



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

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, JULY 8, 2025**

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 Joshan
- INVOCATION:** Commissioner Camacho
- ROLL CALL:** Chairman Joshan
Vice Chairman Piuser
Commissioner Camacho
Commissioner Sanchez
Commissioner Simmons

APPROVAL OF AGENDA:

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.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: June 10, 2025.

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 No. 25-152:** Planning Commission conduct a public hearing; and adopt Resolution No. 25-467, a Resolution of the Planning Commission of the City of Shafter, approving Conditional Use Permit No. 25-152 to allow for the construction and operation of a ground-mounted Solar Array at 3601 E. Riverside Street (portion of APN 091-172-01). (Planning Director Esselman)

ROLL CALL

- 2. Tentative Tract Map No. 7464:** Planning Commission conduct the public hearing; and adopt Resolution No. 25-466, a Resolution of the Planning Commission of the City of Shafter recommending approval of Tentative Tract No. 7464, as depicted in Exhibit "A", with conditions of approval as shown in Exhibit "B", to the City Council of the City of Shafter. (Planning Director Esselman)

ROLL CALL

- 3. General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family):** Planning Commission conduct the public hearing; and adopt Resolution No. 25-465, a Resolution of the Planning Commission of the City of Shafter, recommending that the Shafter City Council:

- (1) Adopt a Mitigated Negative Declaration for the project; and
- (2) Approve General Plan Amendment (GPA) No. 23-39 and Zone Change (ZC) No. 23-72.

The GPA amends the City of Shafter General Plan land use designation for the property from LDR (Low Density Residential) to MHDR (Medium High Density Residential). The ZC changes the zone district under Title 17 of the Shafter Municipal Code from R-1 (Low Density Residential) to R-3 (Medium High Density Residential) of an approximately 8.72-acre parcel (Assessor's Parcel Number 028-180-57) located at the northeast corner of Birch Street and East Los Angeles Avenue. (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., July 2, 2025.

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 July 8, 2025** 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, JUNE 10, 2025**

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Commissioner Sanchez

INVOCATION: Commissioner Simmons

ROLL CALL:

PRESENT (In-Person): Commissioners Camacho, Sanchez and Simmons. Absent with an excused absence: Chairman Joshan and Vice Chairman Piuser. Also present: Planning Director Esselman, Deputy City Clerk Aleman, IT Specialist Herrera, Associate Planner Olaguez, and City Clerk Pallares.

APPROVAL OF AGENDA:

MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS APPROVED THE AGENDA AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

*AYES: CAMACHO, SANCHEZ, AND SIMMONS.
NAYS: NONE.
ABSENT: JOSHAN AND PIUSER.
ABSTENTIONS: NONE.*

PUBLIC COMMENT:

Cory Edgmon Corrales, 356 Cross Street, voiced concerns regarding potential bias in the "Shape Our City" survey.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: May 13, 2025.

MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS APPROVED THE MINUTES OF THE REGULAR MEETING OF MAY 13, 2025, AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

*AYES: CAMACHO, SANCHEZ, AND SIMMONS.
NAYS: NONE.
ABSENT: JOSHAN AND PIUSER.
ABSTENTIONS: NONE.*

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. **Zone Code Amendment No. 25-22: Hydrogen Production in the Industrial Zone:** Senior Planner Cazares made introductory comments. A notice of public hearing was properly advertised.

Commissioner Sanchez opened the public hearing.

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

MOVED (CAMACHO) AND SECONDED (SIMMONS) COMMISSIONERS CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. 25-462, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER, RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CODE AMENDMENT NO. 25-22, AN AMENDMENT TO TITLE 17 (ZONING ORDINANCE) OF THE SHAFTER MUNICIPAL CODE TO ALLOW HYDROGEN PRODUCTION FACILITIES IN THE INDUSTRIAL (I) ZONE DISTRICT WITH APPROVAL OF A CONDITIONAL USE PERMIT. MOTION CARRIED BY THE FOLLOWING VOTE:

*AYES: CAMACHO, SANCHEZ, AND SIMMONS.
NAYS: NONE.
ABSENT: JOSHAN AND PIUSER.
ABSTENTIONS: NONE.*

2. **Extension of Time Temporary Land Use Permit No. 23-136:** Associate Planner Olaguez made introductory comments. A notice of public hearing was properly advertised.

Commissioner Sanchez opened the public hearing.

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

MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. 25-463, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER, APPROVING THE SECOND ONE-YEAR EXTENSION OF TIME FOR TEMPORARY LAND USE PERMIT NO. 23-136 FOR BAKED POTATO AND ROASTED CORN SALES IN THE APPLE MARKET PARKING LOT AT 111 N CENTRAL VALLEY HIGHWAY, CITY OF SHAFTER. MOTION CARRIED BY THE FOLLOWING VOTE:

*AYES: CAMACHO, SANCHEZ, AND SIMMONS.
NAYS: NONE.
ABSENT: JOSHAN AND PIUSER.
ABSTENTIONS: NONE.*

3. **Extension of Time Tentative Tract Map No. 7007:** Associate Planner Olaguez made introductory comments. A notice of public hearing was properly advertised.

Commissioner Sanchez opened the public hearing.

Patricia Newquist, 5509 Young Street, Senior Planner with Cornerstone Engineering, spoke in favor of Extension of Time for Tentative Tract Map No. 7007.

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

MOVED (CAMACHO) AND SECONDED (SIMMONS) COMMISSIONERS CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. 25-464, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF

SHAFTER, RECOMMENDING THAT THE CITY COUNCIL APPROVE A TWO (2) YEAR EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 7007 LOCATED EAST OF NORTH BEECH AVENUE BETWEEN EAST FRESNO AVENUE AND EAST TULARE AVENUE, IN THE CITY OF SHAFTER. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: JOSHAN AND PIUSER.

ABSTENTIONS: NONE.

COMMISSIONER REPORTS: There were no Commissioner Reports.

ADJOURNMENT:

MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS ADJOURNED THE MEETING AT 6:29 P.M. MOTION CARRIED WITH NO OPPOSITION WITH CHAIRMAN JOSHAN AND VICE CHAIRMAN PIUSER ABSENT.

John Sanchez, Commissioner

ATTEST:

Hermila Aleman, Deputy City Clerk

DATE: July 8, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: Conditional Use Permit No. 25-152

RECOMMENDATION:

Planning Commission conduct a public hearing; and adopt Resolution No. 25-467, a Resolution of the Planning Commission of the City of Shafter, approving Conditional Use Permit No. 25-152 to allow for the construction and operation of a ground-mounted Solar Array at 3601 E. Riverside Street (portion of APN 091-172-01).

APPLICANT

Gery Dawson Martinez (Excite Energy)
5174 Hillside Cir.
El Dorado Hills, CA 95762

OWNER

Farmland Reserve, Inc (W. Todd Turley,
Land Manager)
60 E. South Temple Ste., Suite 1600
Salt Lake City, UT 84111

LOCATION: The project is located on northern portion of APN 091-172-01. See **Exhibit 1**.

PROJECT DATA:

1. General Plan Designation: The current land use designation of the project site is Agricultural/Open Space (AOS). The properties surrounding the site are also designated AOS.
2. Zoning: The site is zoned Agricultural (A). The properties surrounding the site are also zoned A.
3. Project Size: 81,831.8 square feet.

PROJECT ANALYSIS:

Gery Dawson Martinez, representing Excite Energy, is requesting a Conditional Use Permit (CUP) to allow for the installation of a 998-kilowatt ground-mounted photovoltaic system at 3601 E Riverside St, (APN 091-172-01) to offset on-site energy consumption for agricultural operations.

The solar installation will be used to provide power for the existing farming operations, specifically the on-site agricultural pump. All power will be used on-site, or since the project is under a CEC-AC agreement, the power may be used at other nearby farming operations all under the same entity. No power is being sold back to the utility. The site of the proposed project is 516.89 acres, consisting of agricultural uses such as pistachio orchards, two residential homes, and a storage shed. However, the ground-mounted solar array only spans 81,831.8 square feet of the property. See Exhibit A of

PUBLIC HEARING

Exhibit 2.

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that “solar energy electrical generators, commercial or domestic, exceeding five (5) kilowatts capacity” are conditionally allowed within the Agricultural zone district. Therefore, a CUP is required.

CEQA:

Staff has determined that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15311 (Accessory Structures) of the CEQA Guidelines, in that the project consists of the construction of a minor structure accessory to existing facilities. Therefore, a Notice of Exemption has been prepared for the project.

FINDINGS:

1. The Planning Commission finds that the proposed use is permitted within the Agricultural (A) zone district, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City.
2. The Planning Commission finds the proposed use would not impair the integrity and character of the A zone district in which the conditional use permit is to be established.
3. The Planning Commission finds that the project is suitable for the type and intensity of the use proposed for the conditional use permit.
4. The Planning Commission finds that there is adequate provision for water, sanitation, public utilities and services to ensure public health and safety.
5. The proposed conditional use permit will not be detrimental to public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.
6. The Planning Commission finds that the proposed conditional use permit (CUP No. 25-152) is categorically exempt from CEQA and, therefore, will have no impact on the environment.
7. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

ATTACHMENTS

EXHIBIT

Vicinity Map	1
Resolution No. 25-467	2
Site Plans	A
Conditions of Approval	B

Exhibit 1: CUP 25-152 Vicinity Map



RESOLUTION NO. 25-467

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER
APPROVING CONDITIONAL USE PERMIT NO. 25-152 TO ALLOW THE
INSTALLATION OF A 998-KILOWATT GROUND-MOUNTED SOLAR ARRAY AT
3601 E RIVERSIDE ST.**

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on July 8, 2025, studied and considered the proposed request for a conditional use permit (CUP No. 25-152) to allow for the construction and operation of a ground-mounted solar array to offset on-site energy consumption at 3601 E Riverside St (portion of APN 091-172-01) (the “Project”) as shown in Exhibit “A”; and

WHEREAS, the Planning Commission has determined that the proposed CUP No. 25-152 is exempt from CEQA in that the project consists of the construction of a minor structure accessory to existing operations; and

WHEREAS, a timely and properly noticed public hearing for CUP No. 25-152 was held by the Planning Commission of the City of Shafter at a regular meeting on July 8, 2025, at which hearing evidence, oral and documentary, was admitted on behalf of said Project; and

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 8th day of July, 2025, approves Conditional Use Permit No. 25-152 to allow for the construction and operation of a ground-mounted solar array at

EXHIBIT 2

Shafter Planning Commission Resolution No. 25-467

July 8, 2025

Page 2

3601 E Riverside St (portion of APN 091-172-01) as shown in Exhibit “A”, and with the conditions of approval as provided in Exhibit “B”.

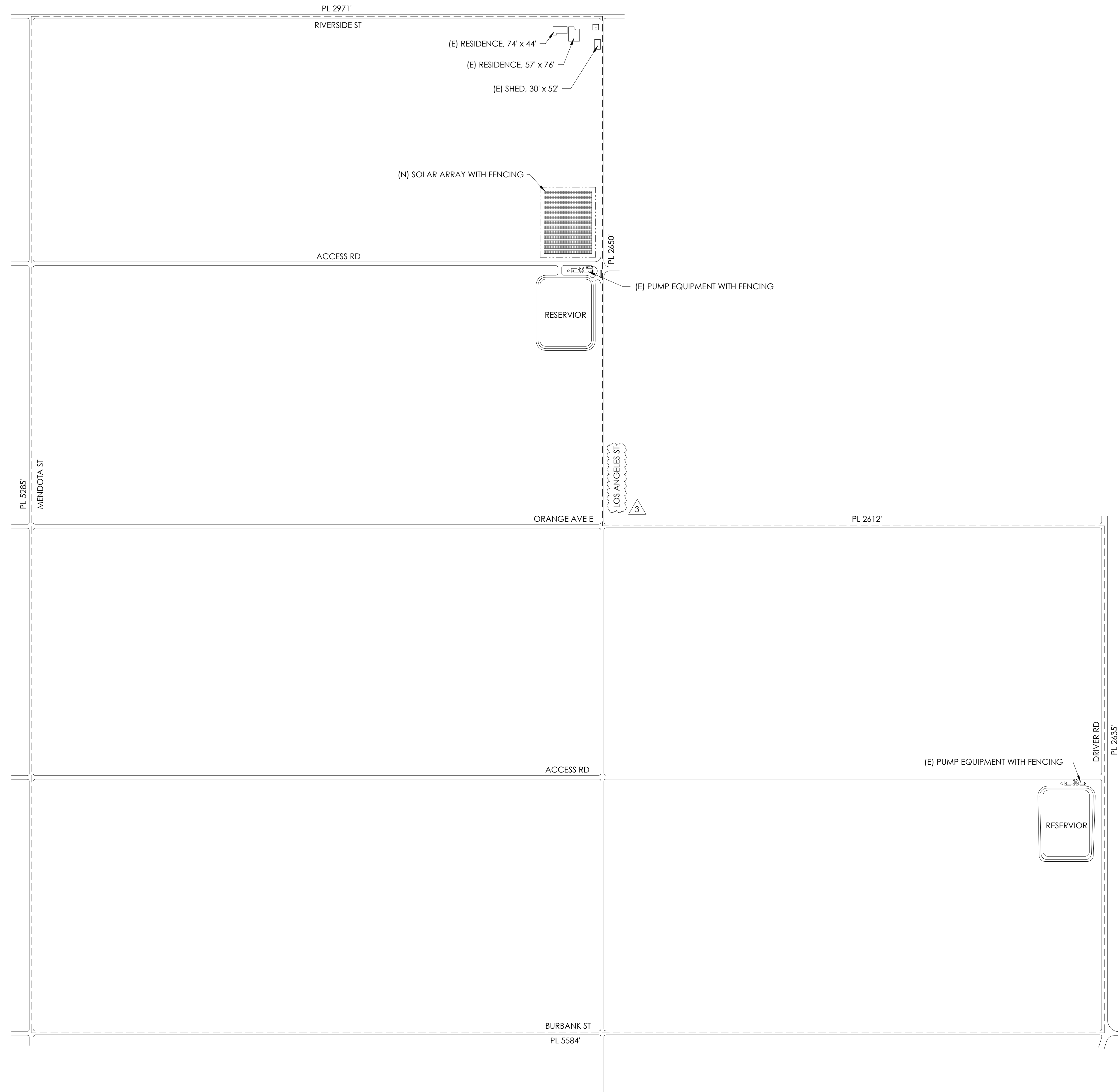
PASSED AND ADOPTED THIS 8th DAY OF JULY 2025.

Lovedeep Joshan, Chairman

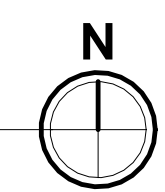
ATTEST

Hermila Aleman, Deputy City Clerk

Exhibit "A" Site Plans



① KEY PLAN
1" = 300'-0"



AGENCY APPROVAL

REGISTERED PROFESSIONAL ENGINEER
JAMES V. BOWLES
E22420
ELECTRICAL
STATE OF CALIFORNIA
Exp. 9/30/26

ENGINEER OF RECORD


EXCITE ENERGY, LLC.
5174 HILLSDALE CIRCLE, EL DORADO HILLS, CA 95762
(916) 914-8900
CSLB #1018541
C10 CONTRACTOR

REVISIONS		
NO.	DATE	DESCRIPTION
0	10/29/2024	ISSUED FOR CONSTRUCTION
2	04/28/2025	MODULE CHANGE/LAYOUT REDESIGN
3	06/03/2025	REVISED PER PLAN CHECK COMMENTS

DRAWN BY: *Jury Dawson* GAD
CHECKED BY: JVB
EXCITE ENERGY CLIENT NO: 1059
SHEET SIZE: ANSI D (22" X 34")
SCALE: AS NOTED




RIVERSIDE

PG&E SERVICE ADDRESS: NE SE NW 19 28 26, SHAFER, CA 93263
SITE ADDRESS: 3601 RIVERSIDE STREET, SHAFER, CA 93263
LOCATION: 35.481483, -119.215368

SHEET TITLE
KEY PLAN

SHEET NO.
1059-06-110-3

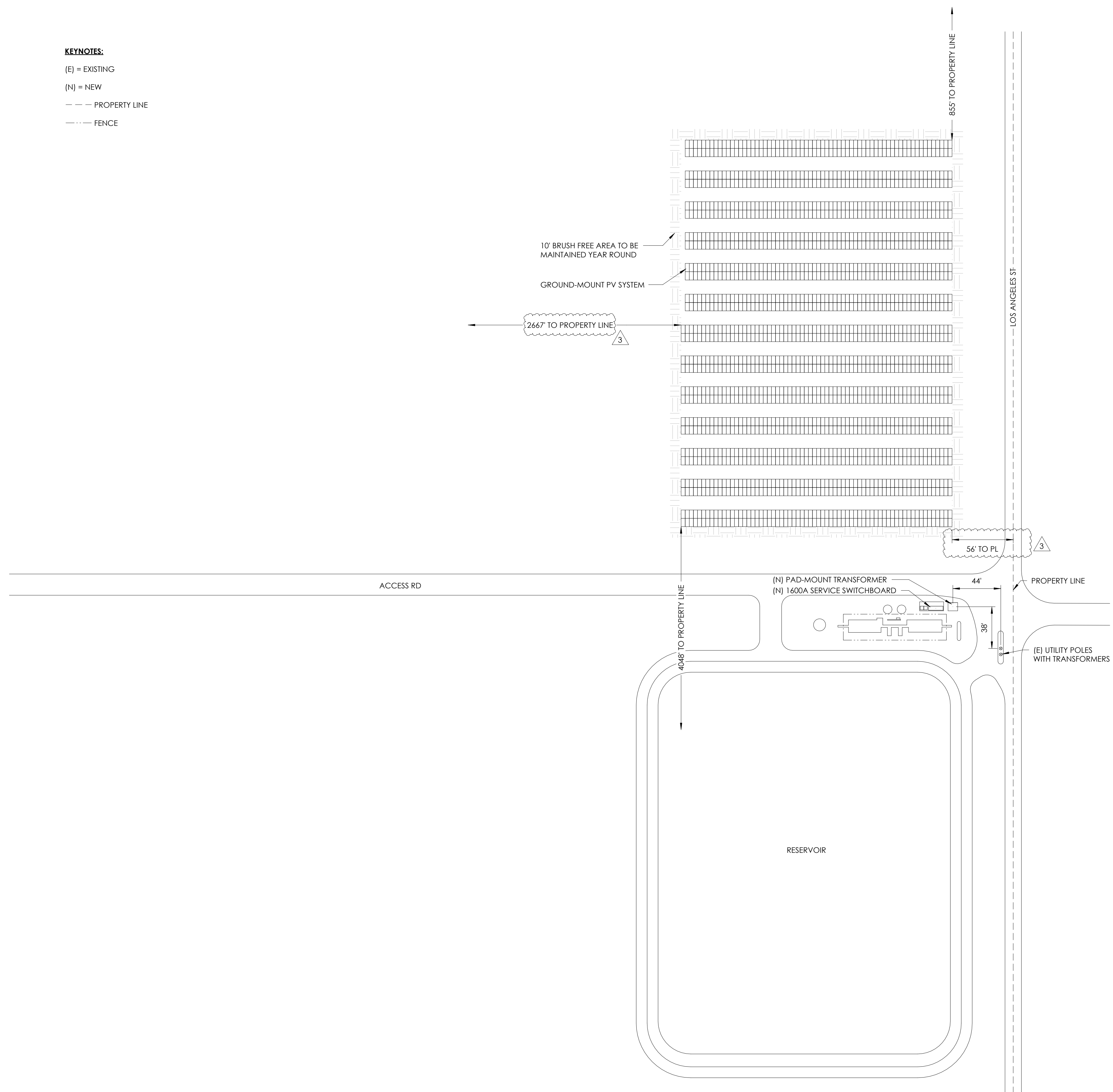
KEYNOTES:

(E) = EXISTING

(N) = NEW

--- PROPERTY LINE

--- FENCE



① SITE PLAN
1" = 50'-0"



AGENCY APPROVAL

REGISTERED PROFESSIONAL ENGINEER
 JAMES V. BOWLES
 E22420
 ELECTRICAL
 STATE OF CALIFORNIA
 Exp. 9/30/26
 ENGINEER OF RECORD

ExciteEnergy
 EXCITE ENERGY, LLC.
 5174 HILLSDALE CIRCLE, EL DORADO HILLS, CA 95762
 (916) 914-8900
 CSLB #1018541
 C10 CONTRACTOR

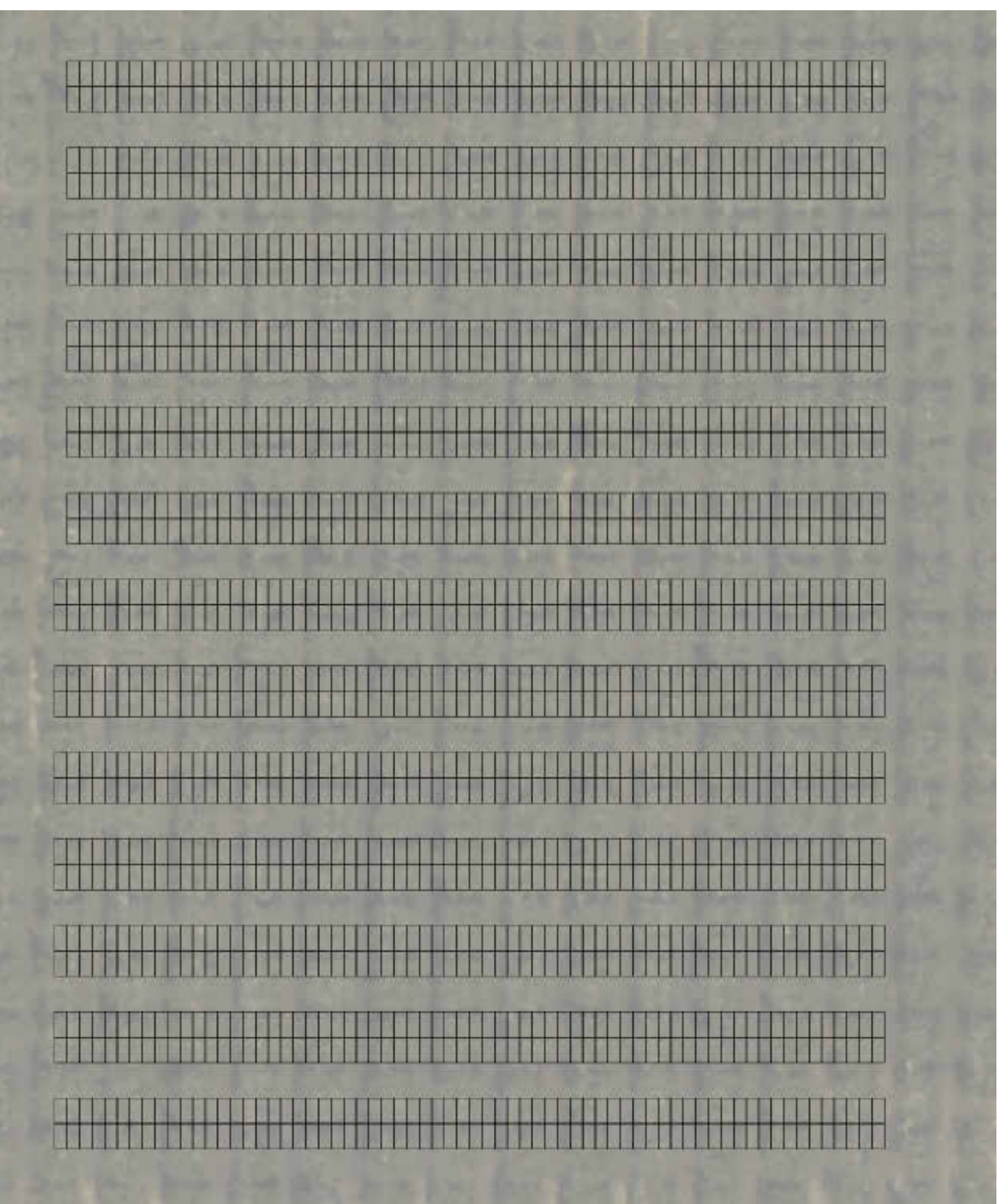
REVISIONS		
NO.	DATE	DESCRIPTION
0	10/29/2024	ISSUED FOR CONSTRUCTION
2	04/28/2025	MODULE CHANGE/LAYOUT REDESIGN
3	06/03/2025	REVISED PER PLAN CHECK COMMENTS
DRAWN BY: <i>Jay Dawson</i> GAD		
CHECKED BY: JVB		
EXCITE ENERGY CLIENT NO: 1059		
SHEET SIZE: ANSI D (22" X 34")		
SCALE: AS NOTED		

AgReserves
 SOUTH VALLEY FARMS

RIVERSIDE
 PG&E SERVICE ADDRESS: NE SE NW 19 28 26, SHAFER, CA 93263
 SITE ADDRESS: 3601 RIVERSIDE STREET, SHAFER, CA 93263
 LOCATION: 35.481483, -119.215368

SHEET TITLE
SITE PLAN

SHEET NO.
1059-06-111-3



SITE INFORMATION:

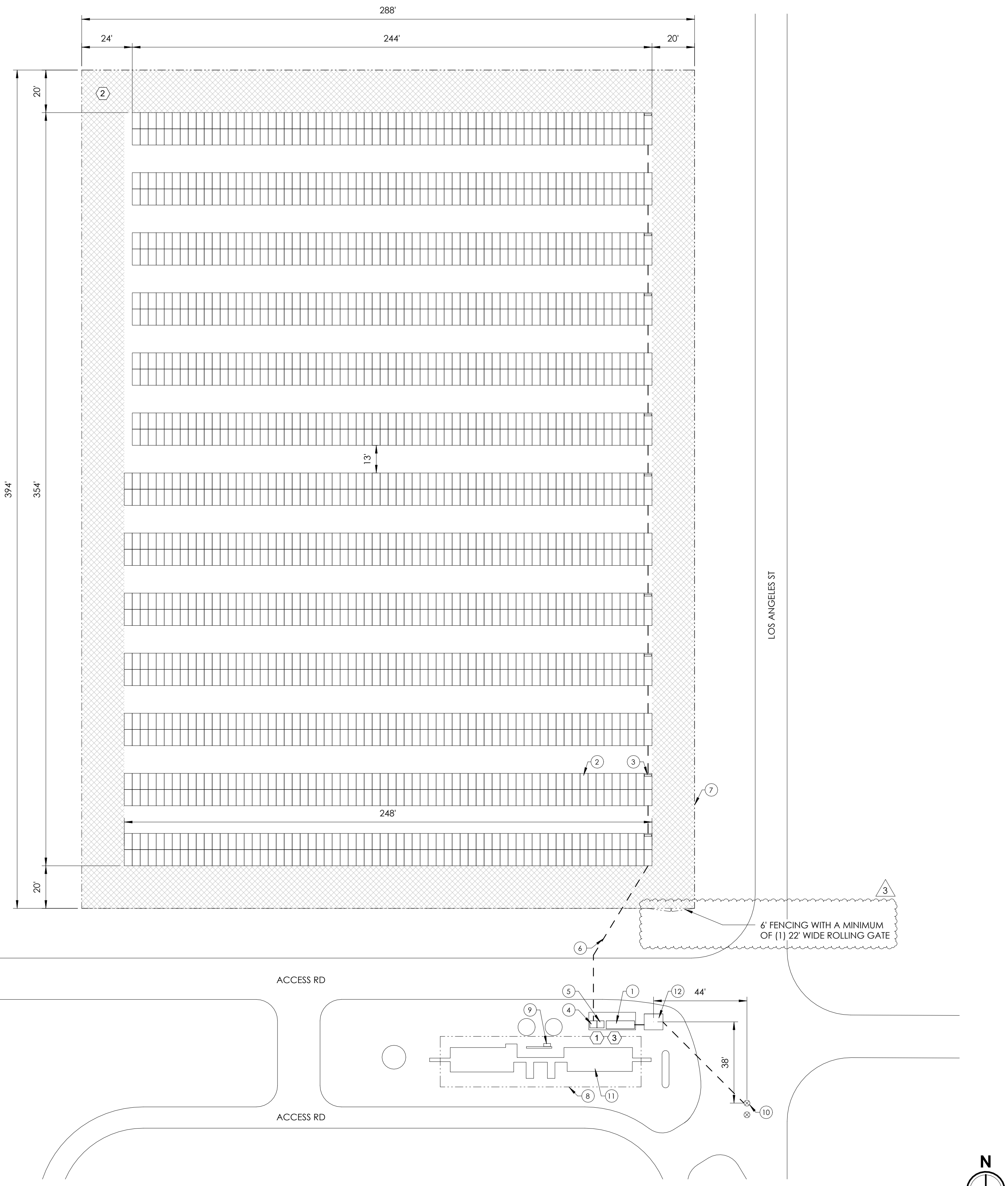
PG&E METER #: 1009410126

EQUIPMENT TAGS:

- ① (N) 1600A SERVICE SWITCHBOARD
COORDINATES: 35.48157132, -119.21545060
- ② 635W SOLAR MODULES, TYP. OF 1704, GROUND-MOUNTED, 998 KW CEC-AC
- ③ INVERTER, MOUNTED ON RACKING SYSTEM, TYP. OF 9
- ④ SOLAR COMBINER PANEL
- ⑤ SOLAR DISCONNECT SWITCH
- ⑥ UNDERGROUND CONDUIT
- ⑦ FENCE (BY OTHERS)
- ⑧ (E) FENCE
- ⑨ (E) OLD SERVICE EQUIPMENT (ABONDEN IN PLACE)
- ⑩ (E) UTILITY POLES WITH TRANSFORMERS
- ⑪ (E) WELL PUMP EQUIPMENT
- ⑫ (N) UTILITY PADMOUNT TRANSFORMER
COORDINATES: 35.48157230, -119.21537321

KEYNOTES:

- ① DISCONNECT SWITCH TO BE LOCATED WITHIN 10' AND WITHIN LINE OF SITE OF SERVICE EQUIPMENT
 - ② 20' MIN. PERIMETER ACCESS PATHWAY
 - ③ (E) SERVICE TO REMAIN IN PLACE AND BE FED BY (N) 1600A SERVICE
- (E) = EXISTING
(N) = NEW
- UNDERGROUND CONDUIT
- - - - - FENCE



① PLOT PLAN
1" = 30'-0"

AGENCY APPROVAL

ENGINEER OF RECORD

EXCITE ENERGY, LLC.
 5174 HILLSDALE CIRCLE, EL DORADO HILLS, CA 95762
 (916) 914-8900
 CSLB #1018541
 C10 CONTRACTOR

REVISIONS		
NO.	DATE	DESCRIPTION
0	10/29/2024	ISSUED FOR CONSTRUCTION
2	04/28/2025	MODULE CHANGE/LAYOUT REDESIGN
3	06/03/2025	REVISED PER PLAN CHECK COMMENTS

DRAWN BY: *Jury Dawson* GAD
 CHECKED BY: JVB
 EXCITE ENERGY CLIENT NO: 1059
 SHEET SIZE: ANSI D (22" X 34")
 SCALE: AS NOTED

SOUTH VALLEY FARMS

RIVERSIDE
 PG&E SERVICE ADDRESS: NE SE NW 19 28 26,
 SHAFER, CA 93263
 SITE ADDRESS: 3601 RIVERSIDE STREET, SHAFER, CA 93263
 LOCATION: 35.481483, -119.215368

SHEET TITLE

PLOT PLAN

SHEET NO.

1059-06-112-3

EXHIBIT “B”

CONDITIONAL USE PERMIT NO. 25-152 CONDITIONS OF APPROVAL

1. The owner(s) or project proponent(s) (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify, and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers, and employees regarding any legal or administrative action, claim, or proceeding concerning approval of Conditional Use Permit (“CUP”) No. 25-152 (hereinafter referred to as “CUP No. 25-152”) and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim, or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City’s reasonable approvals. Developer shall also reimburse the City, its agents, legislative bodies, officers, and employees for any judgments, amounts paid in settlements, court costs, and attorneys’ fees which the City, its agents, legislative bodies, officers, and employees may be required to pay or otherwise pay because of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer’s obligations under these conditions of approval (hereinafter referred to as “Conditions”).

2. The following disclosure shall be given as part of and at any time of or prior to transfer of properties: “If the project, referred to as CUP No. 25-152, is near property used for agricultural operations, tenants may be subject to inconveniences or discomforts rising from such operations on any 24-hour basis. Said discomforts may include, but not be limited to, equipment noise, odors from manure or other chemicals, and dust and smoke. The City of Shafter has determined that the use of real property for agricultural operations is a high priority and favored use to the City and County of Kern and will not be considered a nuisance for those inconveniences or discomforts arising from agricultural operations, provided such operations are consistent with accepted norms, standards, and laws.”

3. Developer, or general contractor, shall submit a list of all contractors and/or subcontractors performing work on this project to the City’s Building Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City prior to the commencement of work.

4. Until all portions of the project have been completed, all vacant and undeveloped land within the boundaries of the project area shall be maintained in a weed-free, clean, and orderly manner by Developer. Should said property not be so maintained, City shall notify Developer that the property is to be cleaned within fourteen (14) days of receipt of said

notice. If Developer does not comply within the required time frame, City may then clear the land and bill Developer for expenses incurred and Developer shall promptly pay the City for such expenses.

5. Developer shall comply with all provisions of the City's Zoning Ordinance, Subdivision and Engineering Design Manual, the latest adopted California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code, and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits. Identification of specific sections of any of the City documents does not negate the Developer's responsibility to conform to unmentioned sections of the City's Zoning Ordinance, Subdivision and Engineering Design Manual, California Building Code, and all other applicable ordinances, resolutions, standards, and requirements of the City.
6. Approval of CUP No. 25-152 shall not vest until all Conditions are met. If within one year after the approval by the City, the development has not been initiated, the procedures and actions which have taken place up to that time shall be null and void and the development project shall be subject to the processing of new permits if it is the Developer's intent to proceed with construction unless Developer applies for and receives approval of an extension of time from the City Planning Commission. One extension of time, not to exceed one additional year, may be granted by the Planning Department not less than 30 days prior to the date of expiration. PLEASE NOTE: This will be the only notice given for the above specific expiration date. The Developer is responsible for initiating an extension request.
7. Construction of the development identified as CUP No. 25-152 shall be in substantial accordance with all City approved submittals to the City by Developer, including, but not limited to all Conditions of CUP No. 25-152 and Exhibit "A" (Site Plans) except as otherwise set forth in these conditions of approval.
8. The Developer is responsible for maintaining the facility in an appropriate manner consistent with the original approval of this CUP. Should the use be replaced or discontinued for a period of six months, the approval will lapse, and the Developer shall remove the facility from the project site and shall repair any damage to the premises or other land caused by such removal. Upon removal of the facility, the Developer shall restore the premises or other land affected by such removal to its original condition.
9. No new construction, or improvements to the property, shall be permitted without first obtaining the proper permits from the Planning, Building, and Engineering Departments of the City.

