, Agricultural Census and can also obtain useful information from the Office of Education regarding student programs. In addition, the analysis should address trends, characteristics, disproportionate needs, effectiveness of resources and strategies, magnitude of the housing need, including disproportionate housing need and the effectiveness of past policies, programs, and funding to help address those gaps. The analysis may utilize past farmworker housing studies and other studies generally applicable to their special housing needs. For example, the element could utilize a recent study conducted by University California at Merced that is available at https://clc.ucmerced.edu/sites/clc.ucmerced.edu/files/page/documents/fw_hs_report_2.2.2383.pdf. Based on the outcomes of the analysis, the element should add or modify programs to address this special housing need in the region.
- *Homelessness*: The element must utilize the most recent Point in Time survey and should also evaluate the characteristics of housing needs for persons experiencing homelessness such as disproportionate impacts on protected characteristics, gender and household type.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Progress toward the RHNA: The element may utilize pending, approved or under construction (pipeline) units since June 30, 2023 toward the RHNA. For example, HCD understands the City is currently working on a sweat equity subdivision that will be available to lower income households. This type of pending development may be utilized toward the RHNA. To utilize pipeline units, the element should demonstrate their affordability and availability in the planning period. Affordability should be based on actual or anticipated rent and sales prices or other mechanisms ensuring affordability (e.g., deed restrictions). Availability should discuss, statute, remaining steps, likelihood of being built in the planning period and any known barriers to development in the planning period.

Parcel Inventory: The element lists parcels based on a variety of factors such as parcel number, general plan designation and zoning but should also list sites by size (acreage).

Specific Plans: The element generally describes several specific plans and assumes the number of units by affordability based on brief market data. However, unless the specific plans are project based, the element should list specific plans by parcel number, general plan designation, size of parcel, realistic capacity and anticipated affordability. Please be aware, based on this listing, the element may need to address other analyses. For example, if utilizing densities less than 20 units per acre toward the lower-income RHNA, the element must have specific analysis based on factors such as market conditions and experience within the zone. Also, sites smaller than a half-acre or larger than 10 acres are generally deemed inappropriate unless demonstrated suitable based on specific analysis. See below for additional discussion.

In addition, the element should specifically describe the status of the specific plan, anticipated build out horizon, any known barriers to full development in the planning period and adjust assumptions as appropriate. Please see HCD's Building Blocks for additional information.

Realistic Capacity: While the element provides assumptions of buildout for sites (80 percent of maximum allowable density), it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements and typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction.

In addition, if utilizing zoning that allows 100 percent nonresidential uses, then the element must demonstrate the likelihood of a residential component based on factors such as past trends and proposed policies and programs.

Size of Sites: The sites inventory appears to identify small sites and may be using larger sites to accommodate the City's lower-income RHNA. Sites smaller than a half-acre in size and larger than 10 acres are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. The element should provide specific examples with comparable densities and affordability or other evidence. For example, for sites expected to be aggregated, the element must describe circumstances leading to consolidation, such as common ownership. Based on a complete analysis, the City should consider adding or revising programs to include incentives for facilitating development on small and larger sites. For more information, please see HCD's Sites Inventory Handbook.

Environmental Constraints: While the element generally describes a few environmental conditions, it must relate those conditions to identified sites and describe any other known environmental or other constraints that could impact housing development on identified sites in the planning period. Examples of other known conditions include shape, contamination,

property conditions, easements, Williamson Act contracts, conservation easements, overlays and airport and military compatibility.

Infrastructure: The element includes some discussion on water and sewer providers in the City. However, it must also clarify whether sufficient total water and sewer capacity (existing and planned) can accommodate the regional housing need and include programs if necessary.

In addition, the element includes a program to grant water and sewer priority to developments with units affordable to lower-income households. However, the element should clearly describe whether the City is a water or sewer provider. If so, the element should then clearly describe whether a procedure is available and if not, then add a program to establish a written procedure by a specified date.

Sites Identified in Prior Planning Periods: Sites identified in prior planning periods shall not be deemed adequate to accommodate the housing needs for lower-income households unless a program, meeting statutory requirements, requires rezoning within three years. The element should clarify if sites were identified in prior planning periods and if so, which sites and include a program if utilizing previously identified sites in the current planning period. For more information on program requirements, please see HCD's Housing Element Sites Inventory Guidebook at https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sites_inventory_memo_final06102020.pdf.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Zoning for a Variety of Housing Types (Single Room Occupancy (SRO)): While the element mentions SROs are allowed in the Downtown Commercial (DC) zone with a conditional use permit (CUP), it should also demonstrate the zoning, development standards and permit procedures encourage and facilitate SROs. For example, the element should specifically evaluate the minimum unit size requirement and CUP process as a constraint and add or modify programs to encourage the use.

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Building Codes and Enforcement: The element must describe and analyze which building code (e.g., 2019) is enforced, any local amendments to the building code and their enforcement for impacts on housing supply and affordability. While the element describes local amendments and minimal impacts on housing costs, it should also clarify which building code is utilized and the type of enforcement conducted (e.g., complaint-based) then evaluate any disproportionate

impacts on lower-income and special needs households and persons with protected characteristics.

Housing for Persons with Disabilities: While the element includes programs to revise procedures for reasonable accommodation and group homes, it must include analysis to better formulate policies and programs, as follows:

- *Family Definition*: The element should identify any definition of family utilized in zoning and land use and analyze impacts on housing for persons with disabilities such as impacts on unrelated or the number of persons.
 - *Reasonable Accommodation*: The element should describe the procedure including application requirements, timing of review and decision-making criteria such as approval findings and add or modify Program 3.2.1 (Standards for Special Needs Housing), as appropriate.
 - *Group Homes*: The element should clearly describe which zones allow group homes six or fewer persons and seven or more persons, regardless of licensing, and how those uses are described then evaluate any potential constraints such as subjecting the uses to a conditional use permit or excluding the uses from any zones that allow residential uses. In turn, the element should add or modify Program 3.2.1 (Standards for Special Needs Housing), as appropriate.
5. *An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use...(Gov. Code, § 65583, subd. (a)(9).)*

Based on HCD's records, the City currently has one development at-risk of conversion in the next ten years. The element should reconcile these records and if necessary, add analysis and add or modify programs, as appropriate. Please see HCD's Building Blocks for additional information. HCD will send additional information on the property under separate cover.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element... (Gov. Code, § 65583, subd. (c).)*

To have a beneficial impact in the planning period and achieve the goals and objectives of the housing element, programs must have discrete timelines (e.g., annually, by 2025) early in the planning period. Example of programs that should be modified with discrete timelines or with a date earlier in the planning period include Programs 1.2.1 (Housing Rehabilitation), 2.1.1 (Affordable Housing Program Inventory), 2.1.2 (Partnership and

Nonprofit Assistance), 2.2.2 (Commercial Zone Floor Area), 2.2.4 (Density Bonus), 2.3.1 (Infrastructure Improvements) and 3.2.3 (Special Needs).

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding B3, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised, as follows:

- *Program 1.1.1 (Rezone Sites):* The Program should be revised to include minimum acreage and meet all by right requirements pursuant to Government Code section 65583.2, subdivision (h) and (i) including clarifying by right to mean without discretionary action and requiring minimum densities.
 - *Program 3.2.2 (Emergency Shelters):* With respect to emergency shelters, the program should clarify sufficient capacity to meet the need for emergency shelters and at least one shelter, appropriate parking requirements limited to employees, proximity of capacity near transportation, amenities and homelessness services, allowing residential uses, and amending the definition of emergency shelters. Please note, to utilize multi-jurisdictional provisions, a shelter must be completed in the first two years of the planning period.
3. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

While the element briefly mentions farmworkers in a few programs, it must have specific efforts based on the outcomes of a complete analysis. For example, the element could commit to proactive actions to coordinate with nonprofit developers, employers, and other related organizations, to explore funding and incentives and to identify specific development opportunities.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Findings B4, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised, as follows:

- *Program 2.2.2 (Commercial Zone Floor Area)*: The Program should specifically commit to increase the floor area ratio and promote the ability to achieve maximum densities.
- *Fees*: The element could include a program to proactively revise fees to account for differences in impacts in housing based on factors such as location, housing for lower-income and special needs households or smaller housing types. For example, the element could commit to levy fees based on square footage to encourage ownership for smaller single family housing types.
- *SB 35*: While the element seems to explain a development utilizing SB 35 is not likely, it should commit to establish a written procedure by a specified date.

5. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding B1, the element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics or numeric targets, geographic targeting and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in higher opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

6. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)*

While Program 2.1.4 commits to establish a handout, it should consider additional actions to promote accessory dwelling unit (ADU) development for very low-, low-, and moderate-income households. This can take the form of flexible zoning requirements, development standards, or processing and fee incentives that facilitate the creation of ADUs, such as reduced parking requirements, fee waivers and more. Other strategies could include establishing an ADU specialist within the planning department. In addition, the Program should monitor permitted ADUs and affordability every other year and take appropriate action such as adjusting assumptions or rezoning within a specified time period (e.g., 6 months) and amend the ordinance to comply with state ADU law, if necessary.

D. Quantified Objectives

A statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing... (Gov. Code, § 65583, subd.(b).)

While the element includes quantified objectives for new construction and rehabilitation by income group (Table V-1), quantified objectives for conservation should not be limited to at-risk preservation and should be increased to better reflect the identified needs.

E. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)

While the element includes a general summary of the public participation process, the element should also demonstrate diligent efforts were made to involve all economic segments of the community in the development of the housing element. Specially, the element should discuss efforts to include lower-income and special needs households or make additional efforts as part of future submittals. In addition, the element describes comments and responses from the local air district but should also discuss how the element incorporates those comments and should discuss other comments and how they were incorporated.

Memorandum

To: Honorable Mayor and City Councilmembers

CC: Gabriel A. Gonzalez, City Manager; Alan Cazares, Associate Planner

From: Steve Esselman, Planning Director 

Subject: Summary of Draft 6th Cycle Housing Element Update Revisions in Response to HCD Comment Letter

Date: October 10, 2023

This memorandum provides a summary of the proposed revisions to the draft 6th Cycle Housing Element Update (HEU) in response to the comment letter from the Department of Housing and Community Development (HCD) dated August 14, 2023 (see attached).

Non-Substantive Revisions

Based on the HCD comment letter, the following non-substantive revisions were included in the revised document:

- Clarification on estimated number of units requiring rehabilitation or replacement in the core.
- Clarification on Extremely Low-Income (ELI) Households and the number found in Shafter.
- Additional information on the definition of farm workers and defining the difficulties such workers have in finding suitable housing.
- Additional information on homelessness, including a discussion on the results of the most recent Point in Time Count in the area and the availability of shelters.
- Provided confirmation that no fair housing complaints were submitted from the City of Shafter during the previous housing cycle to the Kern County Fair Housing Coordinator.
- Additional information on two high segregation and poverty areas in the core, including access to Dial-A-Ride and recreational opportunities.
- Additional information on how the city complies with the American with Disabilities Act (ADA).
- Additional information on fair housing issues.
- Additional information on future economic growth initiatives in the city, including hiring an economic development director and attracting a hotel developer.
- Additional information on educational resources in the city, including information about the Shafter Library.
- Discussion on the City's participation in AB 617 and the benefits to the community.
- Discussion on the state of the schools in Shafter.
- Discussion on an area with a slightly higher disabled population.