10. The property and any proposed building(s), as well as any architectural features, shall be kept free of graffiti and shall be maintained in a clean and orderly manner.
11. The project shall comply with the lighting standards for non-residential development per Section 10.140 of the Shafter Zoning Ordinance.
12. Unless otherwise stated, all Conditions shall be completed prior to a final inspection and prior issuance of an occupancy permit.
13. CUP No. 25-152 shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the Developer and returned to the Planning Department.
14. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer.
15. Any contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
16. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
17. Easements to be given to the City or any other public utility agency for sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
18. Any above-ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the Developer and/or the affected utility company.
19. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the Developer.
20. No final inspection shall be approved until all required improvements have been completed by the Developer and accepted by the City.
21. Prior to the issuance of any Occupancy Permit, all public improvements (street, sewer, water) shall be constructed and approved by the City Engineer and ready for final acceptance.

22. Prior to review of any required improvement plans, a grading plan shall be submitted to and approved by the City Engineer.
23. Developer shall submit detailed drawings for all existing and proposed utility connections to the City Engineer for review and approval prior to issuance of a building permit. No permanent structures shall be constructed over proposed or existing utility easements.
24. During construction, the Developer shall maintain the project, including the adjacent streets in a dust free condition. This condition always applies including weekends, evenings, and nighttime hours. During construction operations, cleanup of soil from public roadways shall be required, if deemed necessary, by the City Engineer.
25. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
26. All conditions of the Kern County Fire Department shall be met prior to occupancy of the building. If no conditions are required, a letter so stating shall be submitted to the City Building Department.
27. Prior to issuance of building permit, the Developer shall provide proof of an interconnect agreement with any applicable utility company. If no agreement is required, a letter so stating shall be submitted to the City Building Department.
28. Prior to issuance of building permit, the Developer shall provide approval of project by the San Joaquin Valley Air Pollution Control District. If no approval is required, an email or letter stating that SJVAPCD has been contacted shall be submitted to the Planning Department.

DATE: July 8, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: Tentative Tract Map No. 7464

RECOMMENDATION:

Planning Commission conduct the public hearing; and adopt Resolution No. 25-466, a Resolution of the Planning Commission of the City of Shafter recommending approval of Tentative Tract No. 7464, as depicted in Exhibit "A", with conditions of approval as shown in Exhibit "B", to the City Council of the City of Shafter.

APPLICANT
QK
5080 California Ave, Ste 220
Bakersfield, CA 93309

OWNER
Millrose Properties California, LLC
5 River Park Place East, Suite 210
Fresno, CA 93720

LOCATION: The project site is within the Mission Lakes Specific Plan area, generally between Zerker Road and the Calloway Canal, north of 7th Standard Rd.

PROJECT DATA

- 1. General Plan Designation: The Mission Lakes property is part of a larger area that has been designated as "Specific Plan" in the City of Shafter General Plan. According to the Land Use Plan of the Mission Lakes Specific Plan, the project area consists of Planning Area 2a and 11. PA-2a is designated for Low Density Residential (LDR) land uses, and PA-11 is for public park purposes.
- 2. Zoning: The project area is designated as Mission Lakes Specific Plan (SP-2) in the City of Shafter Development Code.
- 3. Acreage: Approximately 97.32 acres (gross); approximately 46.87 acres (net)
- 4. Proposed Number of Lots: 324 single-family residential lots (329 total lots)
- 5. Elementary School District: Norris School District
- 6. Jr. High School District: Norris School District
- 7. High School District: Kern County High School District
- 8. Park District: North of the River Recreation and Parks District

BACKGROUND

Lennar Homes, on behalf of the property owner, Millrose Properties California, is requesting approval of a tentative tract map to subdivide approximately 97.32 gross acres into 329 total lots. This will include 324 single-family residences, two public parks, one drainage basin, and two public landscape lots. The residential lots range in size from 4,000 square feet to 10,000 square feet. At this time, the applicant is merely applying for a map approval as part of the entitlement process. Further design and

development of the proposed residential subdivision will undergo additional review and permitting processes.

PROJECT ANALYSIS

The project site is located on the southeastern edge of the city, north of Seventh Standard Road and within the Mission Lakes Specific Plan. In relation to the other Mission Lakes tracts that have been considered by the Commission so far, this tract is directly north of Tract 7463 and northwest of Tract 7462. The future Mission Lakes Boulevard serves as the southern boundary of the tract, and the future Chapala Street will be the eastern boundary.

This is the fourth residential tract application that the City has received for the Mission Lakes Specific Plan area from Lennar Homes as the subdivider. Tentative Tract Map 7461 was approved by the Shafter City Council in January 2025, allowing for the future development of 281 single-family residences. Tentative Tract Map 7462 was approved in May 2025 for 836 single-family residential lots, and Tentative Tract 7463 was approved in June 2025 for 548 single-family homes. With 7464, the tentative map approvals will total 1,989 future single-family homes in the Mission Lakes Specific Plan area.

A variety of floor plans will be provided that will appeal to a wide range of future home buyers, responding to both local and regional housing needs. As the City entitles and permits more housing units, the City makes progress in meeting the 6th Cycle Regional Housing Needs Assessment (RHNA) as identified in the City of Shafter's 2023-2031 Housing Element Update. Under the RHNA process, the City is assigned its "fair share" of new housing units to build in order to plan for the housing needs of its residents across all income levels, plan for projected growth, and help alleviate California's housing shortage.

Tract 7464 will also contain two new public parks. Lot A is a 3.5-acre park site located in the center of the tract. Lot 'E' is a 21-acre park on the corner of Mission Lakes Blvd and Chapala Street. The drainage basin will be at the northwest corner of this park, screened on all sides by a masonry block wall. There will be an extensive system of landscaped walkways, primary paseos, and secondary paseos within the tract designed to enhance walkability, increase connectivity throughout the specific plan area, and promote healthy living.

The tract is located two miles east of the Wonderful Industrial Park, one of Shafter's major employment hubs, which places housing at a close proximity to work. Proximity between jobs and housing can help reduce the region's vehicle miles traveled and contribute to emission reduction goals. As housing production increases within Shafter, commercial real estate groups may be incentivized to invest in the community and foster projects that will boost the local economy and quality of life.

On the south boundary of Tract 7464, Mission Lakes Boulevard will be developed as an arterial street with four travel lanes, two auxiliary/bike lanes, a landscaped median, and a primary paseo on one side of the street. There will be three access points into the

tract from Mission Lakes Boulevard, at Pueblo Street, Pedregosa Street, and Bullfrog Lane. Pedregosa Street will have a secondary paseo on the west side of the street, and it will serve as a main access point to the 40-acre recreational site on the southern tract 7463. To the east of the tract, Chapala Street will also be developed as an arterial street with a primary paseo on the park side. The primary paseos will be 30 feet-wide with formal landscaping.

PROJECT REVIEW

The standards and procedures for review and approval of a tentative tract map are generally governed by the California Subdivision Map Act and Title 16 of the Shafter Municipal Code, which is our local Subdivision Ordinance. The proposed tentative tract map has been designed to be consistent with the design elements, development standards, and housing unit capacity required by the Mission Lakes Specific Plan.

The proposed subdivision project was reviewed by the Planning, Building, Public Works and Engineering Departments of the City of Shafter. To the best of Staff's combined knowledge, the proposed project satisfies all applicable local and state ordinances and regulations at this stage of the development process. Moreover, Staff have compiled a list of conditions of approval that reflect additional necessary requirements and rules that the project proponent will have to satisfy and comply with in the ongoing design and development of this tract. More thorough analysis and project review will occur at future steps of the entitlement, permitting, and construction phases.

Affected public agencies and service providers were given an opportunity to review the map, provide comments, and propose conditions of approval prior to the Planning Commission hearing. As required by law, public noticing was also provided to any parties within 300 feet of the project boundaries, and a public hearing notice was published on the local press within the required timeline.

MISSION LAKES SPECIFIC PLAN CONSISTENCY

The proposed residential project is consistent with the adopted Mission Lakes Specific Plan and the lot size, configuration, and density meet the requirements for Planning Areas 2a and 11, as identified in the Specific Plan. The circulation plan, street configuration, trails, parks, landscaping, and proposed improvements are all consistent with the Mission Lakes Specific Plan and approved amendments.

MINERAL RIGHTS

Atlantic Richfield Company (ARCO) owns 100% of the mineral rights underlying the project site. As required by state law, ARCO is identified on the tentative tract map as the mineral rights owner. To date, ARCO has not provided comments on the map.

PUBLIC COMMENTS

To date, no public comments on the project have been received. The public will again have an opportunity to comment on the proposed project at a future City Council

meeting. Any public comments received at the July 8th Planning Commission meeting may be included in the subsequent report presented to the City Council.

CEQA

The proposed Tentative Tract Map includes residential development consistent with the adopted Mission Lakes Specific Plan. Therefore, the project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code §65457. The project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the Mission Lakes Specific Plan in 2005 (SCH No. 2004101029). The certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 7464 as adopted in the Mission Lakes Specific Plan.

UTILITIES

Mission Lakes will be served with telephone, cable internet (data), electric, natural gas, and solid waste collection service from private companies serving the area. Electricity will be provided by PG&E, gas will be provided by SoCal Gas, and water service will be provided by Oildale Mutual Water Company. Sewer service will be provided by the City of Shafter. The development will also be connected to the City's fiber system with all residences constructed to accommodate fiber-to-the-home service.

FINDINGS

1. The Planning Commission finds that Tentative Tract No. 7464, with the Conditions of Approval, is consistent with the Shafter General Plan and the Mission Lakes Specific Plan.
2. The Planning Commission finds the proposed subdivision is in substantial conformity with the Subdivision Map Act, and with Title 16 (Subdivision Ordinance) of the Shafter Municipal Code. The proposed lots are in substantial conformance with the provisions of City Ordinances and all lots will have adequate access to public streets, water lines, fire hydrants, drainage facilities, and utilities.
3. The project's uses and design are compatible with projects adjacent to the Mission Lakes Specific Plan.
4. The project contributes to the design qualities expected under the Mission Lakes Specific Plan.
5. The project has demonstrated compliance with the policies of the City of Shafter 2005 General Plan.
6. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community and to ensure reasonable surface access is provided for oil and gas exploration and production within the Mission Lakes Specific Plan.
7. The project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code §65457.

RECOMMENDATION

Commission adopt Resolution No. 25-466; a Resolution of the Planning Commission of the City of Shafter recommending that the City Council of the City of Shafter approve Tentative Tract No. 7464, subject to the findings and conditions of approval.

ALTERNATIVES

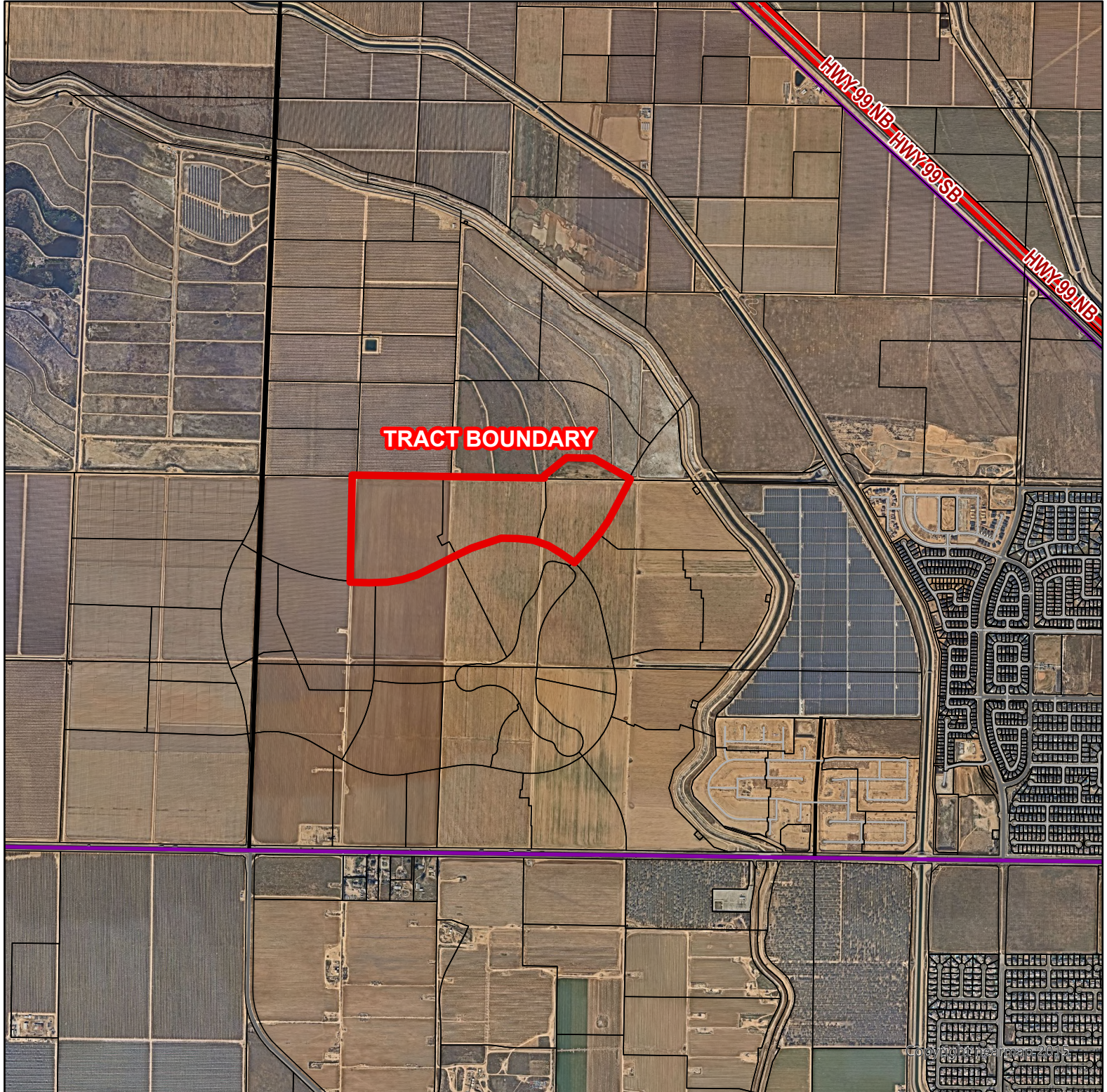
The Planning Commission is only an advisory body when it comes to processing projects under the Subdivision Map Act. As such, the Planning Commission can only make recommendations to the City Council, which is the City’s legislative authority in these matters. The Planning Commission could recommend denial to the City Council. However, a City can only deny a tract map if the project is not in compliance with applicable City codes and ordinances or the Subdivision Map Act. This project is in compliance with all applicable development standards and policies of the City of Shafter. City Staff, in partnership with other advising agencies and affected parties have prepared conditions of approval and alterations to the proposed project that make this an acceptable and locally compatible development. Staff does not recommend the alternative option.



ATTACHMENTS

EXHIBIT

Vicinity Map	1
Resolution No. 25-466	2

EXHIBIT 1: VICINITY MAP



-  Site Locations
-  City Limits

0 0.33 0.65 1.3 Miles



This map and the data contained within it was generated by the City of Shafter. Please consult the City of Shafter Planning Department with any questions, concerns, or potential inaccuracies that may be associated with this document.

RESOLUTION NO. 25-466

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER RECOMMENDING APPROVAL OF TENTATIVE TRACT NO. 7464, AS DEPICTED IN EXHIBIT “A”, WITH CONDITIONS OF APPROVAL AS SHOWN IN EXHIBIT “B”, TO THE CITY COUNCIL OF THE CITY OF SHAFTER

WHEREAS, Lennar Homes of California, Inc., 5 River Park Place East., Suite 210, Fresno, CA 93720, submitted a tentative tract map application to the City of Shafter to subdivide 97.32 acres (gross) into 324 single-family residential lots, 2 public park lots, 1 basin lot, and 2 landscape lots within the adopted Mission Lakes Specific Plan; and

WHEREAS, Lennar Homes of California, Inc., 5 River Park Place East., Suite 210, Fresno, CA 93720, is requesting approval of Tentative Tract No. 7464 on that certain property in the City of Shafter as shown in Exhibit “A”; and

WHEREAS, the Planning Commission, through its Secretary, did set Tuesday, July 08, 2025, at the hour of 6:00 p.m. in the Council Chambers of City Hall, 336 Pacific Avenue, Shafter, California, as the time and place for a public hearing before said Planning Commission on said proposal, and notice of the public hearing was given in the manner provided in Title 16 of the Shafter Municipal Code; and

WHEREAS, the project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code §65457; and

WHEREAS, the project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the Mission Lakes Specific Plan in 2005 (SCH No. 2004101029) pursuant to Resolution No. 05-1738; and

WHEREAS, the certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 7464 and is consistent with the Mission Lakes Specific Plan and approved alterations thereof; and

WHEREAS, the facts presented in the staff report and evidence at the above referenced public hearing support the findings contained in this resolution; and

WHEREAS, at said public hearing held on July 08, 2025, the proposed tentative tract map was duly heard and considered, and the Planning Commission found as follows:

1. All required public notices have been given. Hearing notices regarding the proposed project were mailed to property owners within 300 feet of the project area, the mineral rights owner, and published in a local newspaper of general circulation at least 10 days prior to the hearing.
2. The proposed tentative tract map is only proposing residential development consistent with the Mission Lakes Specific Plan as amended. Therefore, the project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code §65457. The

project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the Mission Lakes Specific Plan in 2005 (SCH No. 2004101029). The certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 7464 within the Mission Lakes Specific Plan area.

3. The Planning Commission finds the proposed subdivision is in substantial conformity with the Subdivision Map Act and with Title 16 (Subdivision Ordinance) of the Shafter Municipal Code. The proposed lots are in substantial conformance with the provisions of the Mission Lakes Specific Plan and all lots have adequate and proper access to public streets, sanitary sewer, water lines, fire hydrants, drainage structures and utilities.

4. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community and to ensure reasonable surface access is provided for oil and gas exploration and production within the Mission Lakes Specific Plan.

5. Urban services are available for the proposed development. The project is within an area to be served by all necessary utilities and waste disposal systems. Improvements proposed as part of the project will deliver utilities to the individual lots or parcels to be created.

6. The proposed subdivision (Tentative Tract No. 7464), together with the provisions for its design and improvement, is consistent with the City of Shafter General Plan. The proposed density and intensity of development are consistent with the Mission Lakes Specific Plan. Proposed road improvements are consistent with the Circulation Program. The overall design of the project, as conditioned, is consistent with the goals and policies of all elements of the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular meeting on the 8th day of July 2025, resolved to recommend to the City Council approval of Tentative Tract Map No. 7464 (Exhibit "A"), as described in Planning Commission Resolution No. 25-466, with conditions of approval as shown in Exhibit "B".

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith by the Deputy City Clerk to the City Council of the City of Shafter.

PASSED AND ADOPTED THIS 8th DAY OF JULY, 2025.

Lovedeep Joshan, Chairman

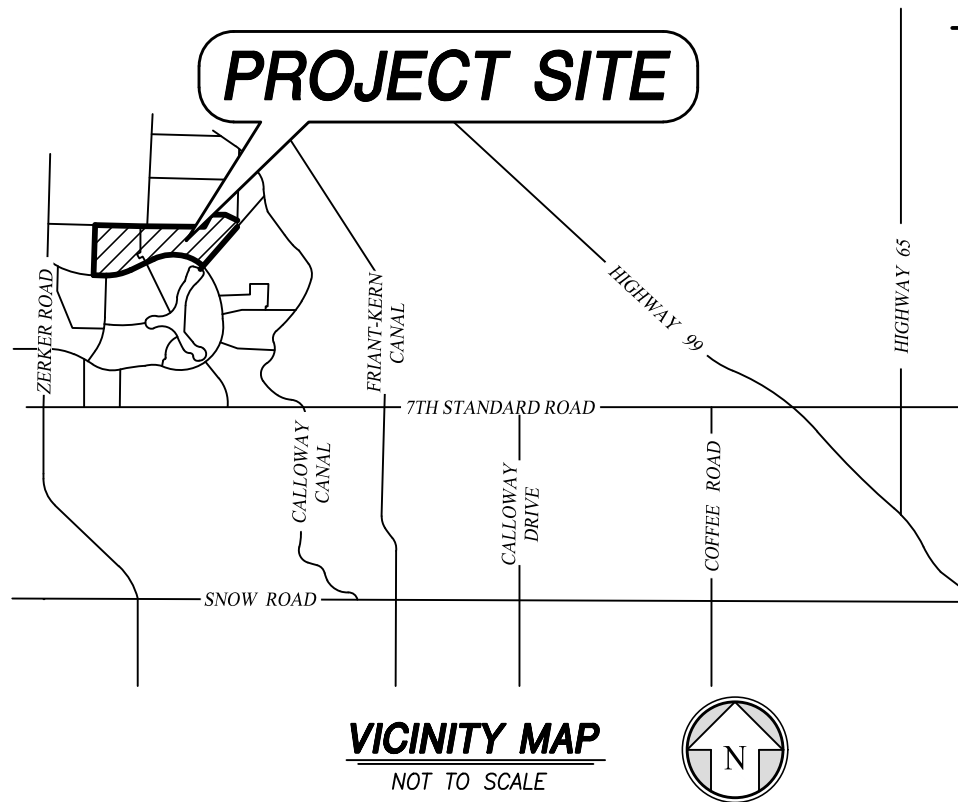
ATTEST

Hermila Aleman, Deputy City Clerk

EXHIBIT "A"

TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA. APRIL 2025



GENERAL NOTES:

ALL LOTS ARE TO HAVE A 10' PUBLIC UTILITIES EASEMENT (PUE).

WINDROW LANDSCAPING IS TO BE CONTAINED WITHIN THE PUBLIC UTILITIES EASEMENT (PUE).

ALL PRIMARY PASEOS AND SECONDARY PASEOS TO BE IN ACCORDANCE WITH THE MISSION LAKES SPECIFIC PLAN AND THE CITY OF SHAFTER STANDARDS.

ALL PROPOSED STREETS SHALL BE IRREVOCABLE OFFERS OF DEDICATION TO THE CITY OF SHAFTER, UNLESS OTHERWISE NOTED.

SUBDIVISION TO BE SERVED BY DUAL WATER SYSTEM FOR BOTH POTABLE RESIDENTIAL WATER AND NON-POTABLE WATER FOR LANDSCAPING. NON-POTABLE WATER TO BE PROVIDED BY OILDALE MUTUAL WATER COMPANY AT A LATER DATE.

DRAINAGE FROM THE PROJECT SITE WILL BE DIRECTED TO AN ONSITE BASIN (LOT 'D') LOCATED IN THE NORTH PORTION OF PARCEL 16 OF PARCEL MAP NO. 11314.

THERE ARE NO FUTURE SIGNALS.

NOTE:

THIS MAP WILL NOT BE PHASED.

EASEMENTS:

① EASEMENT FOR STREET AND PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE CITY OF SHAFTER AS DEDICATED ON PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006 IN BOOK 54 OF MAPS AT PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER.

ALTERNATE STREET NAMES:

BALD EAGLE GOOSE LANDING
CANYBARA SLIDER TURTLE
CRAYFISH STURGEON
GILL

TOTAL SITE DATA:

LOT SIZES:
PARKS (LOTS 'A' & 'E') 24.70 NET ACRES
BASIN 2.75 NET ACRES
LDR (LOW DENSITY RESIDENTIAL) 4,000 S.F. MINIMUM
NUMBER OF LOTS 329
NUMBER OF BUILDABLE LOTS 324
NUMBER OF NON-BUILDABLE LOTS 3
LANDSCAPE LOTS 2
AREAS GROSS - PA-20 70.71 ACRES GROSS
AREAS GROSS - PA-11 26.61 ACRES GROSS
AREAS GROSS - TOTAL 97.32 ACRES GROSS
AREAS NET 46.87 ACRES NET
NET DENSITY:
PA-20 LDR: 324 LOTS 4-7.5 DU/AC PER THE MISSION LAKES SPECIFIC PLAN
46.87 ACRES NET
6.9 DU/AC

EXISTING USE AGRICULTURE
PROPOSED USE SINGLE FAMILY RESIDENTIAL, PARKS AND BASIN
EXISTING/PROPOSED ZONING MISSION LAKES SPECIFIC PLAN
EXISTING/PROPOSED LAND USE DESIGNATION: LDR (PA-20) AND PARK (PA-11)
ASSESSOR PARCEL NUMBERS 536-010-21, 536-010-35, 536-010-38 & 536-010-39

WATER OILDALE MUTUAL WATER COMPANY
SEWER CITY OF SHAFTER/NORTH OF THE RIVER
ELECTRICITY PACIFIC GAS & ELECTRIC
GAS SOUTHERN CALIFORNIA GAS COMPANY
TELEPHONE AT&T
CABLE CHARTER COMMUNICATIONS (SPECTRUM)
FIBER CITY OF SHAFTER

SCHOOL DISTRICTS:
ELEMENTARY NORRIS SCHOOL DISTRICT
JR. HIGH NORRIS SCHOOL DISTRICT
HIGH SCHOOL KERN COUNTY HIGH SCHOOL DISTRICT

TABLE A	
NON-BUILDABLE LETTER LOTS	
LETTER	AREA
A - PUBLIC PARK	3.51 AC
B - LANDSCAPE/PUE	1,805 SF
C - LANDSCAPE/PUE	558 SF
D - BASIN	2.75 AC
E - PUBLIC PARK	21.19 AC

OWNER:

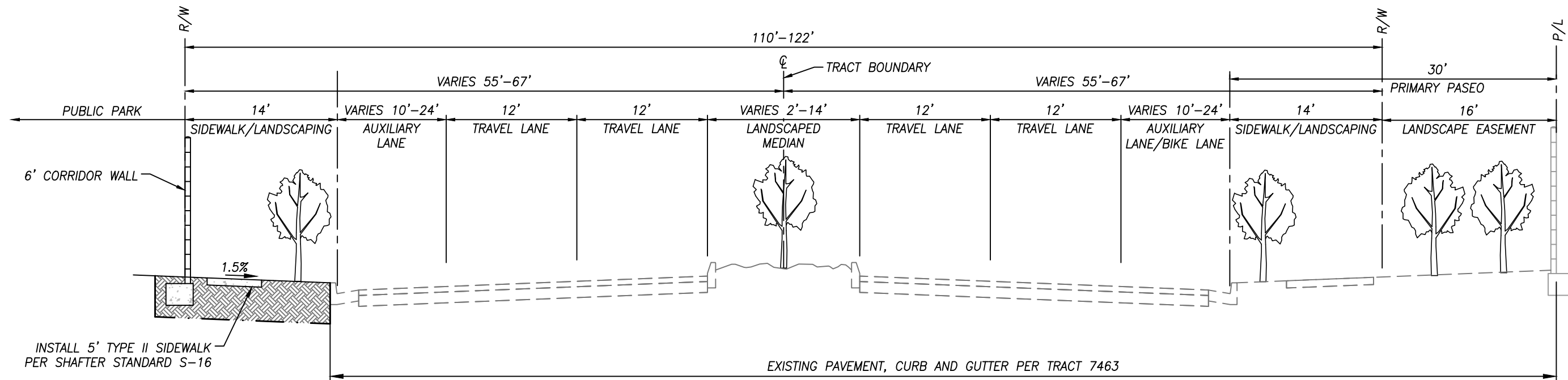
MILLROSE PROPERTIES CALIFORNIA, LLC
5 RIVER PARK PLACE EAST, SUITE 210
FRESNO, CA 93720
(559) 447-3400

SUBDIVIDER:

LENNAR HOMES OF CALIFORNIA, LLC
5 RIVER PARK PLACE EAST, SUITE 210
FRESNO, CA 93720
(559) 447-3400

MINERAL RIGHTS OWNER:

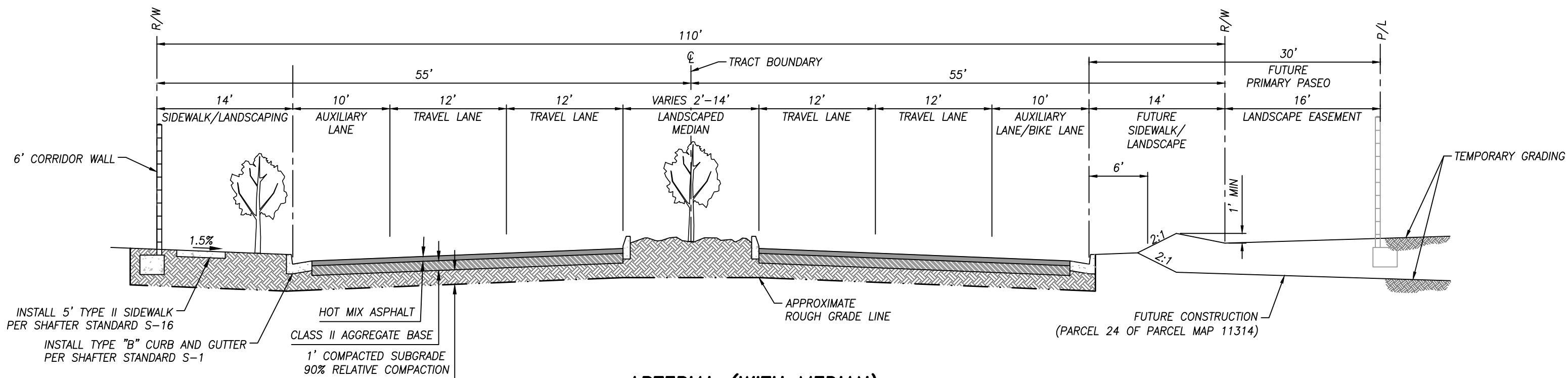
ATLANTIC RICHFIELD COMPANY (ARCO)
PARENT COMPANY BP (BRITISH PETROLEUM)
501 WESTLAKE PARK BOULEVARD
HOUSTON, TX 77079
(281) 366-2000



NOTE:
NO WALL BEHIND THE BACK OF SIDEWALK ALONG FRONTAGE OF PUBLIC PARKS PER WALL AND FENCE PLAN FIGURE 3-6 OF MISSION LAKES SPECIFIC PLAN

ARTERIAL (WITH MEDIAN & SINGLE PRIMARY PASEO)

MISSION LAKES BLVD LOOKING EAST AT TRACT 7463
PUEBLO STREET TO CHAPALA STREET &
EASTERLY TRACT BOUNDARY TO CHAPALA STREET
NTS



ARTERIAL (WITH MEDIAN)

MISSION LAKES BLVD LOOKING EAST (WEST SIDE)
WESTERLY TRACT BOUNDARY TO PUEBLO STREET
NTS

PROFESSIONAL LAND SURVEYOR
KRISTIE M. ACHEE
S. 816
STATE OF CALIFORNIA

PRELIMINARY

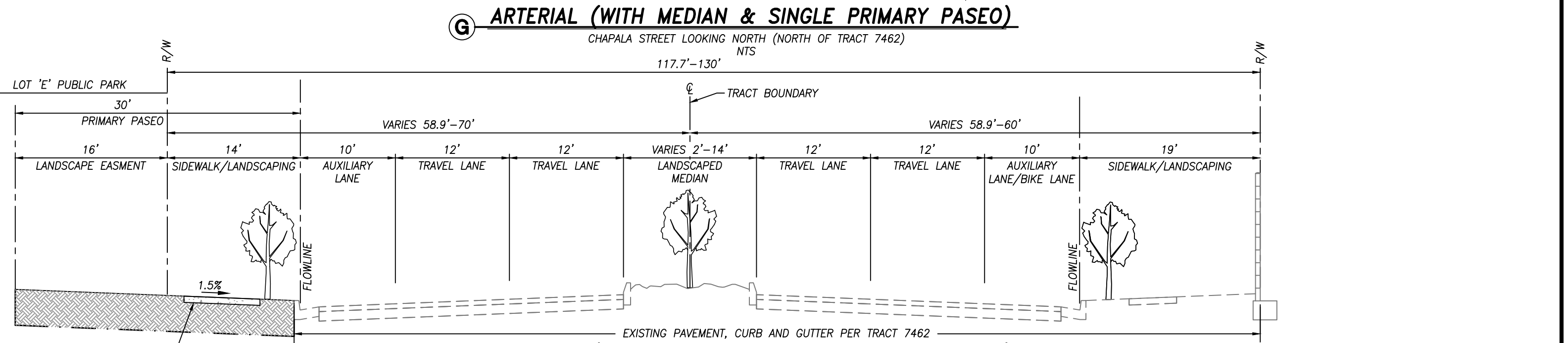
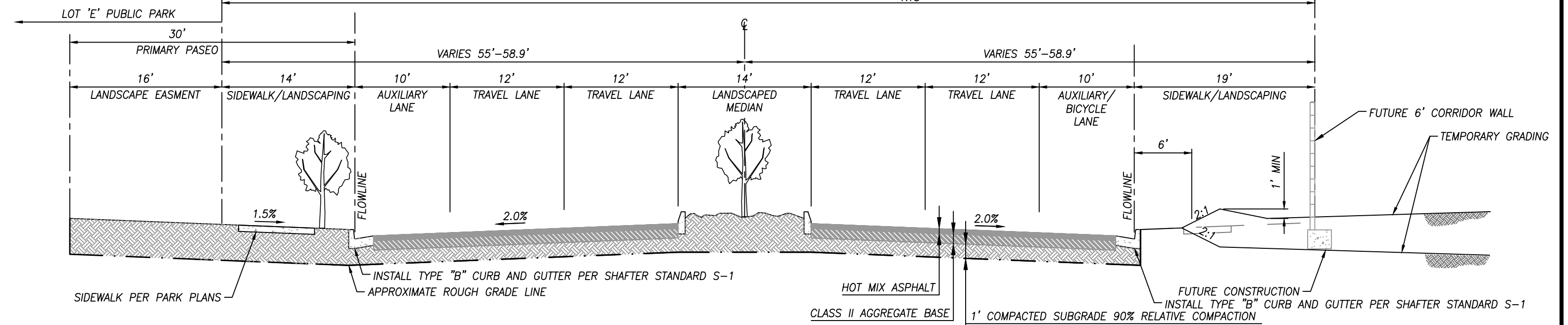
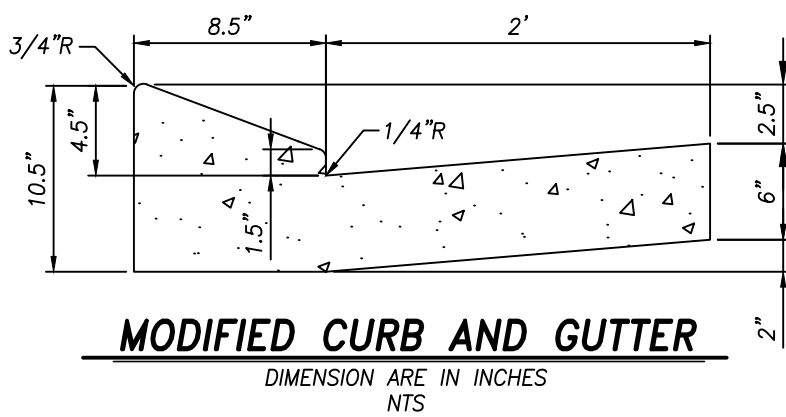
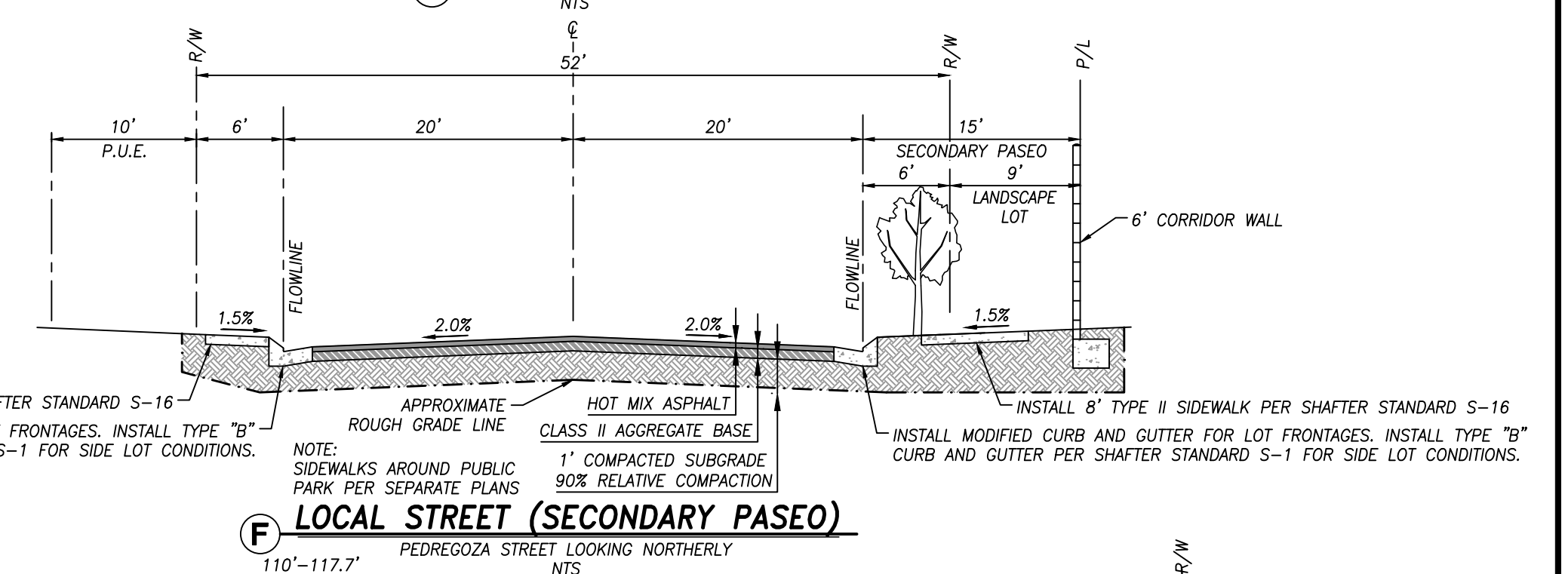
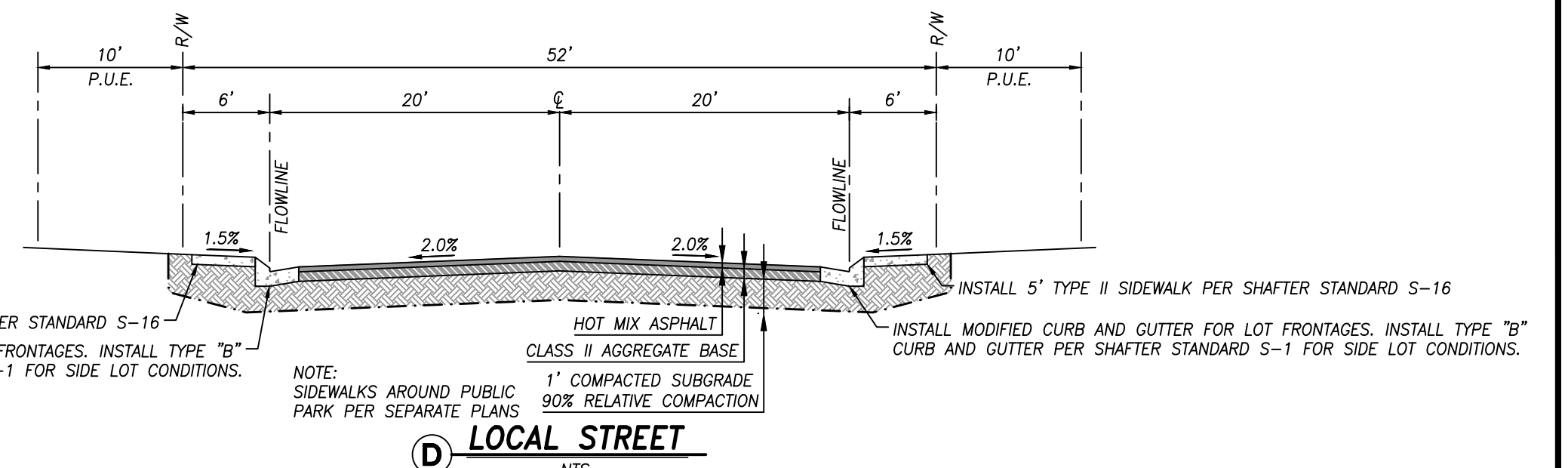
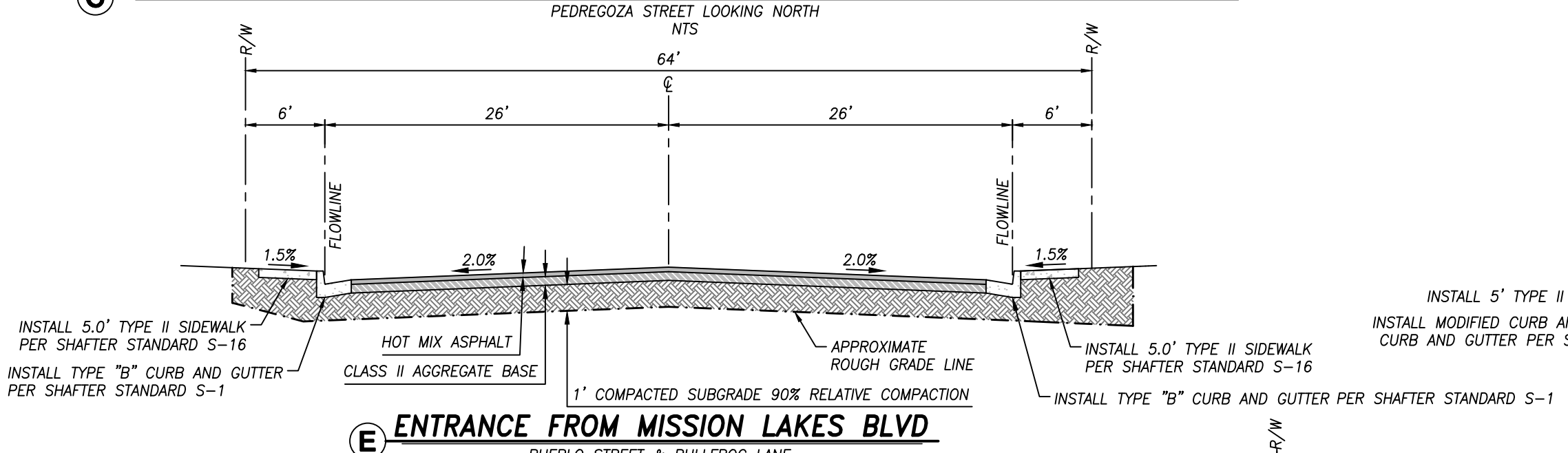
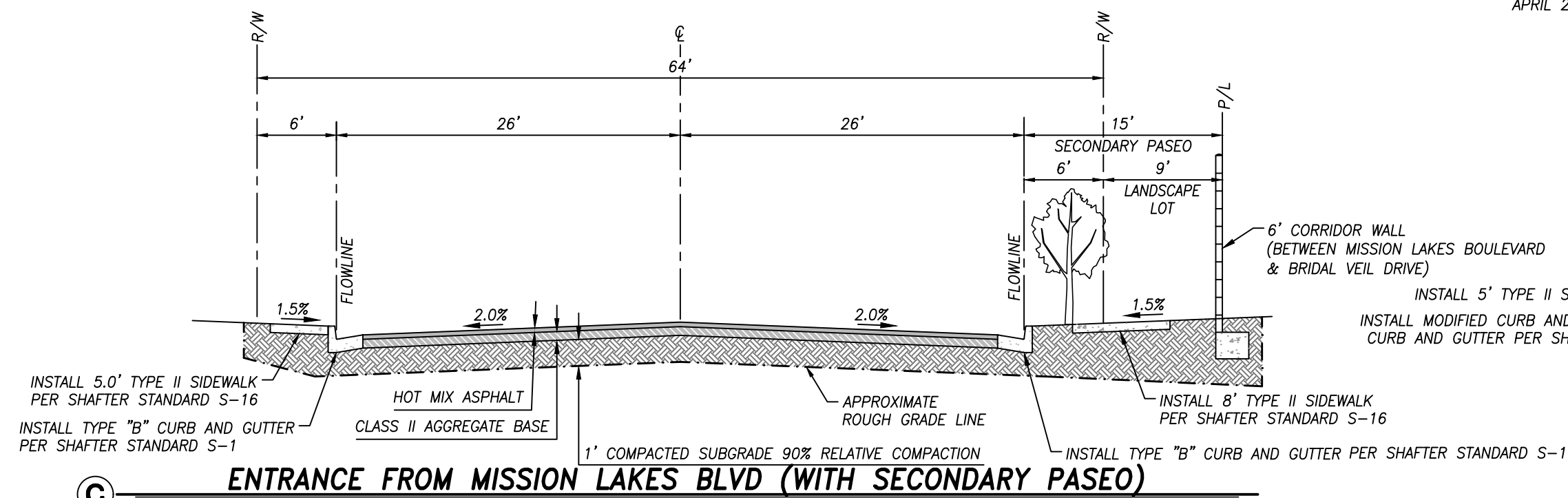
PROJECT SURVEYOR:
KRISTIE M. ACHEE, P.L.S. 8189
DATE BY:

QK

WWW.QKINC.COM
1-800-955-7599
BAKERSFIELD, CLOVIS, HANFORD, MERCED, PORTERVILLE, VISALIA

TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFER, COUNTY OF KERN, STATE OF CALIFORNIA.
APRIL 2025



PROFESSIONAL LAND SURVEYOR
KRISTIE M. ACHEE
P.S. 816
STATE OF CALIFORNIA

PRELIMINARY

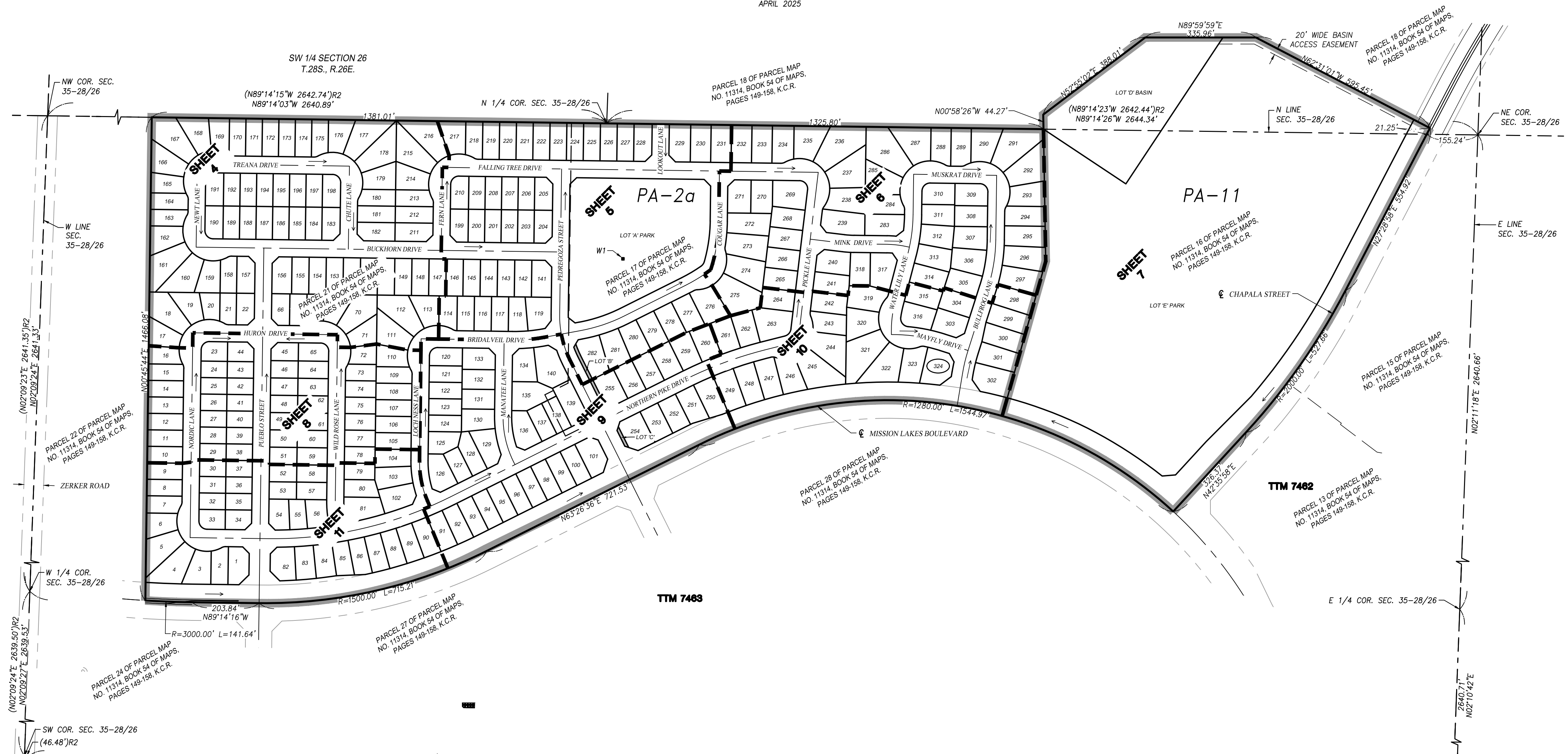
PROJECT SURVEYOR:
KRISTIE M. ACHEE, P.L.S. 8189
DATE: _____
BY: _____

QK

WWW.QKINC.COM
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BAKERSFIELD, CLOVIS, HANFORD, MERCED, PORTERVILLE, VISALIA


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APRIL 2025



PROFESSIONAL LAND SURVEYOR
KRISTIE M. ACHEE
S. 816
STATE OF CALIFORNIA

PROJECT SURVEYOR
PRELIMINARY

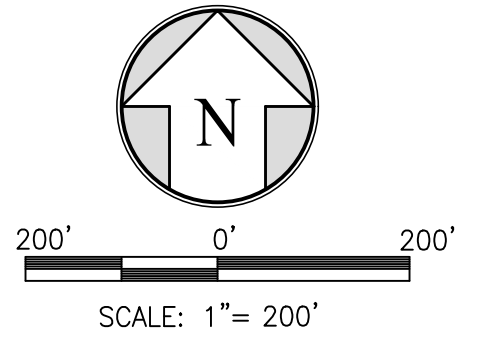
KRISTIE M. ACHEE, P.L.S. 8189 DATE _____
BY: 

WWW.QKINC.COM
1-800-955-7599
BAKERSFIELD, CLOVIS, HANFORD, MERCED, PORTERVILLE, VISALIA

- LEGEND:**
- CENTERLINE, STREET
 - W1 ■ EXISTING ABANDONED WELL, SEE THIS SHEET FOR EXISTING WELL INFORMATION
 - - - EXISTING LOT LINE
 - - - EXISTING RIGHT OF WAY
 - K.C.R. KERN COUNTY RECORDER
 - ▬ PASEO AND LANDSCAPE EASEMENT
 - ▬ PLANNING AREA (PA-*) BOUNDARIES PER MISSION LAKES SPECIFIC PLAN
 - PROPOSED DIRECTION OF STREET FLOW
 - - - SECTION LINE
 - - - SHEET DIVISION
 - - - SUBDIVISION BOUNDARY
 - XXX TOTAL BUILDABLE LOTS

- () R1 RECORD PER FILED MAP 7-1 RECORDED NOVEMBER 12, 1971 IN BOOK 5, PAGES 13 AND 14, K.C.R., OR CALCULATED THEREFROM.
- () R2 RECORD PER PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006 IN BOOK 54 OF MAPS, PAGES 149-158, K.C.R., OR CALCULATED THEREFROM.
- () R3 RECORD PER RECORD OF SURVEY NO. 3222 RECORDED APRIL 11, 2012 IN BOOK 27 OF RECORD OF SURVEYS, PAGE 191, K.C.R., OR CALCULATED THEREFROM.

EXISTING WELL INFORMATION:
W1: WELL NO. 35-1, API NO. 02930772
DRY HOLE - PLUGGED
NOT FIELD VERIFIED
LOCATION PER CALIFORNIA DEPARTMENT OF CONSERVATION/
GEOLOGIC ENERGY MANAGEMENT DIVISION (CDC-CaGEM)
(410' SOUTH & 50' EAST OF N 1/4 SEC. 35-28/26)



TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFER, COUNTY OF KERN, STATE OF CALIFORNIA.
APRIL 2025

SW 1/4 SECTION 26
T.28S., R.26E.

LEGEND

- CENTERLINE, STREET
- (XXX) EXISTING CONTOURS IN FEET
- EXISTING EDGE OF DIRT ROAD
- EXISTING HINGE POINT, TOP OF SLOPE
- EXISTING SWALE
- EXISTING TOE OF SLOPE
- EXISTING VEGETATION, AS NOTED
- PROPOSED BLOCK WALL
- PROPOSED DIRECTION OF STREET FLOW
- PROPOSED FLOWLINE
- PROPOSED PUBLIC UTILITY EASEMENT
- RADIAL
- SECTION LINE
- SUBDIVISION BOUNDARY
- TYPICAL STREET SECTION PER SHEETS 1-2
- WAIVER OF DIRECT ACCESS



PARCEL 22 OF PARCEL MAP NO. 11314, BOOK 54 OF MAPS, PAGES 149-158, K.C.R.

SEE SHEET 5

SEE SHEET 8

SEE SHEET 9

PROFESSIONAL LAND SURVEYOR
KRISTIE M. ACHEE
S. 811
STATE OF CALIFORNIA

PRELIMINARY

PROJECT SURVEYOR:
KRISTIE M. ACHEE, P.L.S. 8189
DATE: _____
BY: _____

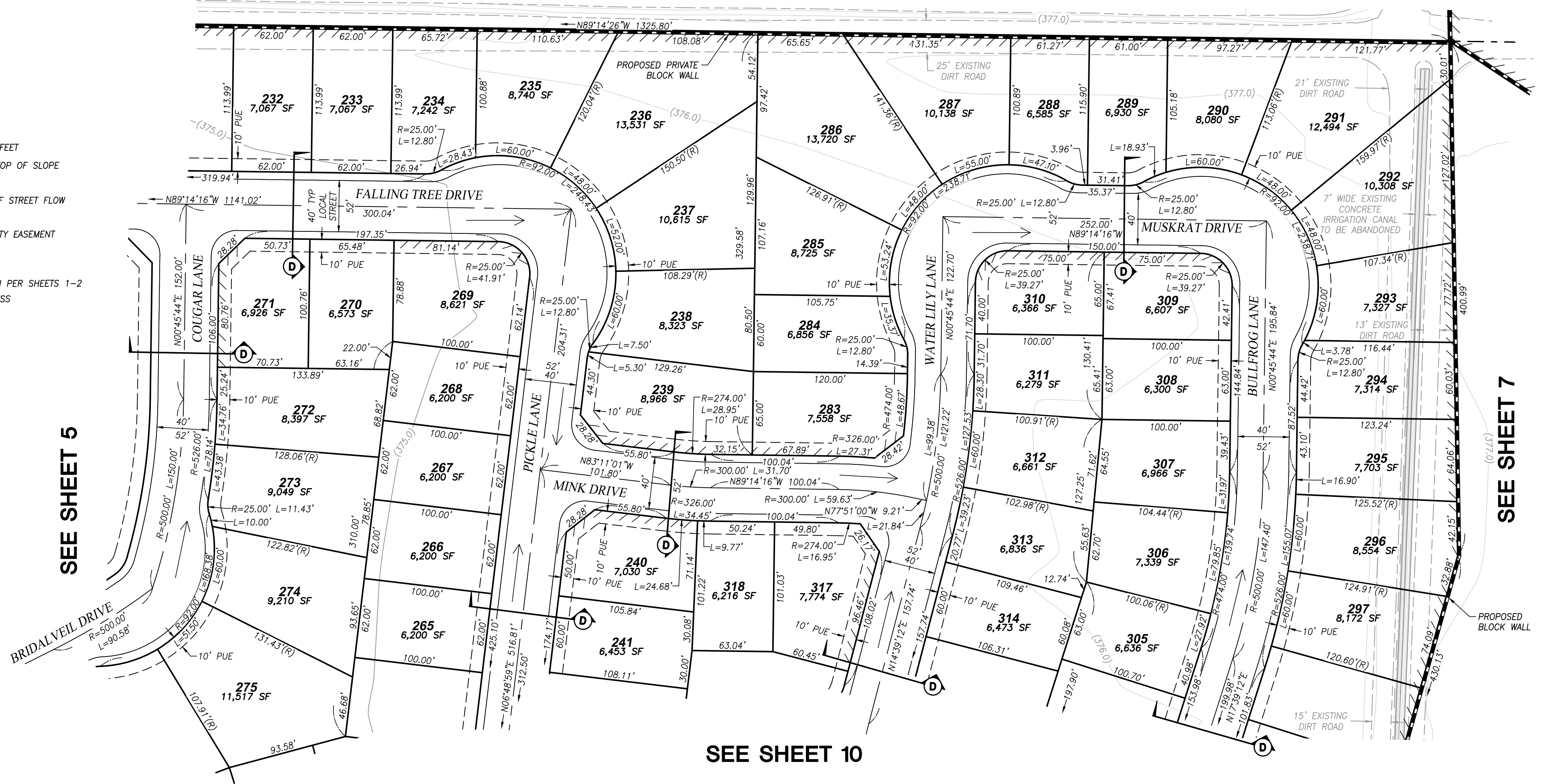
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1-800-955-7599
BAKERSFIELD, CLOVIS, HANFORD, MERCED, PORTERVILLE, VISALIA

TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFER, COUNTY OF KERN, STATE OF CALIFORNIA.
APRIL 2025

PARCEL 18 OF PARCEL MAP NO. 11314, BOOK 54 OF MAPS, PAGES 149-158, K.C.R.

- LEGEND**
- CENTERLINE, STREET
 - EXISTING CONTOURS IN FEET
 - EXISTING HINGE POINT/TOP OF SLOPE
 - PROPOSED BLOCK WALL
 - PROPOSED DIRECTION OF STREET FLOW
 - PROPOSED FLOWLINE
 - PROPOSED PUBLIC UTILITY EASEMENT
 - RADIAL
 - SUBDIVISION BOUNDARY
 - TYPICAL STREET SECTION PER SHEETS 1-2
 - WAIVER OF DIRECT ACCESS



SEE SHEET 5

SEE SHEET 10

SEE SHEET 7



PROJECT SURVEYOR:

PRELIMINARY

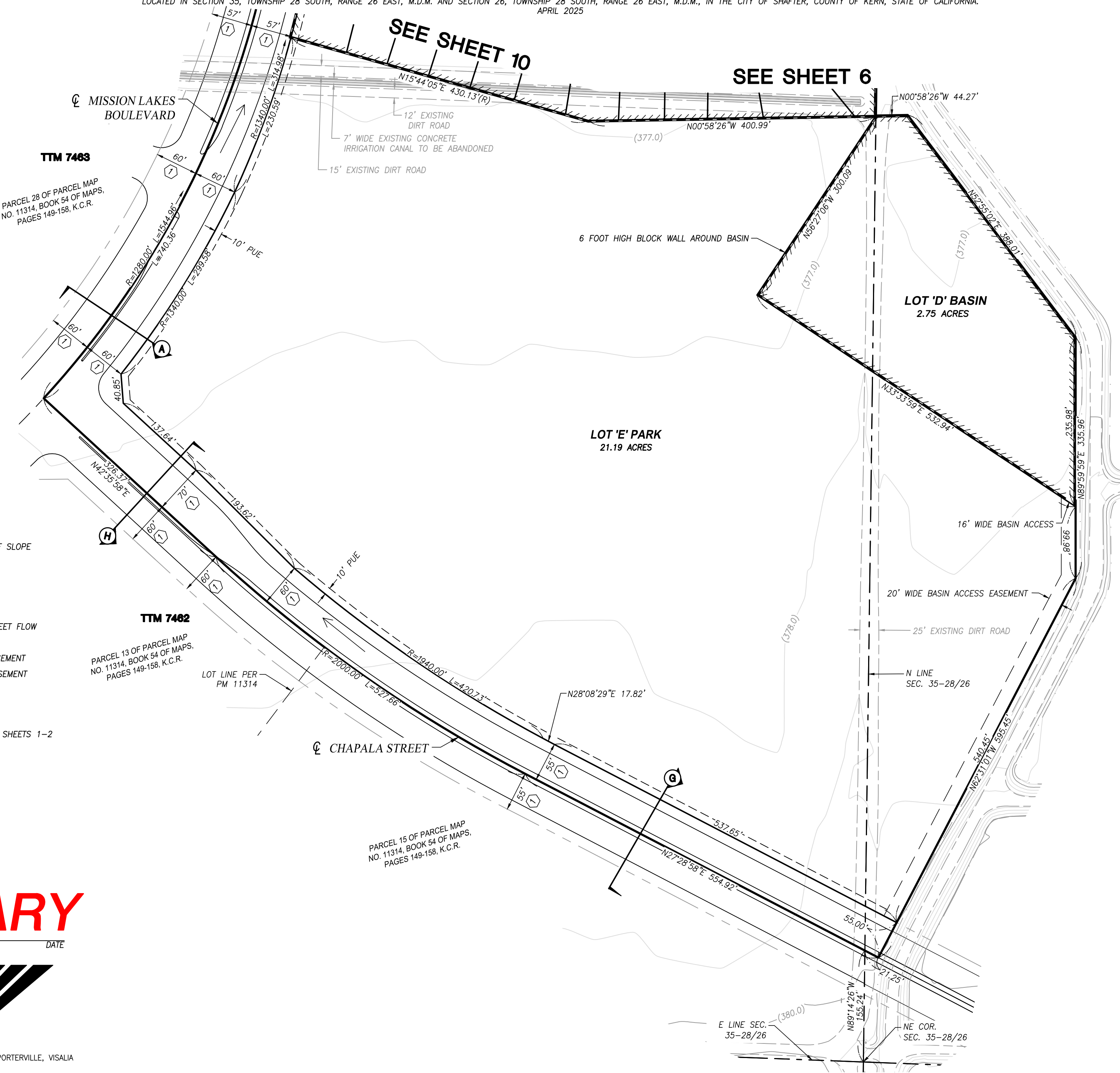
KRISTIE M. ACHEE, P.L.S. 8189
DATE BY:



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BAKERSFIELD, CLOVIS, HANFORD, MERCED, PORTERVILLE, VISALIA

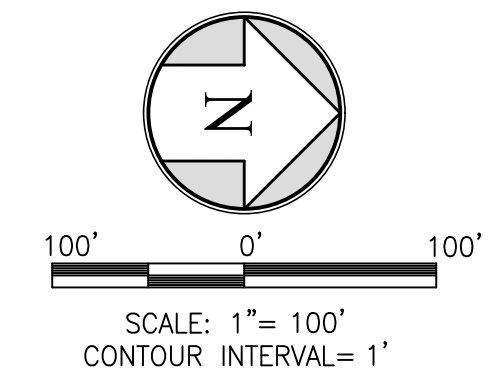
TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFER, COUNTY OF KERN, STATE OF CALIFORNIA. APRIL 2025



- LEGEND**
- CENTERLINE, STREET
 - (X) EASEMENT, SEE SHEET 1
 - (XXX) EXISTING CONTOURS IN FEET
 - - - EXISTING EDGE OF DIRT ROAD
 - - - EXISTING HINGE POINT/TOP OF SLOPE
 - - - EXISTING LOT LINE
 - - - EXISTING RIGHT OF WAY
 - - - EXISTING TOE OF SLOPE
 - - - PROPOSED BLOCK WALL
 - PROPOSED DIRECTION OF STREET FLOW
 - PROPOSED FLOWLINE
 - - - PROPOSED BASIN ACCESS EASEMENT
 - - - PROPOSED PUBLIC UTILITY EASEMENT
 - PUE
 - (R) RADIAL
 - - - SECTION LINE
 - - - SUBDIVISION BOUNDARY
 - # TYPICAL STREET SECTION PER SHEETS 1-2
 - Waiver of Direct Access

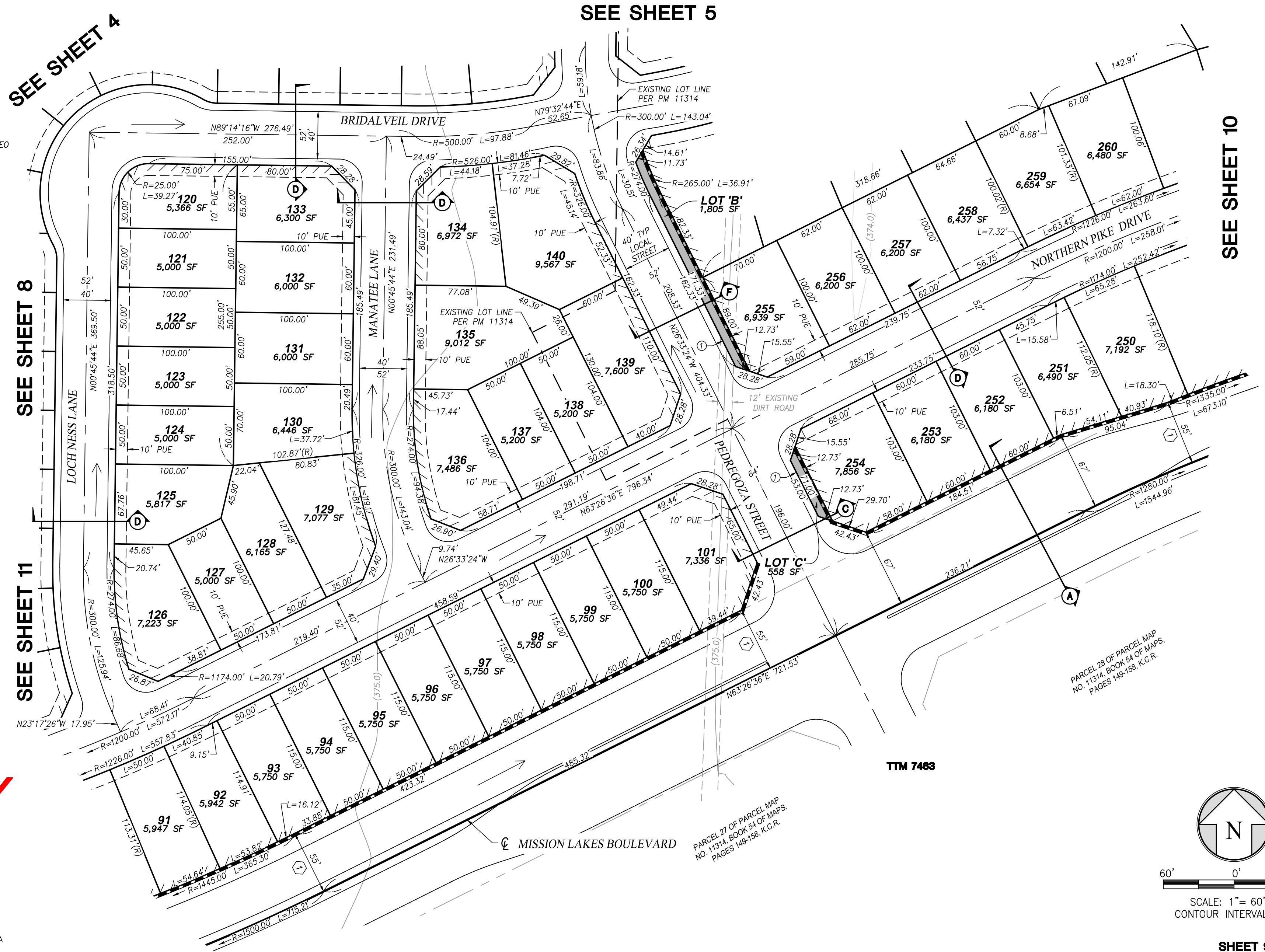
PROFESSIONAL LAND SURVEYOR
 KRISTIE M. ACHEE
 S. 816
PRELIMINARY
 KRISTIE M. ACHEE, P.L.S. 8189 DATE
 BY:
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TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFER, COUNTY OF KERN, STATE OF CALIFORNIA.
APRIL 2025

- LEGEND**
- CENTERLINE, STREET
 - (X) EASEMENT, SEE SHEET 1
 - (XXX) EXISTING CONTOURS IN FEET
 - - - EXISTING EDGE OF DIRT ROAD
 - - - EXISTING LOT LINE
 - - - EXISTING RIGHT OF WAY
 - ① PROPOSED 9' ADDITIONAL FOR SECONDARY PASEO
 - ▬ PROPOSED BLOCK WALL
 - PROPOSED DIRECTION OF STREET FLOW
 - PROPOSED FLOWLINE
 - PUE PROPOSED PUBLIC UTILITY EASEMENT
 - (R) RADIAL
 - SUBDIVISION BOUNDARY
 - TYPICAL STREET SECTION PER SHEETS 1-2
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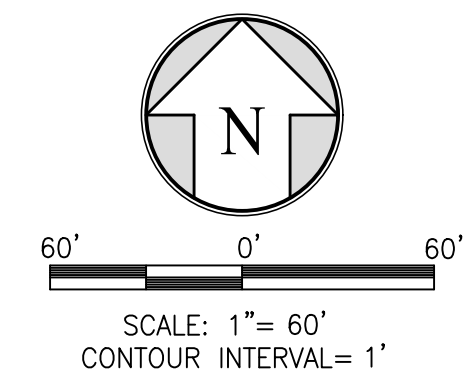
PROFESSIONAL LAND SURVEYOR
KRISTIE M. ACHEE
S. 816
STATE OF CALIFORNIA

PROJECT SURVEYOR:
PRELIMINARY

BY: KRISTIE M. ACHEE, P.L.S. 8189 DATE _____

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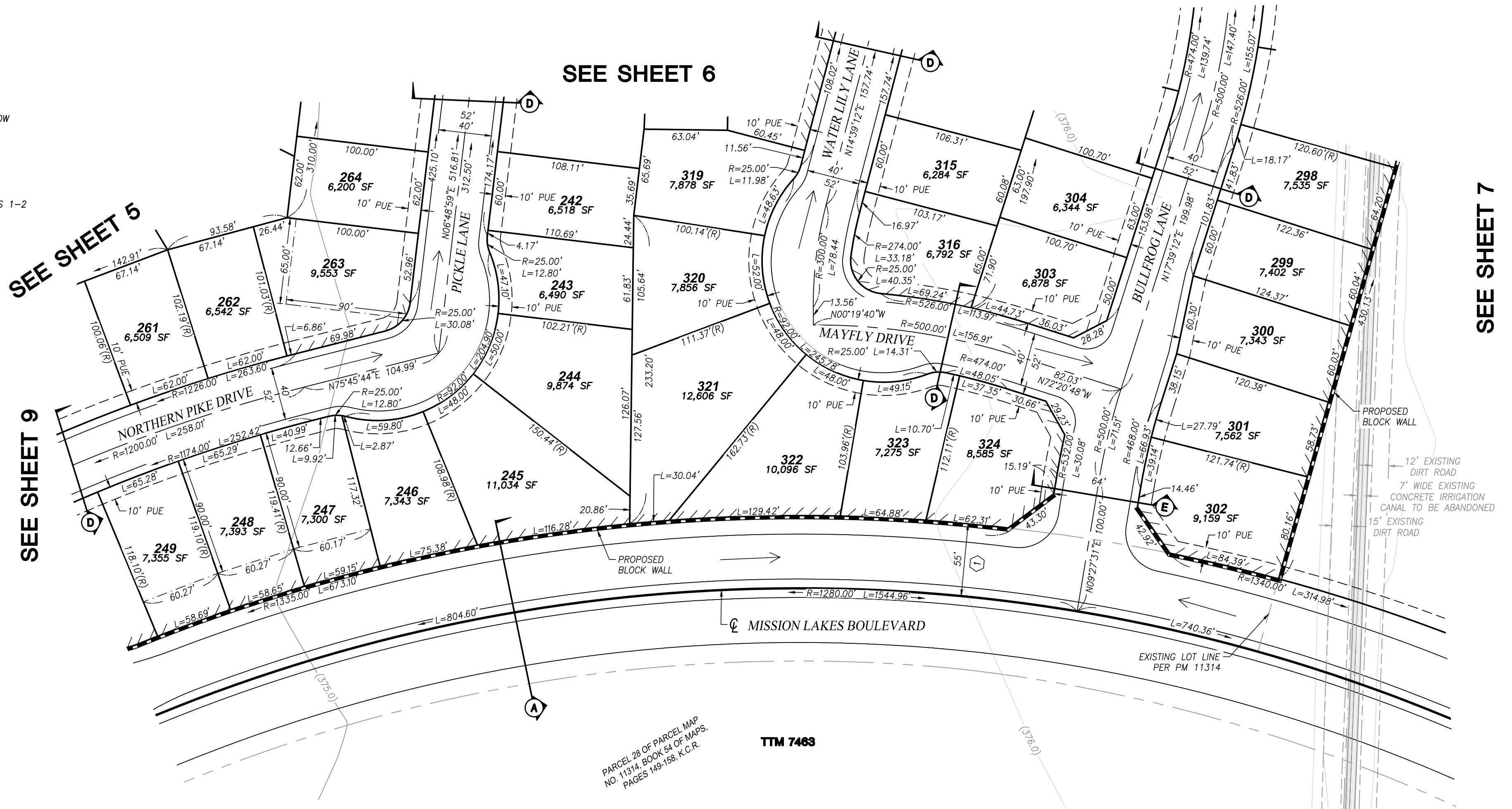


TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFER, COUNTY OF KERN, STATE OF CALIFORNIA.
APRIL 2025

LEGEND

- CENTERLINE, STREET
- (X) EASEMENT, SEE SHEET 1
- (XXX) EXISTING CONTOURS IN FEET
- - - EXISTING EDGE OF DIRT ROAD
- - - EXISTING LOT LINE
- - - EXISTING RIGHT OF WAY
- ▬ PROPOSED BLOCK WALL
- PROPOSED DIRECTION OF STREET FLOW
- PROPOSED FLOWLINE
- - - PROPOSED PUBLIC UTILITY EASEMENT
- (R) RADIAL
- SUBDIVISION BOUNDARY
- ⊕ TYPICAL STREET SECTION PER SHEETS 1-2
- WAIVER OF DIRECT ACCESS



PROJECT SURVEYOR:

PRELIMINARY

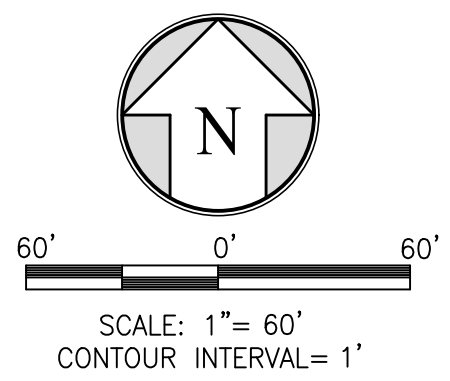
KRISTIE M. ACHEE, P.L.S. 8189
DATE BY:



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PARCEL 28 OF PARCEL MAP NO. 11314, BOOK 54 OF MAPS, PAGES 149-158, K.C.R.

TTM 7463



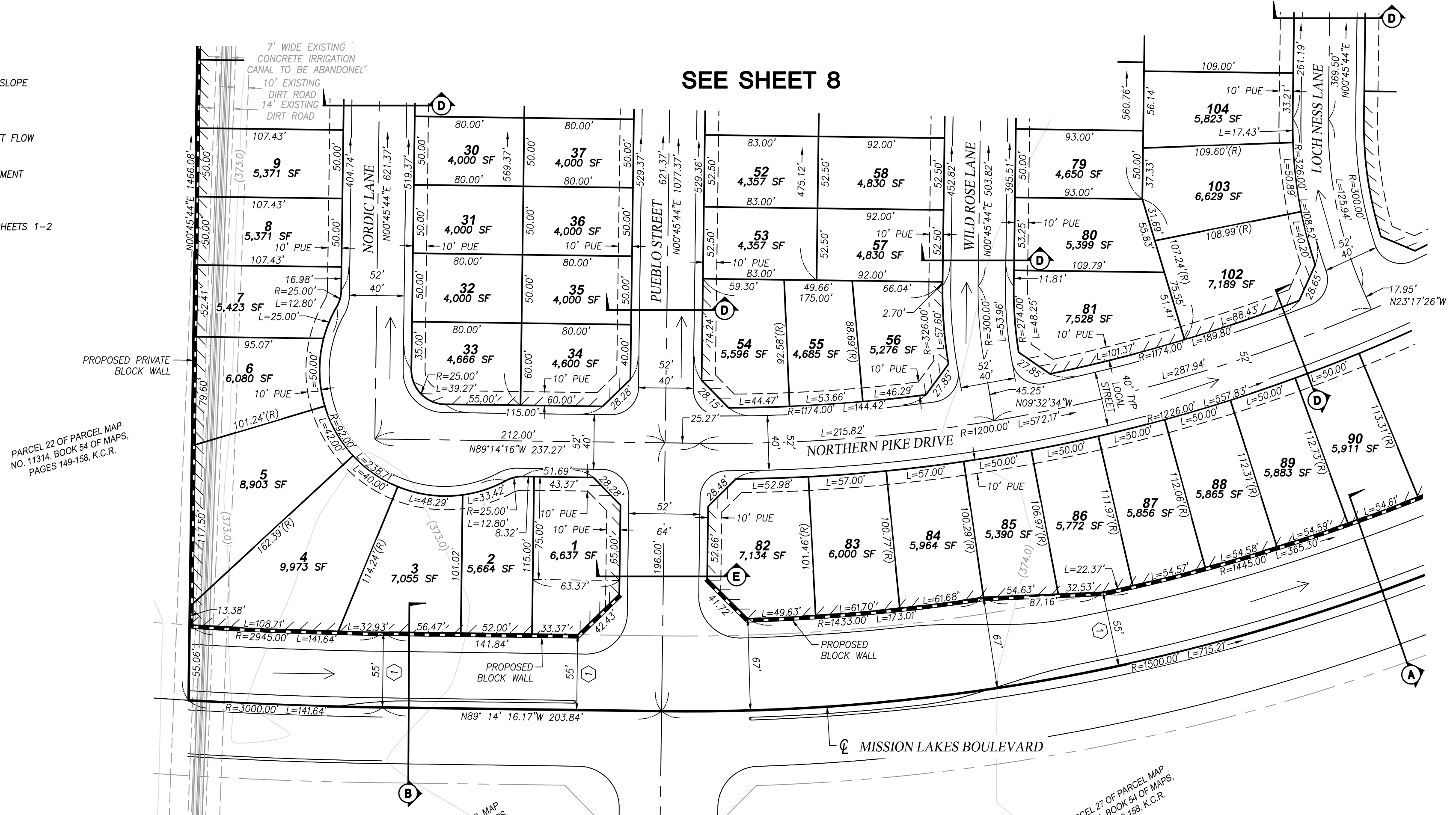
SHEET 10 OF 11

TENTATIVE TRACT NO. 7464

MERGER AND RE-SUBDIVISION OF PARCELS 16, 17 AND 21 OF PARCEL MAP NO. 11314 RECORDED JANUARY 31, 2006, IN BOOK 54 OF MAPS, PAGES 149 THROUGH 158, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN SECTION 35, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M. AND SECTION 26, TOWNSHIP 28 SOUTH, RANGE 26 EAST, M.D.M., IN THE CITY OF SHAFER, COUNTY OF KERN, STATE OF CALIFORNIA.
APRIL 2025

LEGEND

- CENTERLINE, STREET
- EASEMENT, SEE SHEET 1
- EXISTING CONTOURS IN FEET
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PARCEL 22 OF PARCEL MAP NO. 11314, BOOK 54 OF MAPS, PAGES 149-158, K.C.R.

PARCEL 24 OF PARCEL MAP NO. 11314, BOOK 54 OF MAPS, PAGES 149-158, K.C.R.

PARCEL 27 OF PARCEL MAP NO. 11314, BOOK 54 OF MAPS, PAGES 149-158, K.C.R.



PROJECT SURVEYOR:

PRELIMINARY

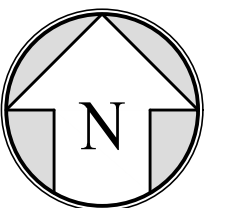
KRISTIE M. ACHEE, P.L.S. 8189 DATE BY:



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TTM 7463

SEE SHEET 9



60' 0' 60'

SCALE: 1" = 60'
CONTOUR INTERVAL = 1'

SHEET 11 OF 11

EXHIBIT “B”
CONDITIONS OF APPROVAL
TENTATIVE TRACT NO. 7464

GENERAL

1. The owner(s), project proponent(s), and/or applicant(s) (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers and employees regarding any legal or administrative action, claim or proceeding concerning approval of Tentative Tract No. 7464 and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City's reasonable approvals. Developer shall also reimburse the City, its agents, legislative bodies, officers and employees for any judgments, amounts paid in settlements, court costs and attorneys' fees which the City, its agents, legislative bodies, officers and employees may be required to pay or otherwise pay because of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer’s obligations under these conditions of approval (hereinafter referred to as “Conditions”).
2. The Developer or the Developer’s engineer shall submit a list of all contractors and/or subcontractors performing work on this project to the City Finance Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City of Shafter.
3. The following disclosure shall be given as part of transfer of properties: “All your real property is near property used for agricultural operations, you may be subject to inconveniences or discomforts arising from such operations on any 24-hour basis. Said discomforts may include, but not be limited to equipment noises, odors from manure or other chemicals, and dust or smoke. The City has determined that the use of real property for agricultural operations is a high priority and favored use to the City and Kern County and will not be considered a nuisance for those inconveniences or discomforts arising from agricultural operations, provided such operations are consistent with accepted customs, standards, and laws.”
4. Until all portions of the tentative tract have been developed, all vacant and undeveloped land, not being actively farmed, shall be maintained in a weed-free and clean manner by the Developer. Should said property not be so maintained, the City shall notify the property owner that the property is to be cleaned within thirty (30) days of receipt of said notice. If the property owner does not comply within the required time frame, City may then clear the land and bill the property owner for expenses incurred.
5. Unless a final map is recorded, this tentative tract shall expire twenty-four (24) months from the date of approval by the City Council, unless an extension is granted by the City Council

or by state law. If a discretionary extension is requested, the Developer, not less than sixty (60) days prior to the expiration date, shall submit to the City, the applicable processing fees and a completed application requesting an extension of the map approval in accordance with the provisions of the Municipal Code and the Subdivision Map Act. PLEASE NOTE: This will be the only notice given for the above specific expiration date. The applicant is responsible for initiating an extension request.

6. All construction and development shall be consistent with the City of Shafter Mission Lakes Specific Plan, the approved Tentative Tract No. 7464, and any approved alterations thereof.

PLANNING

7. Prior to initiating any grading or earthmoving within Tract No. 7464, the Developer shall provide the City of Shafter Planning Department with written confirmation from the San Joaquin Valley Air Pollution Control District (SJVAPCD) that the proposed development follows the requirements of the District's Rule 9510.
8. The Developer shall be required to permanently maintain all landscaping, except for landscaping included in the Community Facilities District, including the replacement of any trees or shrubs that do not survive.
9. Only the street names or alternate street names that have been approved on the Tentative Tract Map shall be shown on the Final Map(s) for Tract No. 7464. If the Developer wishes to change the street names at any point in time, a street name change request will need to be submitted to the Shafter Planning Department and approved prior to changing or using any proposed street names.
10. If the Developer proposes to phase the map or make any changes to the approved tentative map contents, the Developer shall submit a Substantial Conformance application to the Planning Director for review and approval. If the map is phased, the Planning Department may request that the Developer apply for a Change of Conditions to update any affected conditions of approval, as necessary.
11. Approved access shall be provided for each lot in accordance with City standards.
12. All roof-mounted air conditioning equipment shall be located on the rear portion of the roof ridge line in such a manner as to be screened as much as practical from view from public streets.
13. With the exception of model houses, as provided in Section 3.080, Chapter 3, Title 16 (Subdivision Ordinance) of the Shafter Municipal Code, no building permit shall be issued by the City of Shafter until Tract No. 7464 has been recorded pursuant to the requirements of the California Subdivision Map Act and Title 16 (Subdivision Ordinance), of the Shafter Municipal Code.
14. If Condition No. 143 (Subdivision Improvement Agreement) is initiated by the Developer and executed by the City of Shafter, no building permit shall be issued until wet utilities have been installed, an all-weather surface roadway is completed on the subject property,

and survey stakes or other form of temporary documentation will be provided for, and approved by the Building and Safety Inspector, to verify building location. Missing stakes or other temporary documentation will result in delays in inspection schedule.

15. The following note shall appear on the final map and all grading and construction plans:
 - a. If during grading or construction, any plugged, abandoned, or unrecorded oil or gas wells are uncovered or damaged, the California Department of Conservation/Geologic Energy Management Division (CalGEM) shall be contacted to inspect and approve any remediation required.
 - b. If any abandoned water wells are located within the development or discovered during excavation or grading, the Kern County Public Health Department - Environmental Health Services Program must be contacted to obtain information for the proper permitting and destruction procedures.
 - c. Building setbacks on lots with existing plugged wells shall satisfy the requirements of the CalGEM. If the recommended setbacks cannot be satisfied, the Developer shall submit, concurrent with the submittal for a building permit for the impacted lot, written confirmation from the CalGEM that the setback provided is acceptable.
16. During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the City of Shafter Building Inspection Division.
17. Prior to construction, the Developer shall submit plans for the public parks to be developed on Lot 'A' and Lot 'E', approved under Tentative Tract No. 7464. The public park designs shall be approved by the City of Shafter in consultation with the North of the River Recreation and Park District. The public parks in Tract 7464 shall be fully constructed, landscaped, and completed by the Developer, consistent with the Mission Lakes Specific Plan and all applicable standards, prior to receiving over 60% of the Certificates of Occupancy (more specifically being the 195th Certificate of Occupancy) for this subject tract. Lot 'A' and Lot 'E' shall be dedicated/deeded to the North of the River Recreation and Park District upon completion and acceptance of all improvements by the City of Shafter.

As an alternative to dedication and transfer of ownership of the public parks to the North of the River Recreation and Park District, and subject to authority granted in state law, Developer may request the City consider alternative arrangements for the dedication and transfer of the public parks, as authorized by state law, either to the City of Shafter or a combination of the City of Shafter and the North of the River Recreation and Park District. Such alternative arrangements shall be memorialized in an agreement approved by the City of Shafter and the North of the River Recreation and Park District, prior to acceptance of all improvements by the City of Shafter (except for the issuance of a certificate of occupancy for model homes). Nothing contained herein shall obligate the City or the North of the River Recreation and Park District to accept such alternative dedication and transfer.

18. The Developer of Tract No. 7464 shall comply with all SJVAPCD requirements while grading and developing the site. It is the Developer's responsibility to contact the SJVAPCD to determine with which requirements/rules the Developer must comply.
19. Prior to recordation of any final map for Tract No. 7464, the Developer shall enter into a development agreement with the City of Shafter, in a form and substance reasonably approved and required by the City, which shall provide for a minimum square footage of residential units within the subdivision, and which shall provide for payment of park fees, traffic fees, and any other fees deemed necessary by the City.
20. All utilities shall be designed and constructed in such a way as to allow for them to be extended into any future residential development areas.
21. The landscape lots and trail system in Tract No. 7464 shall be planted with a combination of evergreen and deciduous trees at a density sufficient to provide a year-round visual buffer. Tree species and spacing shall be reviewed and approved by the City as part of the approval of the landscape plans for the tract.
22. If during development activities, any wells are encountered, the property owner is expected to immediately notify the CalGEM construction site well review engineer in the Inland district office, and file for Division review an amended site plan with well casing diagrams.
23. On all corner lots and/or reverse corner lots within the tract, fences/walls shall not be located within the first 5 feet of the Public Utility Easement behind the street side yard and front-yard property lines. A note stating this must be included on all site plans during building permit review. The City will not permit walls nor fences to be built within the first five (5) feet of the PUE dedication on the side-yard of corner/reverse corner lots.
24. The Developer/Home Builder of Tract 7464 shall use a variety of floor plans within the residential tract as required in the City of Shafter Zoning Ordinance Table 2.B (Residential Floor Plan and Elevations Guidelines). Floor plans and elevations will be subject to the review and approval of the Shafter Planning and Building Departments. The Developer/Home Builder shall plot alternative floor plan types and/or elevation styles on contiguous lots within Tract 7464.

BUILDING

25. Prior to issuing a certificate of occupancy for any building, the building address(es) shall be permanently installed and be clearly visible from the street.
26. The Developer shall obtain a letter from Kern County Fire Department stating Kern County Fire's approval of construction of 199 dwelling units within Tract 7464 without a secondary access. A copy of this letter shall be provided to the Building Department prior to the recording of a Final Map.
27. Prior to issuance of the first building permit, the Developer shall provide written confirmation to the City from the SJVAPCD confirming that any and all applicable off-site mitigation fees for the subdivision have been paid in full.

28. No final inspection or issuance of a certificate of occupancy shall be approved for any lot until all required improvements have been completed by the Developer and accepted by the City.
29. Developer shall pay all development fees and impact fees adopted by the City in effect at the time of issuance of any building permits. The Developer can also elect to pay traffic impact fees at the time of each building permit's issuance.
30. Developer shall comply with the latest California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits.
31. Prior to issuance of each building permit for houses within Tract No. 7464, Developer shall submit a site plan to the City Planning Department for review and approval. The site plan shall reference the floor plan layout and building elevations, including exterior building materials and colors, for each of the single-family residences to be constructed within Tract No. 7464. The siting of each structure on the plans must comply with the applicable lot development standards of the latest Mission Lakes Specific Plan. The architectural and landscaping design features of each residence within Tract 7464 must be in substantial compliance with the Mission Lakes Specific Plan Chapter 5: Design Guidelines.
32. Private drives constructed of Portland cement concrete shall be constructed at a minimum width of 16 feet from the edge of public roadway pavement to the garage of each home.
33. A landscaping plan, including design of a permanent irrigation system, shall be submitted to and approved by the Planning Director and City Engineer. Said approved landscape and irrigation plan shall be implemented prior to receiving a final inspection for any house constructed within the subdivision. All landscaping is subject to the requirements for landscaping contained herein these conditions and with City Standards. Landscaping shall include an irrigation system for both the front-yard and the street side-yard (where applicable) provided the street side-yard is not obscured from sight from an adjacent street by fencing, for each lot within the subdivision. Landscaping shall comply with current State guidelines for residential landscaping.
34. Fiber Optic Installation for Dwelling Units: Owner agrees to install in each dwelling unit the following fiber optic requirements:
 - a. Install a Dedicated City Fiber Enclosure adjacent to the other utility enclosures or a Common Communication Enclosure (collectively "Utility Enclosure") for the proposed communications utilities (phone, cable, fiber, etc.). The enclosure type shall be Benner-Nawman 14326W-UL or as approved by the City. The Utility Enclosure may face the garage exterior or interior and shall include one 120-volt, 15-amp convenience receptacle inside the enclosure mounted on either side of the wall. A surge-protected receptacle must be installed or verification that an equivalent surge protection device (SPD) has been installed as an integral part of the service equipment

or located immediately adjacent to the service equipment to be in accordance with article 230.67 of the California Electrical Code.

- b. Install a wireless-transparent Structured Media Enclosure (“Media Enclosure”), such as models: Legrand 30” ENP3050, Legrand 42” ENP4250, Leviton 30” 49605-30W, Primex Verge 30” P3000, 42” Primex Verge P4200, or as approved by the City. The Media Enclosure shall be installed in the wall of a master bedroom closet or a laundry room furthest from the water supply and maintain a minimum 48-inch horizontal clearance between and 24-inch clearance above any metallic appliances or accessories. The Media Enclosure shall include one 120-volt, 15-amp convenience receptacle located inside the enclosure.
 - c. Install a conduit pathway from the Utility Enclosure to the Media Enclosure with a minimum of one (1) 1-inch diameter non-metallic, flexible conduit which shall maintain a minimum 36-inch bend radius and protrude a minimum of 6-inches into the enclosures. The conduit shall be marked with orange Tyvek or plastic tags, labeled “City Fiber 661-746-8929”, tie wrapped to the conduit in plain view within the enclosures.
 - d. Install a continuous conduit without breaks or couplings from the existing City Fiber Distribution Enclosure located in the right-of-way (“Distribution Enclosure”) to the bottom side of the Utility Enclosure. The conduit shall be installed a minimum of 36-inches below grade, protrude a minimum of 12-inches into the Utility Enclosure, be orange in color, and be factory labeled “City of Shafter 661-746-8929”. If the conduit does not have an integrated tracer wire, a continuous external #12 AWG solid-conductor tracer wire with high-density polyethylene insulation rated for direct burial shall be installed along with the conduit leaving a minimum 15-feet of slack coiled in the Distribution Enclosure and 3-feet of slack coiled in the Utility Enclosure. The conduit and tracer wire shall be inspected by a City of Shafter representative before shading and backfilling.
 - i. After backfilling, polyester cable pulling tape (Muletape), or equivalent, shall be installed in all conduit paths between the Distribution Enclosure and the Utility Enclosure. Mule tape shall be slack (no tension) and fastened to the plug or cap.
 - ii. Couplings shall be used to repair damaged or short-length conduit only if approved by the City. Conduit couplings shall be an air-tight, water-tight, push-on compression fitting approved by the City. Tracer wire couplings shall be air-tight, water-tight, twist on or compression connector approved by the City. Coupling integrity shall be inspected by a City of Shafter representative.
 - e. Category 6 Unshielded Twisted Pair (CAT 6 UTP) cable (or as approved by the City) shall be installed according to industry standards and the requirements below, and shall not be pinched, stapled, bent sharply, or crossing any sharp, unprotected edges:
 - i. Install a minimum of two (2) cables from the Utility Enclosure to the Media Enclosure.
35. Developer shall be responsible for complying with any and all Pacific Gas and Electric requirements, for any development activity adjacent to/or within PG&E owned property, facilities and easements.

ENGINEERING

36. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer. The contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
37. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
38. A ten (10) foot public utility easement, as shown on the tentative map, shall be provided in the front of all lots and on the street side of all corner lots/reverse corner lots as requested by the utility companies and the City Engineer. Easements shall be granted with the final map. Easements must also be shown on individual site plans during building permit application review.
39. Easements to be given to the City or any other public utility agency for sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
40. Any above-ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the applicant and/or the affected utility company.
41. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the Developer.
42. No final inspection shall be approved until all required improvements have been completed by the applicant and accepted by the City of Shafter.
43. All new utilities shall be underground service.
44. During construction, vehicular access points shall be covered with decomposed granite, road oil, or some other treatment acceptable to the City Engineer, to prevent generation of dust during periods of vehicular activity and/or windy conditions and tracking of mud and dirt on public roadways.
45. Prior to the issuance of a Certificate of Occupancy on any lot of Tract No. 7464, all required improvements shall be completed and accepted by the City of Shafter. Required improvements shall be those improvements necessary to provide adequate City Services to the subject lot as determined by the City Engineer.
46. All improvements shall be complete within one (1) year from the date of filing of the final map for the development unless a time extension is granted by the City Engineer. The timing of improvements shall be subject to approval of the City Engineer.

47. Type and location of centralized mail delivery units shall be determined by the postal service. If the postal service requires special easements for the placement of the delivery units, then said easements shall be shown on the final map.
48. All road, landscaping, trail, sidewalk, block wall, and paseo improvements, required by and consistent with Tract No. 7464 and the Mission Lakes Specific Plan, shall be constructed by the Developer and approved by the City of Shafter prior to recordation of the final map or shall be included as a public improvement in the subdivision improvement agreement. Wall plans, materials, and dimensions shall be consistent with the requirements of the Mission Lakes Specific Plan and Tentative Tract No. 7464 and shall be approved by the City of Shafter prior to construction. The timing of improvements shall be subject to approval of the City Engineer.
49. Developer shall place the entire subdivision within a new or add to an existing Community Facilities District prior to recordation of a final map and prior to acceptance of improvements by the City of Shafter. The maintenance district shall be set-up to cover the cost of street lighting, drainage basin maintenance, landscaping maintenance, and/or park maintenance, as well as all administrative costs associated with the City of Shafter's management of the District.
 - a. The Developer shall be required to cover the cost of street lighting, maintain all landscaping, park maintenance, including the replacement of any trees or shrubs that do not survive, within public right-of-way and landscape easements for a period of one (1) year after final inspection of the landscape improvements, or until such time as the maintenance district is formed, whichever shall occur last.
 - b. Developer shall be fully responsible for the formation, and formation cost of the Community Facilities District, as directed by the City Engineer.
 - c. Developer shall be fully responsible for paying the cost of water for all landscaping and electricity for the streetlights for a period of one (1) year after issuance of Notice of Completion.
50. Engineered plans and building permits are required for all block walls greater than 6 feet in height.
51. Developer shall design and install a system of conduits, terminal enclosures, distribution enclosures, splice enclosures, connection points, and hand holes for a fiber optic network to each buildable lot within the development. Design and material specifications are available from the City of Shafter. Plans shall be submitted to and approved by the City of Shafter, prior to recordation of the final map, showing the proposed utility trench and all appurtenant hardware. The design shall include the following minimum specifications:
 - a. A combination of fiber optic conduits shall minimally include 4" SDR-11 HDPE, 2" SDR-11 HDPE, 1.25" SDR-11 HDPE, and 7-Way bundled HPDE innerduct with attached tracer wire. Fiber optic conduits may be joint-trenched with other utility company pipes and/or conduits.

- b. All underground fiber optic conduits, innerduct bundles, etc. shall be factory-labeled "City of Shafter 661-746-8929". Conduits shall be identified by a permanent marking, with the address number of the residence they serve, within the distribution enclosures.
 - c. All underground fiber optic conduit paths shall have tracer wire. If the conduit does not have an integrated tracer wire, a continuous external #12 AWG solid-conductor tracer wire with high-density polyethylene insulation rated for direct burial shall be installed along with the conduit leaving a minimum 15-feet of slack coiled in the endpoint enclosures.
 - d. The ends of all fiber optic conduits and innerducts shall be plugged or capped to prevent dirt, debris, or foreign objects from entering.
 - e. After backfilling, all conduits shall be checked for obstructions, and re-excavated and repaired or replaced as required. All conduits ½-inch or larger shall require polyester cable pulling tape (Muletape) or equivalent installed. Polyester cable pulling tape (Muletape) shall be slack (no tension) and fastened to the plug or cap. Innerducts shall be mandrel tested and are subject to inspection by a City of Shafter representative.
 - f. A combination of underground utility enclosures shall minimally include 36"W x 60"L x 36"D polymer concrete enclosures with dual torsion covers, 36"W x 36"L x 24-36"D and 24"W x 36"L x 24-36"D High Density Polyethylene (HDPE) enclosures.
 - g. All underground utility enclosures shall be factory-stamped "City Fiber".
52. Prior to construction, all improvement plans and landscaping plans shall be approved by the City of Shafter.
53. The side-yard fences constructed along local streets shall consist of a masonry block retaining wall, or other material as approved by the City Engineer, topped with a wooden fence. Sufficient area behind the sidewalk shall be provided to accommodate the installation of community mailboxes, where required by the US Postal Service.
54. The final subdivision map proposed for recordation shall be in substantial conformance with the approved tentative map or any approved alterations thereafter.

ENGINEERING: GRADING & DRAINAGE

55. Prior to review of any required improvement plans, both a drainage/hydrology study and a grading plan shall be submitted to and approved by the City Engineer. A master grading plan covering Tract No. 7464 shall be submitted and approved. Future development plans shall be based upon the approved master plan. Any deviation from the approved master plan will require the approval of the City Engineer.
56. The drainage/hydrology study and hydraulic analysis for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. The study shall demonstrate that any potential run-off will not impact surrounding properties. The study shall focus on the project property and any affected adjacent properties.

57. A soils report, prepared by a registered civil engineer shall be submitted along with the grading plan. Soils report shall be performed in compliance with the latest edition of California Building Code, and Chapter 15.28 of the Shafter Municipal Code. In addition, all site grading, earthwork and building design shall be performed in accordance with the recommendations of the soils report.
58. A grading permit shall be obtained from the City prior to commencement of any grading activity.
59. Prior to issuance of a building permit, the Developer shall file a “Rough Grade Certificate” with the City in accordance with the City Engineering Design Standards. Rough Grade Certificate shall be accompanied by certified soil compaction test data from an acceptable materials testing company and a certificate that the rough grade is in substantial conformance with the approved grading plan and Chapter 15.28 of the Shafter Municipal Code. Developer to obtain “Rough Grade Certificate” form from the City.
60. Prior to final approval, acceptance of work, or issuance of Certificate of Occupancy, the Developer’s engineer shall file a “Final Grade Certificate” stating that all required grading has been done in accordance with the approved grading plan. Developer to obtain “Final Grade Certificate” form from the City.
61. The location and frequency of soils compaction testing shall be per the City Engineer. Soils compaction testing shall be provided by the Developer.
62. Minimum slopes across any flat surface shall be 1%. For slopes less than 1%, surface drainage shall be channeled into a concrete v-gutter, curb and gutter, underground storm drain, or similar drainage structure.
63. All building pads shall provide a minimum of 2% slope away from each house to an earth swale, and a minimum of 1% from the highest point in the swale to the street. A four-inch landscape drain may be used to replace the earth swale. The minimum pad height shall be twelve (12) inches above the adjacent curb.
64. Street side corner lots shall not have their side yard slope (finish grade to back of sidewalk) exceed 4 horizontal: 1 vertical. If maximum slope is exceeded, side yard shall be retained in an approved manner.
65. Wood retaining structures shall not be approved. Developer shall use masonry, keystone, concrete, or other approved material.
66. Engineered off-site drainage plans for Tentative Tract No. 7464 shall be submitted to and approved by the City of Shafter prior to recordation of a final map. The approved drainage facilities shall be constructed and approved by the City of Shafter prior to issuance of building permits.
67. All storm drain pipes and manholes shall be installed with the street paving. Catch basin shall be installed per city standards.

68. Drainage Basin:
 - a. Developer shall construct a drainage basin on Lot D as shown on the Tentative Tract Map No. 7464. Developer shall provide calculations showing all drainage areas utilizing the basin and show the percentage of the capacity utilized by Tract No. 7464.
 - b. Developer shall construct permanent masonry walls around the proposed drainage basin on Lot D with a minimum 16' access controlled by a gate.
69. The number and location of street-based siphons and cross gutters allowed, if any, will be determined during the grading and drainage review process. The minimum grade for allowed cross gutters shall be 0.6%.
70. Grading onto adjacent property shall not be done without written permission from the adjacent property owner.
71. The Office of the City Engineer shall be notified 24 hours in advance of the placement of any fill material.
72. Fill and/or import material shall be subject to the approval of the soils engineer.
73. Developer is responsible for the grading of lot pad areas to within 0.1 foot of the design elevations.
74. All areas in the site on which structures are to be placed must be compacted to 90% relative density, for a minimum distance of 5-feet in all directions from the foundations of the structure.
75. All fill material shall be moisture conditioned to at least 2% above optimum moisture and compacted to 90% relative density, as determined by test methods referenced in Chapter 15.28 of the Shafter Municipal Code, and so certified by test and report from the soils engineer.
76. The design engineer shall exercise sufficient supervisory control during grading operations to ensure compliance with the plans, specifications, and code within his purview.
77. The placement of fill shall be in 6-inch-maximum lifts, compacted with heavy compaction equipment approved by the City Engineer, unless specifically recommended otherwise in the preliminary soils report.
78. Compaction in proposed pavement areas should be per City standards and should extend to a minimum distance of 2-feet beyond the outside edges of pavement.
79. All cut and fill slopes shall not be steeper than 2 horizontal to 1 vertical.
80. All fill areas to be cleared of all vegetation and other unsuitable materials for a structural fill and the areas shall be scarified to a depth of 6-inches, unless specifically noted otherwise in the preliminary soils report.

81. All slopes in excess of three (3) feet shall be prepared and maintained to control against erosion.
82. Grading work shall be supervised as engineered grading in accordance with Chapter 15.28 of the Shafter Municipal Code.
83. During grading, reasonable searching should be performed for concealed subsurface obstructions. All abandoned subsurface obstructions should be removed. If terminus of any abandoned piping is outside the project limits, the piping should be removed within the project and properly capped at the project boundary.
84. Developer's attention is directed to the provisions of SJVAPCD's Regulation VIII - Fugitive PM 10 Prohibitions, which requires the submission of a Dust Control Plan for certain construction projects. Developer shall comply with all applicable SJVAPCD rules and regulations including the submission of a Dust Control Plan as may be applicable. Current SJVAPCD rules and regulations are available online at <http://www.valleyair.org/rules/1ruleslist.htm>.
85. It shall be the Developer's responsibility to prevent a dust nuisance from originating from the site of the work as a result of his operations. Preventative measures to be taken by the Contractor shall include but shall not be limited to the following:
 - a. Water shall be applied to all unpaved areas as required to prevent the surface from becoming dry enough to permit dust formation.
 - b. Paved surfaces over which vehicular traffic is permitted to travel shall be kept free of dirt.
 - c. Temporary suspension of the work, either as a result of order by the Engineer or as a result of conditions beyond the control of the Contractor shall not relieve the Contractor from his responsibility for dust control as set forth herein.
86. Any temporary drainage basin serving the subdivision shall be surrounded with a chain link fence with privacy slats.

ENGINEERING: WATER/FIRE

87. The Developer shall install two water systems for the project together with such equipment, pipeline, and facilities, including individual water services, as may be necessary to ensure the development has a minimum supply of water for the purposes of the development including fire protection. One water system shall be developed exclusively for drinking or domestic water service. The other shall be for fire protection, irrigation of lawns, parks, and common landscape area and be provided by either existing or new wells. Developer shall submit water improvement plans to the City Engineer and Oildale Mutual Water Company for review and approval. Developer shall construct the public water system in accordance with Subdivision Engineering Design Manual for the subject property. The dual water system shall be constructed by the Developer and approved by the City of Shafter and Oildale Mutual Water Company prior to recordation of the final map.

88. To the greatest extent possible, above ground air-vac or air release valves required by Oildale Mutual Water Company shall be in public landscaping or entrances to Natural Trail areas, and not along residential property frontages. This requirement is subject to the approval of Oildale Mutual Water Company.
89. To the greatest extent possible, wet utilities (sewer, water, storm drain) shall be installed between the flowlines on all streets.
90. Fire protection shall be provided per Kern County Fire Department Standards for the type of development. A Certificate of Approval shall be obtained by the Developer from the Kern County Fire Department. Evidence of this Certificate of Approval shall be provided to the City prior to acceptance of the water system by the City.
91. Prior to installation, all water improvement plans shall be reviewed and approved by the Kern County Fire Department. The review includes hydrant locations and access into and out of the tract. A plan review permit, obtained from the Kern County Fire Department, must be applied and paid for prior to the review of any modified or new tract map.
92. The water line size, location and materials shall be subject to the approval of the City Engineer. The minimum water line size shall be in accordance with the Subdivision and Engineering Design Manual.
93. Tie-ins to existing water mains shall be constructed in a manner approved by the City Engineer.
94. Whenever possible, the water system shall be looped to minimize dead ends.
95. Separate dual water services shall be installed for each residential property.
96. No permanent structures shall be constructed over proposed or existing utility easements.
97. Prior to issuance of a building permit, water mains and fire hydrants to be installed by applicant shall be completed, tested, and accepted (CFC).
98. The Developer shall provide AWWA approved fire hydrants that comply with Kern County Development Standards (Clow 850 or equivalent).
99. The required fire hydrants shall be placed a maximum of 660 feet apart throughout the tract for firefighting purposes. Final hydrant locations shall be approved by Kern County Fire prior to installation.
100. The Developer shall install reflective markers to identify hydrant locations pursuant to California Health and Safety Code 13060.
101. The required fire hydrants shall provide a minimum fire flow of 1,500 gallons per minute for 2 hours with 20 PSI residual, or as determined by the Kern County Fire Department.

102. The water system for the required fire hydrants shall be looped, if practicable.
103. The Developer shall install the required water, access and street signs prior to issuance of any building permit.
104. A fire flow test shall be performed and approved by the Kern County Fire Department prior to issuance of any building permit and before any Certificates of Occupancy are issued. The Kern County Fire Department shall be contacted for a fire flow test and approval prior to the commencement of construction.
105. All fire access roads to each parcel must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance sections.
106. All new residential construction will require automatic fire sprinklers and shall meet all other fire requirements of the California Fire Code.

ENGINEERING: SEWER

107. No properties shall be served by a septic system.
108. Developer shall install a sewer system for the development together with such materials, pipelines, manholes, and individual services for the purposes of the development. Developer shall submit sewer improvement plans to the City Engineer for review and approval prior to recordation of the final map. Developer shall construct the public sewer system in accordance with the Shafter Subdivision Engineering Design Manual for the subject property.
109. Sewer line size, location, slope, and materials shall be subject to the approval of the City Engineer. Minimum sewer line size, location, slope, and materials shall also be in accordance with the Subdivision and Engineering Design Manual.
110. Tie-ins to existing sewer mains, manholes, or other structures shall be constructed as directed by the City Engineer.
111. Sewer pipelines and manholes shall be installed within the proposed street paving of the development.
112. Separate sewer services shall be installed for each property. At no time shall sewer be joint trenched with water.
113. Sewer lines shall not be permitted in easements between the backyards or side-yards of residential lots.
114. No permanent structures shall be constructed over proposed or existing utility easements.

ENGINEERING: STREET & TRAFFIC

115. Developer shall construct and provide rights-of-way for all streets, curb, gutter, cross gutter, drainage facilities, sidewalks, walls, landscaping, streetlights, drive approaches, intersections, and other related improvements consistent with Tentative Tract No. 7464 and the Mission Lakes Specific Plan. Developer shall submit street improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and shall include: Preliminary soils report, preliminary engineer's estimate of construction costs; and plan check and inspection fees.
116. Additional rights of way easements or dedications necessary for street and/or public utility improvements located outside the tract boundary shall be granted to the City of Shafter prior to a final map recording.
117. The drawings shall include all proposed public street pavement, curb, gutter, driveways, streetlights, cross gutter, catch basins, striping, signage, traffic signals, and sidewalks along the perimeter of all streets adjacent to or within the project site. Said improvements shall be constructed as per the street improvement plans approved by the City Engineer in a manner consistent with the Subdivision and Engineering Design Manual.
118. All local streets shall be developed as full-width streets in accordance with standards and specifications of the Mission Lakes Specific Plan and the City of Shafter, as approved by the City Engineer. All local streets shall be fifty-two (52) feet full right-of-way with forty (40) feet flowline to flowline.
119. Additional Street Requirements:
 - a. Developer intends to continue to use a modified 4.5-inch wedge shaped curb along home frontages similar to City of Fresno Standard P-9. City of Shafter agrees to the use of this 4.5-inch wedge shaped curb provided Developer supplies a slip form for a 4.5-inch wedge shaped curb that is consistent with the City of Shafter standard 6-inch curb. Final dimensions are subject to City of Shafter approval. It is the intention of the City to develop a City curb and gutter standard based on this wedge shape curb to better comply with ADA regulations on home frontages. This modified curb shall be used on residential lot frontages only.
 - b. Mission Lakes Boulevard shall be constructed to its full flowline to flowline width along the tract boundary. Sidewalk, landscaping, and wall improvements may be deferred along the opposite side of the subject tract on Mission Lakes Boulevard until those areas are developed.
 - c. Chapala Street shall be constructed to its full flowline to flowline width along the tract boundary. Sidewalk, landscaping, and wall improvements may be deferred along the east side of Chapala Street until those areas are developed.
120. Should a street transition to another street with a ninety (90) degree turn occur, that transition shall be a street knuckle and shall be shown on the final tract map and in the street improvement plans.

121. Cul-de-sac and street knuckle dimensions and radii to conform to the Subdivision and Engineering Design Manual and/or as approved by the City Engineer. The use of off-set cul-de-sacs is approved provided they meet the requirements of the City of Shafter.
122. Street signs shall be installed per City standards as required by the City Engineer.
123. During construction, the Developer shall maintain the project, including all adjacent streets in a dust free condition. This condition applies at all times including weekends, evenings, and nighttime hours. During construction operations, cleanup of soil from the public roadways shall be required, if deemed necessary, by the City Engineer.
124. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be at a depth as approved by the City Engineer.
125. Driveway approaches shall be constructed in a manner consistent with the requirements for residential approaches as set forth in the City's Subdivision and Engineering Design Manual or as permitted by the City Engineer.
126. Sidewalk, including curb, shall be five (5) feet wide and shall be placed behind the curb, or as specified by the Mission Lakes Specific Plan. Transitions at intersections and wheelchair ramps shall be provided and installed per the City's Subdivision and Engineering Design Manual.
127. Monument and monument covers shall be set per City Standards.
128. Temporary turnarounds, if required, including right-of-way, shall be granted, designed, and installed per the Subdivision and Engineering Design Standards.
129. Property line locations shall be marked with a chiseled line on the top of curb for all property lines. The location of all sewer laterals shall be indicated on the top or face of curb with a stamped "S".
130. Street lighting shall be installed in accordance with the City Engineering and Subdivision Design Manual as directed by the City Engineer. Developer shall coordinate with Pacific Gas & Electric to ensure that the streetlights are established under the LS-2A rate schedule.
131. Secondary access easements shall be provided at the request of the City Engineer. Within any given phase of development, secondary access easements and improvements shall be provided in a manner approved by the City Engineer. Access roads shall be twenty (20) feet in width and shall consist of three (3) inches of Class II aggregate base over six (6) inches of native material compacted to 90% relative maximum density.
132. Waivers of direct access shall be dedicated and shown on the final map(s) for Tract No. 7464 as approved on the tentative map, subject to change by the request of the City Engineer. Said waivers of direct access shall also be shown on the individual plot plans during building permit application.

133. The Developer shall provide a secondary access to Tract No. 7464 from the Mission Lakes Boulevard prior to the issuance of a building permit for the 200th dwelling unit within Tract No. 7464.

ENGINEERING: LANDSCAPING

134. Electrical Source for Landscaping:

- a. Developer shall supply and install landscaping electrical services to power any and all required timers, solenoids, pumps, motorized equipment. Cabinets and meter pedestals shall be approved by the City of Shafter. Developer shall contract with Pacific, Gas & Electric the location of each pedestal and make all arrangements for them to deliver power at each location.

135. Water Source for Landscaping:

- a. Landscaping water service point of connection shall be approved by the City Engineer. The water source shall be from the non-potable water system installed with the tract.

136. Landscaping Enclosure:

- a. Landscaping timers, electrical service fuses, breakers, etc., shall be installed within a commercial grade landscaping enclosure.
- b. Commercial grade landscaping enclosure shall be installed within the dedicated landscaping area adjacent to the water source and/or electrical source.
- c. Commercial grade landscaping enclosure shall be installed on a concrete foundation poured onto a minimum of six (6) inches of native subgrade compacted to 90% (or in accordance with manufacturer’s recommendations, whichever is more stringent).
- d. The City of Shafter Subdivision and Design Manual requires a 110-volt duplex electrical service within the enclosure.

137. The Developer shall comply with all requirements for grading and erosion control, including the prevention of sedimentation or potential damage to off-site property.

138. Sleeves shall be placed under the proposed paving for landscape piping or low voltage electrical per the City Engineer.

139. Public landscaping throughout Tract 7464 shall be reviewed and approved by the City of Shafter prior to installation. Plans shall show the locations of water and electrical services necessary to serve the landscaping and lighting needs of these areas.

140. Landscape lots shall be equipped with a minimal number of benches, trash receptacles, water fountains, picnic tables, etc. as necessary. Details shall be worked out with the City during landscape plan review and approval.

- 141. Bollards or other effective obstructions shall be placed at the entrances of the landscape lots and wherever else they are deemed necessary by the City for pedestrian safety.
- 142. Developer shall dedicate the public landscaping lots to the City of Shafter at the time of recording of the final map.

ENGINEERING: SUBDIVISION IMPROVEMENT AGREEMENT

- 143. The Developer shall furnish the City of Shafter acceptable security to guarantee the construction of public improvements in accordance with all applicable provisions of the City of Shafter Municipal Code and the California Subdivision Map Act. The Developer shall enter into a subdivision improvement agreement with the City of Shafter for public improvements that are not yet completed at the time of Final Map approval. The subdivision improvement agreement must be approved by the Shafter City Council and recorded with the Kern County Assessor-Recorder.

CALIFORNIA DEPARTMENT OF CONSERVATION – GEOLOGIC ENERGY MANAGEMENT DIVISION (CDC-CALGEM)

- 144. Any wells located within Tract 7464, prior to, or during, development activities shall be tested by the Developer for liquid and gas leakage. Surveyed locations should be provided to CalGEM in Latitude and Longitude, NAD 83 decimal format. Any wells found leaking must be reported immediately to CalGEM by the Developer.
- 145. No well work may be performed on any oil, gas, or geothermal well by the Developer without prior written approval from CalGEM. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. The Developer must acquire any required approval from CalGEM prior to commencing any well work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, the Developer must acquire the necessary permit(s) from the Division before commencing work.
- 146. The Developer shall notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.
- 147. If during development activities, any wells are encountered that were not previously reviewed by CalGEM, the Developer/property owner is expected to immediately notify CalGEM's construction site well review engineer in the Inland district office, and file for

Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

NORTH OF THE RIVER RECREATION AND PARK DISTRICT

148. Prior to recordation of a final map, the subdivider shall dedicate land with free and clear title to North of the River Recreation and Park District based on a park land dedication requirement of 2.5 acres per 1,000 population in accordance with City of Shafter Municipal Code. If the number of dwelling units increases or decreases upon recordation of a final map(s), the park land requirements will change accordingly. Prior to recordation of a final map, the subdivider shall enter into an agreement with North of the River Recreation and Park District to implement and satisfy this condition. This subdivision is located within the boundaries of the North of the River Recreation and Park District.
 - a. Subdivider shall dedicate 24.7 acres as planned park sites 'A' and 'E'.
149. Prior to recordation of any final map, the subdivider shall record a covenant on the property disclosing the requirement to dedicate/reserve a public park pursuant to a park agreement with the North of the River Recreation and Park District. Covenant shall be reviewed for approval by the North of the River Recreation and Park District prior to recordation.
150. All park sites shall be improved to North of the River Recreation and Park District requirements/Standards via an agreement with North of the River Recreation and Park District and the subdivider ("Developer Built Park Agreement"). Said agreement shall include the scope and timing of the development of the park site. This agreement shall be recorded with the Kern County Recorder's Office to run with the land. The agreement shall be in place prior to the 250th residential unit permit on Tract 7461 and prior to the approval of the park plans by North of the River Recreation and Park District and the City of Shafter for Tract 7461. If an extension is needed, North of the River Recreation and Park District may exercise the option to record a covenant on the tracts of Mission Lakes stating the work towards the agreement and extending the ability to develop 100 residential units in Tract 7464 and prior to the approval of the park plans for Tract 7464 by North of the River Recreation and Park District and the City of Shafter.
151. Prior to recordation of any final map, the subdivider shall record a covenant on all lots of the subdivision disclosing the potential for light, glare, traffic and noise disturbances associated with the operations of the existing park site. Covenant shall be prepared, reviewed for approval, and recorded by North of the River Recreation and Park District and submitted to City Planning prior to recordation.
152. Prior to recordation of a final map, the subdivider shall provide the Planning Department written proof/verification from North of the River Recreation and Park District that said project is within the NOR Park Maintenance District.
153. Subdivider shall be responsible for improving streets adjacent to the park site to City standards.
154. As an alternative to dedication and transfer of the public park sites to the North of the River Recreation and Park District, and subject to authority granted in state law, Developer may

request the City consider alternative arrangements for the dedication and transfer of the public park sites, as authorized by state law, either to the City of Shafter or a combination of the City of Shafter and the North of the River Recreation and Park District. Such alternative arrangements shall be memorialized in an agreement approved by the City of Shafter and the North of the River Recreation and Park District, prior to acceptance of all improvements by the City of Shafter (except for the issuance of a certificate of occupancy for model homes). Nothing contained herein shall obligate the City of Shafter or the North of the River Recreation and Park District to accept such alternative dedication and transfer.

NORTH KERN WATER STORAGE DISTRICT

155. Developer should install a block wall for lots adjacent to the North Kern Water Storage District's Spreading Ponds, to the north of Tract 7464:
 - a. Block wall and footing to be outside North Kern Parcel/Easement. No PUE or WFE on the NKWSD canal easement.
 - b. The developer should install a sound barrier wall or approved equal for the lots that are adjacent to District/landowner deep wells.
156. A cut-off wall is required to be installed along the spreading ponds bank where pad elevations are lower than the spreading pond high water elevation.
157. A License agreement shall be executed by the Developer for any facility crossings within the District's easement. The License Agreement should be executed during the process of construction drawing approval and before the Developer bids for construction.
158. A Temporary Access agreement shall be entered into by the Developer and its contractor with the District. The Temporary Access Agreement shall be executed during the process of construction drawing approval and before the Developer bids for construction.
159. District requests the following improvement plans be submitted by the Developer for plan review: Grading plan, Block wall plan, Sewer, storm drain, water, dry utilities and landscape plans. Plans may be submitted online or in-person, to the attention of Deputy General Manager, Ram Venkatesan ram@northkernwsd.com.

2005 GENERAL PLAN UPDATE MITIGATION

160. If a special-status species is observed during the development of the tract, then a focused species survey shall be completed. If a special-status species is found to be present during the survey, then appropriate mitigation measures shall be implemented in compliance with applicable state and federal law and guidance.
161. If human remains are encountered during the development of the tract, then no further disturbance shall occur until the Kern County Coroner has determined the origin and disposed of the remains.

162. Standard construction activities shall be limited to between 7 am and 7 pm Monday through Friday and no construction shall be allowed on weekends or holidays without prior authorization by the City.
163. If pile-driving activities occurs during the development of the tract, then such activity shall be limited to between 8 am and 4 pm Monday through Friday and no construction shall be allowed on weekends or holidays without prior authorization by the City.
164. If existing neighbors are located within 300 feet of the tract boundary, then 30-day notice is required prior to any pile-driving activities.
165. Signs shall be posted at the construction site that include permitted construction days and hours and a day and evening contact number.

DATE: July 8, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family)

RECOMMENDATION:

Planning Commission conduct the public hearing; and adopt Resolution No. 25-465, a Resolution of the Planning Commission of the City of Shafter, recommending that the Shafter City Council:

- (1) Adopt a Mitigated Negative Declaration for the project; and
- (2) Approve General Plan Amendment (GPA) No. 23-39 and Zone Change (ZC) No. 23-72.

The GPA amends the City of Shafter General Plan land use designation for the property from LDR (Low Density Residential) to MHDR (Medium High Density Residential). The ZC changes the zone district under Title 17 of the Shafter Municipal Code from R-1 (Low Density Residential) to R-3 (Medium High Density Residential) of an approximately 8.72-acre parcel (Assessor’s Parcel Number 028-180-57) located at the northeast corner of Birch Street and East Los Angeles Avenue.

APPLICANT
Cesar Chavez Foundation
555 N. Broadway Avenue, Unit B103
Los Angeles, CA 90012

OWNER
National Farm Workers Service Center,
Inc.
PO Box 310
Keene, CA 93531

LOCATION: Northwest corner of East Ash Avenue and Golds Avenue. **See Exhibit 1.**

EXISTING LAND USE

- 1. On-site: The project site is vacant.
- 2. Off-site: The site is surrounded by multi-family residential to the north, single-family residential to the east, vacant land (zoned Estate) to the south, and an existing residence and vacant land (zoned Low Density Residential) to the west.

PROJECT DATA

- 1. General Plan Designation: The site’s current land use designation is LDR (Low Density Residential). **See Exhibit 2.**
- 2. Zoning: The site is currently zoned R-1 (Low Density Residential). **See Exhibit 3.**

3. Acreage: 8.72 acres

PROJECT ANALYSIS

This project consists of a request for a GPA/ZC to allow the development of 174 multi-family units at 30%, 40%, 50%, and 60% AMI (Area Median Income) distributed across three (3) three-story buildings on an approximately 8.72-acre site totaling 342,160 square-feet at the northeast corner of Birch Street and East Los Angeles Avenue (APN 028-180-57). **See Exhibit 4 and 5.**

The development would be constructed in three phases, Phase I and Phase II will mirror each other, Phase I includes 62 units (130,299 square-feet) with 124 on-site parking spaces, Phase II includes 62 units (130,299 square-feet) with 124 on-site parking spaces, and Phase III includes 50 units (81,560 square-feet) with 100 on-site parking spaces, pertaining a total of 174 units and 348 on-site parking spaces. The project will include two full-access driveways along Birch Street, two full-access driveways along South Mannel Avenue, and four full-access driveways along East Los Angeles Avenue.

The project site is located within Section 15, Township 28 South, Range 25 East, Mount Diablo Base & Meridian. The project site lies within the Rio Bravo USGS 7.5-minute topographic quadrangle.

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that the closest similar use to what is being proposed is “multi-family attached dwelling units with enhanced amenities (common open space and recreation areas)”. The proposed GPA would change the designation of the parcel from LDR (Low Density Residential) to MHDR (Medium High Density Residential); the current LDR designation allows for up to five dwelling units per acre while the MHDR designation would allow for up to 20 units per acre. The proposed ZC would change the zone classification from R-1 (Low Density Residential) to R-3 (Medium High Density Residential); the current R-1 classification allows for up to five dwelling units per acre while the R-3 classification would allow for up to 24 units per acre. Therefore, the theoretical maximum number of dwelling units per acre because of the proposed GPA and ZC, if approved, is 20 units per acre. The applicant is proposing a multi-family apartment complex at 20 units per acre.

Breakdown of Phases I, II, and III

Phases I and II will consist of two three-story residential buildings with 60 family units and two manager units at 30%, 40%, 50%, and 60% AMI levels. The three-story residential building will consist of 48 one-bedroom units (575 square-feet), 32 two-bedroom units (778 square-feet), 32 three-bedroom units (1,079 square-feet), and four (4) three-bedroom manager units. Phases I and II will mirror each other totaling 124 units and include 248 on-site parking spaces.

Phase III will consist of one (1) three-story residential building with 22 one-bedroom

General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family)

units (575 square-feet), 13 two-bedroom units (778 square-feet), and 14 three-bedroom units (1,079 square-feet) at 30%, 40%, 50%, and 60% AMI and one (1) three-bedroom manager unit. Phase III includes a total of 50 units and 100 on-site parking spaces.

After completion of all three phases, there will be a total of 174 units with 348 on-site parking spaces. Additionally, the project will be constructed and maintained in accordance with the 2010 ADA Standards for Accessible Design and will meet all the requirements of the California Building Code Title 24.

The project site is going to be developed to City of Shafter development standards, which include onsite and offsite improvements. Onsite improvements include, but not limited to, the following:

- Paved and Covered parking areas
- Landscaping
- Security fence
- Security lighting

The offsite improvements consist of the following:

- Sidewalk Improvements along Birch Street, South Mannel Avenue, and East Los Angeles Avenue
- Connection to existing water line in East Los Angeles Avenue
- Connection to the existing dry sewer line of East Los Angeles and ending the connection at the east of Birch Street and west of South Mannel Avenue to the northern property line

If the project were to be approved, the applicant would have to submit for site plan review to ensure that the multi-family apartment complex complies with the objective standards found in the Zoning Ordinance, California Building Code, and Engineering Design Manual.

Additionally, the site plan would have to be approved by the Shafter Police Department to ensure that the project includes “defensible space design.” Defensible space design guidelines focus on creating built environments that naturally deter crime and promote resident safety through environmental design. Key principles include territoriality (clearly defining public, semi-public, and private spaces to foster a sense of ownership), natural surveillance (ensuring residents can observe public areas through window placement and lighting), image (maintaining an appearance that discourages vandalism and signals care), and milieu (situating developments within safe, supportive surroundings). By enhancing visibility, access control, and resident engagement, the “defensible space design” approach empowers communities to take an active role in crime prevention.

GENERAL PLAN AND HOUSING ELEMENT COMPATIBILITY/CONSISTENCY

General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family)

Staff has reviewed the proposal for compatibility with the applicable objectives and policies contained within the Shafter General Plan land use element and finds the following:

2.5 Residential Uses

Objective: Provide a variety of housing types suitable to a broad range of socioeconomic groups and a residential environment that enhances residents' quality of life and reinforces those characteristics of a rural, small town that make Shafter a desirable place to live.

The project is consistent with this objective because it helps provide a variety of housing types suitable for a broad range of socioeconomic groups. The project is consistent with the surrounding land uses, including an existing multi-family project adjacent to and north of the project site, and therefore is consistent with the existing residential environment that enhances residents' quality of life and reinforces those characteristics of a rural, small town that make Shafter a desirable place to live.

Policy 3: Broaden the range of housing types and encourage innovation in available housing types. In addition to traditional single-family housing, provide:

1. Move-up and executive housing opportunities;
2. Housing for those desiring amenities not typically found in small town subdivisions (e.g., common open space and recreational areas);
3. Opportunities for those not desiring dwelling on an individual lot or a mobile home lifestyle; and
4. Appropriate housing for active seniors and those requiring some degree of assistance or care.

The project is consistent with this policy because it broadens the range of housing types in addition to traditional single-family housing, it provides move-up or executive housing opportunities, and it provides opportunities for those not desiring to dwell on an individual lot or a mobile home lifestyle.

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.

The project is consistent with this policy because it fits the scale with adjacent land uses, namely the existing multi-family residential area adjacent to and north of the project site. If this project is approved, future site plan review shall ensure that the project is consistent with Shafter's small town community character, is of high quality, and is well maintained. As discussed above, the project would be reviewed and approved by the Shafter Police Department to ensure "defensible space design" to create a residential environment that is safer, more secure, and fosters a stronger sense of community and responsibility among residents.

General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family)

Staff has reviewed the proposal for compatibility with the applicable objectives and policies contained within the Shafter 2023-2031 Housing Element and finds the following:

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

The project is consistent with this goal because it helps 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.

The project is consistent with this policy because it helps provide adequate residential sites to produce new 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):
 1. 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.).
 2. Zoned to allow at least 16 units on the site;
 3. Zoned to require a minimum density of 20 units per acre (for suburban jurisdictions, including Shafter);
 4. 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

5. 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:
 1. To allow residential use by right (as described above) for developments that include at least 20% of units affordable to lower income households.
 2. 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).

The project is consistent with this program because it would rezone 8.72 acres to allow for a multi-family residential development at a density of 20 units/acre (174 total units) as opposed to the current 3.5 units/acre (30 total units) at the project site. The housing element currently includes the project site as a single-family residential site where it was assumed that up to 30 single-family homes for moderate-income buyers could be built. By rezoning the site, an additional 174 units of low-income housing can instead go towards the City's RHNA. Per Program 1.1.1 of the Shafter 2023-2031 Housing Element (see below for more information), the City must rezone at least 187 acres to minimum density of 20 units/acre, assuming 25% of units lower income, to accommodate a shortfall of 935 units to satisfy the City's RHNA for low-income housing. This project would provide 174 multi-family units towards this shortfall.

Policy 2.3: Facilitate the development of new housing for all economic segments of the community, including lower-, moderate-, and above-moderate-income households.

The project is consistent with this policy because it facilitates the development of new housing for all economic segments of the community, including lower-income households.

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.

The project is consistent with this policy because it provides housing opportunities for those residents of the City who have special housing needs.

COMPLIANCE WITH THE CALIFORNIA HOUSING ACCOUNTABILITY ACT

Since the applicant is proposing 174 multi-family units at 30%, 40%, 50%, and 60% AMI, consideration of Housing Accountability Act (HAA), Government Code Section 65589.5, is required for the project. The HAA establishes limitations to a local government's ability to deny, reduce the density of, or make infeasible housing development projects that are consistent with objective local development standards and contribute to meeting housing needs.

The California Department of Housing and Community Development (HCD) developed a memorandum in 2020 that provides technical assistance for HAA. As part of the memorandum, HCD created a decision matrix on whether a project can be denied without violating HAA. **Exhibit 6** provides the HAA decision matrix developed by HCD.

The following provides a HAA analysis for this project and informs that the City is severely limited in making changes that affect the project's feasibility and/or density. Moreover, there is no basis upon which it may be denied.

1. *Does the project meet the definition of a housing development? Yes, the project is a housing development and therefore HAA applies.*
2. *Are 20% of the total units affordable to very low- or low-income households, 100% affordable to moderate- or middle-income households, or an emergency shelter? Yes, the project would provide at least 20% of the units that are affordable to very low- or low-income households and therefore HAA applies.*
3. *Does one of the following apply?*
 1. *Housing element is in compliance, RHNA has been met (permitted) or exceeded for all income categories proposed for project. No, RHNA has not been met.*
 2. *Project has a specific, adverse impact upon the public health or safety, and there is no feasible method to mitigate or avoid impact. A "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. No, the City has no such standards.*
 3. *Denial is required to comply with specific state or federal law, and there is no feasible method to comply. No, there is no applicable federal law that applies here.*
 4. *The project is proposed on land zoned for agriculture or inadequate water or sewer. No.*
 5. *The project is inconsistent with both zoning and general plan land use designation, and the project is not proposed on a site identified in the housing element, and there are sufficient sites to accommodate the Regional Housing Needs Allocation (RHNA) or zoning for emergency shelters. No, while the project is currently inconsistent with both zoning and the general plan land use designation, it is proposed on a site*

identified in the housing element and there are currently not sufficient sites to accommodate the RHNA for the City. Per Program 1.1.1 of the Shafter 2023-2031 Housing Element (see below for more information), the City must rezone at least 187 acres to minimum density of 20 units per acre, assuming 25% of units lower income, to accommodate a shortfall of 935 units to satisfy the City's RHNA for low-income housing.

Therefore, the project cannot be denied without risking a potential HAA violation. Failure to comply with the requirements of the HAA (by denying a qualifying project), exposes the City to lawsuits, compliance orders, fines and penalties and attorney fees. In addition, a court is authorized to force the City to approve the project anyway.

BENEFITS OF THE PROJECT TO SHAFTER

While the City is without authority to deny the project, we should point out that there are several benefits that Staff believes are relevant and inform why Staff is recommending approval of the project.

First, the housing element currently includes the project site as a single-family residential site where it was assumed that up to 30 single-family homes for moderate-income buyers could be built. By approving the GPA/ZC, 174 multi-family units at 30%, 40%, 50%, and 60% AMI could instead be built and this proposed rezoning to allow 174 low-income multi-family units would go towards the requirement in the housing element to rezone at least 187 acres to minimum density of 20 units/acre, assuming 25% of units lower income, to accommodate a shortfall of 935 units to satisfy the City's RHNA for low-income housing. The City currently has sufficient planned development to accommodate the loss of 30 moderate-income residential units to satisfy the RHNA in the City for this type of housing. The RHNA is a California state-mandated process that determines how much housing must be planned for by each jurisdiction (city or county) within its housing element. This process ensures that cities and counties plan for adequate housing to accommodate all income levels within the community.

Second, it is good planning practice for a City to provide a range of housing products from single-family to multi-family. Multi-family units are typically cheaper to build and rent per unit than single-family homes. Therefore, multi-family residential provides the ability for lower-income households, particularly the young and the elderly, with affordable opportunities for housing. Currently, there is a lack of multi-family residential with the City limits and this project would help fill that need.

Third, as further discussed below, the project furthers several objectives, policies, goals, and programs of the General Plan land use and housing elements.

Finally, a multi-family residential area already exists adjacent to and north of the project site. The development of additional multi-family residential units at the site because of the GPA/ZC would be an extension of this area and would not be inconsistent with its surrounding land uses.

NOTICING

As required by Senate Bill 18, all general plan amendments require consultation with California Native American tribes. Staff requested a tribal consultation list from the Native American Heritage Commission, and Staff received a list with 25 tribal contacts. Staff provided a letter dated March 14, 2024 to each contact on the list.

Public notice for the proposed project and environmental determination were also advertised in The Shafter Press. All property owners within 1,000 feet of the project site were notified by United States Postal Service mail regarding this public hearing.

Comments Received: The City received a comment from the Santa Rosa Rancheria Tachi Yokut Tribe stating that, due to the location of this project, the tribe will be deferring to the more local tribes of the area. Comment noted for the record. The City also received a comment from the Yuhaaviatam of San Manuel Nation (YSMN) stating that project is located outside of their ancestral territory and, as such, YSMN will not be requesting to receive consulting party status with the lead agency or to participate in the scoping, development, or review of documents created pursuant to legal and regulatory mandates. Comment noted for the record.

CEQA

Based upon an initial study, Staff has determined that the project, with mitigation measures, would not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) (State Clearinghouse No. 2025050756) was prepared for this project in accordance with the California Environmental Quality Act (CEQA). The MND was circulated for a 30-day public and agency review period from June 24, 2022 to July 24, 2022. The MND is provided as **Exhibit 7**.

Comments Received: The following comments were received by staff during the public review period for the MND.

- Don Loveless – The commenter states that they are the owner of about 20 acres just to the west of the project site and is responding to a request from Staff to provide his comments in writing for the record. The commenter states that it is their understanding that there will be an environmental impact report and mitigation statement for any negative findings and that hard copies will be made available to the commenter. The commenter provides some history on the previous development of multi-family housing to the north of and adjacent to the project site and asserts that his farm was shut down because of the previous project. The commenter expresses concern about traffic along Birch Street and E. Los Angeles Avenue, and specifically about the potential widening of these roads and its effect on the commenter's property. The commenter expresses concern over the effects to his property's value as well as noise and traffic because of the project. The commenter hypothesizes about what would happen if the applicant bought 20 additional acres next door to the project; staff assumes the commenter is referring to his property.

Response to Comments: Staff has prepared a MND (see **Exhibit 7**) with a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA and has created hard copies of the MND and MMRP for the commenter. To date, the commenter has not picked up the hard copies.

Per Section 10.270 of the Zoning Ordinance (Right to Farm Provisions), farmland within 300 feet of urban uses are not considered a nuisance if the agricultural use is conducted or maintained for commercial purposes, conducted in a manner consistent with proper and accepted customs and standards, and the agricultural use has been in operation for more than three years and was not a nuisance at the time it began.

Regarding right-of-way (ROW) and the potential need to widen Birch Street and E. Los Angeles Avenue to accommodate the project, Assessor's Maps 028-28 (commenter's properties), 28-18 (project site) show a 30-foot ROW for Birch Street between the project site (APN 028-180-57) and the commenter's properties (APNs 208-280-03 and -04) to allow for the extension of Birch Street to E. Los Angeles Avenue. The project site would give up an additional 8 feet along its western property line to match up with the existing 38-foot-wide ROW for Birch Street to the north of this segment of Birch Street to be improved as part of the project and in compliance with approved Parcel Map No. 10996 and similar to the approved offsite improvements shown for the Los Rosas Apartments (the existing apartments to the north of the project site) found in the City's Engineering files; there are currently no plans to widen E. Los Angeles Avenue because of the project. The City cannot ask for additional ROW from the commenter along the frontage of his property to accommodate the project; ROW acquisition that affects the commenter's property would only occur if the commenter decides to further develop his property, such as through the approval of a tract map or another entitlement for an urban land use, that can be conditioned to require the widen of roads along its frontage at the time of approval by the Planning Commission and City Council.

The MND determined that there would be a less-than-significant impact on noise and traffic because of the project and property values are not an issue area under CEQA. However, there are numerous peer-reviewed papers that conclude that multi-family projects do not result in decreased property values to surrounding properties and instead increase property values due to the increased cost of building multi-family on a parcel as opposed to single-family residential.

If the applicant purchases the nearby 20 acres of land (Staff is assuming the commenter means his property) to build additional multi-family housing, the applicant would have to go through the same entitlement process because the nearby 20 acres is currently general plan designated and zoned for single-family residential. The entitlement process would include obtaining a recommendation from the Planning Commission and approval from the City Council as well as the need to comply with CEQA.

The State CEQA Guidelines have been followed in the evaluation of the environmental

General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family)

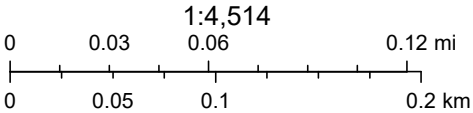
effects of this project. Significant environmental impacts were not identified with the project proposal. Therefore, a MND was prepared for the project. Compliance with the mitigation measures in the MND, local ordinances, state laws, and construction to the standards of the California Building Codes and Shafter's Engineering Design Manual would reduce impacts to a less-than-significant level.

ATTACHMENTS	EXHIBIT
Vicinity Map	1
Existing General Plan Land Use Map	2
Existing Zone District Map	3
Conceptual Development Plan	4
Elevations	5
HAA Decision Matrix	6
Mitigated Negative Declaration	7

Exhibit 1 - Vicinity Map



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Figure 3: General Plan Land Use



Figure 4: Zoning



Figure 5: Site Plan

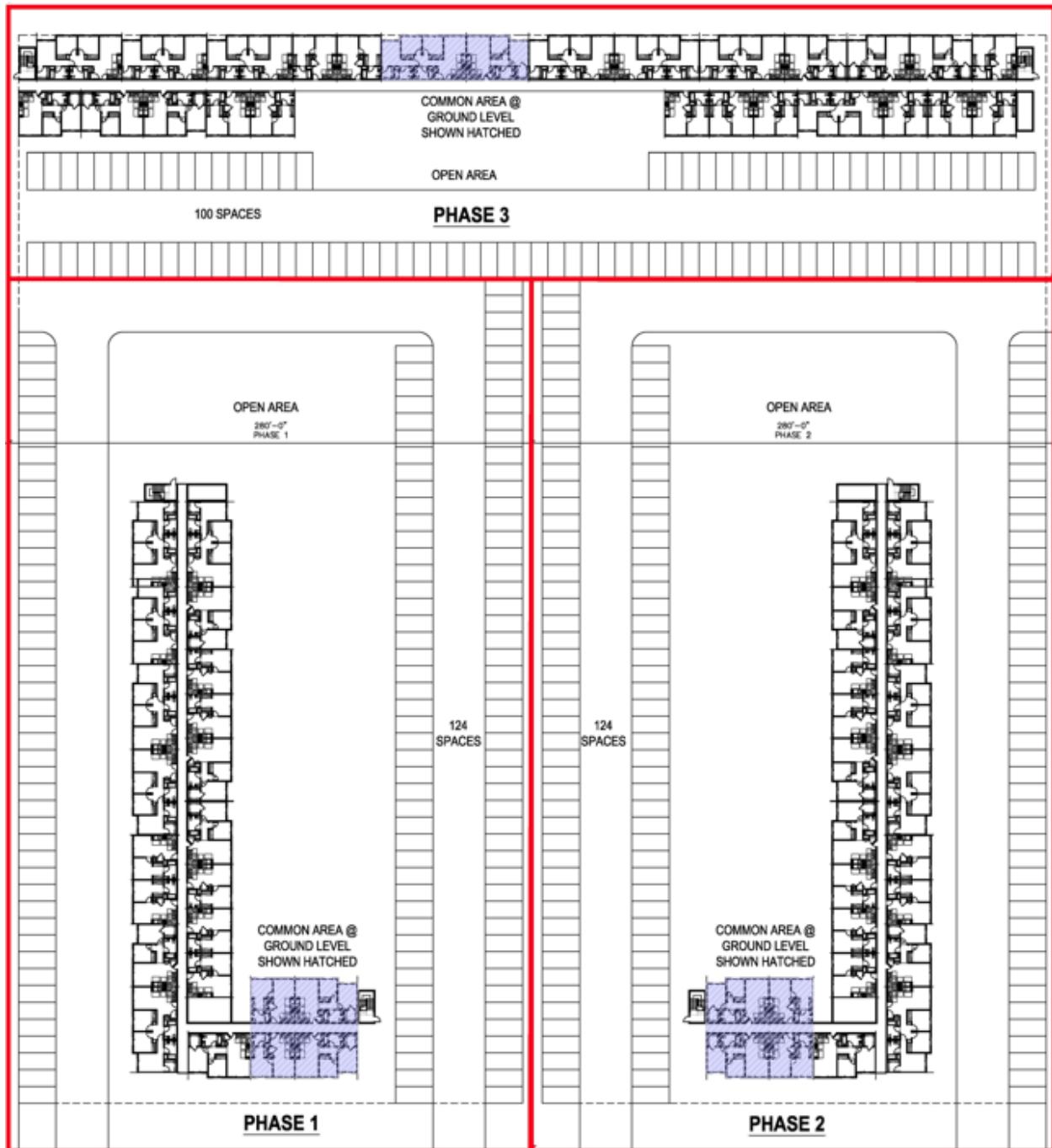


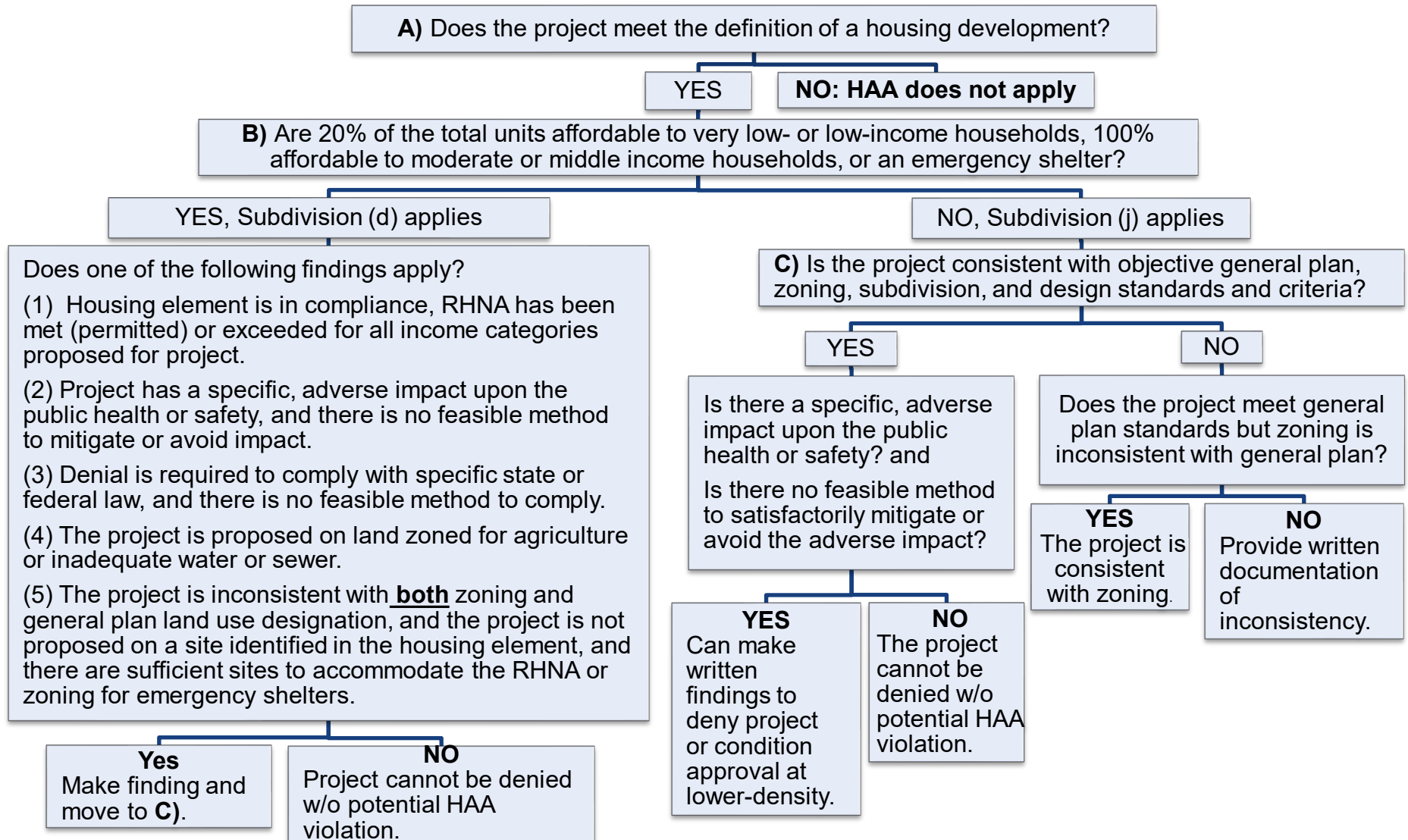
Exhibit 5 - Elevations

Figure 6: Elevations



Housing Accountability Act Decision Matrix

This decision tree generally describes the components of the HAA. Both affordable and market-rate developments are protected by components of the HAA. The statute contains detailed requirements that affect the applicability of the HAA to a specific housing project based on its characteristics.





May 15, 2025

CITY OF SHAFTER, CALIFORNIA

Mitigated Negative Declaration
General Plan Amendment No. 23-39 &
Zone Change No. 23-72
(Cesar Chavez Multi-Family)

City of Shafter
336 Pacific Avenue
Shafter, CA 93263

EXHIBIT 7

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CITY OF SHAFTER

MITIGATED NEGATIVE DECLARATION

The City of Shafter (City) has completed an initial study (attached) of the possible environmental effects of the following-described project and has determined that a Mitigated Negative Declaration is appropriate. It has been found that the proposed project, as described and proposed to be mitigated (if required), would not have a significant effect on the environment. This determination has been made according to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

Project Title: General Plan Amendment 23-39 & Zone Change 23-72 (Cesar Chavez Multi-Family)

Comment Period Begins: May 15, 2025

Comment Period Ends: June 17, 2025

Mitigation Measures

Mitigation Measures (included in the proposed project to avoid potentially significant effects) are as follows:

Air Quality Impact Mitigation Measures

1. Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Department that they will/have met all air quality control measures, design features, and rules required by the San Joaquin Valley Air Pollution Control District, including but not limited to the following:

To minimize Fugitive Dust during construction, the applicant will comply with the following:

- Apply water to unpaved surfaces and areas.
- Use non-toxic chemical or organic dust suppressants on unpaved roads and traffic areas.
- Limit or reduce vehicle speed on unpaved roads and traffic areas.
- Maintain areas in a stabilized condition by restricting vehicle access.
- Install wind barriers.
- During high winds, cease outdoor activities that disturb the soil.
- Keep bulk materials sufficiently wet when handling.
- Store and handle materials in a three-sided structure.

- When storing bulk materials, apply water to the surface or cover the storage pile with a tarp.
- Don't overload haul trucks. Overloaded trucks are likely to spill bulk materials.
- Cover haul trucks with a tarp or other suitable cover. Or, wet the top of the load enough to limit visible dust emissions.
- Clean the interior of cargo compartments on emptied haul trucks prior to leaving a site.
- Prevent trackout by installing trackout control devices at all project access points.
- Clean up trackout at least once a day. If along a busy road or highway, clean up trackout immediately.
- Monitor dust-generating activities and implement appropriate measures for maximum dust control.

Diesel Particulate Matter: during construction, the applicant will comply with the following design features:

- Construction equipment should be maintained in proper tune.
 - All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.
 - Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.
 - Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.
 - Establish staging areas for the construction equipment that are as far from adjacent residential homes, as feasible.
 - Use haul trucks with on-road engines instead of off-road engines for on-site hauling.
2. Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Department that the project has complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).

Biological Resources Impact Mitigation Measures

3. San Joaquin Kit Fox (*Vulpes macrotis mutica*)

- Prior to ground disturbance, a pre-construction survey must be conducted 14 - 30 days within the Project Area and a 500-foot buffer to identify active or potential San Joaquin kit fox dens.
 - If potential kit fox dens are observed within the Project Area, a 50-foot avoidance buffer should be implemented. If construction activities require the destruction of a potential den, then den monitoring shall be conducted by a qualified biologist for a minimum of 4 consecutive nights following the protocols set forth in the U.S.

Fish and Wildlife Service Standardized Recommendations for the Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). Known dens shall require an avoidance buffer of at least 100 feet. If a known den cannot be avoided, it shall be left undisturbed, and the monitoring biologist shall be contacted immediately. Natal dens found within the Project Area or within a 500-foot buffer surrounding the Project Area should be avoided and the USFWS and CDFW shall be contacted.

- To prevent the entrapment of a San Joaquin kit fox or other wildlife, all steep walled, open trenches greater than 2 feet in depth should be covered at the end of each day. If covering an open excavation is not feasible, escape ramps made of earthen material or wooden planks at a 1:1- slope (45-degree angle) should be implemented. Trenches should be inspected in the morning prior to commencing work activities and prior to backfilling. If a San Joaquin kit fox or any other special-status species is found within the excavation, the monitoring biologist shall be contacted immediately. At no time should any personnel attempt to handle, corral, remove, or otherwise interact with the animal.

4. Swainson's Hawk (*Buteo swainsoni*)

- If construction activities are to take place during the nesting season (February - August), a preconstruction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual Swainson's hawk's and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the pre-construction survey.
 - If any active Swainson's hawk nest is found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding the nest and a plan to be implemented to prevent disruption of nesting activities. If nest disruption is not possible, CDFW should be contacted for guidance.

5. Tricolored blackbird (*Agelaius tricolor*)

- If construction activities are to take place during the nesting season for tricolored blackbird (February - May), a pre-construction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual tricolored blackbirds and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the preconstruction survey.
 - If any active tricolored blackbird nest sites are found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding

the nest site and a plan to be implemented to prevent disruption of nesting activities.

6. Other Migratory Birds

- Other migratory birds may use the proposed Project Site or surrounding lands for feeding, nesting, and roosting. In compliance with Sections 3503 and 3503.5 of the California Fish and Game Code and the Migratory Bird Treaty Act, if construction activities are to occur during the nesting and breeding season (February 1 through August 31), a qualified biologist shall determine the presence of any native bird and raptor nests prior to construction activities. If any nests are identified, appropriate buffer zones will be established around any identified nests to prevent disruption of nesting. If an adequate buffer zone cannot be established around any active nest, CDFW and USFWS will be contacted for guidance.

7. General Wildlife Avoidance Measures

- To further ensure no special-status species are impacted by the project, the project will comply with the following general wildlife avoidance measures during the construction period.
 - All vehicles should implement a maximum 10mph speed limit within the Project Area or adhere to the posted speed limit.
 - To avoid the entrapment of any animal, all excavations greater than 2 feet should be backfilled by the end of day. If backfilling by the end of day is not possible, excavations should be covered in a way to prevent wildlife species from entering the excavation. If excavations cannot be covered, an earthen escape ramp or a ramp constructed of wooden planks should be implemented inside the excavation at a 1:1 slope (45 degrees). If any wildlife is found entrapped inside an open excavation, the biologist should be contacted immediately. All pipes, culverts, or similar structures staged onsite should be capped in a way to prevent the entry of wildlife. Such structures should be checked prior to moving to ensure no wildlife is entrapped inside.
 - All food-related trash items including wrappers, cans, bottles, and scraps should be disposed of in a securely closed container and removed from the site at the end of each day.
 - No firearms or pets should be allowed onsite.
 - Any protected wildlife species that may venture onsite should be allowed to leave the site of their own accord. No attempt to handle or otherwise engage with the animal should be made. If after a reasonable amount of time the animal does not leave the Project Site, the biologist should be contacted.

Cultural Resources Impact Mitigation Measures

8. If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.
9. If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

Geology and Soils Impact Mitigation Measures

10. If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

Greenhouse Gas Emissions Impact Mitigation Measures

11. Prior to the issuance of building permits, the project will provide proof to the Planning Department that the project scores a minimum of 29 points using the San Joaquin Valley Air Pollution Control District (SJVAPCD) GHG Emission Reduction Best Performance Standard (BPS) Measures for Development Projects.

INITIAL STUDY CHECKLIST (CEQA APPENDIX G: ENVIRONMENTAL CHECKLIST FORM)

1. Project title: General Plan Amendment 23-39 & Zone Change 23-72 (Cesar Chavez Multi-Family)
2. Lead agency name and address: City of Shafter
336 Pacific Avenue
Shafter, CA 93263
3. Contact person and phone number: Steve Esselman
Planning Director
661-746-5002
4. Project location: Northeast Corner of Birch Street and East Los Angeles Street (Attachment B, Figure 1: Project Location, Figure 2: Aerial Overview)
5. Project sponsor's name and address: Cesar Chavez Foundation
555 N. Broadway Avenue, Unit B103
Los Angeles, CA 90012
6. General plan designation: LDR (Low Density Residential) (Attachment B, Figure 3: General Plan Land Use)
7. Zoning: R-1 (Low Density Residential) (Attachment B, Figure 4: Zoning)
8. Description of project (describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation):

This project consists of a request for a General Plan Amendment (GPA) and a Zone Change (ZC) to allow the development of 174 multi-family units at 30%, 40%, 50%, and 60% Area Medium Income (AMI) distributed across three (3) three-story buildings on an approximately 7.85-acre site totaling 342,160 square-feet at the northeast corner of Birch Street and East Los Angeles Street (APN 028-180-57) (Attachment B, Figure 5: Site Plan, Figure 6: Elevations). The development would be constructed in three (3) phases, Phase I and Phase II will mirror each other, Phase I includes 62 units (130,299 square-feet) with 124 on-site parking spaces, Phase II includes 62 units (130,299 square-feet) with 124 on-site parking spaces, and Phase III includes 50 units (81,560 square-feet) with 100 on-site parking spaces, pertaining a total

of 174 units and 348 on-site parking spaces (Figure 5, Site Plan). The project will include two (2) full-access driveways along Birch Street, two (2) full-access driveways along South Mannel Avenue, and four (4) full-access driveways along East Los Angeles Avenue.

The project site is located within Section 15, Township 28 South, Range 25 East, Mount Diablo Base & Meridian. The project site lies within the Rio Bravo USGS 7.5-minute topographic quadrangle.

Breakdown of Phases I, II, and III

Phases I and II will consist of two (2) three-story residential buildings with 60 family units and two (2) manager units at 30%, 40%, 50%, and 60% AMI levels. The three-story residential building will consist of 48 one-bedroom units (575 square-feet), 32 two-bedroom units (778 square-feet), 32 three-bedroom units (1,079 square-feet), and four (4) three-bedroom manager units. Phases I and II will mirror each other totaling 124 units and include 248 on-site parking spaces.

Phase III will consist of one (1) three-story residential building with 22 one-bedroom units (575 square-feet), 13 two-bedroom units (778 square-feet), and 14 three-bedroom units (1,079 square-feet) at 30%, 40%, 50%, and 60% AMI and one (1) three-bedroom manager unit. Phase III includes a total of 50 units and 100 on-site parking spaces.

After completion of all three (3) phases, there will be a total of 174 units with 348 on-site parking spaces. Additionally, the project will be constructed and maintained in accordance with the 2010 ADA Standards for Accessible Design and will meet all the requirements of the California Building Code Title 24.

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that the closest similar use to what is being proposed is “multi-family attached dwelling units with enhanced amenities (common open space and recreation areas).” This use is allowed within the Medium High Residential (R-3) zone and therefore, a GPA and ZC is required. The parcel is also currently zoned Low Density Residential (R-1) and the land use is designated as Low Density Residential. Proposed projects within the R-3 zone must also adhere to maximum allowable density of twenty (20) dwelling units per net acre to ensure compatibility with the Zoning Ordinance and General Plan.

The project site is going to be developed to City of Shafter development standards which include onsite and offsite improvements. Onsite improvements include, but not limited to, the following:

- Paved and Covered parking areas
- Landscaping
- Security fence
- Security lighting

The offsite improvements consist of the following:

- Sidewalk Improvements along Birch Street, South Mannel Avenue, and East Los Angeles Avenue
- Connection to existing water line in East Los Angeles Avenue
- Connection to the existing dry sewer line of East Los Angeles and ending the connection at the east of Birch Street and west of South Mannel Avenue to the northern property line

9. Surrounding land uses and setting:

The site is surrounded by residential and agricultural uses to the north, east, south and west as further described:

- North: Casa Amelia Cadena (a multi-family complex), zoned medium-density residential
- East: South Mannel Avenue, single-family residential, zoned low-density residential
- South: East Los Angeles Avenue, vacant land, zoned low-density residential
- West: Birch Street, scattered residential uses, zoned low-density residential

10. Other public agencies whose approval is anticipated to be required (e.g., permits, financing approval, or participation agreement):

- City of Shafter—Mitigated Negative Declaration consideration and adoption
- City of Shafter—Grading permit
- City of Shafter—Building permit
- City of Shafter—Site Plan Review
- City of Shafter—Potable water and sewer will-serve letters
- San Joaquin Valley Air Pollution Control District—Indirect Source Rule compliance
- State Water Resources Control Board—National Pollutant Discharge Elimination System General Permit

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No, California Native American tribes traditionally and culturally affiliated with the project area have not requested consultation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist in the following pages:

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural/Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Haz. Mat. |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Res. |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings |

Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
- I find that although the proposed project could have a significant effect on the environment, there would 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 would be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect has been 1) adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) addressed by mitigation measures based on the earlier analysis as described on the 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 proposed 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 legal 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.



Steve Esselman, Planning Director

May 7, 2025

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUE

Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of project 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 the applicable zoning or other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. The proposed project consists of a total of 174 multi-family units and 378 on-site parking spaces on an approximately 7.85-acre site. The site is located on undeveloped land with a low-density residential (LDR) land use designation and low-density residential (R-1) zoning classification. The project is requesting a GPA and ZC, which would allow for the proposed project. There are residential uses to the north, east, southwest, and west and agricultural uses to the southeast of the project site.

According to the City of Shafter General Plan, the site is not within or in the vicinity of an identified scenic vista, and no known aesthetic resources exist on or near the site. The project does not lie near or within a State Designated or Eligible State Scenic Highway (Caltrans 2025). Furthermore, development of the project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. The project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings or degradation of any historic building(s). Therefore, the project would not have a substantial adverse effect on a scenic vista.

- b) No impact. Please see response to a. above. Therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.

- c) Less than significant impact. The project is surrounded by residential uses to the north, east, southwest, and west and agricultural uses to the southeast. The project would be visible from passing motorists and the surrounding residences. The proposed project includes a request for a GPA and ZC to develop three (3) three-story residential buildings consisting of 174 units which is consistent with the surrounding land use designations. The parcel located to the north of the project site is Medium High Residential, therefore, changes to the visual quality and character of the project site would be compatible with the existing residential uses and adhere to similar residential uses in the surrounding areas. Given that the project is requesting a GPA and ZC, the project would not substantially degrade the existing visual character or quality of the site and its surroundings in a non-urban area or conflict with the applicable zoning or other regulations governing scenic quality in an urban area.
- d) Less than significant impact. The project will be developed in three (3) phases. Phases I and II would begin construction in December 2026 and Phase III would begin construction in March 2029. Construction of the proposed project would generally occur during daytime hours, typically from 7:00 a.m. to 7:00 p.m. All lighting would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded, focused downward, and turned off by 7:00 p.m., the potential for lighting to affect any residents adversely is minimal. Increased truck traffic and the transport of construction materials to the project site would temporarily increase glare conditions during construction. However, this increase in glare would be minimal. Construction activity would focus on specific areas on the sites, and any sources of glare would not be stationary for a prolonged period.

During operations, all lighting would be directed downward and shielded to focus illumination on the site only and prevent light spillage onto off-site properties. Furthermore, the project would be designed and improved with all applicable policies and regulations along with appropriate setbacks, landscaping, and screening to minimize light and glare impacts.

Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Agriculture and Forestry Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
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 of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forestland or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) No impact. The 7.85-acre vacant site currently has a low-density residential land use designation (LDR) and a low-density residential zoning classification (R-1). The project is requesting a GPA and ZC, which would allow for the proposed project. The project site is surrounded by residential uses to the north, east, southwest, and west and agricultural uses to the southeast.

CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland Mapping project (FMMP) categories of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" to define "agricultural land" for the purposes of assessing environmental impacts (PRC Section 21060.1[a]). The project site is designated as "Grazing Land" (DOC 2022).

The project site is not designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. Additionally, much of the project and surrounding areas are currently zoned for nonagricultural uses except a parcel located southeast of the project site. Therefore, the project would not significantly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use.

- b) No impact. The project is surrounded by residential uses to the north, east, southwest, and west and agricultural uses to the southeast. The proposed project includes a request for a GPA and ZC to develop three (3) three-story residential buildings consisting of 174 units which is consistent with the surrounding land use designations.

Neither the project site nor the parcels adjacent to its boundary are subject to Williamson Act contracts. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

- c) No impact. The Public Resources Code Section 12220 (g) and Section 4526 defines "forest land" as land that can support 10% 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. There are no forest lands identified on the project site or within its vicinity. Therefore, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.
- d) No impact. Please see response to c. above. Therefore, the project would not result in the loss of forestland or conversion of forest land to non-forest.
- e) No impact. Please see responses to a. through d. above. Therefore, the project would not 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.

Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial amount of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

Air Quality and Greenhouse Gas Impact Study was prepared for the NEC Birch Street and E. Los Angeles Street Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., April 2025, included as Appendix A.

a) Less than significant impact. The project is located within the San Joaquin Valley Air Pollution Control District jurisdiction, in the San Joaquin Valley Air Basin (SJVAB). Emission sources because of the project would include both on-site and off-site construction-related work. The project’s annual construction emissions are compared with the SJVAPCD criteria pollutant thresholds of significance and the daily construction emissions are compared with the District’s Ambient Air Quality Analysis Screening Levels. As shown in the tables below, the project did not exceed the SJVAPCD nor the ambient air quality analysis screening thresholds. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan.

As shown in the table below, the SJVAPCD has established specific criteria pollutants thresholds of significance which are the six air pollutants analyzed for this project.

SJVAPCD Air Quality Significance Thresholds for Criteria Pollutants	
Air Pollutant	Tons/Year
Carbon Monoxide (CO)	100
Oxides of Nitrogen (NO _x)	10
Volatile Organic Compounds (VOC)	10
Sulfur Oxides (SO _x)	27
Particulate Matter (PM ₁₀)	15
Particulate Matter (PM _{2.5})	15

RK Engineering Group, Inc 2023.

Construction of the project would result in air pollutant emissions. Emissions from construction would result from fuel combustion and exhaust from equipment as well as vehicle traffic, grading, and the use of toxic materials (e.g., lubricants). The following table provides the estimated annual construction emissions because of the project.

Annual Construction Air Quality Emissions						
Maximum Annual Emissions (tons/year)						
Year	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
2026	0.22	1.60	2.60	0.00	0.33	0.14
2027	0.57	0.08	0.13	0.00	0.01	0.00
Maximum¹	0.57	1.60	2.60	0.00	0.33	0.14
SJVUAPCD Threshold	10	10	100	27	15	15
Exceeds Threshold (?)	No	No	No	No	No	No

RK Engineering Group, Inc 2023.

¹ Maximum annual emission includes both on-site and off-site emissions

As shown in the above table, the project's annual construction emissions will be below the applicable SJVUAPCD criteria air pollutant significance thresholds levels.

Construction Emissions Ambient Air Quality Screening						
Maximum Annual Emissions (lbs/day)						
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	3.21	29.24	29.64	0.05	9.12	5.13
Grading	1.75	18.20	18.81	0.04	4.34	2.21
Building Construction	1.63	11.14	21.87	0.03	2.08	0.76
Paving	1.23	7.19	10.65	0.01	0.50	0.34
Architectural Coating	55.94	0.94	2.22	0.00	0.33	0.09
Maximum¹	55.94	29.24	29.64	0.05	9.12	5.13
SJVUAPCD Screening Threshold	100	100	100	100	100	100
Exceeds Threshold (?)	No	No	No	No	No	No

RK Engineering Group, Inc 2023.

¹ Maximum annual emission includes both on-site and off-site emissions

The table above shows that the project's daily construction emissions will be below the applicable ambient air quality analysis screening thresholds.

The project would also result in long-term emissions including both on-site and off-site emissions. The proposed project’s long-term operations emissions are generated from mobile, energy, and area sources as well as from water use and waste generation emissions. Most of these emissions impacts are from mobile sources traveling to and from the project area.

The following tables show the project’s estimated annual and daily long-term operation emissions.

Annual Operational Air Quality Emissions (tons/year)						
Source	VOC	NOx	CO	SO₂	PM₁₀	PM_{2.5}
Mobile Sources	0.59	0.74	6.31	0.02	1.64	0.43
Energy Sources	0.01	0.21	0.09	0.00	0.02	0.02
Area Sources	0.99	0.09	2.52	0.01	0.24	0.23
Total	1.59	1.04	8.92	0.03	1.90	0.68
SJVAPCD Threshold	10	10	100	27	15	15
Exceeds Threshold (?)	No	No	No	No	No	No

RK Engineering Group, Inc 2023.

Operational Emissions Ambient Air Quality						
Source	VOC	NOx	CO	SO₂	PM₁₀	PM_{2.5}
Mobile Sources	3.52	4.33	43.13	0.10	9.10	2.5
Energy Sources	0.07	1.14	0.48	0.01	0.09	0.09
Area Sources	9.28	2.18	49.75	0.14	5.73	5.52
Total	12.87	7.65	93.36	0.25	14.92	7.96
SJVAPCD Threshold	100	100	100	100	100	100
Exceeds Threshold (?)	No	No	No	No	No	No

RK Engineering Group, Inc 2023.

As shown in the above tables, the annual and daily long-term operational emissions are also not predicted to exceed SJVAPCD significance thresholds levels. Given that the project’s short-term construction impact on regional air resources will not exceed SJVAPCD significance thresholds levels, the project would not conflict with or obstruct implementation of the applicable air quality plan. Therefore, the project’s long-term operation impact on regional air resources will be less than significant.

- b) Less than significant impact with mitigation incorporated. Under Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) (SJVAPCD 2015), any project that would have individually significant air quality impacts would also be considered to have significant cumulative air quality impacts. Impacts of local pollutants are cumulatively significant when the combined emissions from the project and other planned projects exceed air quality standards. The following table shows the project’s contribution to cumulative emissions calculated for both Kern County and the greater SJVAB.

Cumulative Emissions						
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Kern County – 2015	22,484	20,842	33,872	511	13,688	3,833
SJVAB – 2015	112,931	96,105	199,509	2,738	95,667	21,681
Proposed project	1.59	1.04	8.92	0.03	1.90	0.68
Proposed project's % of Kern	0.007%	0.004%	0.02%	0.005%	0.013%	0.017%

Reference: RK Engineering Group, Inc. 2023. SJVAB 2015.

As shown in the above table, the project does not pose a significant increase to estimated cumulative emissions for criteria pollutants in nonattainment within Kern County and the greater SJVAB. The project's regional contribution to cumulative impacts would be negligible (well less than 1% for all pollutants under consideration) and therefore, the project's contribution is not cumulatively considerable.

Additionally, the GAMAQI, citing California Code of Regulations (CCR) Section 15064(h)(3), states on page 66 that “[a] Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located” (SJVAPCD 2015).

SJVAPCD Rule 2010 requires any person constructing, altering, replacing or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate from the SJVAPCD Air Pollution Control Officer (APCO). The project will comply with this rule by obtaining authorization from APCO prior to commencing construction on the project.

SJVAPCD Rule 2201 requires review and offset of stationary sources of air pollution and no net increase in emissions above specified thresholds from new and modified stationary sources of all nonattainment pollutants and their precursors. This is achieved through the use of mechanisms as approved by the SJVAPCD, such as emission trade-offs by which a permit to construct or operate any source pollution is granted. The project will comply with this rule by demonstrating compliance when obtaining authorization from APCO under Rule 2010. For example, compliance with Rule 2201 may include using Best Available Control Technology and providing emission offsets.

SJVAPCD Rule 4102 protects the health and safety of the public by prohibiting discharge from any source whatsoever of air contaminants that cause injury, detriment, nuisance, or other annoyance to any considerable number of people. The project will comply with this rule by not discharging air contaminants or other materials, which cause injury, detriment, nuisance, or other annoyance to any considerable number of people.

SJVAPCD Rule 4601 regulates VOC emissions from architectural coatings by regulating architectural coating storage, cleanup, and labeling requirements. This rule is applicable to any person who supplies, markets, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures, blends, or repackages any architectural coating for use within the SJVAPD. The project will comply with this rule by appropriately storing and disposing of paints and solvents used for architectural coating.

SJVAPCD Rule 9510 requires the reduction of emissions of nitrogen oxides (NO_x) and particulate matter smaller than ten microns in aerodynamic diameter (PM₁₀) associated with construction and operational activities of development projects occurring within the San Joaquin Valley. Rule 9510 applies to new development projects that would equal or exceed specific size limits called applicability thresholds (e.g., developing more than 2,000 square feet of commercial space, 25,000 square feet of light industrial space, 10,000 square feet of heavy industrial space, or 50 residential units). The project is subject to SJVAPCD Rule 9510 because it exceeds the applicability threshold of 50 residential or dwelling units. Accordingly, the project must reduce the portion of the emissions occurring during construction and operational phases through on-site measures or pay off-site mitigation fees. The objective of this rule is to reduce construction NO_x and PM₁₀ emissions by 20% and 45%, respectively, as well as to reduce operational NO_x and PM₁₀ emissions by 33.3% and 50%, respectively, when compared to unmitigated projects. The SJVAPCD uses CalEEMod (California Emission Estimator Model) to estimate emissions of NO_x and PM₁₀ for potential land uses. Examples of measures that may be implemented to reduce emissions pursuant to this rule include, but are not limited to, incorporating energy efficiency beyond Title 24 requirements, providing bicycle lanes throughout a project, using cleaner fleet construction vehicles, providing employee incentives for using alternative transportation, and building in proximity to existing or planned bus stops. When a development project cannot reduce its NO_x and PM₁₀ emissions to the level required by Rule 9510, then the difference must be mitigated through the payment of an offsite emissions reduction fee. One hundred percent (100%) of all off-site mitigation fees are used by the SJVAPCD to fund emission reduction projects through its Incentives Programs, achieving emission reductions on behalf of the project.

SJVAPCD Regulation VIII- Fugitive PM₁₀ Prohibition requires the project to comply with standard fugitive dust control measures during construction to regulate concentrations PM₁₀. Regulation VIII requires receipt of a District-approved Dust Control Plan or Construction Notification form before the issuance of the first grading permit. The project will comply with this regulation by implementing mitigation measures as listed above.

The Guidance Manual for Preparation of Health Risk Assessments (HRA Guidelines) adopted by the California Office of Environmental Health Hazard Assessment (OEHHA) provides procedures for the use in the Air Toxic Hot Spots Program or for permitting existing, new, or modified stationary sources (RK Engineering Group, Inc. 2023). The HRA Guidelines provide risk factors based on exposure to toxic substances over a 30-year life span. The project's construction is not expected to be a long-term source of toxic air contaminant emissions and short-term risks factors have not been developed. Due to the reduced risk from short-term

exposure, SJVAPCD does not require the evaluation of long-term cancer risk or chronic health impacts for construction activities due to the project. Therefore, the project will comply with SJVAPCD and HRA Guidelines as the project has implemented mitigated measures to reduce diesel particulate matter during construction activities without the need for a HRA evaluation (RK Engineering Group, Inc. 2023).

Due to the fact that 1) the air quality modeling indicates that the project's regional contribution to cumulative impacts would be negligible and 2) the project would comply with the requirements of the SJVAPCD attainment plans and rules and mitigation measures which require the applicant to provide proof of such compliance, the project would not 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.

- c) Less than significant impact with mitigation incorporated. Sensitive receptors are defined as locations where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside, such as schools, parks, playgrounds, hospitals, nursing homes, daycare centers, and residential dwelling units. The nearest sensitive receptors to the project site include existing residential dwelling units, single-family residential dwellings, Amelia Cadena Apartments, and medical offices. The closest school is Grow Academy School located approximately 0.9 miles to the west of the project site. The closest hospital is Omni Family Health Walk-in Clinic approximately 0.9 miles to the east, and the closest daycare facility is Shafter Child Development Center approximately 0.9 miles to the west. The project applicant will incorporate mitigation to establish staging areas for the construction equipment that are as distant as possible from adjacent sensitive receptors (residential land uses). By incorporating mitigation, the project's predicted operational emissions is not expected to affect any on-site sensitive receptors and are not expected to have any adverse impact on any known sensitive receptors.
- d) Less than significant impact. The SJVAPCD's GAMAQI states "An analysis of potential odor impacts should be conducted for both of the following two situations:
1. Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate and
 2. Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

The proposed project is a residential project located near other residential uses. Expected uses are not known to be a source of nuisance odors and are not listed in Table 6 of the SJVAPCD GAMAQI. Therefore, the project is anticipated to have a less-than-significant odor impact. Therefore, the project would not create objectionable odors affecting a substantial number of people.

Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

Biological Resources Evaluation prepared for Shafter Family Apartments, Cesar Chavez Foundation prepared by South Valley Biology Consulting, LLC, March 2025, included as Appendix B.

- a) Less than significant with mitigation incorporated. A search of the California Natural Diversity Data Base (CNDDDB) and biological field survey consisting of a reconnaissance-level site survey were conducted to identify reported historical occurrences of special-status plants, wildlife species, and sensitive habitats within the project and surrounding areas. The CNDDDB identified a total of five special-status wildlife species to occur within a 5-mile radius of the project site. Of the five special-status wildlife species only three were labeled as “possible” to having potential to occur or have been observed in the project and surrounding area. The

three identified special-status wildlife species include the San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson's Hawk (*Buteo swainsoni*), and tricolored blackbird (*Agelaius tricolor*).

Given the possible presence of the San Joaquin kit fox, Swainson's Hawk, tricolored blackbird, and migratory birds on the project site or surrounding areas, direct and/or indirect impacts could result in impacts to transient species and therefore, mitigation measures have been implemented for these species. Additionally, general wildlife avoidance mitigation measures have been implemented.

With implementation of mitigation, the project would not 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 CDFW or USFWS.

- b) No impact. The CNDDDB identified three special-status plant species to occur within 5-miles of the project site, which include the Kern mallow (*Eremalche kernensis*), San Joaquin woollythreads (*Monolopia congdonii*), and Hoover's eriastrum (*Eriastrum hooveri*). Due to the possible presence of the special-status plant species, a reconnaissance level survey within the entirety of the project site was performed on March 4, 2025, which focused on identifying any sensitive wildlife. The reconnaissance level survey confirmed that the project site consists entirely of non-native ruderal, weedy vegetation apart from a patch of California mustard (*Caulanthus lasiophyllus*) and Foxtail barley (*Hordeum murinum*). No special-status plant species listed as either Threatened or Endangered under the Federal Endangered Species Act (FESA) and/or California Endangered Species Act (CESA) were observed within the project site. Additionally, the project does not overlap with any federally designated critical habitats. The project does not support any riparian or other sensitive natural communities, nor does it overlap with any designated critical habitat. Therefore, the project would have no impact on any riparian habitat or other sensitive natural community.
- c) No impact. There are no jurisdictional waterways or wetlands present within the project area as identified in the National Hydrography Dataset (NHD) and confirmed during the field survey.

There are no wetlands or water features on or in the vicinity of the project. The project would have no impact on jurisdictional aquatic resources and no mitigation measures are warranted. Therefore, the project would have no impact on federally protected wetlands.

- d) Less than significant impact. Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land that connect regionally important habitats that support wildlife in general, such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with very large home ranges [e.g., coyotes (*Canis latrans*), mule deer

(*Odocoileus hemionus californicus*)]. They can also be small scale movement corridors, such as riparian zones, that provide connectivity and cover to support movement at a local scale.

The project is not located within any identified wildlife linkages or corridors identified by the California Essential Habitat Connectivity project. No potential wildlife corridors occur within the project area.

The project is not located within a mapped wildlife movement corridor or linkage, and none were observed during the survey (CDFW 2025). The project would not have any impacts to wildlife movement corridors. Therefore, the project would not 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.

- e) No impact. The project does not conflict with the adopted 2005 City of Shafter General Plan Update and is not subject to any local ordinances. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources.
- f) No impact. The project is within the range of the PG&E San Joaquin Valley Operations and Maintenance Habitat Conservation Plan, but this Plan applies only to PG&E operations and maintenance projects and does not apply to this project. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) No impact. The site is vacant and therefore, it has been verified in the field that no structures, including potentially historic structures, are located at the project site. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.
- b) Less than significant with mitigation incorporated. There are no known archaeological resources at the site. However, there is still the potential to unearth previously unknown archeological resources at the site as grading and other ground-disturbing activities have the potential to damage or destroy such resources. Mitigation requires if prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required, and these additional studies may include avoidance, testing, and evaluation or data recovery excavation.
- c) Less than significant with mitigation incorporated. No human remains have been discovered at the project site, and no burials or cemeteries are known to occur within the area of the site. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. Implementation of mitigation that included immediately ceasing work and contacting the County coroner and Native American tribal representatives, if needed, would ensure that the proposed project would not directly or indirectly destroy previously unknown human remains. With mitigation, the project would not disturb any human remains, including those interred outside of dedicated cemeteries.

Energy

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. Project construction would require temporary energy demands typical of other residential construction projects that occur throughout the state and this development's construction would not result in inefficient or unnecessary consumption of energy resources beyond typical residential construction. All new construction within the City of Shafter must adhere to modern building standards, including California Code of Regulations Title 24, which outlines energy efficiency standards for new residential and nonresidential buildings to ensure that new buildings do not wastefully, inefficiently, or unnecessarily consume energy. Therefore, the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation and the impacts are less than significant.
- b) Less than significant impact. There is no adopted plan by the City of Shafter for renewable energy or energy efficiency. As discussed in response to a. above, all new development projects within the City are required to adhere to modern building standards related to energy efficiency. Additionally, the City encourages applicants and developers to go beyond the required standards and make their developments even more efficient through programs such as LEED, or Leadership in Energy and Environmental Design, which is a green building rating system that provides a framework to create healthy, highly efficient, and cost-saving green buildings. Other encouraged programs available to applicants and developers are Title 20 appliance energy efficiency standards and 2005 building energy efficiency standards. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and impacts are less than significant.

Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial 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 & Geology Special Publication No. 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) The following discusses the potential for the project to expose people or structures to substantial adverse effects because of various geologic hazards. Potential seismic hazards in the planning area involve strong ground shaking, fault rupture, liquefaction, and landslides.
- i. No impact. The City of Shafter is subject to moderate to severe ground shaking because of the alluvial soils that underlie the area and its proximity to active faults. Additionally, the thick sedimentary deposits in the City create the likelihood that a strong earthquake or other disturbance in the area could cause ground subsidence (typically a gradual settling or sinking of the ground surface with little or no horizontal movement). The General Plan policy 7.1.1. requires that all new developments comply with the most recent Uniform Building Code's seismic design standards.

The project site is not located within an Alquist-Priolo Earthquake Fault Zone. Per the Department of Conservation, California Geologic Survey Regulatory Maps (DOC 2022), the nearest fault line is the North of Oildale fault, which lies approximately 7 miles east of the project site. The greatest potential for substantial geologic adverse effects in the City is posed by the San Andres Fault, which is located approximately 4 miles west of the Kings County boundary line within Monterey County. The distance from the nearest active faults precludes the possibility of fault rupture on the project site. Although the project area could potentially experience ground shaking, the magnitude of the hazard would not be severe as indicated by the General Plan and project construction will comply with the applicable local and State requirements. Therefore, the project would not directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

- ii. Less than significant impact. See response to a. above. The City is surrounded on three sides by active fault systems, several of which are less than 10 miles from the City boundaries. In addition, there are faults outside the San Joaquin Valley, but close enough that a major earthquake could affect Shafter. The General Plan policy 7.1.1. requires that all new developments comply with the most recent Uniform Building Code's seismic design standards.

The project site lies within the vicinity of five earthquake fault lines – North of Oildale, Oildale, Pond, Oil Center, and Rio Bravo Ranch (DOC 2025). Given the high seismicity of the southern San Joaquin Valley region, moderate to severe ground shaking associated with earthquakes on the nearby faults can be expected within the project area and throughout Kern County. In the event of an earthquake on one of the nearby faults, it is likely that the project would experience ground shaking.

While such seismic shaking would be less severe from an earthquake that originates at a greater distance from the project site, the side effects could potentially be damaging to people or structures. The project is required to design structures and infrastructure to withstand substantial ground shaking in accordance with all applicable State law and applicable codes included in the California Building Code Title 24 for earthquake construction standards and building standards code including those relating to soil characteristics. The project shall adhere to all applicable local and State regulations to reduce any potentially significant impacts to structures resulting from strong seismic ground shaking at the project site. Therefore, the project would not directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

- iii. Less than significant impact. Liquefaction is defined as a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. The

possibility of liquefaction is dependent upon grain size, relative density, confining pressure, saturation of the soils, and intensity and duration of ground shaking. For liquefaction to occur, three criteria must be met: “low density,” coarse-grained (sandy) soils, a groundwater depth of less than about 50 feet, and a potential for seismic shaking from nearby large magnitude earthquake.

The USDA-NRCS Web Soil Survey shows that the project site contains Wasco sandy loam at a 0 to 2 percent slope (South Valley Biology Consulting, LLC 2025). The project is relatively flat and level with no major changes in grade. Additionally, the possibility of flooding is rare as the site is in an area of minimal rainfall. Because the project site contains well drained sandy soils, there is a negligible risk of liquefaction occurring at the project site during a seismic event.

Structures constructed as part of the project would be required by State law to be constructed in accordance with all applicable California Building Code and Title 24 construction standards. Therefore, the project would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction.

- iv. No impact. The project site is located on the floor of the San Joaquin Valley, west of the Sierra Nevada foothills. The topography is flat, with an elevation of approximately 250 to 3,700 feet above mean sea level, and no significant topological features. As such, there is no potential for rock fall and landslides to impact the project in the event of a major earthquake, as the area has no significant elevation changes. Based on the predicted maximum horizontal accelerations at the project site and the soil types, minor subsurface settlement may occur onsite during a major earthquake, and this is considered less than significant. The site is flat and there is a low potential for landslides. Therefore, the project would not expose people or structures to potential substantial adverse effects involving landslides.
- b) Less than significant impact. The project site contains Wasco sandy loams. Due to the characteristics of the on-site soil types, the relatively flat terrain, and low precipitation (about 4 to 7 inches/annually), implementation of the project would not result in significant erosion, displacement of soils or soil expansion problems. The project would be subject to City ordinances and standards relative to soils and geology. Standard compliance requirements include detailed site-specific soil analysis prior to issuance of building permits and adherence to applicable building codes in accordance with the Uniform Building Code.

Construction of the site would temporarily disturb soils, which could loosen soil, and the removal of vegetation could contribute to future soil loss and erosion by wind and storm water runoff. The project would have to request coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities (No. 2012-0006-DWQ) (General Permit) because the project would result in one or more acres of ground disturbance. To conform to the requirements of

the General Permit, a Storm Water Pollution Prevention Plan (SWPPP) would need to be prepared that specifies best management practices (BMPs) to prevent construction pollutants, including eroded soils (such as topsoil), from moving offsite. Implementation of the General Permit and BMPs requirements would mitigate erosion of soil during construction activities.

During operation, the soils would be sufficiently compacted to required engineered specifications, revegetated in compliance with City requirements, or paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion. Therefore, the project would not result in substantial soil erosion or the loss of topsoil.

- c) Less than significant impact. See Geology and Soils responses above. As indicated in previous responses, the site is flat and does not have slopes. Additionally, the site is not located near any area with sufficient slope that could result in off-site landslides. Moreover, the project will be designed by an engineer to resist potential side-effects of spreading, subsidence, liquefaction, or collapse. Therefore, the project would not be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- d) Less than significant impact. See Geology and Soils responses above. Expansive clay soils are subject to shrinking and swelling due to changes in moisture content over the seasons. These changes can cause damage or failure of foundations, utilities, and pavements. During periods of high moisture content, expansive soils under foundations can heave and result in structures lifting. In dry periods, the same soils can collapse and result in settlement of structures. According to Physical and Chemical Properties of the Soils in the USDA Kern County Soil Survey, the upper five feet of the onsite soil (Wasco sandy loam) is considered to have low shrink-swell or expansion potential. In addition, the site is not located in an area of expansive soil. Compliance with applicable City of Shafter General Plan policies, Municipal Code, and the California Building Code, would reduce potential site-specific impacts to less-than-significant levels. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.
- e) No impact. The project would not require the use of a septic system because the project would connect to the existing City sewer services. Therefore, the project would not result in 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.
- f) Less than significant with mitigation incorporated. The General Plan confirms that the City of Shafter has received sediments from the Coast Ranges to the west, the Sierra Nevada 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. General Plan policy 6.6.3. includes a standard condition of approval for new development projects. The policy requires 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. With implementation of mitigation, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

Air Quality and Greenhouse Gas Impact Study was prepared for the NEC Birch Street and E. Los Angeles Street Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., April 2025, included as Appendix A.

- a) Less than significant impact with mitigation incorporated. The project would generate an incremental contribution and, when combined with the cumulative increase of all other sources of greenhouse gases (GHG), could contribute to global climate change impacts. Although the project is expected to emit GHG, the emission of GHG by a single project into the atmosphere is not necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of climate change can cause adverse environmental effects. A project’s GHG emissions typically would be relatively very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Therefore, a project’s GHG emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis.

According to SJVAPCD’s *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*, a proposed project may utilize Best Performance Standards (BPS) to achieve a less than significant impact from GHG emissions. The BPS have been developed to enforce specific reduction strategies as part of the CEQA process for development projects. Projects that garner at least 29 points are presumed to be consistent with SJVAPCD guidelines. Consistent with CEQA and SJVUAPCD guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

The project will implement mitigation measures that include quantified measures and nine (9) unquantified BPS measures, for which the SJVUAPCD has not assigned specific point values. These measures include actions like installing electric stoves in residences and

increasing land use density beyond nine units per acre. Based on the CAPCOA *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, December 2021, installing only electric stoves could result in up to a 15% reduction in GHG emissions associated with electricity, while increasing land use density above nine units per acre could result in up to a 30% reduction in GHG emissions associated with Vehicle Miles Traveled (VMT) (RK Engineering Group, Inc 2025).

For those reasons, the project’s annual construction and operational GHG emissions shown in the tables below are primarily for disclosure purposes.

Annual Construction Greenhouse Gas Emissions (MT/year)¹				
Year	CO₂	CH₄	N₂O	CO₂e
2026	546.81	0.02	0.02	553.91
2027	18.66	0.00	0.00	18.76
Total	565.47	0.02	0.02	572.67
Amortized over 30 years	18.85	0.00	0.00	19.09

RK Engineering Group, Inc 2023.

¹ MT/year = metric tons per year

As shown in the table above, the estimated total GHG emissions during construction will be approximately 572.67 MTCO₂e per year, or 19.09 MTCO₂e per year when amortized over 30 years. The construction of the project would be temporary; therefore, the project would not consist of a lasting, ongoing source of GHG emissions.

Additionally, GHG emissions are estimated for on-site and off-site operational activity using CalEEMod. The table below shows the project’s estimated generation and usage of GHG emissions from mobile, energy, area, water, waste, and refrigerant sources.

Annual Operational Greenhouse Gas Emissions (MT/year)¹				
Emission Source	CO₂	CH₄	N₂O	CO₂e
Mobile	1,641.13	0.05	0.06	1,663.77
Energy	329.10	0.04	0.00	330.66
Area	105.46	0.17	0.00	109.65
Water	5.19	0.23	0.01	12.58
Waste	11.47	1.15	0.00	40.15
Refrigerant	--	--	--	0.20
30-year Construction Amortization	18.85	0.00	0.00	19.09
Total	2,111.21	1.63	0.07	2,176.10

RK Engineering Group, Inc 2023.

¹ MT/year = metric tons per year

As shown in the table above, the estimated annual operational GHG emissions will be 2,176.02 MTCO₂e per year, including operational emissions and amortized construction.

By complying with the implemented mitigation measures, mandatory requirements of the latest 2022 California Building Code, including Title 24, Part 11, CALGreen, and Title 24, Part 6, Energy Code, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

- b) Less than significant impact with mitigation incorporated. See response to a. above. The project will be required to comply with the mandatory requirements of the latest 2022 California Building Code, including Title 24, Part 11, CALGreen, and Title 24, Part 6, Energy Code. The purpose of the building standards is to reduce negative environmental impacts through planning and design, energy, efficiency, water efficiency and conservation, and material and resource conservation. As the California Building Standards were developed to help meet the requirements of the Global Warming Solutions Act (AB 32), which was adopted to reduce California's GHG emissions by achieving the maximum technologically feasible and cost-effective GHG emission reductions. Therefore, by complying with the California Building Standards Code and implemented mitigations, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. The project proposes to develop 174 multi-family units and would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. However, construction activities would require transport, storage, use, and/or disposal of hazardous materials such as fuels and grease for the fueling/servicing of construction equipment, and there is the potential for upset and accident conditions that could release such material into the environment. Such substances would be stored in temporary storage tanks/sheds that would be located at the site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose construction workers. All transport, storage, use, and disposal of hazardous materials used in the construction of the project would be in strict accordance with federal and state laws and regulations. During construction of the project, Material Safety Data Sheets (MSDS)

for all applicable materials present at the site would be made readily available to onsite personnel. During construction, non-hazardous construction debris would be generated and disposed of at approved facilities for handling such waste. Also, during construction, waste disposal would be managed using portable toilets located at reasonably accessible onsite locations.

Although the project operation will require day-to-day maintenance activities, it would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance of the residential buildings would require the transport, storage, use, and/or disposal of household hazardous materials such as paints, cleaners, oils, batteries, and pesticides. Building tenants are required to follow any instructions for use and storage provided on product labels carefully to prevent any accidents in the living space. Users should also read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- b) Less than significant impact. Please refer to response a. above. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.
- c) No impact. The closest schools to the project site are Golden Oak Elementary and Grow Academy located approximately 1.5 miles west of the site. Given the distance and the intervening uses, there is very limited potential for the project to affect the schools in the vicinity. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.
- d) No impact. According to the EnviroStor and Cortese lists pursuant to Government Code (GC) Section 65962.5, no portion of the project site is identified on either list, which provides the location of known hazardous waste concerns (EnviroStor 2025). Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- e) No impact. The project is not located within the adopted Airport Land Use Plan for Minter Airport (Shafter 2005). The closest airport is Minter Airport located approximately 6 miles east of the project site. Therefore, 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.
- f) Less than significant impact. The City maintains an emergency plan for response to disasters, including but not limited to earthquakes, floods, fires, hazardous spills or leaks, major

industrial accidents, major transportation accidents, major storms, airplane crashes, civil unrest, and national security emergencies. In a disaster, the City could experience significant casualties, property damage, and utility service interruptions, potentially exceeding the response capabilities of both the City and the County. The plan outlines the general authority, organization, and response actions for City staff to undertake, in compliance with existing law, when disasters happen. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to accommodate emergency response and evacuation activities. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

- g) Less than significant impact. According to the Fire Hazard Severity Zone Viewer, the project is located outside the State Responsibility Area severity zones (Cal Fire 2024). Additionally, the City maintains an emergency plan for response to disasters, including fires. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to accommodate emergency response and evacuation activities. Therefore, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:				
i. Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage system or provide substantial additional sources of polluted runoff;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk of release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. As discussed in Geology and Soils above, the project site's soil type has a low-to-medium susceptibility to sheet and rill erosion by rainfall and a low susceptibility to wind erosion at the ground surface. Disturbance of onsite soils during construction could result in soil erosion and siltation, and subsequent water quality degradation through increased turbidity and sediment deposition during storm events to offsite locations. Additionally, disturbed soils have an increased potential for fugitive dust to be released into the air and carried offsite. As described in Geology and Soils, the project would be required to comply with the General Permit. To conform to the requirements of the General Permit, a SWPPP would need to be prepared that specifies BMPs to prevent construction pollutants from moving offsite. The project is required to comply with the General Permit because project-related construction activities would disturb at least 1 acre

of soil. The City owns and maintains a municipal separate storm sewer system (MS4). The project's operational urban storm water discharges are covered under the Central Valley Water Resources Quality Control Board (CVRWQCB) National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems (Order No. R5-2016-0040-018; NPDES No. CAS0085324) (MS4 Permit) (CVRWQCB 2024). The MS4 Permit mandates the implementation of a storm water management framework to ensure that water quality is maintained within the City because of operational storm water discharges throughout the City, including the project site. By complying with the General Permit and MS4 Permit, the project would not violate any water quality standards or waste discharge requirements. Therefore, the project would violate any water quality standards or waste discharge requirements.

- b) Less than significant impact. A large groundwater basin covering over 1.7 million acres underlies most of the southern San Joaquin Valley, including the City, and has been providing water for the area since the early 1900s. This basin is replenished by the natural runoff from the Sierra Nevada, as well as through percolation from the many irrigation canals that import water into the area from other regions of the State. The City's drinking water is derived from the aquifers within the basin and is pumped to the surface by a system of groundwater wells operated by the City. The City 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 (City of Shafter 2005).

Under the Urban Water Management Planning Act, every urban water supplier that provides water for municipal purposes to more than 3,000 customers or supplies more than 3,000 acre-feet of water annually is required to prepare and adopt an Urban Water Management Plan (UWMP) every five years (Shafter 2021). The UWMP serves as a foundational document and source of information for Water Supply Assessments (Senate Bill 610) and Written Verifications of Water Supply (Senate Bill 221), as it includes a 25-year projection of water demand and supply under both wet and dry year scenarios.

Given that the project is a residential development and may result in population growth, the City's 2020 UWMP has incorporated the project's anticipated population increase into its demand projections. Based on these projections, it was concluded that the City has sufficient existing water supply capacity to serve the proposed development. By State law, current UWMP do not need to address the Sustainable Groundwater Management Act (SGMA) or sustainable groundwater management currently. Prior to obtaining a building permit, the applicant will have to obtain a water will-serve letter. As a result, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

- c) The following discusses whether the project would 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.

- i. Less than significant impact. The project site does not contain any blue-line streams or other surface water features and therefore, the project would not alter the course of a river or stream. The project site would be graded and, as a result, the internal drainage pattern at the site would be altered from the baseline condition. Additionally, the project would result in increased impervious surfaces (i.e., building pads, sidewalks, asphalt parking area, etc.) at the site, which would reduce percolation to ground and result in greater amounts of storm water runoff concentrations at the site. If uncontrolled, differences in drainage patterns and increased impervious surfaces could result in substantial erosion or siltation on- or off-site. However, the project would be required to comply with the General Permit during construction and MS4 permit during operation. To comply with the MS4 Permit, the City requires compliance with adopted building codes, including complying with an approved drainage plan, which avoids on- and offsite flooding, erosion, and siltation problems. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite.
- ii. Less than significant impact. Refer to response c.i above. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.
- iii. Less than significant impact. Refer to response c.i. above. Therefore, the project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- iv. Less than significant impact. Construction activities could potentially degrade water quality through the occurrence of erosion or siltation at the project site.

Construction of the project would include soil-disturbing activities that could result in erosion and siltation, as well as the use of harmful and potentially hazardous materials required to operate vehicles and equipment. The transport of disturbed soil or the accidental release of potentially hazardous materials could result in water quality degradation. The project would be required to comply with the NPDES Construction General Permit. Additionally, a SWPPP would be prepared to specify BMPs to prevent construction pollutants. The project would not otherwise substantially degrade water quality.

The project site is located outside the 500-year floodplain and is not located within a 100-year flood hazard area (FEMA 2024). Therefore, the project would not impede or redirect flood flows.

- d) No impact. As noted above, the project site is not within a FEMA flood hazard zone, nor is it located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Tsunamis are waves generated in oceans from seismic activity. Due to the inland location of the site, tsunamis are not considered a hazard for the site. Therefore, there is no potential for the site to be inundated by tsunami or mudflow.

A seiche is a wave generated by the periodic oscillation of a body of water whose period is a function of the resonant characteristics of the containing basin as controlled by its physical dimensions. There is no body of water within the vicinity of the project site. There is no potential for inundation of the project site by seiche.

There are no nearby levees that would be susceptible to failure or flooding of the site. Therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding because of the failure of a levee.

- e) Less than significant impact. Refer to a. through d. responses above. The Project would not conflict with or obstruct the implementation of any water quality control plan. The Project would be subject to the requirements of the NPDES Stormwater Program and would be required to comply with a SWPPP. The SWPPP would identify all potential sources of pollution that could affect stormwater discharges from the project site and specify BMPs to prevent significant impacts related to stormwater runoff. Moreover, the project is within the jurisdiction of the Kern County Subbasin Groundwater Sustainability Agency (GSA). The Groundwater Sustainability Plan (GSP) was adopted by the Kern County Subbasin GSA in December 2024 (Kern County GSP 2024). The project would not conflict with or obstruct the implementation of this GSP. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 and environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) No impact. The project does not include the construction of roads or any other physical barrier. The project includes the development of 174 multi-family units and is adjacent to existing multi-family development. The project is a continuation of the existing urban development pattern of the City, therefore, the project would not physically divide an established community.
- b) Less than significant impact. The proposed project requires a GPA and ZC to be consistent with the General Plan land use designation and the zoning classification. The GPA would change the land use designation and zoning classification from low-density residential to medium high-density residential to allow the development of 174 multi-family units. If a GPA and ZC are approved by the City, the project would be consistent with the General Plan land use designation and the zoning classification. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) No impact. The California Department of Conservation, Geological Survey classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans. The principal mineral resources within the City are oil and natural gas. The southern portion of Kern County is a major oil producing region, with oil fields extending into the southern portion of Shafter’s Planning Area (Shafter 2005).

No oil or gas resources have been identified in or extracted from the project site. According to the California Geologic Energy Management Division (CalGEM) [formerly called Division of Oil, Gas and Geothermal Resources (DOGGR)], the project site is not located in an identified oilfield and there are no known wells located on the site (CalGEM 2025). The proposed project would not result in the loss of availability of mineral resources as the project does not propose the extraction of mineral resources. Additionally, the proposed project would not restrict the ability of mineral rights’ holders in the area to exercise their legal rights to access surrounding sites for the exploration and/or extraction of underlying oil research or other natural resources. Therefore, the project would not 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.

- b) No impact. As noted above, the project is not designated as a mineral recovery area. The project would not alter any existing plans that protect mineral resources. As a result, the proposed project would not interfere with known mining operations and would not result in the loss of land designated for mineral and petroleum. Therefore, the project would not result in the loss of availability of a locally important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan.

Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project within the vicinity of a private airstrip or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

Noise Impact Study prepared for the NEC Birch Street and E. Los Angeles Street Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., October 2023, included as Appendix C.

- a) Less than significant impact. The project’s construction would generate temporary increases in noise levels. The General Plan Section 7.7 requires exterior noise levels in residential zones to be maintained at 60 to 65 decibels utilizing site and architectural design features to mitigate noise impacts when feasible (Shafter 2005). Therefore, a roadway noise impact analysis was performed to determine if a significant impact would occur if noise levels exceed the applicable noise standards and the project results in an increase of 3.0 dBA or more above “Without Project” conditions. It is assumed that all homes in the vicinity of the project site are equipped with fresh air supply or air conditioning systems and thus a windows closed condition is applicable. Additionally, a change of 3 dBA is considered barely perceptible by the average health human ear (RK Engineering Group, Inc 2023). As a result, the project will not cause a significant permanent increase in roadway noise levels along adjacent roadways. The project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b) Less than significant impact. The project is expected to create temporary ground-borne noise and vibration because of the construction activities (during site preparation and grading). Ground-borne noise is due to construction equipment used during the phases of construction, including site preparation, grading, building, construction, paving, and architectural coating. Noise levels are calculated based on the average distance of equipment

over a 1-hour period to the nearest adjacent property (RK Engineering Group, Inc. 2023). The project’s estimated construction noise levels have been calculated using the Federal Highway Administration Roadway Construction Noise Model Version 1.1. The table below shows the noise level impacts from the center of the nearest plot to the nearest sensitive receptor property line.

Project Construction Noise Levels at 360 Feet				
Phase	Equipment	Quantity	Equipment Noise Level at 360 feet (Dba Leq)	Combined Noise Level Dba Leq)
Site Preparation	Tractors/Loaders/Backhoes	2	66.9	69.9
Grading	Graders	1	67.9	70.4
	Tractors/Loaders/Backhoes	1	66.9	
Building Construction	Tractors/Loaders/Backhoes	2	66.9	69.9
Paving	Rollers	2	67.9	70.9
Architectural Coating	Air Compressors	1	60.6	60.7
Worst Case Construction Phase Noise Level Criteria (Dba Leq)				70.9
FTA Daytime General Assessment Construction Noise Criteria (dBA Leq)				90.0
Noise level exceed FTA criteria?				No

As shown in the table above, the project is expected to generate a maximum noise level of 70.9 dBA. Therefore, the project’s construction noise levels will not exceed the Federal Transit Administration General Assessment Construction Noise Criteria threshold (RK Engineering Group, Inc. 2023).

Additionally, the project also performed a construction vibration assessment, which utilized the vibration levels and methodology determined by the 2018 Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration (FTA 2018). The table below shows the Federal Transit Administration referenced vibration levels (RK Engineering Group, Inc 2023).

Typical Construction Vibration Levels		
Equipment	Peak Particle Velocity (PPV) (inches/second) at 25 feet	Approximate Vibration Level at 25 feet
Piledriver (impact), upper range	1.518	112
Piledriver (impact), typical	0.644	104
Piledriver (sonic), upper range	0.734	105
Piledriver (sonic), typical	0.170	93
Clam shovel drop (slurry wall)	0.202	94
Hydro mill	0.008	66
(slurry wall)	0.017	75
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

The following table shows the project’s construction related vibration at the nearest structures to the project area. The distance between the construction area to the nearest structure is 58 feet.

Construction Vibration Impact Analysis		
Construction Activity	Calculated Vibration Level – PPV (in/sec)	Annoyance Criteria Level
Large Bulldozer	0.035	Barely Perceptible
Vibratory Roller	0.083	Barely Perceptible
Loaded Trucks	0.030	Barely Perceptible
*Distance to Nearest Structure 58 feet		

Based on the tables above, the project related construction activity is not expected to cause any potential damage to the nearest structures (RK Engineering Group, Inc 2023). Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

- c) No impact. As noted in the Hazards and Hazardous Materials section, the project is not located within the adopted Airport Land Use Plan for Minter Airport (Shafter 2005). The nearest airport to the project site is the Minter Field Airport Districted located approximately 4 miles east from the project site. Therefore, the project would not expose people residing or working in the project area to excessive noise levels for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project;				
a) Induce substantial unplanned 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. The project includes the development of new housing to accommodate the housing demand and provide housing to farmworker families, as stated the project does not include any new roads. According to the California Department of Finance the City’s reported population on January 2023 was 21,309 and on January 2024 was 22,226, which showed a population increase of 4.3 percent (DOF 2024). If this positive trend continues, the population in the City will continue to increase and will require more housing. As stated, the project would assist with the need for housing in the City and would not induce substantial unplanned population growth in the area, either directly or indirectly.
- b) No impact. The project site is undeveloped and will not involve demolition of existing housing and will not require the construction of replacement housing elsewhere. Therefore, the project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

a) The following discusses whether the project would result in substantial adverse physical impacts to public services. The need for additional public service is generally directly correlated to population growth and the resultant additional population's need for services beyond what is currently available.

- i. Less than significant impact. The construction and operation of the project would result in an increase in demand for fire protection services leading to the construction of new or physically altered facilities. Under contract with the City of Shafter, fire suppression support is provided by the Kern County Fire Department located at 325 Sunset Avenue.

The City of Shafter will ensure that construction activities are conducted in accordance with local and State fire codes. Services are adequately planned for within the City's General Plan through policies to ensure the City maintains the fire department's performance and response standards by allocating the appropriate resources. As stated, the project applicant is responsible for the development impact fees and constructing any infrastructure needed to serve the project. Therefore, the project would not 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, to maintain acceptable service ratios, response times or other performance objectives for fire protection.

- ii. Less than significant impact. Law enforcement and public protection are provided by the City of Shafter Police Department. The City's police station is located at 201 Central Valley Hwy. The project would increase demand for public safety protection as the project is a residential development. However, the project applicant is responsible for the development impact fees and constructing any infrastructure needed to serve the project. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for police protection.
- iii. Less than significant impact. The project would impact on school facilities as the project is a residential development. However, the project would accommodate population growth and provide affordable housing to local families. Additionally, the project applicant is responsible for the school impact fees and constructing any infrastructure needed to serve the project. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for schools.
- iv. Less than significant impact. The project would impact on parks and recreation facilities. However, the project applicant is required to pay recreation impact fees. Therefore, the project would not 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, to maintain acceptable service ratios, response times or other performance objectives for parks.
- v. Less than significant impact. The project would impact on other public facilities such as libraries, hospitals, or emergency medical facilities. However, the project applicant is responsible for development impact fees and constructing any infrastructure needed to serve the project. The proposed project would comply with the objectives and policies of the General Plan. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. The project could potentially increase the use of existing neighborhood and regional parks; however, the project applicant is required to pay development impact fees, which allows the City to upgrade, expand, or upkeep existing neighborhood and regional parks. Therefore, the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would not occur or be accelerated.
- b) No impact. As discussed in this MND, with mitigation, the development of 174 multi-family units would not have an adverse physical effect on the environment. Therefore, the project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Transportation/Traffic

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

A Traffic Impact Study was prepared for the NEC Birch Street and E. Los Angeles Street Multi-Family Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., October 2023, included as Appendix D.

- a) Less than significant impact. The City has not finalized or adopted any policies or methodologies for VMT analysis. As such, the California Governor’s Office Land Use and Climate Innovation (LCI) formally known as the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA will be used as a basis for this project’s VMT analysis and provides screening criteria that lead agencies can apply to effectively screen projects from project-level assessment.

As stated, the project proposes the construction of 174 affordable housing units. The OPR Advisory recognizes that affordable housing projects typically generate lower VMT than market-rate housing, and a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less significant impact on VMT. Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Evidence supports a presumption of a less than significant impact for a 100% affordable residential development in infill locations. Because the project consists of 100% affordable housing, the project may be presumed to have a less-than-significant impact on VMT and no further VMT analysis would be required (RK Engineering Group, Inc., 2023). Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

- b) Less than significant impact. See response to a. above. The project consists of 100% affordable housing, therefore, the project may be presumed to have a less than significant

impact on VMT and not further VMT analysis would be required (RK Engineering Group, Inc., 2023). As stated, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

- c) Less than significant impact. The project will be designed to current standards and safety regulations. All site access/egresses will be constructed to comply with design and safety standards of Chapter 33 of the California Building Codes and the guidelines of Title 24 to create safe and accessible roadways. Vehicles exiting the site will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could impede such views, if improperly installed. Specific circulation patterns and driveway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the project area will not occur. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses.

- d) Less than significant impact. See response to c. above. The project would be required to comply with all emergency access requirements adopted and set forth in the City of Shafter Municipal Code. These requirements and all others required to be included in the project design will be verified by the City prior to project approval. Therefore, the project would not result in inadequate emergency access.

Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Would the project 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 the 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:</p>				
<p>a) 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 §5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) 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 §5021.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) No impact. There are no sites, features, places, cultural landscapes that are geographically defined in the terms of the size and scope of the landscape, sacred places, or objects with cultural value to a California Native American tribe located on the site. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed in the California Register of Historical Resources or in a local register of historical resources.

- b) No impact. See response to a. above and in the Cultural Resources section. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant.

Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in the 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulation related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. Refer to Geology and Soils and Hydrology and Water Quality responses above regarding potable and irrigation water, wastewater, and stormwater. The above analysis concluded that the project would not require the relocation or construction of new or expanded facilities for potable and irrigation water, wastewater, and stormwater facilities.

The Pacific Gas and Electric Company (PG&E) provides electricity to the City. The existing trunk and transmission facilities are adequate to meet present and projected demand for the project site. The project will connect to the existing PG&E transmission lines for electrical power, but lighting would be minimal.

The City is served by multiple telecommunication providers such as AT&T, Spectrum, T-Mobile, ATel Communications, and Municipal Fiber Network.

No natural gas is proposed for the project.

Therefore, the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas,

or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

- b) Less than significant impact. Refer to the Hydrology and Water Quality responses above. Therefore, the project has sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- c) Less than significant impact. The project will connect to the City's sewer mains and wastewater will be treated at the wastewater treatment plant owned and operated by the North of the River (NOR) Sanitary District which is in a Joint Powers Agreement with the City. The wastewater treatment plant is currently designing an upgrade and expansion for additional treatment capacity. The wastewater treatment capacity will increase from 7.5 million gallons per day to 10 million gallons per day (NORS D 2025). Therefore, it has been determined by the wastewater treatment provider which serves or may serve the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- d) Less than significant impact. Two franchise haulers, American Refuse and Varner Brothers, serve properties in the City. American Refuse is the franchise hauler within the city core area and will provide service to the proposed project. Solid waste that is collected is 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 December 2053 and April 2046, respectively. Implementation of the project would result in the generation of solid waste on the project site, which would increase the demand for solid waste disposal. During construction these materials, which are not anticipated to contain hazardous materials, would be collected and transported away from the site. The project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of all waste generated onsite at an approved solid waste facility. Additionally, prior to obtaining a building permit, the applicant will have to obtain a landfill will-serve letter. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- e) No impact. See response to d. above. The 1989 California Integrated Waste Management Act (AB 939) requires Kern County to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the project design. The reuse and recycling of construction debris would reduce operating expenses and save valuable landfill space. As stated above, the Shafter/Wasco Landfill is the City's primary landfill, while Bena Landfill accepts some refuse from industrial uses within the City. Both facilities have the capacity to serve projected solid waste disposal needs through

2056 and 2046, respectively. Therefore, the project would comply with federal, state, and local management and reduction statutes and regulation related to solid waste.

Wildfires

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or areas classified as very high hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, or other factors, exacerbate wildfire risk, and thereby expose project occupants to, pollutant concentrations from a wildfire or uncontrolled spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. See Hazards and Hazardous Materials section regarding emergency response. According to data from the Cal Fire, there are no fire hazard severity zones on the project site or within the City boundaries (CalFire 2024). As noted previously, the City of Shafter maintains an emergency plan for response to disasters, including fires. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to accommodate emergency response and evacuation activities. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.
- b) Less than significant impact. The project site is in a region dominated by residential and agricultural uses. The topography of the area is flat. The project would install the required infrastructure to meet water supply demands for fire protection services. Development of the project will not increase the need for fire protection services or expand the service area of the local Fire Department, and the project will comply with all applicable fire codes and

regulations. Therefore, the project would not exacerbate wildfires and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

- c) No impact. The Pacific Gas and Electric Company (PG&E) provides electricity to the City. The existing trunk and transmission facilities are adequate to meet present and projected demand to the project site. The project will connect to the existing PG&E transmission lines for electrical power. Therefore, the project would not 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.

- d) No impact. The site is topographically flat land, as is the surrounding area. There are no slopes on or near the property and the project would not expose the people or structures to significant risks from downslope or downstream flooding or landslides due to a result of runoff, post fire instability or drainage changes. According to FEMA Flood Insurance Rate Maps the project is within an area of minimal flood hazards (FEMA 2024). Therefore, the project would not 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.

Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Mandatory Findings of Significance:				
a) Does the project have the potential to 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, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant with mitigation incorporated. As evaluated in this document, the project would not 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; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. With implementation of the mitigation measures recommended in this document, the project would not have the potential to degrade the quality of the environment, significantly impact biological resources, or eliminate important examples of the major periods of California history or prehistory. Therefore, with the following mitigation measures the project would have a less than significant impact. Therefore, the project, with the implementation of the identified conditions of approval, best management practices, and mitigation measures, would not 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, 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) Less than significant impact with mitigation incorporated. As described in the impact analyses in this document, any potentially significant impacts of the project would be reduced to a less-than-significant level through implementation of the project as described and by mitigation measures. The project would not otherwise combine with impacts of related development to add considerably to any cumulative impacts in the region. With mitigation, the proposed project would not have impacts that are individually limited, but cumulatively considerable. Therefore, the project would have a less than cumulatively considerable impact with mitigation incorporated. There is no substantial evidence that with the implementation of the identified conditions of approval, best management practices, and mitigation measures, there are any cumulative effects associated with this project.
- c) Less than significant with mitigation incorporated. All the project's impacts, both direct and indirect, that are attributable to the project were identified and mitigated. The project mitigation measures will substantially reduce or eliminate impacts of the project. Therefore, the project, with mitigation, would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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ATTACHMENT A
MMRP

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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<p>#1</p>	<p>Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Department that they will/have met all air quality control measures, design features, and rules required by the San Joaquin Valley Air Pollution Control District, including but not limited to the following:</p> <p>To minimize Fugitive Dust during construction, the applicant will comply with the following:</p> <ul style="list-style-type: none"> • Apply water to unpaved surfaces and areas. • Use non-toxic chemical or organic dust suppressants on unpaved roads and traffic areas. • Limit or reduce vehicle speed on unpaved roads and traffic areas. • Maintain areas in a stabilized condition by restricting vehicle access. • Install wind barriers. • During high winds, cease outdoor activities that disturb the soil. • Keep bulk materials sufficiently wet when handling. • Store and handle materials in a three-sided structure. • When storing bulk materials, apply water to the surface or cover the storage pile with a tarp. • Don't overload haul trucks. Overloaded trucks are likely to spill bulk materials. • Cover haul trucks with a tarp or other suitable cover. Or, wet the top of the load enough to limit visible dust emissions. • Clean the interior of cargo compartments on emptied haul trucks prior to leaving a site. • Prevent trackout by installing trackout control devices at all project access points. • Clean up trackout at least once a day. If along a busy road or highway, clean up trackout immediately. • Monitor dust-generating activities and implement appropriate measures for maximum dust control. 	<p>Prior to grading plan approval</p>	<p>San Joaquin Valley Air Pollution Control District; City of Shafter Planning Department</p>		
		<p>Steps to Compliance:</p> <ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules. 3. Provide documentation to the Planning Department for the record. 			

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	<p>Diesel Particulate Matter: during construction, the applicant will comply with the following design features:</p> <ul style="list-style-type: none"> • Construction equipment should be maintained in proper tune. • All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer. • Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible. • Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible. • Establish staging areas for the construction equipment that are as far from adjacent residential homes, as feasible. • Use haul trucks with on-road engines instead of off-road engines for on-site hauling. 				
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<p>#2</p>	<p>Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Department that the project has complied with the San Joaquin Valley Air Pollution Control District’s Indirect Source Rule (Rule 9510).</p>	<p>Prior to grading plan approval</p>	<p>San Joaquin Valley Air Pollution Control District; City of Shafter Planning Department</p>		
		<p>Steps to Compliance:</p> <ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules. 3. Provide documentation to the Planning Department for the record. 			

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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#3	<p>San Joaquin Kit Fox (<i>Vulpes macrotis mutica</i>)</p> <p>Prior to ground disturbance, a pre-construction survey must be conducted 14 - 30 days within the Project Area and a 500-foot buffer to identify active or potential San Joaquin kit fox dens.</p> <ul style="list-style-type: none"> • If potential kit fox dens are observed within the Project Area, a 50-foot avoidance buffer should be implemented. If construction activities require the destruction of a potential den, then den monitoring shall be conducted by a qualified biologist for a minimum of 4 consecutive nights following the protocols set forth in the U.S. Fish and Wildlife Service Standardized Recommendations for the Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). Known dens shall require an avoidance buffer of at least 100 feet. If a known den cannot be avoided, it shall be left undisturbed, and the monitoring biologist shall be contacted immediately. Natal dens found within the Project Area or within a 500-buffer surrounding the Project Area should be avoided and the USFWS and CDFW shall be contacted. • To prevent the entrapment of a San Joaquin kit fox or other wildlife, all steep walled, open trenches greater than 2 feet in depth should be covered at the end of each day. If covering an open excavation is not feasible, escape ramps made of earthen material or wooden planks at a 1:1- slope (45-degree angle) should be implemented. Trenches should be inspected in the morning prior to commencing work activities and prior to backfilling. If a San Joaquin kit fox or any other special-status species is found within the excavation, the monitoring biologist shall be contacted immediately. At no time should any personnel attempt to handle, corral, remove, or otherwise interact with the animal. 	<p>Prior to ground disturbance</p>	<p>Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife</p>		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities. 3. Provide results of survey to the Planning Department for the record. 4. If special-status species found, then contact CDFW to determine avoidance and minimization measures. 					

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#4	<p>Swainson’s Hawk (<i>Buteo swainsoni</i>)</p> <ul style="list-style-type: none"> If construction activities are to take place during the nesting season (February - August), a preconstruction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual Swainson’s hawk’s and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the pre-construction survey. If any active Swainson’s hawk nest is found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding the nest and a plan to be implemented to prevent disruption of nesting activities. If nest disruption is not possible, CDFW should be contacted for guidance. 	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> This mitigation measure shall be incorporated as a condition of approval for any site plan review. Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities. Provide results of survey to the Planning Department for the record. If special-status species found, then contact CDFW to determine avoidance and minimization measures. 					
#5	<p>Tricolored blackbird (<i>Agelaius tricolor</i>)</p> <ul style="list-style-type: none"> If construction activities are to take place during the nesting season for tricolored blackbird (February - May), a pre-construction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual tricolored blackbirds and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the preconstruction survey. If any active tricolored blackbird nest sites are found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding the nest site and a plan to be implemented to prevent disruption of nesting activities. 	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> This mitigation measure shall be incorporated as a condition of approval for any site plan review. Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities. Provide results of survey to the Planning Department for the record. If special-status species found, then contact CDFW to determine avoidance and minimization measures. 					

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No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#6	<p>Other Migratory Birds</p> <p>Other migratory birds may use the proposed project site or surrounding lands for feeding, nesting, and roosting. In compliance with Sections 3503 and 3503.5 of the California Fish and Game Code and the Migratory Bird Treaty Act, if construction activities are to occur during the nesting and breeding season (February 1 through August 31), a qualified biologist shall determine the presence of any native bird and raptor nests prior to construction activities. If any nests are identified, appropriate buffer zones will be established around any identified nests to prevent disruption of nesting. If an adequate buffer zone cannot be established around any active nest, CDFW and USFWS will be contacted for guidance.</p>	<p>Prior to ground disturbance</p>	<p>Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife</p>		
		<p>Steps to Compliance:</p> <ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities. 3. Provide results of survey to the Planning Department for the record. 4. If special-status species found, then contact CDFW to determine avoidance and minimization measures. 			

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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<p>#7</p>	<p>General Wildlife Avoidance Measures To further ensure no special-status species are impacted by the project, the project will comply with the following general wildlife avoidance measures during the construction period.</p> <ul style="list-style-type: none"> All vehicles should implement a maximum 10mph speed limit within the Project Area or adhere to the posted speed limit. To avoid the entrapment of any animal, all excavations greater than 2 feet should be backfilled by the end of day. If backfilling by the end of day is not possible, excavations should be covered in a way to prevent wildlife species from entering the excavation. If excavations cannot be covered, an earthen escape ramp or a ramp constructed of wooden planks should be implemented inside the excavation at a 1:1 slope (45 degrees). If any wildlife is found entrapped inside an open excavation, the biologist should be contacted immediately. All pipes, culverts, or similar structures staged onsite should be capped in a way to prevent the entry of wildlife. Such structures should be checked prior to moving to ensure no wildlife is entrapped inside. All food-related trash items including wrappers, cans, bottles, and scraps should be disposed of in a securely closed container and removed from the site at the end of each day. No firearms or pets should be allowed onsite. Any protected wildlife species that may venture onsite should be allowed to leave the site of their own accord. No attempt to handle or otherwise engage with the animal should be made. If after a reasonable amount of time the animal does not leave the project site, the biologist should be contacted. 	<p>During construction</p>	<p>City of Shafter Planning Department; Qualified Biologist (if needed); California Department of Fish and Wildlife (if needed)</p>		
		<p>Steps to Compliance:</p> <ol style="list-style-type: none"> This mitigation measure shall be incorporated as a condition of approval for any site plan review. Provide results of survey to the Planning Department for the record. If special-status species found, then contact CDFW to determine avoidance and minimization measures. 			

<p>#8</p>	<p>If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools</p>	<p>During construction</p>	<p>Qualified Archeologist; City of Shafter Planning Department</p>		
		<p>Steps to Compliance:</p>			

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	<p>and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p>	<ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. If prehistoric or historic-era cultural materials are discovered, halt all work, and contact a qualified archaeologist to assess finds and recommend procedures. 3. If necessary, implement recommended procedures. 4. Provide summary of all relevant activities to the Planning Department for the record. 			
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<p>#9</p>	<p>If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.</p>	<p>During construction</p>	<p>City of Shafter Planning Department; Kern County Coroner (if needed); Native American Heritage Commission (if needed)</p>		
		<p>Steps to Compliance:</p> <ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. If human remains are uncovered, halt all work and contact the Kern County Coroner to evaluate the remains and follow the appropriate procedures and protocols. 3. If the County Coroner determines that the remains are Native American, the applicant/developer shall contact the Native American Heritage Commission. 4. If Native American human remains are located, the applicant/developer shall implement and comply with the requirements listed in this mitigation measure. 5. Provide summary of all relevant activities to the Planning Department for the record. 			

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#10	<p>If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.</p>	During construction	Qualified Paleontologist; City of Shafter Planning Department		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. Contract a qualified paleontologist, if needed. 3. Perform additional investigations and fossil recovery, if needed. 4. Perform significance evaluation and effectuate recommendations, if needed. 5. Provide summary of all relevant activities to the Planning Department for the record. 					
#11	<p>Prior to the issuance of building permits, the project will provide proof to the Planning Department that the project scores a minimum of 29 points using the San Joaquin Valley Air Pollution Control District (SJVAPCD) GHG Emission Reduction Best Performance Standard (BPS) Measures for Development Projects.</p>	Prior to building permit issuance	City of Shafter Building Department; City of Shafter Planning Department		
<p>Steps to Compliance:</p> <ol style="list-style-type: none"> 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall submit percolation testing results to the Shafter Building Department. 3. Provide summary of all relevant activities to the Planning Department for the record. 					

ATTACHMENT B
Figures

Figure 1: Regional Location

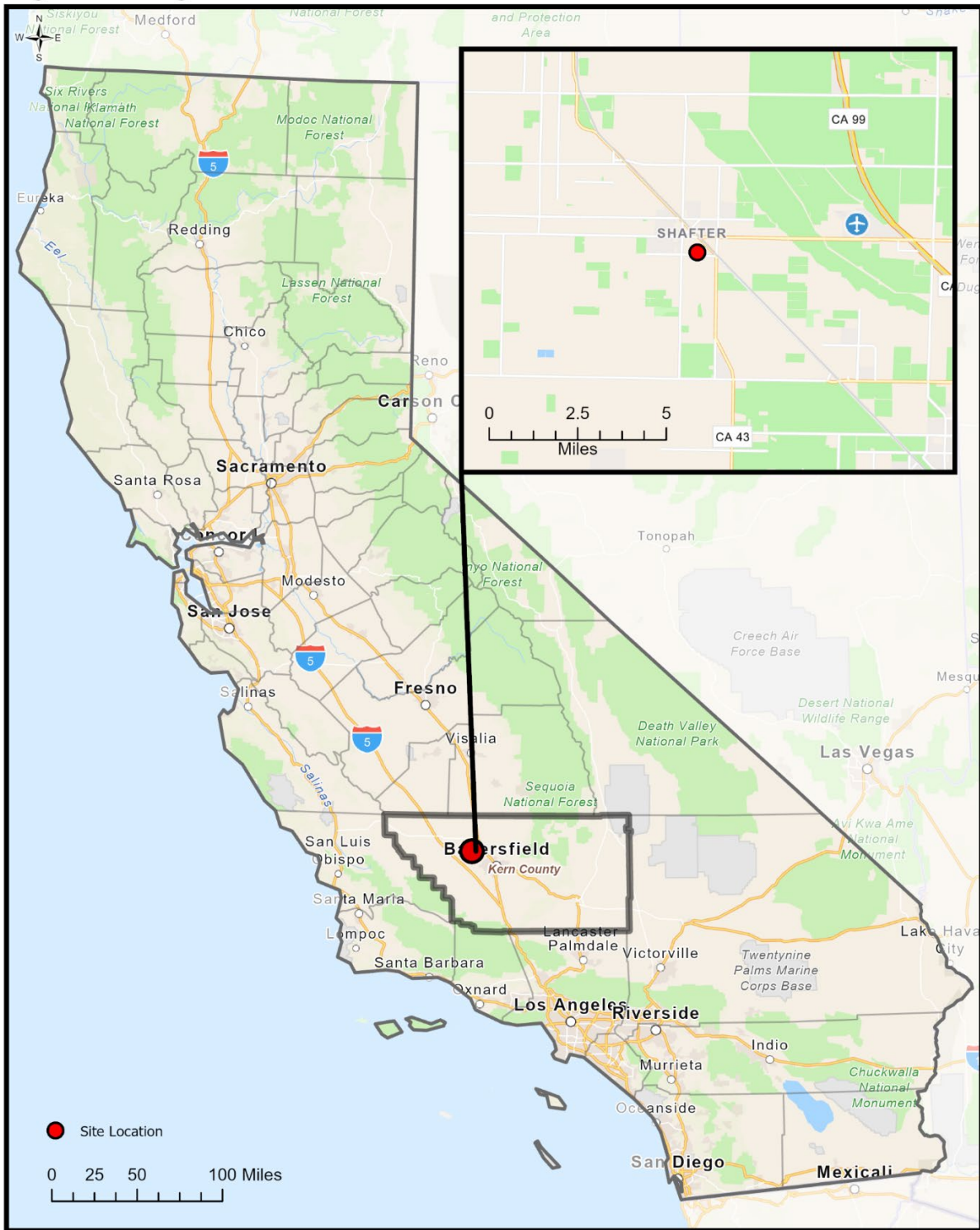


Figure 2: Aerial Overview



Figure 3: General Plan Land Use



Figure 4: Zoning

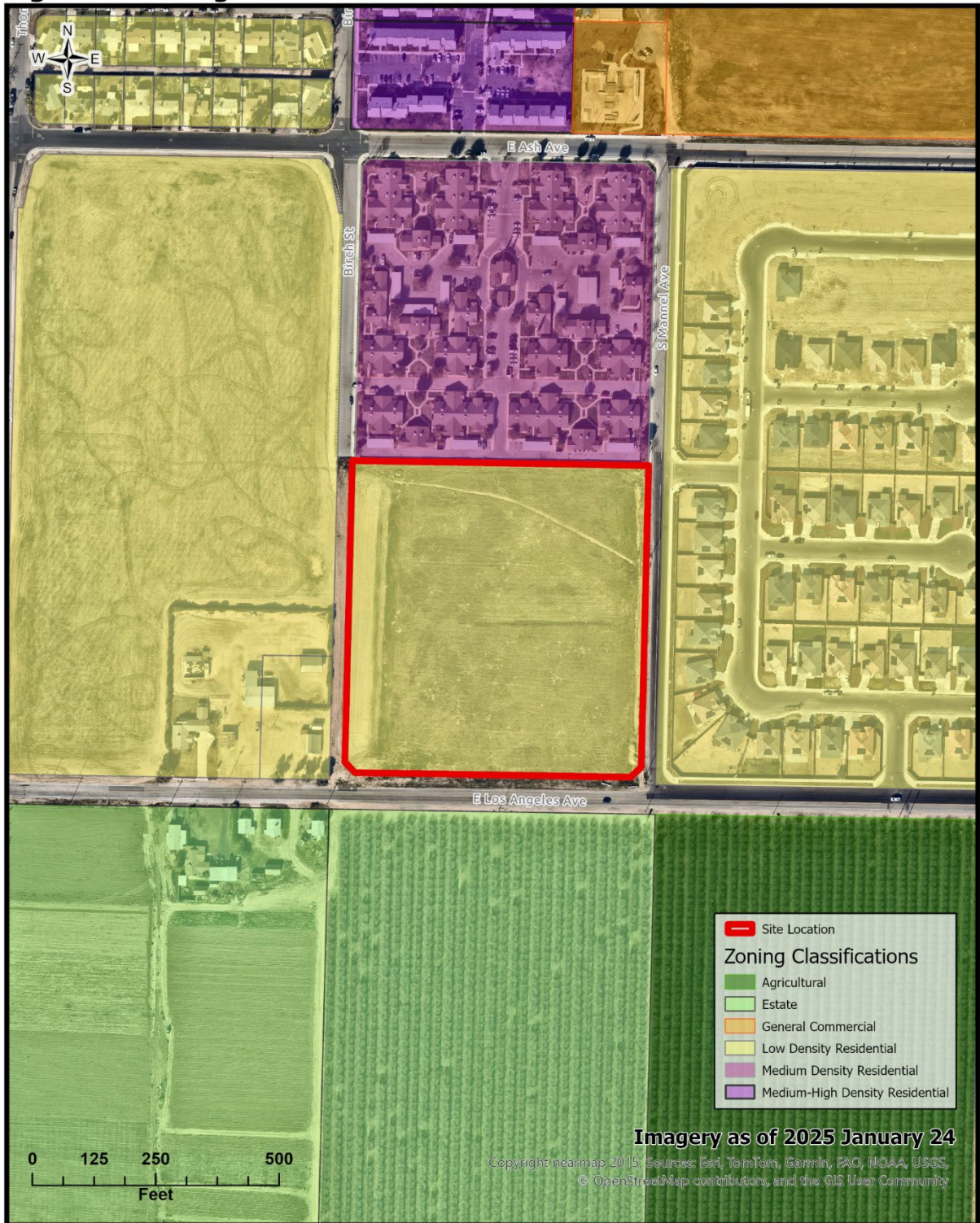


Figure 5: Site Plan

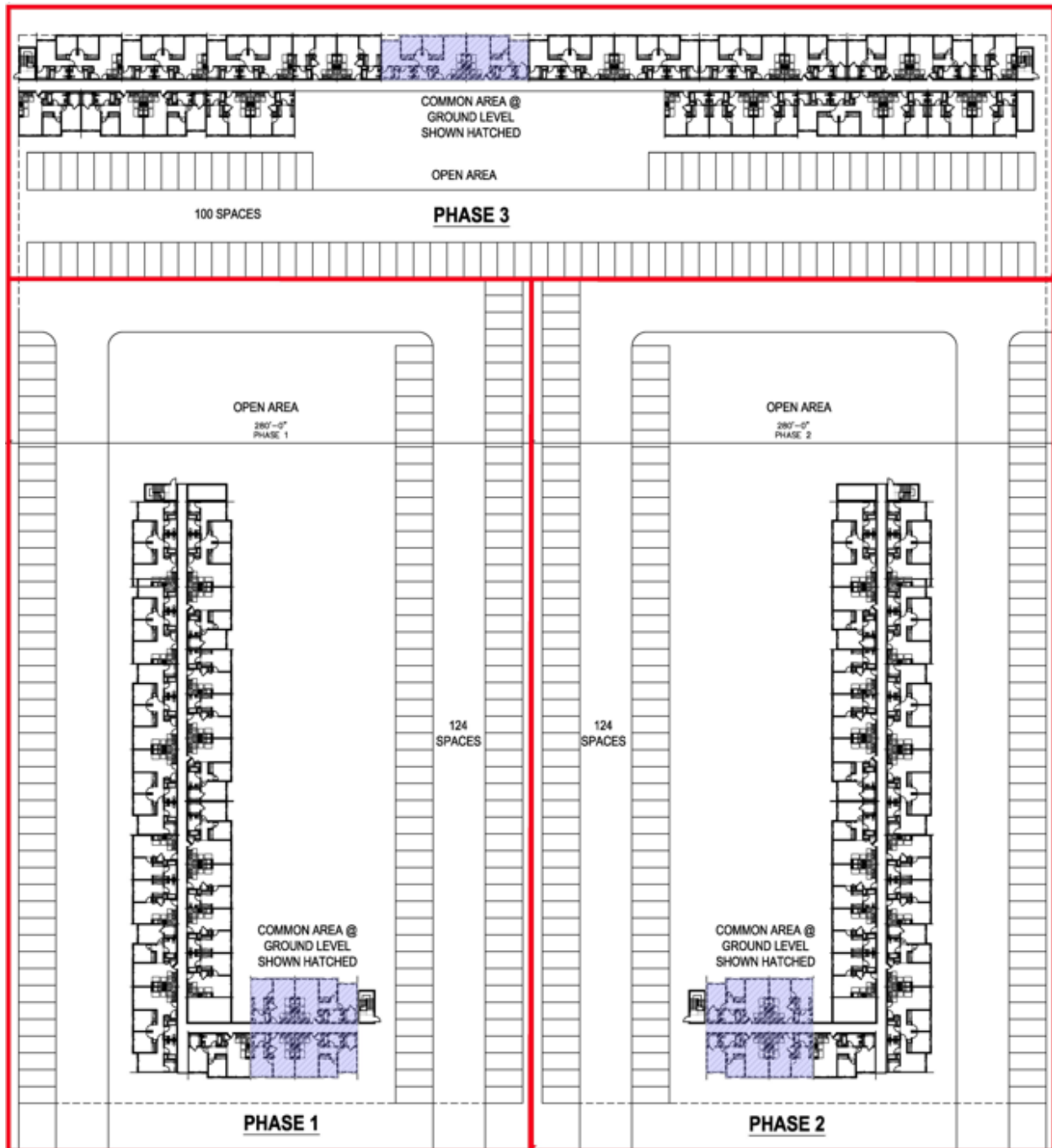


Figure 6: Elevations



RESOLUTION NO. 25-465

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 23-39 AND ZONE CHANGE NO. 23-72 TO THE CITY COUNCIL OF THE CITY OF SHAFTER.

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on July 8, 2025, studied and considered General Plan Amendment No. 23-39 and Zone Change No. 21-72, a request to amend the general plan designation from LDR (Low Density Residential) to MHDR (Medium High Density Residential) and change the zone classification from R-1 (Low Density Residential) to R-3 (Medium High Density Residential) on 8.7 acres (Accessor’s Parcel Number 028-180-57) located at the northeast corner of Birch Street and East Los Angeles Avenue as depicted in Exhibit “A”, attached hereto and made a part of this resolution as set forth herein (the “Project”); and

WHEREAS, it was determined that the Project, with mitigation, would not have a significant effect on the environment and therefore, a Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (“CEQA”); and

WHEREAS, the Mitigated Negative Declaration includes enforceable mitigation described in the Mitigation, Monitoring, and Reporting Program (“MMRP”); and

WHEREAS, the Planning Commission has determined that the provisions of CEQA and the State CEQA Guidelines have been followed; and

WHEREAS, the City of Shafter Planning Department (336 Pacific Avenue, Shafter, California) is the custodian of all documents and other materials upon which the environmental determination is based; and

WHEREAS, adoption of a Mitigated Negative Declaration for the Project has been recommended; and

WHEREAS, the Planning Commission has determined that the proposal is consistent with the City of Shafter General Plan; and

WHEREAS, the Planning Commission has determined that it is in the best interest of the City to amend the City of Shafter Zoning Map to enhance the quality of life and to protect the health, safety, and welfare of its citizens by applying orderly development in the City; and

WHEREAS, a timely and properly noticed public hearing for proposed General Plan Amendment No. 23-39 and Zone Change No. 23-72 was held by the Planning Commission of the City of Shafter at a regular meeting on July 8, 2025, at which hearing evidence, oral and documentary, was admitted on behalf of said general plan amendment and zone change.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 8th day of July, 2025, resolved to recommend to the City Council approval of General Plan Amendment No. 23-39 and Zone Change No. 23-72 as illustrated in Exhibit "A".

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith by the Planning Commission Secretary to the City Council of the City of Shafter.

PASSED AND ADOPTED THIS 8th DAY OF JULY, 2025.

Lovedeep Joshan, Chairman

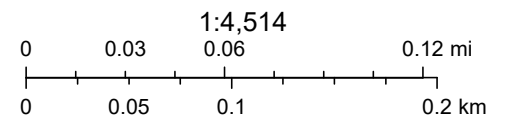
ATTEST

Hermila Aleman, Deputy City Clerk

Exhibit A



3/14/2024, 1:30:20 PM



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