- Discussion on transportation opportunities in the City, including additional information about the Dial-A-Ride program.
- Discussion on the relatively few issues in Shafter regarding substandard housing.
- Discussion about flood zones.
- Additional information on the sites inventory regarding high segregation and poverty, access to opportunity, fair housing, affordable housing units, private investment, and disparities in mortgage lending.
- Additional information on promotion of energy conservation.
- Additional information regarding the City's water and sewer service.
- Clarification that the City uses the 2022 California Building Code.
- Clarification that the conditional use permit process does not constrain single room occupancy units.
- Clarification on the definition of "family" and how any sized family can live within any residential zone.
- Clarification on how the City provides reasonable accommodation.
- Discussion about how none of the properties in the sites inventory are under a Williamson Act Land Use contract.
- Discussion of how environmental constraints were considered during the site inventory selection process.
- Addition of 200 low-income units identified at 300 Terra Vista Lane, owned by the Shafter Kern Housing Authority will expire April 11, 2033 in the quantified objectives to be conserved.
- Provide information on website about home rehabilitation and funding.
- Provide HEU to water and sewer providers.
- Assist with grants to rehabilitate houses within an area designated high segregation and poverty areas in the core.
- Contact Shafter Kern Housing Authority, owner of the 200-unit project at 300 Terra Vista Lane, with affordability deed restrictions expiring 4/11/2033, to develop a plan to extend the affordability protections on this property.
- Add a procedure for ministerial review of projects when required by state statute (i.e., SB 35, housing inventory sites, etc.) in Zoning Ordinance.
- Include fair housing education and information at least twice per year in City water bill and any other periodic or regular communication to residents, starting 2024.
- Amend the definition of emergency shelters to be consistent with Gov. Code §65583(a)(4)(C) and ensure appropriate parking requirements limited to employees.
- Provided additional detail on public outreach efforts throughout the HEU process, including how public input was incorporated into the HEU.

Substantive Revisions

The following are proposed substantive revisions because of the HCD comment letter:

- Rezoning 189.4 acres on sites identified in the Sites Inventory to a minimum density of 20 units/acre with assumption that 25% of units lower income as required by State law.

- Facilitate development of lower income housing on large sites (>10 acres), work with developers to market availability of sites, and offer incentives (such as streamlined review and technical assistance).

Attachments: HCD Comment Letter
 Site Inventory Map

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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December 18, 2023

Steve Esselman, Director
Planning Department
City of Shafter
336 Pacific Avenue
Shafter, CA 93263

Dear Steve Esselman:

RE: City of Shafter's 6th Cycle (2023-2031) Revised Draft Housing Element

Thank you for submitting the City of Shafter's (City) revised draft housing element received for review on October 19, 2023. In addition, the California Department of Housing and Development (HCD) received revisions on December 15, 2023 that were made available to public for seven days prior to submittal to HCD. Pursuant to Government Code section 65585, HCD is reporting the results of its review.

The revised draft housing element, including revisions, addresses most statutory requirements described in HCD's August 14, 2023, review; however, additional revisions are necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et. seq.), as follows:

Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)

While the element includes many meaningful actions to affirmatively furthering fair housing (AFFH), including promoting housing choices and affordability in newer and highest resource areas, it should expand place-based strategies toward community revitalization, particularly in areas of high segregation and poverty. Examples include expanding access to stores and healthy foods, improving safe routes to school and active transportation, increasing recreational opportunities, parks and community facilities, pursuing economic development strategies, prioritizing the capital improvement program, targeting a higher proportion of Community Development Block Grant (CDBG) funding, implementing the environmental justice element at least annually and applying for additional funding.

The element will meet the statutory requirements of State Housing Element Law once it has been revised and adopted to comply with the above requirements pursuant to Government Code section 65585.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a City does not adopt a compliant housing element within 120 days of the statutory deadline (December 31, 2023), programs (e.g., Program 1.1.1 (Rezone Sites to Accommodate Housing Need) to make prior identified sites available or accommodate the RHNA must be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Public participation in the development, adoption, and implementation of the housing element is essential to effective housing planning. During the housing element revision process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate. Please be aware, that any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD. HCD's future reviews will continue to consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.

For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. While the City has submitted its electronic sites inventory, if any changes occur, the City should re-submit the electronic sites inventory with future submittals of the adopted housing element.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

Steve Esselman, Director
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HCD appreciates the dedication and effort the City's housing element team provided throughout the housing element review. HCD particularly applauds your dedication, diligence and collaboration. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Margaret Scarpa, of our staff, at Margaret.Scarpa@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager