



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

**AGENDA
REVISED
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, DECEMBER 20, 2022**

NOTICE TO THE PUBLIC:

Any documents produced by the City and distributed to a majority of the City Council 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.

TELECONFERENCE NOTICE:

As emergency conditions persist in the City, specifically, a state of emergency remains in effect related to COVID-19, community transmission of COVID-19 in Kern County has rapidly increased from Low to High due to the highly contagious variants of COVID-19, which has emerged, Kern County officials are imposing and recommending measures to promote social distancing, requires masking by all, regardless of vaccination status, in an effort to slow the continuously high trends in and level of transmission of COVID-19 throughout the State and Kern County. The City Council determine that the presence of COVID-19 and the increase of cases due to the COVID variants will continue to cause conditions of peril to the safety of persons within the City that are likely to be beyond the control of services, personnel, equipment, and facilities of the City, and has affirmed a local emergency exists and re-ratified the proclamation of state of emergency by the Governor of the State of California. In compliance with AB 361, Brown Act public meetings will be conducted utilizing Zoom Video Communications.

Remote public participation is allowed in the following ways, please see attached supplement for instructions.

CALL TO ORDER:

6:00 PM

ROLL CALL:

Mayor Prout
Mayor Pro Tem Givens
Council Member Alvarado
Council Member Espinoza
Council Member Lopez

PLEDGE OF ALLEGIANCE:

Council Member Alvarado

INVOCATION:

Council Member Espinoza

PRESENTATION:

1. Resolution of Service: Cesar Lopez

APPROVAL OF AGENDA:

PUBLIC COMMENT:

Those persons wishing to speak on any item included on the agenda, or on any matter within the subject matter jurisdiction of the City Council, are invited to speak from the podium and address the City Council. 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.

COUNCIL ANNOUNCEMENTS AND REPORTS:

On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. Council Members may ask a question for clarification, make a referral to staff, or take action to have staff place a matter of business on a future agenda. No formal action by the Council will be taken unless an item is identified on the Agenda.

CONSENT CALENDAR:

All items on the consent calendar are considered routine and non-controversial by staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.

1. Approve General Checks: December 8, 2022, December 15, 2022.
2. Approve Payroll: December 2, 2022, December 5, 2022, December 9, 2022, December 9, 2022.
3. Approve Minutes: December 6, 2022.
4. Approve Resolution of Service: Senior Planner Suzanne Forrest
5. Approve Resolution of Commendation: 2022 Shafter High Generals Varsity Football Team
6. Approve Special Event Permit: City of Shafter, Community Rally, Downtown Square, December 22, 2022.
7. Council introduce for second reading, waive reading; and adopt Ordinance No. 745, an Ordinance of the City Council of the City of Shafter, California, making findings and adopting Specific Plan Amendment No. 22-05 to the Gossamer Grove Specific Plan as provided in Exhibit "A".
8. Council introduce for second reading, waive reading; and, adopt Ordinance 735, an amendment to Shafter Municipal Code Titles 16 (Subdivision Ordinance) and 17 (Zoning Ordinance) to amend the Titles: In response to changes in State law

regarding: accessory dwelling units and junior accessory dwelling units and drought-tolerant landscaping; For consistency with the California Building Code; For internal consistency between Sections of Title 17 regarding Section numbering; and To place recent changes to Title 16 in a different Section, which is a clearer and more logical place within Title 16 for the text.

9. Council introduce for second reading, waive reading; and, adopt Ordinance No. 744, an Ordinance of the City Council of the City of Shafter, California, making findings and adopting Specific Plan Amendment No.21-03, to the Heritage Ranch Specific Plan as provided in Exhibit "A".
10. Council find the action is not subject to the California Environmental Quality Act; accept grant deeds for the two parcels from Lennar Homes of California; and, authorize the City Manager to record grant deeds.
11. Council find the action is not defined as a "project" per Section 15378(b)(4) and not subject to CEQA; accept two (2) quotes for furnishing two (2) portable light towers; award the purchase of said portable lighting towers to MULTIQUIP, INC. in the amount of \$24,921; and, authorize the Public Works Director to execute the purchase order and sales documentation on behalf of the City.
12. Ratify a purchase order award to Haaker Equipment Company for repairs to the City street sweeper in the amount of \$28,000.
13. Find the requested action is exempt from the California Environmental Quality Act; approve the annual service contract payment for aerial imagery services invoiced by Nearmap US, Inc. ("Nearmap"), and authorize payment of \$25,000 for the second annual invoice payment listed.
14. Adopt Resolution 2898, a Resolution of the City Council of the City of Shafter authorizing wage and related benefits for Non-Represented full-time employees for the period of January 1, 2023, through December 31, 2023; and authorize Non-Represented part-time and extra-help employees a 2% cost-of-living adjustment effective January 1, 2023, and a one-time off-schedule pro-rated net compensation based on hours worked in 2022 through November 25, 2022. Interns are excluded from the 2% cost-of-living adjustment and shall receive the California minimum wage of \$15.50 hourly effective January 1, 2023; and approve a budget amendment in the amount \$140,500 for the one-time payout and \$96,800 for the 2% COLA increase for the remainder of FY 2022/2023.
15. Council accept Letter of Resignation from Planning Commissioner Gustavo Olvera from the Shafter Planning Commission.
16. Council approve the donation agreement for two parcels between Lennar Homes of California and the City of Shafter; and, authorize the City Manager to execute the agreement subject to any conforming or clarifying changes subject to approval of the City Manager and City Attorney.

PUBLIC HEARINGS:

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 City Council at or prior to this public hearing.

MANAGEMENT REPORT:

- 1. CERTIFICATION OF ELECTION NOVEMBER 8, 2022:** Council adopt Resolution 2899, a Resolution of the City Council of the City of Shafter, California, Reciting the Fact of the General Municipal Election held on November 8, 2020, Declaring the Result and Such Other Matters as Provided by Law. (City Manager Gabriel A. Gonzalez)

ROLL CALL

- 2. COUNCIL MEMBER OATH OF OFFICE:** Clerk Administer the Oath of Office to Council Member Gustavo Olvera, Jr. and Cathy L. Prout. (City Manager Gabriel A. Gonzalez)

ROLL CALL

- 3. REORGANIZATION AND APPOINTMENTS TO VARIOUS BOARDS:** Each Board make nominations and appointments. (City Manager Gabriel A. Gonzalez)

ROLL CALL

CITY MANAGER COMMENTS AND REPORTS:

DEPARTMENT DIRECTOR COMMENTS AND 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., December 15, 2022. Yazmina Pallares, S/S, City Clerk



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

**AGENDA
SUPPLEMENT
REVISED
Regular Meeting
Shafter City Council
December 20, 2022**

**THE December 20, 2022 MEETING WILL BE CONDUCTED IN COMPLIANCE
WITH AB 361**

In order to minimize the spread of the COVID 19 virus, please do the following:

1. You are strongly encouraged to observe the City Council 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 December 20, 2022** 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 City Council 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 City Council 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 City Council meeting.

The City of Shafter thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.



Resolution of Commendation

Cesar Lopez

MEMBER OF THE SHAFTER CITY COUNCIL

WHEREAS, the City of Shafter has been fortunate to have had Cesar Lopez volunteer his services, energy and expertise to serve the community of Shafter as a member of the City Council from December 18, 2018, through December 20, 2022, and

WHEREAS, these years have been marked by his exemplary dedication, his trustworthiness, and his constructive contributions that have served the best interests of the community in being responsive to its citizens, most notably in public service as a founder and coach of the Shafter Brawlers Softball Team; and

WHEREAS, Cesar has worked diligently on increasing the awareness of and establishing the importance of Shafter's economic development, aesthetic development, and Shafter's impact within the county, state, country and world, as well as making the education of children and adults a high priority; and

WHEREAS, Cesar has earned the admiration and high regard of those he has worked with on the Shafter City Council, city staff, civic leaders, and area residents, it is appropriate to recognize the support of his family, his wife, Rosy, daughter Brianna and sons Cesar Jr. and Eddie.

NOW, THEREFORE, LET IT BE RESOLVED THAT, on behalf of the City of Shafter, in recognition of his distinguished service to the community, we hereby officially express our sincere gratitude and appreciation to Cesar Lopez.

PASSED AND ADOPTED this 20th day of December, 2022.

Cathy L. Prout
Mayor

Gilbert Alvarado
Council Member

Chad Givens
Mayor Pro Tem

Pete Espinoza
Council Member

A/P CASH DISBURSEMENTS JOURNAL

 CASH ACCOUNT: 0000-00-000-00-00-100001-
 CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

Cash7135

INV DATE

PO

WARRANT

NET

				DOCUMENT	INVOICE	DTL	DESC		
672	12/05/2022	WIRE	144 ST OF CA EDD	37846 36713	12/5/2022	12/05/2022	120822	4,977.72	
Invoice: 12/5/2022				4,266.54 0100-00-000-00-00-205121-		warrant 120522	SIT		
				711.18 0100-00-000-00-00-205130-			State Income Tax Payable ST Disability Insur Payable		
						CHECK	672 TOTAL:	4,977.72	
673	12/05/2022	WIRE	17 INTERNAL REVENUE SER	37845 36712	12/5/2022	12/05/2022	120822	24,112.78	
Invoice: 12/5/2022				14,221.98 0100-00-000-00-00-205120-		warrant 120522	FIT		
				8,016.02 0100-00-000-00-00-205122-			Federal Income Tax Payable FICA Tax Payable Medicare Tax Payable		
				1,874.78 0100-00-000-00-00-205123-		CHECK	673 TOTAL:	24,112.78	
674	12/02/2022	WIRE	45 WAGeworks, INC	37808 36675	12/2/2022	12/02/2022	120822	1,572.87	
Invoice: 12/2/2022				1,364.54 0100-00-000-00-00-205150-		warrant 120222	MEDICAL		
				208.33 0100-00-000-00-00-205151-			Unreimbursed Medical Payable Unreimbursed Childcare Payable		
						CHECK	674 TOTAL:	1,572.87	
675	12/02/2022	WIRE	144 ST OF CA EDD	37809 36676	12/2/2022	12/02/2022	120822	17,956.78	
Invoice: 12/2/2022				13,856.88 0100-00-000-00-00-205121-		warrant 120222	SIT		
				4,099.90 0100-00-000-00-00-205130-			State Income Tax Payable ST Disability Insur Payable		
						CHECK	675 TOTAL:	17,956.78	
676	12/02/2022	WIRE	17 INTERNAL REVENUE SER	37806 36673	12/2/2022	12/02/2022	120822	89,468.62	
Invoice: 12/2/2022				36,776.54 0100-00-000-00-00-205120-		warrant 120222	FIT		
				41,375.14 0100-00-000-00-00-205122-			Federal Income Tax Payable FICA Tax Payable Medicare Tax Payable		
				11,316.94 0100-00-000-00-00-205123-		CHECK	676 TOTAL:	89,468.62	
677	12/02/2022	WIRE	202 - 457 ICMA VANTAGEPO	37810 36677	12/2/2022	12/02/2022	120822	9,915.00	
Invoice: 12/2/2022				9,915.00 0100-00-000-00-00-205143-		warrant 120222	CONTRIBUTIONS		
							Deferred Compensation Payable		

A/P CASH DISBURSEMENTS JOURNAL

CASH ACCOUNT: 0000-00-000-00-00-100001-
CHECK NO CHK DATE TYPE VENDOR NAME

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DOCUMENT				INVOICE DTL DESC			
				CHECK	677 TOTAL:		9,915.00
678	12/05/2022	WIRE	936 PUBLIC EMPL RETIREME	37811 36678	12/02/2022	120822	65,782.38
Invoice: 36678				warrant 120222- 111222.112522			
			15,495.79 0100-00-000-00-00-205142-			Pension Contri Payable	
			16,135.16 0100-00-000-00-00-205142-			Pension Contri Payable	
			18,759.87 0100-00-000-00-00-205142-			Pension Contri Payable	
			15,391.56 0100-00-000-00-00-205142-			Pension Contri Payable	
				CHECK	678 TOTAL:		65,782.38
1010344	12/08/2022	PRTD	193 ABC HEALTH PROFESSIO	37739 EM009465	11/22/2022	120822	235.00
Invoice: EM009465				Pre-emp. Physical Exam AC I. Rodriguez Recruitment			
			235.00 0100-20-200-15-00-510115-				
				CHECK	1010344 TOTAL:		235.00
1010345	12/08/2022	PRTD	9834 ADVANCED FLOW MEASUR	37850 00049591	12/01/2022	120822	600.00
Invoice: 00049591				WASTE WATER - 2022 COMPLIANCE CHECK AT Repairs & Maintenance			
			600.00 5000-40-400-21-00-510200-				
				CHECK	1010345 TOTAL:		600.00
1010346	12/08/2022	PRTD	14652 AMAZON CAPITAL SERVI	37786 1XQP-HLMG-KN3C	11/22/2022	120822	731.46
Invoice: 1XQP-HLMG-KN3C				Public Safety Security Cameras			
			226.00 0100-30-300-04-00-510001-			Departmental Supplies	
			279.46 5103-50-500-29-00-510001-			Departmental Supplies	
			226.00 0100-20-200-14-00-510001-			Departmental Supplies	
				37902 1C3J-MJGD-WVH3	12/04/2022	120822	108.26
Invoice: 1C3J-MJGD-WVH3				SLLC Departmental Supplies			
			108.26 0100-30-300-04-00-510001-			Departmental Supplies	
				37941 11JG-D1GK-4Q11	12/02/2022	120822	29.76
Invoice: 11JG-D1GK-4Q11				SLLC Classroom supplies			
			29.76 0100-30-300-04-00-510016-			Classroom Supplies	
				37942 14W1-WMN1-JCDQ	12/03/2022	120822	202.69
Invoice: 14W1-WMN1-JCDQ				SLLC Classroom supplies			
			202.69 0100-30-300-04-00-510016-			Classroom Supplies	

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				VOUCHER	INVOICE	Cash7135	INV DATE	PO	WARRANT	NET
				DOCUMENT	INVOICE	DTL	DESC			
				37944 36806	1FJW-1HPM-LD4X		12/05/2022		120822	13.50
Invoice: 1FJW-1HPM-LD4X										
	13.50	0100-30-300-04-00-510016-				SLLC Classroom supplies				
						Classroom Supplies				
				38043 36899	1937-3RR1-4MTT		12/06/2022		120822	19.28
Invoice: 1937-3RR1-4MTT										
	19.28	0100-30-300-04-00-510001-				SLLC Departmental Supplies				
						Departmental Supplies				
				38044 36900	1FH1-QLKX-1FR1		12/05/2022		120822	130.58
Invoice: 1FH1-QLKX-1FR1										
	130.58	0100-30-300-04-00-510001-				SLLC Departmental Supplies				
						Departmental Supplies				
				38051 36906	161M-3GNN-3P41		12/07/2022		120822	14.99
Invoice: 161M-3GNN-3P41										
	14.99	0100-30-300-04-00-510016-				SLLC Classroom Supplies				
						Classroom Supplies				
						CHECK	1010346	TOTAL:		1,250.52
1010347 12/08/2022 PRD	1394	AMERICAN BUSINESS MA	37897	656283			12/01/2022		120822	116.40
Invoice: 656283				36762						
	116.40	0100-20-200-14-00-510100-				POLICE - CONTRACT USAGE	11/09/2022 - 12/08/2022			
						Service Agreements				
				37966 36827	656552		12/05/2022		120822	333.04
Invoice: 656552										
	333.04	0100-20-200-14-00-510100-				POLICE - CONTRACT BASE -	12/11/2022 - 12/10/2023			
						Service Agreements				
						CHECK	1010347	TOTAL:		449.44
1010348 12/08/2022 PRD	378	AMERICAN REFUSE INC	37895	254945			12/01/2022		120822	831.88
Invoice: 254945				36759						
	166.37	5101-50-400-24-00-510706-				ALL PW'S & ENGINEERING REFUSE SERVICE - NOV 2022				
	166.37	5002-40-400-20-00-510706-				Refuse				
	166.38	0100-30-400-25-00-510706-				Refuse				
	166.38	0100-40-400-19-02-510706-				Refuse				
	166.38	0100-40-400-18-00-510706-				Refuse				
				37903 36766	255284		12/01/2022	23000333	120822	71.78
Invoice: 255284										
	71.78	0100-30-300-04-00-510706-				Refuse Services				
						Refuse				
				38054 36909	255105		12/01/2022		120822	123.89

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WARRANT

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DOCUMENT				INVOICE DTL DESC			
Invoice: 255105	123.89	0100-20-200-14-00-510706-		POLICE RANGE-REFUSE SERVICES-DECEMBER 2022			
				Refuse			
		38057 254887		12/01/2022	120822		101.54
		36912					
Invoice: 254887	101.54	0100-20-200-14-00-510706-		POLICE-REFUSE SERVICES-DECEMBER 2022			
				Refuse			
				CHECK	1010348 TOTAL:		1,129.09
1010349 12/08/2022 PRD	184	Maya S. Ruiz Macias	35265 090622-RuizM	09/06/2022	120822		150.00
			34188				
Invoice: 090622-RuizM	150.00	0100-30-300-04-00-510804-		SLLC AP Tests			
				Incentives			
				CHECK	1010349 TOTAL:		150.00
1010350 12/08/2022 PRD	356	ALI & OBAID MARKETIN	36919 197	11/01/2022	120822		13.67
			35813				
Invoice: 197	13.67	0100-30-300-04-00-510804-		SLLC College on ramp			
				Incentives			
		37267 373		11/08/2022	120822		74.32
		36146					
Invoice: 373	74.32	0100-30-300-04-00-510016-		SLLC Classroom supplies			
				Classroom Supplies			
		37281 304		11/14/2022	120822		44.52
		36159					
Invoice: 304	44.52	0100-30-300-04-00-510001-		SLLC snacks for kids			
				Departmental Supplies			
		37383 125		11/15/2022	120822		39.22
		36259					
Invoice: 125	39.22	0100-30-300-04-00-510016-		SLLC Classroom Supplies			
				Classroom Supplies			
		37458 155		11/17/2022	120822		16.38
		36332					
Invoice: 155				City Hall Beverages			
	1.82	0100-10-140-10-00-510000-		Office Supplies			
	1.82	0100-10-110-03-00-510000-		Office Supplies			
	1.82	0100-10-120-05-00-510000-		Office Supplies			
	1.82	0100-10-100-01-00-510000-		Office Supplies			
	1.82	0100-10-145-13-00-510000-		Office Supplies			
	1.82	5103-50-500-29-00-510000-		Office Supplies			
	1.82	0100-30-300-04-00-510000-		Office Supplies			
	1.82	0100-10-135-09-00-510000-		Office Supplies			
	1.82	0100-10-125-06-00-510000-		Office Supplies			

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		DOCUMENT	INVOICE	DTL	DESC			NET
		37502 36374	34-11-18-22	11/18/2022	23000342 120822			13.92
Invoice: 34-11-18-22	13.92	0100-30-300-04-00-510016-			SLLC Classroom Supplies FY 22/23 Classroom Supplies			
		37585 36457	NOINV - APPLE 11/16	11/16/2022	120822			30.20
Invoice: NOINV - APPLE 11/16	30.20	0100-10-135-09-00-510116-			SEDAC - PW'S PIZZA PARTY - DRINKS Employee Dev & Reten (SEDAC)			
		37649 36520	288	11/23/2022	23000342 120822			35.58
Invoice: 288	35.58	0100-30-300-04-00-510016-			SLLC Classroom Supplies FY 22/23 Classroom Supplies			
		37705 36575	110-11-08-2022	11/08/2022	120822			30.82
Invoice: 110-11-08-2022	30.82	0100-10-140-10-00-510001-			Finance Drinking Water Departmental Supplies			
		37777 36645	62	11/29/2022	120822			43.51
Invoice: 62	43.51	0100-30-300-04-00-510001-			SLLC Departmental Supplies Departmental Supplies			
		37779 36647	282	11/29/2022	23000342 120822			38.57
Invoice: 282	38.57	0100-30-300-04-00-510016-			SLLC Classroom Supplies FY 22/23 Classroom Supplies			
		37783 36650	159	11/30/2022	120822			92.72
Invoice: 159		10.30 0100-10-140-10-00-510000- 10.30 0100-10-110-03-00-510000- 10.30 0100-10-120-05-00-510000- 10.32 0100-10-100-01-00-510000- 10.30 0100-10-145-13-00-510000- 10.30 5103-50-500-29-00-510000- 10.30 0100-30-300-04-00-510000- 10.30 0100-10-135-09-00-510000- 10.30 0100-10-125-06-00-510000-			City Hall Beverages Office Supplies Office Supplies Office Supplies Office Supplies Office Supplies Office Supplies Office Supplies Office Supplies			
		37936 36798	36798	11/14/2022	87 120822			107.03
Invoice: 36798		13.38 0100-10-145-13-00-510001- 80.27 0100-10-405-26-00-510001- 13.38 0100-10-405-27-00-510001-			Departmental supplies water Departmental Supplies Departmental Supplies Departmental Supplies			

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DOCUMENT					INVOICE DTL DESC			
					CHECK	1010350	TOTAL:	580.46
1010351	12/08/2022	PRTD	81 ARAMARK UNIFORM SERV	37848 25091928	11/17/2022	120822	24.65	
Invoice: 25091928				36715	PARKS - JERSEY KNIT POLO/EMBROIDERY			
24.65				0100-30-400-25-00-500502-	Uniform & Equipment Allowance			
				37892 5031096926	12/01/2022	120822	272.86	
Invoice: 5031096926				36756	ALL PW'S - MAT SERVICE			
54.57				5002-40-400-20-00-510001-	Departmental Supplies			
54.57				5000-40-400-21-00-510001-	Departmental Supplies			
54.57				0100-40-400-19-02-510001-	Departmental Supplies			
54.57				5101-50-400-24-00-510001-	Departmental Supplies			
54.58				0100-30-400-25-00-510001-	Departmental Supplies			
				37894 5031096917	12/01/2022	120822	194.13	
Invoice: 5031096917				36757	ALL PW'S - UNIFORM SERVICES			
22.57				0100-30-400-25-00-500502-	Uniform & Equipment Allowance			
8.77				5101-50-400-24-00-500502-	Uniform & Equipment Allowance			
17.13				5101-50-400-24-00-510001-	Departmental Supplies			
78.72				0100-40-400-19-02-500502-	Uniform & Equipment Allowance			
1.45				5006-40-400-23-00-500502-	Uniform & Equipment Allowance			
13.15				5000-40-400-21-00-500502-	Uniform & Equipment Allowance			
47.51				5002-40-400-20-00-500502-	Uniform & Equipment Allowance			
.83				5000-40-400-21-00-500502-	Uniform & Equipment Allowance			
4.00				5101-50-400-24-00-500502-	Uniform & Equipment Allowance			
				37905 5031097110	12/01/2022	72 120822	92.71	
Invoice: 5031097110				36768	ENGINEERING - MAT SERVICES			
92.71				0100-40-400-18-00-510100-	Service Agreements			
				37990 503000527943	07/01/2022	120822	381.71	
Invoice: 503000527943				36850	PW's Mat Service			
76.34				5002-40-400-20-00-510001-	Departmental Supplies			
76.34				5000-40-400-21-00-510001-	Departmental Supplies			
76.34				0100-40-400-19-02-510001-	Departmental Supplies			
76.34				5101-50-400-24-00-510001-	Departmental Supplies			
76.35				0100-30-400-25-00-510001-	Departmental Supplies			
				37991 503000527929	07/01/2022	120822	224.51	
Invoice: 503000527929				36851	PW's Uniforms			
61.26				0100-30-400-25-00-500502-	Uniform & Equipment Allowance			
9.61				5101-50-400-24-00-500502-	Uniform & Equipment Allowance			
3.55				5101-50-400-24-00-510001-	Departmental Supplies			
79.21				0100-40-400-19-02-500502-	Uniform & Equipment Allowance			
.68				5006-40-400-23-00-500502-	Uniform & Equipment Allowance			

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				DOCUMENT	INVOICE DTL	DESC		
				22.74 5000-40-400-21-00-500502-		Uniform & Equipment Allowance		
				40.67 5002-40-400-20-00-500502-		Uniform & Equipment Allowance		
				6.79 5101-50-400-24-00-500502-		Uniform & Equipment Allowance		
					CHECK	1010351 TOTAL:		1,190.57
1010352	12/08/2022	PRTD	171 CENTRAL CALIFORNIA T	37889 1122485	11/30/2022	120822		2,765.00
				36754				
				Invoice: 1122485		Expedited COVID-19 PCR Tests for City Staff		
				2,765.00 0100-10-135-09-00-510060-		Med/Safety Test		
					CHECK	1010352 TOTAL:		2,765.00
1010353	12/08/2022	PRTD	14008 BADGER METER	37852 80112862	11/30/2022	23000205 120822		500.54
				36719				
				Invoice: 80112862		WATER METER - METER UPGRADES		
				500.54				
				E WA00007 -50 -525 -				
				5002-60-400-20-00-580100-		Capital Prj.- Infrastructure		
				37993 1544321	12/05/2022	23000205 120822		1,329.53
				36853				
				Invoice: 1544321		WATER METER - METER UPGRADES		
				1,329.53				
				E WA00007 -50 -525 -				
				5002-60-400-20-00-580100-		Capital Prj.- Infrastructure		
					CHECK	1010353 TOTAL:		1,830.07
1010354	12/08/2022	PRTD	706 BEAD SALE LLC	37805 154140653	11/07/2022	120822		164.00
				36672				
				Invoice: 154140653		City Holiday Decor		
				164.00 0100-10-100-01-00-510802-		Community Promotion		
					CHECK	1010354 TOTAL:		164.00
1010355	12/08/2022	PRTD	97 BEST BEST & KRIEGER	38040 950152	10/31/2022	120822		20,557.95
				36896				
				Invoice: 950152		LEGAL SERVICES THROUGH OCTOBER 31 2022		
				20,557.95 0100-10-130-08-00-510420-		Legal Services		
				38041 950153	10/31/2022	120822		16,526.35
				36897				
				Invoice: 950153		LEGAL SERVICES THROUGH OCTOBER 31 2022		
				14,437.71 0100-10-130-08-00-510420-		Legal Services		
				156.65 0100-10-130-08-00-510421-		Legal Services - Personnel		
				78.32 0100-60-125-06-00-580000-		Capital Prj.- Land		
				52.22 5001-40-400-22-00-510420-		Legal Services		

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				DOCUMENT	INVOICE DTL	DESC		
		130.54	0100-40-400-18-00-510420-			Legal Services		
		1,670.91						
			E PK00005 -90 -905 -			Capital Prj.- Other Imp.		
			0100-60-400-25-30-580300-ARPA					
					CHECK	1010355 TOTAL:		37,084.30
1010356	12/08/2022	PRTD	538 BIG STOP MARKET INC	37952 NOVEMBER 2022	11/30/2022	120822		571.00
				36813				
			Invoice: NOVEMBER 2022		1,142	PAYMENTS @ 0.50 CENTS EACH		
		142.75	5000-40-400-21-00-510400-			Professional Services		
		142.75	5001-40-400-22-00-510400-			Professional Services		
		285.50	5002-40-400-20-00-510400-			Professional Services		
					CHECK	1010356 TOTAL:		571.00
1010357	12/08/2022	PRTD	5153 BRIGHT HOUSE NETWORK	38020 167729101111422	11/14/2022	120822		314.00
				36877				
			Invoice: 167729101111422			Police-Backup internet service		
		314.00	0100-20-200-14-00-510701-			Communications		
					CHECK	1010357 TOTAL:		314.00
1010358	12/08/2022	PRTD	7613 CA STATE DISBURSEMEN	37812 20-2041314	12/02/2022	120822		230.76
				36679				
			Invoice: 20-2041314			GARNISHMENT # 20-2041314		
		230.76	0100-00-000-00-00-205141-			Garnishments Payable		
					CHECK	1010358 TOTAL:		230.76
1010359	12/08/2022	PRTD	7613 CA STATE DISBURSEMEN	37813 20-1412669	12/02/2022	120822		300.00
				36680				
			Invoice: 20-1412669			GARNISHMENT # 20-1412669		
		300.00	0100-00-000-00-00-205141-			Garnishments Payable		
					CHECK	1010359 TOTAL:		300.00
1010360	12/08/2022	PRTD	7613 CA STATE DISBURSEMEN	37814 2-1501646	12/02/2022	120822		134.30
				36681				
			Invoice: 2-1501646			GARNISHMENT #2-1501646		
		134.30	0100-00-000-00-00-205141-			Garnishments Payable		
					CHECK	1010360 TOTAL:		134.30

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1010361	12/08/2022	PRTD	15453	CARASOFT TECHNOLOGY	37965 36826	IN1291426	12/05/2022	23000379 120822	8,996.00	
Invoice: IN1291426				8,996.00 0100-20-200-14-00-510105-			POLICE - CELLBRITE SOFTWARE RENEWAL Software Licensing			
							CHECK	1010361 TOTAL:	8,996.00	
1010362	12/08/2022	PRTD	14425	CARLOS QUEZADA	37964 36825	2022-11-25	11/25/2022	120822	690.00	
Invoice: 2022-11-25				690.00 0100-20-200-14-00-510300-			POLICE - FLEET WASHES Vehicle Operations			
				37971 086823 36832			11/25/2022	79 120822	130.00	
Invoice: 086823				130.00 5003-40-140-12-00-510300-			TRANSIT FLEET WASHES Vehicle Operations			
				37972 086822 36833			11/25/2022	74 120822	150.00	
Invoice: 086822				150.00 0100-40-400-18-00-510300-			ENGINEERING FLEET WASHES Vehicle Operations			
				37974 086819 36835			11/25/2022	71 120822	270.00	
Invoice: 086819				270.00 0100-10-405-26-00-510300-			BUILDING FLEET WASHES Vehicle Operations			
				37975 086818 36836			11/25/2022	77 120822	60.00	
Invoice: 086818				30.00 0100-40-400-19-02-510300- 30.00 5002-40-400-20-00-510300-			PW FLEET WASHES (PK 219,119) Vehicle Operations Vehicle Operations			
							CHECK	1010362 TOTAL:	1,300.00	
1010363	12/08/2022	PRTD	640	J.L. PLANK, INCORPOR	37839 36707	2206-03	08/31/2022	120822	4,052.64	
Invoice: 2206-03				4,052.64			PARK - STRINGHAM - BUS BAY/BUS STOP			
				E PK00007 -50 -525 0100-60-400-25-37-580200-			Capital Prj.- Buildings & Imp.			
							CHECK	1010363 TOTAL:	4,052.64	
1010364	12/08/2022	PRTD	175	CITYGATE ASSOCIATES,	37968 36829	31108	11/30/2022	120822	1,438.50	
Invoice: 31108				1,438.50 0100-10-110-03-00-510400-			STATION PLANNING ASSISTANCE Professional Services			

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						CHECK	1010364	TOTAL:	1,438.50
1010365	12/08/2022	PRTD	14335	CORE & MAIN LP	37859 R868648 36725	11/23/2022	110	120822	878.48
Invoice: R868648						WATER - BILGE PUMP/HOOK/TUBING Repairs & Maintenance			
878.48 5002-40-400-20-00-510200-									
						11/23/2022	110	120822	953.45
Invoice: R853571						WATER - SLEEVE/IMP BID/GEN/GSKT Repairs & Maintenance			
953.45 5002-40-400-20-00-510200-									
						11/23/2022	110	120822	1,061.17
Invoice: R548338						WATER - MIPXITCTS NO LEAD Repairs & Maintenance			
1,061.17 5002-40-400-20-00-510200-									
						CHECK	1010365	TOTAL:	2,893.10
1010366	12/08/2022	PRTD	10013	CREATIVE SERVICES	38025 C22-26792 36882	11/16/2022		120822	420.95
Invoice: C22-26792						Police-Junior Office Badge Stickers Departmental Supplies			
420.95 0100-20-200-14-00-510001-									
						CHECK	1010366	TOTAL:	420.95
1010367	12/08/2022	PRTD	8437	DURA TECH USA INC	37899 5865 36761	11/28/2022	23000324	120822	47,833.45
Invoice: 5865						Police - Getac Rugged Toughbook Mobile Computers Hardware, Tools, Equip, Mainte			
47,833.45 0100-20-200-14-00-510202-									
						CHECK	1010367	TOTAL:	47,833.45
1010368	12/08/2022	PRTD	656	EKC ENTERPRISES INC	37960 44829 36821	11/29/2022	23000302	120822	1,527.87
Invoice: 44829						migration labor for door lock system Communications			
1,527.87 0100-20-200-14-00-510701-									
						CHECK	1010368	TOTAL:	1,527.87
1010369	12/08/2022	PRTD	12703	GOLDEN VALLEY	37832 SO241645 36699	10/19/2022	44	120822	75.13
Invoice: SO241645						PARKS - STAPLE ROUND Departmental Supplies			
75.13 0100-30-400-25-00-510001-									
						11/22/2022	44	120822	172.59

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					DOCUMENT	INVOICE DTL DESC			
Invoice: SO242600					36700				
		172.59	0100-30-400-25-00-510001-			PARKS - SIERRA SQUIRREL BAIT Departmental Supplies			
					37997 36856	INV1032848	12/02/2022	120822	145.92
Invoice: INV1032848									
		145.92	0100-30-400-25-00-510001-			PARKS - SOAP DISPENSER/FOAM SOAP Departmental Supplies			
							CHECK	1010369	TOTAL: 393.64
1010370	12/08/2022	PRTD	12729	HAAKER EQUIPMENT COM	37891 36755	C5A04S	10/24/2022	120822	509.95
Invoice: C5A04S									
		509.95	0100-40-400-19-02-510200-			STREETS - ADAPTOR TUBE Repairs & Maintenance			
							CHECK	1010370	TOTAL: 509.95
1010371	12/08/2022	PRTD	859	HALL LETTER SHOP INC	37967 36828	25298	11/18/2022	120822	449.60
Invoice: 25298									
		449.60	0100-10-405-27-00-510000-			CODE ENFORCEMENT ENVELOPES Office Supplies			
							CHECK	1010371	TOTAL: 449.60
1010372	12/08/2022	PRTD	15464	HECTOR'S PLUMBING	37830 36698	5016	07/01/2022	120822	180.00
Invoice: 5016									
		180.00	0100-20-200-14-00-510200-			PD -Replace Urinal Filters Repairs & Maintenance			
					37986 36846	8725	07/01/2022	120822	240.00
Invoice: 8725									
		240.00	0100-40-400-18-00-510200-			Eng Building Maintenance on Two Toilets & Urinal Repairs & Maintenance			
					37992 36852	2563	12/06/2022	23000368	120822 1,650.00
Invoice: 2563									
		1,650.00				Tank 2 - Run Poly Gas Line			
					E WA00002 5002-60-400-20-00-580100-	-50 -525	-	Capital Prj.- Infrastructure	
							CHECK	1010372	TOTAL: 2,070.00
1010373	12/08/2022	PRTD	11083	HILL THREADED PRODUC	37906 36769	243523	12/01/2022	45	120822 285.00
Invoice: 243523									
		57.00	0100-40-400-19-02-510001-			ALL PW'S - VENDING MACHINE Departmental Supplies			

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					DOCUMENT	INVOICE DTL DESC				
					57.00	0100-30-400-25-00-510001-			Departmental Supplies	
					57.00	5000-40-400-21-00-510001-			Departmental Supplies	
					57.00	5002-40-400-20-00-510001-			Departmental Supplies	
					57.00	5101-50-400-24-00-510001-			Departmental Supplies	
							CHECK	1010373	TOTAL:	285.00
1010374	12/08/2022	PRTD	2	HITCHCOCK'S AUTO PAR	37819	7446-365066	11/22/2022	100	120822	23.81
					36686					
Invoice: 7446-365066										
					23.81	5002-40-400-20-00-510300-	WATER #117 - AIR FILTER		Vehicle Operations	
					37821	7446-365020	11/22/2022	100	120822	157.16
					36688					
Invoice: 7446-365020										
					157.16	0100-40-400-19-02-510300-	STREETS - BATTERY		Vehicle Operations	
					37822	7446-365072	11/22/2022	100	120822	32.72
					36689					
Invoice: 7446-365072										
					32.72	0100-40-400-19-02-510300-	STREETS - OIL 30W/DRAIN/EXTENSION		Vehicle Operations	
					37823	7446-365100	11/23/2022	100	120822	16.51
					36690					
Invoice: 7446-365100										
					16.51	0100-40-400-19-02-510300-	STREETS - COPPER PLUS/1/2 12P DPSKT		Vehicle Operations	
					37825	7446-365351	11/29/2022	49	120822	14.96
					36692					
Invoice: 7446-365351										
					14.96	0100-20-200-14-00-510300-	POLICE GEN #5 - FUEL TANK BUSHING		Vehicle Operations	
					37849	7446-353125	07/01/2022		120822	-23.60
					36716					
Invoice: 7446-353125										
					-23.60	5002-40-400-20-00-510200-	Generator-Core Return		Repairs & Maintenance	
					37909	7446-365565	12/01/2022	100	120822	16.40
					36772					
Invoice: 7446-365565										
					16.40	0100-30-400-25-00-510300-	PARKS - BATTERY CABLE - PRESSURE WASHER		Vehicle Operations	
					37911	7446-365508	11/30/2022		120822	280.71
					36774					
Invoice: 7446-365508										
					280.71	5006-40-400-23-00-510001-	RAIL - BAATTERY		Departmental Supplies	
					37912	7446-365505	11/30/2022	100	120822	6.42
					36775					
Invoice: 7446-365505										
					6.42	5002-40-400-20-00-510300-	WATER - MINI BULB-LONG LIFE		Vehicle Operations	

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				DOCUMENT	INVOICE	DTL	DESC			
				37913	7446-365478		11/30/2022	100	120822	6.44
				36776						
Invoice: 7446-365478										
	6.44	5101-50-400-24-00-510300-				SHOP - PRIME GUARD 32 WWF			Vehicle Operations	
				37914	7446-365467		11/30/2022		120822	27.05
				36777						
Invoice: 7446-365467										
	27.05	0100-10-100-01-00-510802-				PARADE GATOR - GLASS CLEANER/TIRE/TRIM SHINE			Community Promotion	
				37915	7446-365466		11/30/2022	49	120822	3.22
				36778						
Invoice: 7446-365466										
	3.22	0100-20-200-14-00-510300-				POLICE #183 - OIL FILTER			Vehicle Operations	
				37916	7446-365453		11/30/2022	100	120822	51.17
				36779						
Invoice: 7446-365453										
	51.17	5002-40-400-20-00-510300-				WATER #315 - OIL 5W30/OIL FILTER			Vehicle Operations	
				37917	7446-365448		11/30/2022	49	120822	57.04
				36780						
Invoice: 7446-365448										
	57.04	0100-20-200-14-00-510300-				POLICE #49 - 22 ICON WIPER BLADE			Vehicle Operations	
				37932	7446-365616		12/01/2022	140	120822	57.04
				36794						
Invoice: 7446-365616										
	57.04	0100-10-405-26-00-510300-				VEHICLE MAINT. REPAIRS - BLDG FLEET FY 22/23			Vehicle Operations	
				37934	7446-365611		12/01/2022	140	120822	57.04
				36796						
Invoice: 7446-365611										
	57.04	0100-10-405-26-00-510300-				VEHICLE MAINT. REPAIRS - BLDG FLEET FY 22/23			Vehicle Operations	
				38011	7446-365652		12/02/2022		120822	57.04
				36870						
Invoice: 7446-365652										
	57.04	0100-20-200-14-00-510300-				Police-wiper blade-Unit #171			Vehicle Operations	
				38012	7446-365653		12/02/2022		120822	57.04
				36871						
Invoice: 7446-365653										
	57.04	0100-20-200-14-00-510300-				Police-wiper blade Unit#110			Vehicle Operations	
				38018	7446-265540		12/01/2022		120822	56.68
				36876						
Invoice: 7446-265540										
	56.68	5000-40-400-21-00-510001-				WASTE WATER - SCHNAIDT SEWER - AIR			Departmental Supplies	
				38021	7446-365667		12/02/2022	100	120822	24.91

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		DOCUMENT	INVOICE DTL	DESC			
Invoice: 7446-365667		36878	STREETS - V-BELT-TOP				
			Vehicle Operations				
		24.91 0100-40-400-19-02-510300-					
		38029 7446-365675	12/02/2022 100		120822		12.48
		36886					
Invoice: 7446-365675			STREETS - V-BELT-TOP				
			Vehicle Operations				
		12.48 0100-40-400-19-02-510300-					
		38030 7446-365693	12/02/2022 100		120822		35.44
		36887					
Invoice: 7446-365693			STREETS - FRAM ANT FS 1GAL				
			Vehicle Operations				
		35.44 0100-40-400-19-02-510300-					
		38032 7446-365764	12/05/2022 100		120822		13.01
		36888					
Invoice: 7446-365764			STREETS - V-BELT-TOP				
			Vehicle Operations				
		13.01 0100-40-400-19-02-510300-					
		38033 7446-365765	12/05/2022		120822		-12.43
		36889					
Invoice: 7446-365765			STREETS - V-BELT-TOP				
			Departmental Supplies				
		-12.43 0100-40-400-19-02-510001-					
		38034 7446-365635	12/02/2022 100		120822		23.47
		36890					
Invoice: 7446-365635			PARKS - WIPER BLADE				
			Vehicle Operations				
		23.47 0100-30-400-25-00-510300-					
		38035 7446-365625	12/01/2022 100		120822		7.93
		36891					
Invoice: 7446-365625			SHOP - SLOT SCRWDVR 1/8x4				
			Vehicle Operations				
		7.93 5101-50-400-24-00-510300-					
		38036 7446-365558	12/01/2022 100		120822		80.53
		36892					
Invoice: 7446-365558			SHOP - CTI CLASSES				
			Vehicle Operations				
		80.53 5101-50-400-24-00-510300-					
		38037 7446-365581	12/01/2022 49		120822		3.22
		36893					
Invoice: 7446-365581			POLICE #204 - OIL FILTER				
			Vehicle Operations				
		3.22 0100-20-200-14-00-510300-					
		38045 7446-365542	12/01/2022 100		120822		8.91
		36901					
Invoice: 7446-365542			STREETS - ELECTRICAL ACCESSORY				
			Vehicle Operations				
		8.91 0100-40-400-19-02-510300-					
			CHECK	1010374	TOTAL:		1,152.32

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DOCUMENT					INVOICE DTL DESC			
1010375	12/08/2022	PRTD	10148 INFOSEND INC	38061 224071 36916	11/01/2022	120822	434.00	
Invoice: 224071					MONTHLY SERVICE FEE OCTOBER 2022			
108.50 5000-40-400-21-00-510400-					Professional Services			
108.50 5001-40-400-22-00-510400-					Professional Services			
217.00 5002-40-400-20-00-510400-					Professional Services			
					CHECK	1010375 TOTAL:	434.00	
1010376	12/08/2022	PRTD	707 JACK DAVENPORT SWEEP	38009 153000 36868	11/23/2022	120822	980.00	
Invoice: 153000					E EUCLID & NIKEL - BROOM SWEEPING			
980.00					Capital Prj.- Infrastructure			
E ST00030 -50 -525 -								
0207-60-400-19-02-580100-								
					CHECK	1010376 TOTAL:	980.00	
1010377	12/08/2022	PRTD	14649 JOEL PEREZ	37939 258 36801	11/30/2022	120822	24.70	
Invoice: 258					SLLC Classroom supplies			
24.70 0100-30-300-04-00-510016-					Classroom Supplies			
					CHECK	1010377 TOTAL:	24.70	
1010378	12/08/2022	PRTD	14588 JOHNSON CONTROLS	37929 89289844 36791	11/07/2022	120822	3,932.64	
Invoice: 89289844					EQUIPMENT INSTALL - MCCF			
3,932.64 5100-50-405-28-00-510701-MCCF					Communications			
					CHECK	1010378 TOTAL:	3,932.64	
1010379	12/08/2022	PRTD	1021 KERN COUNTY CLERKS O	38052 NIINV12/08/22 36907	12/08/2022	120822	50.00	
Invoice: NIINV12/08/22					7th Standard LN#2 Reconstruction NOE Filing			
50.00					Capital Prj.- Infrastructure			
E ST00032 -10 -100 -								
0204-60-400-19-02-580100-								
					CHECK	1010379 TOTAL:	50.00	
1010380	12/08/2022	PRTD	8865 KERN PLUMBING & BACK	37855 12738 36722	10/25/2022	120822	75.00	
Invoice: 12738					WATER - BAKCFLOW CERTIFICATE			
75.00 5002-40-400-20-00-510200-					Repairs & Maintenance			

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DOCUMENT					INVOICE DTL DESC			
					CHECK	1010380	TOTAL:	75.00
1010381	12/08/2022	PRTD	379 FLORENTINO MACIAS JR	37816 171	11/30/2022	120822		216.83
				36683				
Invoice: 171				216.83	0100-30-400-25-55-510001-	Veterans Hall cleaning supplies		
						Departmental Supplies		
				37946 167	11/30/2022	120822		4,490.11
				36807				
Invoice: 167				4,490.11	0100-20-200-14-00-510109-	POLICE - JANITORIAL SERVICE - NOVEMBER 2022		
						Janitorial Services		
				37978 172	11/30/2022	120822		1,500.00
				36838				
Invoice: 172				1,500.00	0100-30-400-25-55-510200-	One time thorough cleaning of Vets Hall		
						Repairs & Maintenance		
					CHECK	1010381	TOTAL:	6,206.94
1010382	12/08/2022	PRTD	606 MARCIAL MASCORRO	37857 5933	11/29/2022	23000323	120822	3,750.00
				36724				
Invoice: 5933				3,750.00	0800-40-400-19-04-510400-	STREETS LLMD - REPAIR DAMAGED STUCCO FENCE		
						Professional Services		
					CHECK	1010382	TOTAL:	3,750.00
1010383	12/08/2022	PRTD	1900 MUNISERVICES	38060 INV06-015522	11/30/2022	120822		349.49
				36915				
Invoice: INV06-015522				349.49	0100-10-140-10-00-510100-	SUTA SERVICES FOR THE TAX QUARTER ENDING 06/30/22		
						Service Agreements		
					CHECK	1010383	TOTAL:	349.49
1010384	12/08/2022	PRTD	9992 O'REILLY AUTOMOTIVE	38013 2947-280804	12/06/2022	120822		799.20
				36872				
Invoice: 2947-280804				799.20	5002-40-400-20-00-510200-	WATER GEN - PERF FORMULA		
						Repairs & Maintenance		
					CHECK	1010384	TOTAL:	799.20
1010385	12/08/2022	PRTD	21 OFFICE DEPOT BUSINES	37988 242652283001	07/01/2022	120822		67.24
				36848				
Invoice: 242652283001				16.81	5002-40-400-20-00-510001-	PW Breakroom - Foam Cups		
				16.81	0100-40-400-19-02-510001-	Departmental Supplies		
				16.81	5101-50-400-24-00-510001-	Departmental Supplies		
				16.81	0100-30-400-25-00-510001-	Departmental Supplies		

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				DOCUMENT	INVOICE DTL DESC				
					CHECK	1010385	TOTAL:		67.24
1010386	12/08/2022	PRTD	4	PACIFIC GAS & ELECTR	37798	2201390425-9	NOV 22	11/21/2022	120822
					36665				784.75
				Invoice: 2201390425-9	NOV 22				
				784.75	5000-40-400-21-00-510707-				
					37799	1389756191-9	NOV 22	11/22/2022	120822
					36666				35.40
				Invoice: 1389756191-9	NOV 22				
				35.40	5000-40-400-21-00-510707-				
					CHECK	1010386	TOTAL:		820.15
1010387	12/08/2022	PRTD	11867	PACIFIC TIRE	38010	31834		12/02/2022	120822
					36869				44.29
				Invoice: 31834					
				44.29	0100-20-200-14-00-510300-				
					38039	31768		11/28/2022	120822
					36895				22.14
				Invoice: 31768					
				22.14	0100-40-400-19-02-510300-				
					CHECK	1010387	TOTAL:		66.43
1010388	12/08/2022	PRTD	6562	PEOPLEFACTS LLC	37888	2022110270		12/01/2022	120822
					36753				31.87
				Invoice: 2022110270					
				31.87	0100-20-200-14-00-510115-				
					CHECK	1010388	TOTAL:		31.87
1010389	12/08/2022	PRTD	83	REXEL USA, INC	37926	3J61414		12/01/2022	120822
					36789				1,222.86
				Invoice: 3J61414					
				1,222.86	0100-40-400-19-02-510001-				
					CHECK	1010389	TOTAL:		1,222.86
1010390	12/08/2022	PRTD	1622	QUILL CORPORATION	37943	28701261		10/31/2022	23000245 120822
					36805				80.27
				Invoice: 28701261					
				26.77	0100-10-140-10-00-510000-				
				26.75	0100-10-405-26-00-510000-				
				26.75	0100-10-405-27-00-510000-				
					OFFICE SUPPLIES - CITY SERVICES DEPT.				
					Office Supplies				
					Office Supplies				
					Office Supplies				

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		DOCUMENT		INVOICE DTL		DESC	
				CHECK	1010390	TOTAL:	80.27
1010391	12/08/2022	PRTD	2729 R & R COMMERCIAL LAW	37847	12228	11/01/2022 23000230 120822	2,880.00
	Invoice: 12228			36714		Core City Lerdo Highway Median Maintenance	
			2,880.00	0100-40-400-19-04-510110-		Landscaping Services	
				CHECK	1010391	TOTAL:	2,880.00
1010392	12/08/2022	PRTD	7916 REVIVAL ANIMAL HEALT	37613	INV193416	11/21/2022 23000375 120822	666.43
	Invoice: INV193416			36485		Veterinary Care Supplies	
			666.43	0100-20-200-15-00-510001-		Departmental Supplies	
				CHECK	1010392	TOTAL:	666.43
1010393	12/08/2022	PRTD	292 RODNEY BECKER	37951	DECEMBER 2022	12/01/2022 120822	200.00
	Invoice: DECEMBER 2022			36812		PARKING LOT LEASE PAYMENT	
			200.00	0100-10-000-00-00-510600-		Rents & Leases	
				CHECK	1010393	TOTAL:	200.00
1010394	12/08/2022	PRTD	264 RICHARD SALAZAR JR	37836	2022-627	11/27/2022 120822	208.00
	Invoice: 2022-627			36703		ENGINEERING - REPAIR CONDUIT & RE/SPLICE	
			208.00	0100-40-400-18-00-510200-		Repairs & Maintenance	
				37981	2022-703	12/04/2022 120822	515.00
	Invoice: 2022-703			36841		CORP YARD POWER - FRONT OFFICE AREA	
			257.50	0100-30-400-25-00-510110-		Landscaping Services	
			257.50	0100-40-400-19-04-510110-		Landscaping Services	
				37984	2022-704	12/04/2022 120822	534.00
	Invoice: 2022-704			36844		DOWNTOWN STAGE - ELEC EWORK FOR CHRISTAMS	
			534.00	0100-10-100-01-00-510802-		Community Promotion	
				CHECK	1010394	TOTAL:	1,257.00
1010395	12/08/2022	PRTD	285 RUSSELL (FRANK) MFG	37826	768833	11/17/2022 120822	69.69
	Invoice: 768833			36693		WASTE WATER - MANUEL&FRESNO LEFT STATION-HOSE	
			69.69	5000-40-400-21-00-510001-		Departmental Supplies	

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DOCUMENT					INVOICE DTL DESC			
1010400	12/08/2022	PRTD	12962 SEQUOIA EQUIPMENT CO	37831 001-12110 36697	11/03/2022	20220826	120822	56,398.49
Invoice: 001-12110					PW'S - MINI EXCAVATOR PURCHASE			
28,199.24 5000-60-400-21-00-570200-					Machinery & Equipment			
28,199.25 5002-60-400-20-00-570200-					Machinery & Equipment			
					CHECK	1010400	TOTAL:	56,398.49
1010401	12/08/2022	PRTD	291 SHAFTER PARTS & SUPP	37887 033583 36752	12/01/2022		120822	101.38
Invoice: 033583					WASTE WATER - AIR FILTER			
101.38 5002-40-400-20-00-510001-					Departmental Supplies			
					CHECK	1010401	TOTAL:	101.38
1010402	12/08/2022	PRTD	35 SHAFTER POLICE OFFIC	37807 12/2/2022 36674	12/02/2022		120822	1,240.00
Invoice: 12/2/2022					12/2/2022	DUES		
1,240.00 0100-00-000-00-00-205145-					Association Dues Payable			
					CHECK	1010402	TOTAL:	1,240.00
1010403	12/08/2022	PRTD	10357 SHAFTER TRANSMISSION	37937 71915 36799	10/27/2022	23000355	120822	1,312.55
Invoice: 71915					2009 CHEVROLET - IMPALA - BLDG REPAIRS			
1,312.55 5100-50-405-28-00-510300-					Vehicle Operations			
					CHECK	1010403	TOTAL:	1,312.55
1010404	12/08/2022	PRTD	15015 SHAFTER TRUE VALUE I	37871 2211-048900 36737	11/30/2022		120822	72.36
Invoice: 2211-048900					WATER - WALL SCRAPER/HOLE SAW/GALV BRAD NAIL			
14.99 5002-40-400-20-00-510200-					Repairs & Maintenance			
57.37 5002-40-400-20-00-510001-					Departmental Supplies			
					11/30/2022	81	120822	115.80
Invoice: 2211-048862					PARKS - LHRP DIGGING SHOVEL			
115.80 0100-30-400-25-00-510001-					Departmental Supplies			
					11/30/2022	81	120822	11.13
Invoice: 2211-048851					STREETS - GREEN NYLON			
11.13 0100-40-400-19-02-510001-					Departmental Supplies			
					11/18/2022	81	120822	60.05

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		DOCUMENT		INVOICE	DTL	DESC		
Invoice: 2211-046598	60.05	0100-30-400-25-00-510001-		PARKS - VALVE BOX/COVER		Departmental Supplies		
		37877 2211-048847		11/30/2022	120822		233.87	
		36743						
Invoice: 2211-048847	233.87	0100-10-100-01-00-510802-		CITY COUNCIL - CHRISTMAS PARADE		Community Promotion		
		37879 2211-048652		11/29/2022	120822		-18.23	
		36745						
Invoice: 2211-048652	-18.23	0100-30-400-25-00-510001-		PARKS - HINGE HASP/SAFETY HASP		Departmental Supplies		
		37881 2211-048660		11/29/2022	81 120822		6.42	
		36746						
Invoice: 2211-048660	6.42	0100-40-400-19-02-510001-		STREETS - TOOL CACHE		Departmental Supplies		
		37883 2211-048821		11/30/2022	81 120822		38.37	
		36748						
Invoice: 2211-048821	38.37	0100-40-400-19-02-510001-		STREETS - NATURAL NYLON		Departmental Supplies		
		37884 2211-048827		11/30/2022	81 120822		117.92	
		36749						
Invoice: 2211-048827	117.92	0100-30-400-25-00-510001-		PARKS - LUMEN LED E26 BULB		Departmental Supplies		
		37886 2211-048855		11/30/2022	97 120822		77.53	
		36751						
Invoice: 2211-048855	77.53	5002-40-400-20-00-510200-		WATER - COUPLING/NAILS/TAPE/ELBOW/PIPE		Repairs & Maintenance		
		37918 2212-049055		12/01/2022	81 120822		21.44	
		36781						
Invoice: 2212-049055	21.44	0100-40-400-19-02-510001-		STREETS - ENER 16PK AA BATTERY		Departmental Supplies		
		37919 2212-049141		12/02/2022	81 120822		19.19	
		36782						
Invoice: 2212-049141	19.19	0100-40-400-19-02-510001-		STREETS - 50LBS NATURAL NYLON		Departmental Supplies		
		37921 2212-049003		12/01/2022	120822		41.98	
		36784						
Invoice: 2212-049003	41.98	0100-10-100-01-00-510802-		CHRISTMAS PARADE - PH AP SCREW/GARLAND		Community Promotion		
		37922 2212-049170		12/02/2022	81 120822		5.57	
		36785						
Invoice: 2212-049170	5.57	0100-40-400-19-02-510001-		STREETS - 50LBS GREEN NYLON		Departmental Supplies		

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				VOUCHER	INVOICE	Cash7135	INV DATE	PO	WARRANT	NET
				DOCUMENT		INVOICE	DTL	DESC		
				37923	2211-044848		11/08/2022		120822	57.97
				36786						
Invoice: 2211-044848				26.99	5002-40-400-20-00-510001-	WATER - CONNECTOR/RUBB HOSE WASHER/FUEL		Departmental Supplies		
				30.98	5002-40-400-20-00-510200-	Repairs & Maintenance				
				37924	2211-046428		11/17/2022		120822	117.93
				36787						
Invoice: 2211-046428				50.08	5002-40-400-20-00-510001-	WATER - COUPLING/MIX LID/PAIL/ROACH KILLER		Departmental Supplies		
				67.85	5002-40-400-20-00-510200-	Repairs & Maintenance				
				37938	2211-045226		11/10/2022		120822	116.24
				36800						
Invoice: 2211-045226				116.24	5100-50-405-28-00-510200-	BLDG MAINT. SUPPLIES		Repairs & Maintenance		
				37940	2211-045323		11/11/2022		120822	37.84
				36802						
Invoice: 2211-045323				37.84	5100-50-405-28-00-510200-	BLDG MAINT. SUPPLIES		Repairs & Maintenance		
				37994	2212-049888		12/06/2022	81	120822	11.35
				36854						
Invoice: 2212-049888				11.35	0100-40-400-19-02-510001-	STREETS - DUCT TAPE/HAND SANITIZER		Departmental Supplies		
				37996	2212-049898		12/06/2022	81	120822	60.19
				36855						
Invoice: 2212-049898				60.19	0100-30-400-25-00-510001-	PARKS - WHT CAP THREADED/REDU BUSHING		Departmental Supplies		
				38002	2212-049778		12/05/2022	81	120822	12.28
				36861						
Invoice: 2212-049778				12.28	0100-30-400-25-00-510001-	PARKS - WHT MPT PLUG		Departmental Supplies		
				38003	2212-049753		12/05/2022	81	120822	15.64
				36862						
Invoice: 2212-049753				15.64	0100-40-400-19-02-510001-	STREETS - SATESPRE PAINT		Departmental Supplies		
				38004	2212-049725		12/05/2022	81	120822	10.68
				36863						
Invoice: 2212-049725				10.68	0100-40-400-19-02-510001-	STREETS - MISC ITEM		Departmental Supplies		
				38005	2212-049230		12/02/2022	81	120822	19.29
				36864						
Invoice: 2212-049230				19.29	5002-40-400-20-00-510001-	WATER - TAPE MEASURE		Departmental Supplies		

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				DOCUMENT	INVOICE	DTL	DESC			
				37925 36788	TFL442	12/01/2022	78	120822		53.57
Invoice: TFL442				53.57	0100-40-400-19-02-510001-	STREETS - SPRYPNT GLITTR CHRY BOMB	Departmental Supplies			
				37998 36857	TFQK05	12/05/2022	78	120822		23.14
Invoice: TFQK05				23.14	5002-40-400-20-00-510001-	WATER - BRAD NAILS BROWN 18GA	Departmental Supplies			
				37999 36858	TFRJ93	12/05/2022	78	120822		29.99
Invoice: TFRJ93				29.99	5002-40-400-20-00-510001-	WATER - SANDDISC VENT HL/YELLOW RED SPRY	Departmental Supplies			
				38001 36860	TFN967	12/02/2022	78	120822		25.72
Invoice: TFN967				25.72	5002-40-400-20-00-510001-	WATER - USB CABLE	Departmental Supplies			
								CHECK	1010406 TOTAL:	486.49
1010407	12/08/2022	PRTD	155	TELSTAR INSTRUMENTS	37989 36849	20-40579	12/05/2022	120822		766.00
Invoice: 20-40579				766.00	5000-40-400-21-00-510200-	WASTE WATER - SMARTCOVER REPAIR	Repairs & Maintenance			
								CHECK	1010407 TOTAL:	766.00
1010408	12/08/2022	PRTD	30	TERMINIX INTERNATIONAL	37854 36721	420359277	07/01/2022	120822		124.00
Invoice: 420359277				31.00	5002-40-400-20-00-510400-	PW Pest Control Service -	Professional Services			
				31.00	0100-40-400-19-02-510400-	Professional Services	Professional Services			
				31.00	5000-40-400-21-00-510400-	Professional Services	Professional Services			
				31.00	0100-30-400-25-00-510400-	Professional Services	Professional Services			
				37969 36830	426871757	11/08/2022	69	120822		108.00
Invoice: 426871757				108.00	5100-50-405-28-00-510200-	PEST CONTROL SERVICE - CITY HALL	Repairs & Maintenance			
								CHECK	1010408 TOTAL:	232.00
1010409	12/08/2022	PRTD	293	THE GAS CO - SO CA G	37793 36660	10954207733 NOV 22	11/17/2022	120822		16.62
Invoice: 10954207733 NOV 22				16.62	5002-40-400-20-00-510708-	NATURAL GAS CHARGES	Natural Gas			

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				DOCUMENT	INVOICE DTL	DESC		
					CHECK	1010409	TOTAL:	16.62
1010410	12/08/2022	PRTD	14473	WASCO VETERINARY CLI	37612	112522	11/03/2022	23000374 120822
				36484				745.00
				Invoice: 112522				
				745.00	0100-20-200-15-00-510111-			
							Veterinary Care Services	
							Adoption Services	
							CHECK	1010410 TOTAL: 745.00
1010411	12/08/2022	PRTD	13495	WINTER AUTOMOTIVE RE	38014	7339	12/02/2022	120822 184.00
				36873				
				Invoice: 7339				
				184.00	0100-20-200-14-00-510300-			
							Police-New brakes-Unit #204	
							Vehicle Operations	
				38022	7331	11/30/2022	120822	138.00
				36879				
				Invoice: 7331				
				138.00	0100-20-200-14-00-510300-			
							Police-vehicle repairs S.E.S. lights Unit# 110	
							Vehicle Operations	
							CHECK	1010411 TOTAL: 322.00
1010412	12/08/2022	PRTD	1495	WITCHER ELECTRIC INC	37838	38264AA	07/01/2022	120822 155.64
				36705				
				Invoice: 38264AA				
				155.64	5002-40-400-20-00-510200-			
							well 16 & well 20-Clock Troubleshooting	
							Repairs & Maintenance	
				37840	38427AA	07/01/2022	120822	311.28
				36706				
				Invoice: 38427AA				
				311.28				
				E WA00005	-50	-525		
				5002-60-400-20-00-580100-				-
							Capital Prj.- Infrastructure	
				37842	38426AA	07/01/2022	120822	700.00
				36709				
				Invoice: 38426AA				
				700.00				
				E WA00005	-50	-525		
				5002-60-400-20-00-580100-				-
							Capital Prj.- Infrastructure	
				37843	38425AA	07/01/2022	120822	25.44
				36710				
				Invoice: 38425AA				
				25.44				
				E WA00005	-50	-525		
				5002-60-400-20-00-580100-				-
							Capital Prj.- Infrastructure	
				37853	39059AA	11/22/2022	120822	525.00
				36720				

A/P CASH DISBURSEMENTS JOURNAL
 CASH ACCOUNT: 0000-00-000-00-00-100001-
 CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

Cash7135

INV DATE

PO

WARRANT

NET

				DOCUMENT	INVOICE DTL	DESC		
Invoice: 39059AA					WATER - WELL #9	SCDDA		
				525.00				
				E WA00005	-50	-525	-	
				5002-60-400-20-00-580100-				
				Capital Prj.- Infrastructure				
				CHECK	1010412	TOTAL:	1,717.36	
				NUMBER OF CHECKS	76	*** CASH ACCOUNT TOTAL ***	429,661.93	
						COUNT	AMOUNT	
				TOTAL PRINTED CHECKS	69	215,875.78		
				TOTAL WIRE TRANSFERS	7	213,786.15		
				*** GRAND TOTAL ***				
				429,661.93				

A/P CASH DISBURSEMENTS JOURNAL

JOURNAL ENTRIES TO BE CREATED

CLERK: 5292blopez

YEAR	PER	JNL	SRC	ACCOUNT	EFF	DATE	JNL	DESC	REF	1	REF	2	REF	3	ACCOUNT	DESC	T	OB	DEBIT	CREDIT
															LINE	DESC				
2023	6	172																		
APP	0100-00-000-00-00-205000-															Accts Payable			347,639.98	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	0000-00-000-00-00-100001-															Cash: Mission Bank Acct#7135				429,661.93
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5000-00-000-00-00-205000-															Accts Payable			31,018.64	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5103-00-000-00-00-205000-															Accts Payable			291.58	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5101-00-000-00-00-205000-															Accts Payable			515.84	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5002-00-000-00-00-205000-															Accts Payable			39,192.31	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5006-00-000-00-00-205000-															Accts Payable			282.84	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5001-00-000-00-00-205000-															Accts Payable			303.47	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5003-00-000-00-00-205000-															Accts Payable			130.00	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	0207-00-000-00-00-205000-															Accts Payable			980.00	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	5100-00-000-00-00-205000-															Accts Payable			5,507.27	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	0204-00-000-00-00-205000-															Accts Payable			50.00	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
APP	0800-00-000-00-00-205000-															Accts Payable			3,750.00	
	12/08/2022	120822														AP CASH DISBURSEMENTS JOURNAL				
																GENERAL LEDGER TOTAL			429,661.93	429,661.93
APP	0000-00-000-00-00-209001-															Due To Funds - Gen Fund			347,639.98	
	12/08/2022	120822																		
APP	0100-00-000-00-00-109000-															Due From Funds - Cash Pool				347,639.98
	12/08/2022	120822																		
APP	0000-00-000-00-00-209036-															Due To Funds - Wastewtr Operat			31,018.64	
	12/08/2022	120822																		
APP	5000-00-000-00-00-109000-															Due From Funds - Cash Pool				31,018.64
	12/08/2022	120822																		
APP	0000-00-000-00-00-209049-															Due To Funds - Info Tech			291.58	
	12/08/2022	120822																		
APP	5103-00-000-00-00-109000-															Due From Funds - Cash Pool				291.58
	12/08/2022	120822																		
APP	0000-00-000-00-00-209047-															Due To Funds - Vehicle Maint			515.84	
	12/08/2022	120822																		
APP	5101-00-000-00-00-109000-															Due From Funds - Cash Pool				515.84
	12/08/2022	120822																		
APP	0000-00-000-00-00-209038-															Due To Funds - Water Operat			39,192.31	

A/P CASH DISBURSEMENTS JOURNAL
JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL									
SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC LINE DESC	T OB	DEBIT	CREDIT	
APP 5002-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			39,192.31	
APP 0000-00-000-00-00-209042-	12/08/2022	120822	120822			Due To Funds - Rail Operat		282.84		
APP 5006-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			282.84	
APP 0000-00-000-00-00-209037-	12/08/2022	120822	120822			Due To Funds - Refuse Operat		303.47		
APP 5001-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			303.47	
APP 0000-00-000-00-00-209039-	12/08/2022	120822	120822			Due To Funds - Transit Operat		130.00		
APP 5003-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			130.00	
APP 0000-00-000-00-00-209009-	12/08/2022	120822	120822			Due To Funds - RMRA		980.00		
APP 0207-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			980.00	
APP 0000-00-000-00-00-209046-	12/08/2022	120822	120822			Due To Funds - Facility Maint		5,507.27		
APP 5100-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			5,507.27	
APP 0000-00-000-00-00-209006-	12/08/2022	120822	120822			Due To Funds - TDA - Streets		50.00		
APP 0204-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			50.00	
APP 0000-00-000-00-00-209024-	12/08/2022	120822	120822			Due To Funds - LLMD - 001-2002		3,750.00		
APP 0800-00-000-00-00-109000-	12/08/2022	120822	120822			Due From Funds - Cash Pool			3,750.00	
SYSTEM GENERATED ENTRIES TOTAL								429,661.93	429,661.93	
JOURNAL 2023/06/172 TOTAL								859,323.86	859,323.86	

A/P CASH DISBURSEMENTS JOURNAL
 JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
0000 Pooled Cash Fund	2023 6	172	12/08/2022			
0000-00-000-00-00-100001-				Cash: Mission Bank Acct#7135		429,661.93
0000-00-000-00-00-209001-				Due To Funds - Gen Fund	347,639.98	
0000-00-000-00-00-209006-				Due To Funds - TDA - Streets	50.00	
0000-00-000-00-00-209009-				Due To Funds - RMRA	980.00	
0000-00-000-00-00-209024-				Due To Funds - LLMD - 001-2002	3,750.00	
0000-00-000-00-00-209036-				Due To Funds - Wastewtr Operat	31,018.64	
0000-00-000-00-00-209037-				Due To Funds - Refuse Operat	303.47	
0000-00-000-00-00-209038-				Due To Funds - Water Operat	39,192.31	
0000-00-000-00-00-209039-				Due To Funds - Transit Operat	130.00	
0000-00-000-00-00-209042-				Due To Funds - Rail Operat	282.84	
0000-00-000-00-00-209046-				Due To Funds - Facility Maint	5,507.27	
0000-00-000-00-00-209047-				Due To Funds - Vehicle Maint	515.84	
0000-00-000-00-00-209049-				Due To Funds - Info Tech	291.58	
				FUND TOTAL	429,661.93	429,661.93
0100 General Fund	2023 6	172	12/08/2022			
0100-00-000-00-00-109000-				Due From Funds - Cash Pool		347,639.98
0100-00-000-00-00-205000-				Accts Payable	347,639.98	
				FUND TOTAL	347,639.98	347,639.98
0204 Tran. Dev. Act - Streets	2023 6	172	12/08/2022			
0204-00-000-00-00-109000-				Due From Funds - Cash Pool		50.00
0204-00-000-00-00-205000-				Accts Payable	50.00	
				FUND TOTAL	50.00	50.00
0207 Road Maint & Rehab. Acct	2023 6	172	12/08/2022			
0207-00-000-00-00-109000-				Due From Funds - Cash Pool		980.00
0207-00-000-00-00-205000-				Accts Payable	980.00	
				FUND TOTAL	980.00	980.00
0800 LLMD - 001-2002	2023 6	172	12/08/2022			
0800-00-000-00-00-109000-				Due From Funds - Cash Pool		3,750.00
0800-00-000-00-00-205000-				Accts Payable	3,750.00	
				FUND TOTAL	3,750.00	3,750.00
5000 Wastewater Operations	2023 6	172	12/08/2022			
5000-00-000-00-00-109000-				Due From Funds - Cash Pool		31,018.64
5000-00-000-00-00-205000-				Accts Payable	31,018.64	
				FUND TOTAL	31,018.64	31,018.64
5001 Refuse Operations	2023 6	172	12/08/2022			
5001-00-000-00-00-109000-				Due From Funds - Cash Pool		303.47

A/P CASH DISBURSEMENTS JOURNAL
JOURNAL ENTRIES TO BE CREATED

FUND	YEAR	PER	JNL	EFF	DATE	DEBIT	CREDIT
ACCOUNT					ACCOUNT DESCRIPTION		
5001-00-000-00-00-205000-					Accts Payable	303.47	
					FUND TOTAL	303.47	303.47
5002 Water Operations	2023	6	172	12/08/2022			
5002-00-000-00-00-109000-					Due From Funds - Cash Pool		39,192.31
5002-00-000-00-00-205000-					Accts Payable	39,192.31	
					FUND TOTAL	39,192.31	39,192.31
5003 Transit Operations	2023	6	172	12/08/2022			
5003-00-000-00-00-109000-					Due From Funds - Cash Pool		130.00
5003-00-000-00-00-205000-					Accts Payable	130.00	
					FUND TOTAL	130.00	130.00
5006 Rail Operations	2023	6	172	12/08/2022			
5006-00-000-00-00-109000-					Due From Funds - Cash Pool		282.84
5006-00-000-00-00-205000-					Accts Payable	282.84	
					FUND TOTAL	282.84	282.84
5100 Facility Maintenance	2023	6	172	12/08/2022			
5100-00-000-00-00-109000-					Due From Funds - Cash Pool		5,507.27
5100-00-000-00-00-205000-					Accts Payable	5,507.27	
					FUND TOTAL	5,507.27	5,507.27
5101 Vehicle Maintenance	2023	6	172	12/08/2022			
5101-00-000-00-00-109000-					Due From Funds - Cash Pool		515.84
5101-00-000-00-00-205000-					Accts Payable	515.84	
					FUND TOTAL	515.84	515.84
5103 Information Technology	2023	6	172	12/08/2022			
5103-00-000-00-00-109000-					Due From Funds - Cash Pool		291.58
5103-00-000-00-00-205000-					Accts Payable	291.58	
					FUND TOTAL	291.58	291.58

A/P CASH DISBURSEMENTS JOURNAL
JOURNAL ENTRIES TO BE CREATED

FUND	DUE TO	DUE FR
0000 Pooled Cash Fund	429,661.93	
0100 General Fund		347,639.98
0204 Tran. Dev. Act - Streets		50.00
0207 Road Maint & Rehab. Acct		980.00
0800 LLMD - 001-2002		3,750.00
5000 Wastewater Operations		31,018.64
5001 Refuse Operations		303.47
5002 Water Operations		39,192.31
5003 Transit Operations		130.00
5006 Rail Operations		282.84
5100 Facility Maintenance		5,507.27
5101 Vehicle Maintenance		515.84
5103 Information Technology		291.58
	TOTAL	
	429,661.93	429,661.93

** END OF REPORT - Generated by Brenda Lopez **

A/P CASH DISBURSEMENTS JOURNAL

CASH ACCOUNT: 0000-00-000-00-00-100001-
CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

Cash7135

INV DATE

PO

WARRANT

NET

				DOCUMENT	INVOICE	DTL	DESC		
680	12/14/2022	WIRE	378	AMERICAN REFUSE INC	38310 37158	0000078	12/01/2022	121522	81,372.56
Invoice: 0000078				81,372.56	5001-40-400-22-00-510114-	REFUSE- HOMES ALLEY/CURBSIDE PICKUP 12/2022 Outsource Activity			
				CHECK				680 TOTAL:	81,372.56
681	12/09/2022	WIRE	17	INTERNAL REVENUE SER	38023 36880	12/9/22	12/09/2022	121522	932.50
Invoice: 12/9/22				550.00	0100-00-000-00-00-205120-	warrant 121522 FIT			
				310.00	0100-00-000-00-00-205122-	Federal Income Tax Payable			
				72.50	0100-00-000-00-00-205123-	FICA Tax Payable			
								Medicare Tax Payable	
				CHECK				681 TOTAL:	932.50
682	12/09/2022	WIRE	144	ST OF CA EDD	38024 36881	12922	12/09/2022	121522	192.50
Invoice: 12922				165.00	0100-00-000-00-00-205121-	warrant 121522 SIT			
				27.50	0100-00-000-00-00-205130-	State Income Tax Payable			
								ST Disability Insur Payable	
				CHECK				682 TOTAL:	192.50
683	12/09/2022	WIRE	17	INTERNAL REVENUE SER	38058 36913	12/9/22	12/09/2022	121522	19,426.11
Invoice: 12/9/22				12,812.81	0100-00-000-00-00-205120-	warrant 121522 FIT			
				4,885.60	0100-00-000-00-00-205122-	Federal Income Tax Payable			
				1,727.70	0100-00-000-00-00-205123-	FICA Tax Payable			
								Medicare Tax Payable	
				CHECK				683 TOTAL:	19,426.11
684	12/09/2022	WIRE	144	ST OF CA EDD	38059 36914	12/9/22	12/09/2022	121522	4,277.23
Invoice: 12/9/22				3,843.81	0100-00-000-00-00-205121-	warrant 121522 SIT			
				433.42	0100-00-000-00-00-205130-	State Income Tax Payable			
								ST Disability Insur Payable	
				CHECK				684 TOTAL:	4,277.23
1010413	12/15/2022	PRTD	68	ALL STAR GLASS	38196 37047	IBF064308	12/12/2022	121522	496.80
Invoice: IBF064308				496.80	0100-20-200-14-00-510300-	POLICE-#141-WINDSHIELD REPAIR Vehicle Operations			

A/P CASH DISBURSEMENTS JOURNAL
 CASH ACCOUNT: 0000-00-000-00-00-100001-
 CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

Cash7135

INV DATE

PO

WARRANT

NET

				DOCUMENT	INVOICE DTL	DESC			
					CHECK	1010413	TOTAL:		496.80
1010414	12/15/2022	PRTD	14652	AMAZON CAPITAL SERVI	38084	1QJC-QXT3-3NN4	12/07/2022	121522	140.60
				36939					
Invoice: 1QJC-QXT3-3NN4				140.60	5103-50-500-29-00-510001-	IT Security Safe - audit compliance			
						Departmental Supplies			
				38085	1KJW-MMY1-6CXM	12/02/2022	121522		64.34
				36940					
Invoice: 1KJW-MMY1-6CXM				64.34	5103-50-500-29-00-510001-	IT Tools - Electric air duster - PC maintenance			
						Departmental Supplies			
				38193	1RT6-LDM7-1RDG	12/08/2022	121522		67.90
				37044					
Invoice: 1RT6-LDM7-1RDG				67.90	0100-30-300-04-60-510015-	SLLC Books			
						Books			
				38194	1PMK-HC6K-197C	12/08/2022	121522		209.06
				37045					
Invoice: 1PMK-HC6K-197C				209.06	0100-30-300-04-60-510015-	SLLC Books			
						Books			
						CHECK	1010414	TOTAL:	481.90
1010415	12/15/2022	PRTD	13236	AMBER CHEMICAL INC	38107	0375955-IN	11/22/2022	82	3,592.88
				36961					
Invoice: 0375955-IN				3,592.88	5002-40-400-20-00-510900-	WATER - WATER CHEMICALS- HYPOCHLORITE			
						Water Treatment Supplies			
						CHECK	1010415	TOTAL:	3,592.88
1010416	12/15/2022	PRTD	1394	AMERICAN BUSINESS MA	38105	656726	12/06/2022	121522	128.38
				36960					
Invoice: 656726				128.38	0100-40-400-18-00-510400-	ENGINEERING/GIS - USAGE CHARGE - 11/14/22-12/13/22			
						Professional Services			
				38187	656133	11/30/2022	121522		327.35
				37038					
Invoice: 656133				327.35	0100-10-140-10-00-510001-	FINANCE COPIER C5235 12/8 - 1/7 & Overages			
						Departmental Supplies			
				38189	654616	11/22/2022	121522		242.42
				37040					
Invoice: 654616				40.40	0100-10-100-01-00-510100-	City Hall workroom MFP - Canon iR Adv C7565i			
				40.40	0100-10-110-03-00-510100-	Service Agreements			
				40.40	0100-10-120-05-00-510100-	Service Agreements			
				40.40	0100-10-125-06-00-510100-	Service Agreements			
				40.41	0100-10-145-13-00-510100-	Service Agreements			

A/P CASH DISBURSEMENTS JOURNAL

 CASH ACCOUNT: 0000-00-000-00-00-100001-
 CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

Cash7135

INV DATE

PO

WARRANT

NET

DOCUMENT				INVOICE DTL DESC			
40.41	0100-20-200-14-00-510100-			Service Agreements			
		38225 651283		10/31/2022	121522		368.30
		37075					
Invoice: 651283				FINANCE COPIER C5235 11/8 - 12/7			
368.30	0100-10-140-10-00-510001-			Departmental Supplies			
		38227 651534		11/01/2022	121522		217.34
		37077					
Invoice: 651534				POLICE-CONTRACT USAGE 10/09/22-11/08/22			
217.34	0100-20-200-14-00-510001-			Departmental Supplies			
				CHECK 1010416 TOTAL:			1,283.79
1010417 12/15/2022 PRTD	184 Sergio A. Ruelas	38188 120722-Ruelass		12/07/2022	121522		50.00
		37039					
Invoice: 120722-Ruelass				SLLC AP Test			
50.00	0100-30-300-04-00-510804-			Incentives			
				CHECK 1010417 TOTAL:			50.00
1010418 12/15/2022 PRTD	81 ARAMARK UNIFORM SERV	38062 5031092582		11/24/2022	121522		282.26
		36917					
Invoice: 5031092582				CITY HALL MATS AND HAND SANITIZER			
214.64	5100-50-405-28-00-510001-			Departmental Supplies			
67.62	5100-50-405-28-00-510200-			Repairs & Maintenance			
		38063 5031092577		11/24/2022	121522		245.95
		36918					
Invoice: 5031092577				CITY HALL MATS AND TABLE CLOTHS			
88.00	0100-10-100-01-00-510001-			Departmental Supplies			
88.00	0100-10-110-03-00-510001-			Departmental Supplies			
69.95	5100-50-405-28-00-510200-			Repairs & Maintenance			
		38066 5031097069		12/01/2022	121522		213.41
		36921					
Invoice: 5031097069				HAND SANITIZER			
213.41	5100-50-405-28-00-510001-			Departmental Supplies			
		38114 5031101187		12/08/2022 72	121522		92.71
		36968					
Invoice: 5031101187				ENGINEERING - MAT SERVICES			
92.71	0100-40-400-18-00-510100-			Service Agreements			
		38115 5031101133		12/08/2022	121522		401.56
		36969					
Invoice: 5031101133				ALL PW'S - MAT SERVICE			
56.31	5002-40-400-20-00-510001-			Departmental Supplies			
56.31	5000-40-400-21-00-510001-			Departmental Supplies			
56.31	5001-40-400-22-00-510001-			Departmental Supplies			

A/P CASH DISBURSEMENTS JOURNAL

CASH ACCOUNT: 0000-00-000-00-00-100001-
CHECK NO CHK DATE TYPE VENDOR NAME

VOUCHER INVOICE

Cash7135

INV DATE

PO

WARRANT

NET

				DOCUMENT	INVOICE DTL	DESC		
	56.31	5101-50-400-24-00-510001-				Departmental Supplies		
	176.32	0100-30-400-25-00-510001-				Departmental Supplies		
				38116 5031101126	12/08/2022	121522		160.01
				36970				
Invoice: 5031101126					ALL PW'S - UNIFORM SERVICES			
	22.57	0100-30-400-25-00-500502-			Uniform & Equipment Allowance			
	7.27	5101-50-400-24-00-500502-			Uniform & Equipment Allowance			
	17.13	5101-50-400-24-00-510001-			Departmental Supplies			
	76.14	0100-40-400-19-02-500502-			Uniform & Equipment Allowance			
	3.43	5006-40-400-23-00-500502-			Uniform & Equipment Allowance			
	7.64	5000-40-400-21-00-500502-			Uniform & Equipment Allowance			
	21.00	5002-40-400-20-00-500502-			Uniform & Equipment Allowance			
	.83	5000-40-400-21-00-500502-			Uniform & Equipment Allowance			
	4.00	5101-50-400-24-00-500502-			Uniform & Equipment Allowance			
				38195 5031097060	12/01/2022 23000343	121522		52.80
				37046				
Invoice: 5031097060					SLLC Mats Service FY 22/23			
	52.80	0100-30-300-04-00-510100-			Service Agreements			
					CHECK 1010418 TOTAL:			1,448.70
1010419 12/15/2022 PRTD 12466 AT&T CALNET 3				38064 9391064477 NOV 22	11/25/2022	121522		307.40
				36919				
Invoice: 9391064477 NOV 22					PHONE CHARGES			
	307.40	0100-20-200-14-00-510701-			Communications			
				38174 9391012257 NOV 22	11/30/2022	121522		24.16
				37025				
Invoice: 9391012257 NOV 22					PHONE CHARGES			
	24.16	5002-40-400-20-00-510701-			Communications			
				38175 9391012255 NOV 22	11/30/2022	121522		23.63
				37026				
Invoice: 9391012255 NOV 22					PHONE CHARGES			
	23.63	5000-40-400-21-00-510701-			Communications			
				38323 000019083534	11/16/2022	121522		633.63
				37171				
Invoice: 000019083534					PHONE CHARGES			
	71.22	0100-30-400-25-30-510701-			Communications			
	337.85	0100-20-200-14-00-510701-			Communications			
	44.12	5100-50-405-28-00-510701-MCCF			Communications			
	22.07	5101-50-400-24-00-510701-			Communications			
	134.40	5100-50-405-28-00-510701-			Communications			
	23.97	5002-40-400-20-00-510701-			Communications			
					CHECK 1010419 TOTAL:			988.82

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DOCUMENT						INVOICE DTL DESC		
1010420	12/15/2022	PRTD	14008	BADGER METER	38093 1544842 36947	12/07/2022	23000205	121522 4,090.45
Invoice: 1544842						WATER METER - METER UPGRADES		
4,090.45						Capital Prj.- Infrastructure		
E WA00007 -50 -525 -						CHECK 1010420 TOTAL: 4,090.45		
5002-60-400-20-00-580100-								
1010421	12/15/2022	PRTD	103	BRANDCO	38072 FD147793 36927	12/08/2022	121522	393.49
Invoice: FD147793						ANNUAL EXTINGUISHER/EQUIPMENT SERVICE		
393.49 0100-20-200-15-00-510200-						Repairs & Maintenance		
38074 FD147790 36929						12/08/2022	121522	259.35
Invoice: FD147790						ANNUAL EXTINGUISHER/EQUIPMENT SERVICE		
259.35 5100-50-405-28-00-510205-						Building Repair & Maintenance		
38075 FD147791 36930						12/08/2022	121522	484.73
Invoice: FD147791						ANNUAL EXTINGUISHER/EQUIPMENT SERVICE		
484.73 0100-30-400-25-55-510200-						Repairs & Maintenance		
38152 FD147795 37005						12/08/2022	121522	1,549.95
Invoice: FD147795						ANNUAL EXTINGUISHER/EQUIPMENT SERVICE		
258.32 5101-50-400-24-00-510200-						Repairs & Maintenance		
258.32 5002-40-400-20-00-510200-						Repairs & Maintenance		
258.32 0100-30-400-25-00-510200-						Repairs & Maintenance		
258.33 5000-40-400-21-00-510200-						Repairs & Maintenance		
258.33 0100-40-400-19-02-510200-						Repairs & Maintenance		
258.33 0100-40-400-18-00-510200-						Repairs & Maintenance		
						CHECK 1010421 TOTAL: 2,687.52		
1010422	12/15/2022	PRTD	736	CABRERA, YESENIA L	38258 37108 37108	12/13/2022	121522	179.41
Invoice: 37108						UB 115741 405 SANTA MARIA		
179.41 5002-00-000-00-00-100101-						AR - Utility Billing		
						CHECK 1010422 TOTAL: 179.41		
1010423	12/15/2022	PRTD	14425	CARLOS QUEZADA	37973 086821 36834	11/25/2022	67 121522	30.00
Invoice: 086821						UNIT 317 FLEET WASHES		
30.00 5103-50-500-29-00-510300-						Vehicle Operations		

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				VOUCHER	INVOICE	Cash7135	INV DATE	PO	WARRANT	NET
				DOCUMENT		INVOICE	DTL	DESC		
				38197	2022-12-02		12/02/2022		121522	345.00
				37048						
Invoice: 2022-12-02										
				345.00	0100-20-200-14-00-510300-	POLICE-FLEET WASHES				
						Vehicle Operations				
				38198	2022-12-09		12/09/2022		121522	630.00
				37049						
Invoice: 2022-12-09										
				630.00	0100-20-200-14-00-510300-	POLICE-FLEET WASHES				
						Vehicle Operations				
						CHECK	1010423	TOTAL:		1,005.00
1010424	12/15/2022	PRTD	720	CASTILLO, BEATRIZ	38215	37065	12/12/2022		121522	109.50
					37065					
Invoice: 37065										
				109.50	5002-00-000-00-00-100101-	UB 111623 145 GOLDEN WEST				
						AR - Utility Billing				
						CHECK	1010424	TOTAL:		109.50
1010425	12/15/2022	PRTD	269	CATHY PROUT	38208	HOBBY LOBBY	10/24/2022		121522	30.92
					37059					
Invoice: HOBBY LOBBY										
				30.92	0100-10-100-01-00-510802-	Reimbursement for Fall Decor 2022				
						Community Promotion				
					38209	WAL-MART	11/22/2022		121522	88.33
					37060					
Invoice: WAL-MART										
				88.33	0100-10-100-01-00-510802-	Reimbursement for Christmas Wreath Decor 2022				
						Community Promotion				
					38210	DOLLAR GENERAL	10/12/2022		121522	32.18
					37061					
Invoice: DOLLAR GENERAL										
				32.18	0100-10-100-01-00-510802-	Reimbursement for Halloween Decor 2022				
						Community Promotion				
						CHECK	1010425	TOTAL:		151.43
1010426	12/15/2022	PRTD	734	CERVANTES, NOAH D	38256	37106	12/13/2022		121522	83.19
					37106					
Invoice: 37106										
				50.79	5002-00-000-00-00-100101-	UB 115872 155 ASH				
				10.97	5000-00-000-00-00-100101-	AR - Utility Billing				
				6.14	5001-00-000-00-00-100101-	AR - Utility Billing				
				15.29	5002-00-000-00-00-100101-	AR - Utility Billing				
						CHECK	1010426	TOTAL:		83.19

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DOCUMENT						INVOICE DTL DESC			
1010427	12/15/2022	PRTD	424	CHARTER COMMUNICATIO	38186	167729201112122	11/21/2022	121522	16.08
Invoice: 167729201112122					37037				
16.08					5103-50-500-29-00-510100-	City Hall TV Fees			
						Service Agreements			
						CHECK	1010427	TOTAL:	16.08
1010428	12/15/2022	PRTD	6980	CIVIC PLUS	38082	249092	12/07/2022	121522	1,549.60
Invoice: 249092					36937				
1,549.60					0100-10-120-05-00-510106-	Full Service Supplement Subscription			
						Subscriptions & Dues			
						CHECK	1010428	TOTAL:	1,549.60
1010429	12/15/2022	PRTD	12562	CVIN VAST NETWORKS	38097	40452	12/01/2022	121522	4,500.00
Invoice: 40452					36951				
3,500.00					5004-40-500-30-01-510107-	Internet & Network Mgmt Services			
1,000.00					5103-50-500-29-00-510703-	System Support			
						Internet			
						CHECK	1010429	TOTAL:	4,500.00
1010430	12/15/2022	PRTD	190	DANIELS TIRE SERVICE	38244	797188	12/01/2022	121522	627.21
Invoice: 797188					37094				
627.21					0100-20-200-14-00-510300-	POLICE #204 - EAG ENFORCER			
						Vehicle Operations			
					38245	797189	12/01/2022	121522	313.60
Invoice: 797189					37095				
313.60					0100-20-200-14-00-510300-	POLICE SHED - EAG ENFORCER			
						Vehicle Operations			
						CHECK	1010430	TOTAL:	940.81
1010431	12/15/2022	PRTD	711	DAVIS, JAY	38100	36954	12/09/2022	121522	5.12
Invoice: 36954					36954				
1.47					5002-00-000-00-00-100101-	UB 113628 300 MANNEL			
3.09					5000-00-000-00-00-100101-	AR - Utility Billing			
.56					5001-00-000-00-00-100101-	AR - Utility Billing			
						AR - Utility Billing			
						CHECK	1010431	TOTAL:	5.12
1010432	12/15/2022	PRTD	206	DEE JASPAR & ASSOCIA	38251	22-01158	11/30/2022	121522	827.64
Invoice: 22-01158					37101				
						WATER WELL #21 - ELECTRICAL POWER SYSTEMS INC			

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Report generated: 12/15/2022 15:59
User: 5292blopez
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DOCUMENT				INVOICE DTL DESC			
				CHECK	1010435	TOTAL:	460.00
1010436	12/15/2022	PRTD	726 ESPINOZA ESCALERA, A	38219	37069	12/12/2022	121522
				37069			156.86
			Invoice: 37069				
			156.86	5002-00-000-00-00-100101-	UB 114569	421 SHAW	
						AR - Utility Billing	
					CHECK	1010436	TOTAL: 156.86
1010437	12/15/2022	PRTD	725 ESPINOZA, EDGARDO	38218	37068	12/12/2022	121522
				37068			43.64
			Invoice: 37068				
			43.64	5002-00-000-00-00-100101-	UB 115470	155 ASH	
						AR - Utility Billing	
					CHECK	1010437	TOTAL: 43.64
1010438	12/15/2022	PRTD	5903 FERGUSON ENTERPRISES	38112	1733599-4	11/14/2022	101 121522
				36966			2,176.91
			Invoice: 1733599-4				
			2,176.91	5002-40-400-20-00-510200-	WATER - REPAIRS & MAINTENANCE	Repairs & Maintenance	
					CHECK	1010438	TOTAL: 2,176.91
1010439	12/15/2022	PRTD	12171 FGL ENVIRONMENTAL	38117	248585A	11/28/2022	80 121522
				36971			363.00
			Invoice: 248585A				
			363.00	5002-40-400-20-00-510905-	Bacteriological Testing for Water System	water Testing/Samples	
				38118	248807A	11/28/2022	80 121522
				36972			408.00
			Invoice: 248807A				
			408.00	5002-40-400-20-00-510905-	Bacteriological Testing for water system	water Testing/Samples	
				38119	248814A	11/22/2022	80 121522
				36973			143.00
			Invoice: 248814A				
			143.00	5002-40-400-20-00-510905-	Bacteriological Testing for Water System	water Testing/Samples	
				38120	248815A	11/22/2022	80 121522
				36974			773.00
			Invoice: 248815A				
			773.00	5002-40-400-20-00-510905-	Bacteriological Testing for Water System	water Testing/Samples	
				38121	248958A	11/29/2022	80 121522
				36975			213.00
			Invoice: 248958A				
			213.00	5002-40-400-20-00-510905-	Bacteriological Testing for water system	water Testing/Samples	

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		DOCUMENT	INVOICE	DTL	DESC		
		38122 36976	248959A	12/05/2022	80	121522	633.00
Invoice: 248959A	633.00	5002-40-400-20-00-510905-		Bacteriological Testing for Water System	water Testing/Samples		
		38123 36977	248961A	11/29/2022	80	121522	143.00
Invoice: 248961A	143.00	5002-40-400-20-00-510905-		Bacteriological Testing for water System	water Testing/Samples		
		38124 36978	248962A	11/29/2022	80	121522	143.00
Invoice: 248962A	143.00	5002-40-400-20-00-510905-		Bacteriological Testing for Water System	water Testing/Samples		
		38125 36979	248964A	11/29/2022	80	121522	178.00
Invoice: 248964A	178.00	5002-40-400-20-00-510905-		Bacteriological Testing for Water System	water Testing/Samples		
		38126 36980	248965A	11/29/2022	80	121522	228.00
Invoice: 248965A	228.00	5002-40-400-20-00-510905-		Bacteriological Testing for water System	water Testing/Samples		
		38127 36981	248966A	11/29/2022	80	121522	213.00
Invoice: 248966A	213.00	5002-40-400-20-00-510905-		Bacteriological Testing for Water System	water Testing/Samples		
		38129 36983	249088A	12/05/2022	80	121522	143.00
Invoice: 249088A	143.00	5002-40-400-20-00-510905-		Bacteriological Testing for Water System	water Testing/Samples		
		38131 36985	249089A	12/05/2022	80	121522	143.00
Invoice: 249089A	143.00	5002-40-400-20-00-510905-		Bacteriological Testing for water System	water Testing/Samples		
		38132 36986	248960A	12/05/2022	80	121522	73.00
Invoice: 248960A	73.00	5002-40-400-20-00-510905-		Bacteriological Testing for Water System	water Testing/Samples		
		38133 36987	248963A	12/05/2022	80	121522	333.00
Invoice: 248963A	333.00	5002-40-400-20-00-510905-		Bacteriological Testing for Water System	water Testing/Samples		
		38135 36989	249092A	12/05/2022	80	121522	213.00

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DOCUMENT					INVOICE DTL DESC			
Invoice: 249092A					Bacteriological Testing for Water System			
	213.00	5002-40-400-20-00-510905-			Water Testing/Samples			
					CHECK	1010439	TOTAL:	4,343.00
1010440	12/15/2022	PRTD	14962	FUNCTIONAL ERGONOMIC 37908 11709	12/01/2022		121522	180.00
				36771				
Invoice: 11709					Pre-emp. FCE PW and AC			
	90.00	5100-50-405-28-00-510115-			Recruitment			
	90.00	0100-20-200-15-00-510115-			Recruitment			
					CHECK	1010440	TOTAL:	180.00
1010441	12/15/2022	PRTD	732	GONZALEZ MALDONADO, 38254 37104	12/13/2022		121522	40.74
				37104				
Invoice: 37104					UB 113442 256 CALIFORNIA			
	40.74	5002-00-000-00-00-100101-			AR - Utility Billing			
					CHECK	1010441	TOTAL:	40.74
1010442	12/15/2022	PRTD	714	GREGG DRILLING LLC 38103 36957	12/09/2022		121522	225.26
				36957				
Invoice: 36957					UB 115539 720 COMMERCE			
	225.26	5002-00-000-00-00-100101-			AR - Utility Billing			
					CHECK	1010442	TOTAL:	225.26
1010443	12/15/2022	PRTD	15464	HECTOR'S PLUMBING 38094 5725	11/23/2022		121522	1,200.00
				36948				
Invoice: 5725					ALL PW'S - MAINTENANCE TOILETS & URINAL			
	200.00	5101-50-400-24-00-510200-			Repairs & Maintenance			
	200.00	5002-40-400-20-00-510200-			Repairs & Maintenance			
	200.00	0100-30-400-25-00-510200-			Repairs & Maintenance			
	200.00	0100-30-400-25-00-510200-			Repairs & Maintenance			
	200.00	5000-40-400-21-00-510200-			Repairs & Maintenance			
	200.00	0100-40-400-18-00-510200-			Repairs & Maintenance			
					CHECK	1010443	TOTAL:	1,200.00
1010444	12/15/2022	PRTD	735	HERNANDEZ-GARCIA, LO 38257 37107	12/13/2022		121522	117.80
				37107				
Invoice: 37107					UB 114761 457 MARENGO			
	117.80	5002-00-000-00-00-100101-			AR - Utility Billing			
					CHECK	1010444	TOTAL:	117.80

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DOCUMENT							INVOICE DTL DESC					
1010445	12/15/2022	PRTD	11083	HILL THREADED	PRODUC	38090	243768	12/08/2022	45	121522	140.57	
							36945					
Invoice: 243768				28.13	0100-40-400-19-02-510001-			ALL PW'S - VENDING MACHINE SUPPLIES				
				28.11	0100-30-400-25-00-510001-			Departmental Supplies				
				28.11	5000-40-400-21-00-510001-			Departmental Supplies				
				28.11	5002-40-400-20-00-510001-			Departmental Supplies				
				28.11	5101-50-400-24-00-510001-			Departmental Supplies				
								CHECK	1010445	TOTAL:	140.57	
1010446	12/15/2022	PRTD	2	HITCHCOCK'S	AUTO PAR	37928	7446-360717	09/19/2022	23000358	121522	45.81	
							36790					
Invoice: 7446-360717				45.81	5103-50-500-29-00-510300-			VEHICLE REPAIRS - UNIT 317 - I.T. DEPT. Vehicle Operations				
							37931	7446-360682	09/19/2022	23000358	121522	23.47
							36793					
Invoice: 7446-360682				23.47	5103-50-500-29-00-510300-			VEHICLE REPAIRS - UNIT 317 - I.T. DEPT. Vehicle Operations				
							38156	7446-365863	12/06/2022	100	121522	16.82
							37008					
Invoice: 7446-365863				16.82	0100-40-400-19-02-510300-			STREETS - DIESEL ADDITIVE 32 O Vehicle Operations				
							38157	7446-365858	12/06/2022	100	121522	32.57
							37009					
Invoice: 7446-365858				32.57	0100-40-400-19-02-510300-			STREETS - HD FUEL FILTER - FITS DEUTZ E Vehicle Operations				
							38158	7446-365988	12/07/2022	100	121522	7.25
							37010					
Invoice: 7446-365988				7.25	0100-40-400-19-02-510300-			STREETS - ELECTRICAL ACCESSORY Vehicle Operations				
							38159	7446-365899	12/06/2022	100	121522	10.70
							37011					
Invoice: 7446-365899				10.70	5101-50-400-24-00-510300-			SHOP - PAINT PEN Vehicle Operations				
							38211	7446-365632	12/02/2022	140	121522	57.04
							37062					
Invoice: 7446-365632				57.04	0100-10-405-26-00-510300-			VEHICLE MAINT. Unit 51 Vehicle Operations				
							38212	7446-365633	12/02/2022	140	121522	57.04
							37063					
Invoice: 7446-365633				57.04	0100-10-405-26-00-510300-			VEHICLE MAINT. Unit 314 Vehicle Operations				

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				DOCUMENT	INVOICE	DTL	DESC			
				38264	7446-366032		12/08/2022	100	121522	23.57
				37114						
Invoice: 7446-366032										
	23.57	5101-50-400-24-00-510300-				SHOP - SKT IMP DP/2DR DEEP IM	Vehicle Operations			
				38265	7446-366042		12/08/2022	100	121522	12.86
				37115						
Invoice: 7446-366042										
	12.86	5002-40-400-20-00-510300-				WATER - TRAILER CONNECTOR	Vehicle Operations			
				38266	7446-366044		12/08/2022	100	121522	10.69
				37116						
Invoice: 7446-366044										
	10.69	5002-40-400-20-00-510300-				WATER - PH 0x21/2 SD/ELECTRICAL ACCESSORY	Vehicle Operations			
				38267	7446-366129		12/09/2022	100	121522	128.70
				37117						
Invoice: 7446-366129										
	128.70	0100-40-400-19-02-510300-				STREETS - PRIMARY WIRE	Vehicle Operations			
				38271	7446-366154		12/09/2022		121522	-203.37
				37120						
Invoice: 7446-366154										
	-203.37	0100-40-400-19-02-510300-				STREETS #79 - BATTERY-GOLD CREDIT	Vehicle Operations			
				38274	7446-366218		12/12/2022	100	121522	57.70
				37124						
Invoice: 7446-366218										
	57.70	0100-40-400-19-02-510300-				STREETS - STROBE LIGHT	Vehicle Operations			
				38276	7446-366130		12/09/2022	100	121522	10.06
				37126						
Invoice: 7446-366130										
	10.06	0100-40-400-19-02-510300-				STREETS - TRAILER CONNECTOR	Vehicle Operations			
						CHECK	1010446	TOTAL:		290.91
1010447	12/15/2022	PRTD	13383	HOME DEPOT CREDIT SE	37948	716861851	11/10/2022		121522	119.59
					36809					
Invoice: 716861851										
	119.59	0100-20-200-14-00-510001-				POLICE - DISINFEC DAMP MOP	Departmental Supplies			
				37950	NOINV11/19/2022		11/19/2022		121522	46.52
				36811						
Invoice: NOINV11/19/2022										
	46.52	0100-20-200-14-00-510001-				POLICE - 2 STEP SUPER LIGHT AL STEP STOOL	Departmental Supplies			
						CHECK	1010447	TOTAL:		166.11

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DOCUMENT					INVOICE DTL DESC			
1010448	12/15/2022	PRTD	10148 INFOSEND INC	38228 223778 37078	10/31/2022	121522		2,915.36
			Invoice: 223778					
			728.84 5000-40-400-21-00-510400-		Utility Bill Processing October 2022			
			728.84 5001-40-400-22-00-510400-		Professional Services			
			1,457.68 5002-40-400-20-00-510400-		Professional Services			
					CHECK 1010448 TOTAL:			2,915.36
1010449	12/15/2022	PRTD	4909 JEFFRIES BROS INC	38229 118620CT 37079	11/30/2022	121522		1,045.02
			Invoice: 118620CT					
			1,045.02 5003-40-140-12-00-510302-		DIAL A RIDE FUEL CHARGES NOV 2022			
					Vehicle Operations - Fuel			
					CHECK 1010449 TOTAL:			1,045.02
1010450	12/15/2022	PRTD	208 JEFFRIES BROS., INC	38224 119064 37074	12/08/2022	121522		91.49
			Invoice: 119064					
			91.49 0100-40-400-19-02-510300-		STREETS - OIL CHANGE			
					Vehicle Operations			
					CHECK 1010450 TOTAL:			91.49
1010451	12/15/2022	PRTD	109 JIM BURKE FORD	38172 1506526 37024	12/01/2022	121522		366.64
			Invoice: 1506526					
			366.64 0100-20-200-14-00-510300-		POLICE #204 - ROTOR KIT			
					Vehicle Operations			
					CHECK 1010451 TOTAL:			366.64
1010452	12/15/2022	PRTD	717 KERN PACIFIC CONSTRU	38104 36958 36958	12/09/2022	121522		370.75
			Invoice: 36958					
			370.75 5002-00-000-00-00-100101-		UB 120056 720 COMMERCE			
					AR - Utility Billing			
					CHECK 1010452 TOTAL:			370.75
1010453	12/15/2022	PRTD	8865 KERN PLUMBING & BACK	37896 12901 36760	11/29/2022	121522		5,775.00
			Invoice: 12901					
			5,775.00 5002-40-400-20-00-510200-		WATER - TEST BACKFLOW PREVENTER/CERTIFICATE			
					Repairs & Maintenance			
					CHECK 1010453 TOTAL:			5,775.00

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DOCUMENT				INVOICE DTL DESC			
1010454	12/15/2022	PRTD	727 KLASSEN & SMITH	38220 37070	12/12/2022	121522	524.90
Invoice: 37070				524.90 5002-00-000-00-00-100101-	UB 116120 720 COMMERCE		
					AR - Utility Billing		
					CHECK 1010454 TOTAL:		524.90
1010455	12/15/2022	PRTD	13036 LENNAR HOMES	35266 34189	08/01/2022	121522	24,150.34
Invoice: 34189				2,620.00 0100-10-405-26-00-430300-	Refund Permit 22-0693		
				450.64 0100-10-145-13-00-410400-	Building Permits		
				63.00 0100-10-405-26-00-430300-	Planning Fees - Zone & Subdiv		
				6,580.00 0301-60-400-21-00-420000-	Building Permits		
				6,925.00 0305-60-400-19-02-420100-	Conect Fees		
				11.00 0100-00-000-00-00-205309-	Impact Fees		
				34.06 0100-00-000-00-00-205307-	CBSC Building Fee Deposits		
				7,466.64 0100-00-000-00-00-205306-	SMI Fee Deposits		
					School Fee Deposits		
					CHECK 1010455 TOTAL:		24,150.34
1010456	12/15/2022	PRTD	730 LEON DE CORTEZ, MARI	38252 37102	12/13/2022	121522	47.50
Invoice: 37102				47.50 5002-00-000-00-00-100101-	UB 110476 18497 SMITHS		
					AR - Utility Billing		
					CHECK 1010456 TOTAL:		47.50
1010457	12/15/2022	PRTD	267 LINDE GAS & EQUIPMEN	38111 32559978	11/22/2022	121522	58.14
Invoice: 32559978				58.14 5101-50-400-24-00-510001-	SHOP - CYLINDER RENTAL - 10/20/2022 - 11/20/2022		
					Departmental Supplies		
					CHECK 1010457 TOTAL:		58.14
1010458	12/15/2022	PRTD	14811 LIZBETH BEJAR	38205 135NOINV12122022	12/09/2022	121522	13.00
Invoice: 135NOINV12122022				13.00 0100-10-135-09-00-510400-	Notary Recording Fee		
					Professional Services		
					CHECK 1010458 TOTAL:		13.00
1010459	12/15/2022	PRTD	697 MARANATHA GARDENING	38086 004453	12/06/2022	23000392 121522	2,250.58
Invoice: 004453				1,125.29 0100-40-400-19-04-510100-	PW CORP - FRONT AREA LANDSCAPING UPGRADES		
					Service Agreements		

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				DOCUMENT	INVOICE DTL	DESC		
	1,125.29	0100-30-400-25-00-510110-				Landscaping Services		
					CHECK	1010459 TOTAL:		2,250.58
1010460	12/15/2022	PRTD	12151 MEYER PROPERTIES	37949 36810	DECEMBER 2022	12/01/2022	121522	1,500.00
			Invoice: DECEMBER 2022			LEASE 337 STATE AVE CITY HALL ANNEX		
	375.00	0100-30-300-04-00-510602-				Property Rental		
	1,125.00	5103-50-500-29-00-510602-				Property Rental		
					CHECK	1010460 TOTAL:		1,500.00
1010461	12/15/2022	PRTD	9992 O'REILLY AUTOMOTIVE	38230 37081	2947-279944	11/29/2022	121522	35.38
			Invoice: 2947-279944			DIAL-A-RIDE - PWR INVERTER		
	35.38	5003-40-140-12-00-510301-				Vehicle Operations - Supplies		
				38236 37086	2947-280907	12/07/2002	121522	18.22
			Invoice: 2947-280907			SHOP - CRIMP TOOL		
	18.22	5101-50-400-24-00-510001-				Departmental Supplies		
				38237 37087	2947-280764	12/06/2022	121522	26.00
			Invoice: 2947-280764			STREETS - 14oz BRAKE CLN		
	26.00	0100-40-400-19-02-510001-				Departmental Supplies		
					CHECK	1010461 TOTAL:		79.60
1010462	12/15/2022	PRTD	5312 OASIS AIR & SOLAR	38067 36922	S423193	12/08/2022	121522	388.00
			Invoice: S423193			Semi-annual Maintenance on AC Units-Lerdo CO		
	194.00	5100-50-405-28-00-510200-				Repairs & Maintenance		
	194.00	5004-40-500-30-01-510200-				Repairs & Maintenance		
				38068 36923	S423192	12/08/2022	121522	520.00
			Invoice: S423192			Semi-annual AC Maintenance - Fanucchi site		
	260.00	5100-50-405-28-00-510200-				Repairs & Maintenance		
	260.00	5004-40-500-30-01-510200-				Repairs & Maintenance		
					CHECK	1010462 TOTAL:		908.00
1010463	12/15/2022	PRTD	14271 OILDALE MUTUAL WATER	38144 36997	NOINV11/29/2022	11/29/2022	121522	476.15
			Invoice: NOINV11/29/2022			WATER - 9451 COBBLE CREEK DR		
	476.15	0808-40-400-19-04-510704-				Water		

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					DOCUMENT	INVOICE	DTL	DESC		
				38145	NOINV11/28/2022	11/29/2022		121522	183.35	
				36998						
Invoice: NOINV11/28/2022				183.35	0808-40-400-19-04-510704-	WATER SERV - 4051 GROSSMER GROVE - SEWER LIFT Water				
				38146	NOINV11/27/2022	11/29/2022		121522	468.95	
				36999						
Invoice: NOINV11/27/2022				468.95	0808-40-400-19-04-510704-	WATER - 3960 GOSSAMER GRV-LANDSC Water				
				38147	NOINV11/26/2022	11/29/2022		121522	1,019.75	
				37000						
Invoice: NOINV11/26/2022				1,019.75	0808-40-400-19-04-510704-	WATER - 3851 COMMUNITY DR - LANDSC Water				
				38148	NOINV11/25/2022	11/29/2022		121522	105.35	
				37001						
Invoice: NOINV11/25/2022				105.35	0808-40-400-19-04-510704-	WATER - 9005 COBBLE CREEK DR Water				
				38149	NOINV11/24/2022	11/29/2022		121522	496.55	
				37002						
Invoice: NOINV11/24/2022				496.55	0808-40-400-19-04-510704-	WATER - 9350 7TH STANDARD-LDSPE Water				
				CHECK 1010463 TOTAL:						2,750.10
1010464	12/15/2022	PRTD	4 PACIFIC GAS & ELECTR	38176	0762233535-9 NOV 22	11/30/2022		121522	38.46	
				37027						
Invoice: 0762233535-9 NOV 22				38.46	0807-40-400-19-04-510707-	ELECTRICAL CHARGES Power				
				38177	5376849141-6	11/30/2022		121522	979.82	
				37028						
Invoice: 5376849141-6				979.82	0100-30-300-04-00-510707-	ELECTRICAL CHARGES Power				
				38178	3396527511-9 NOV 22	11/30/2022		121522	189.09	
				37029						
Invoice: 3396527511-9 NOV 22				189.09	0100-30-400-25-33-510707-	ELECTRICAL CHARGES Power				
				38179	7952472969-0	11/30/2022		121522	689.52	
				37030						
Invoice: 7952472969-0				689.52	0100-30-400-25-31-510707-	ELECTRICAL CHARGES Power				
				38180	9898158900-9 NOV 22	11/30/2022		121522	4,328.26	
				37031						
Invoice: 9898158900-9 NOV 22				4,328.26	0100-20-200-14-00-510707-	ELECTRICAL CHARGES Power				

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		VOUCHER	INVOICE	Cash7135	INV DATE	PO	WARRANT	NET
		DOCUMENT	INVOICE	DTL	DESC			
		38181	4769226569-8		11/30/2022		121522	317.91
		37032						
Invoice: 4769226569-8				ELECTRICAL CHARGES				
	317.91	0100-30-400-25-55-510707-		Power				
		38182	3962617783-4		11/30/2022		121522	265.32
		37033						
Invoice: 3962617783-4				ELECTRICAL CHARGES				
	265.32	5002-40-400-20-00-510707-		Power				
		38183	2770705903-9		11/30/2022		121522	434.75
		37034						
Invoice: 2770705903-9				ELECTRICAL CHARGES				
	434.75	5100-50-405-28-00-510707-		Power				
		38301	7309037098-9 NOV 22		11/30/2022		121522	3,967.48
		37149						
Invoice: 7309037098-9 NOV 22				ELECTRICAL CHARGES				
	3,967.48	5002-40-400-20-00-510707-		Power				
		38303	4719291705-3 NOV 22		11/30/2022		121522	230.37
		37150						
Invoice: 4719291705-3 NOV 22				ELECTRICAL CHARGES				
	230.37	5000-40-400-21-00-510707-		Power				
		38305	9859576522-7 NOV 22		11/30/2022		121522	18,484.77
		37153						
Invoice: 9859576522-7 NOV 22				ELECTRICAL CHARGES				
	18,484.77	5002-40-400-20-00-510707-		Power				
		38306	8433792693-9 NOV 22		11/30/2022		121522	158.55
		37154						
Invoice: 8433792693-9 NOV 22				ELECTRICAL CHARGES				
	158.55	5006-40-400-23-00-510707-		Power				
		38308	0007164861-2 NOV 22		11/30/2022		121522	212.95
		37156						
Invoice: 0007164861-2 NOV 22				ELECTRICAL CHARGES				
	80.44	0100-10-125-06-00-510707-		Power				
	132.51	5000-40-400-21-00-510707-		Power				
		38311	6808476934-5 NOV 22		11/30/2022		121522	1,230.67
		37159						
Invoice: 6808476934-5 NOV 22				ELECTRICAL CHARGES				
	1,230.67	5002-40-400-20-00-510707-		Power				
		38312	1430578397-0 NOV 22		11/30/2022		121522	1,283.53
		37160						
Invoice: 1430578397-0 NOV 22				ELECTRICAL CHARGES				
	1,283.53	5002-40-400-20-00-510707-		Power				

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				VOUCHER	INVOICE	Cash7135	INV DATE	PO	WARRANT	NET
				DOCUMENT	INVOICE	DTL	DESC			
				38313 37161	2974410365-5	NOV 22	11/30/2022		121522	600.61
Invoice: 2974410365-5	NOV 22			600.61	5000-40-400-21-00-510707-		ELECTRICAL CHARGES			
							Power			
				38314 37162	1110247266-6	NOV 22	11/30/2022		121522	59.95
Invoice: 1110247266-6	NOV 22			59.95	0100-40-400-19-04-510707-		ELECTRICAL CHARGES			
							Power			
				38315 37163	2644018719-8	NOV 22	11/30/2022		121522	49.93
Invoice: 2644018719-8	NOV 22			49.93	0100-40-400-19-04-510707-		ELECTRICAL CHARGES			
							Power			
				38316 37164	8758714175-2	NOV 22	11/30/2022		121522	1,063.19
Invoice: 8758714175-2	NOV 22			531.60	5004-40-500-30-01-510707-		ELECTRICAL CHARGES			
				531.59	5103-50-500-29-00-510707-		Power			
							Power			
				38317 37165	1906024164-3	NOV 22	11/30/2022		121522	79.85
Invoice: 1906024164-3	NOV 22			79.85	5000-40-400-21-00-510707-		ELECTRICAL CHARGES			
							Power			
				38319 37167	1098600677-2	NOV 22	11/30/2022		121522	159.34
Invoice: 1098600677-2	NOV 22			159.34	0808-40-400-19-04-510707-		ELECTRICAL CHARGES			
							Power			
				38320 37168	8299603596-8	NOV 22	11/30/2022		121522	1,989.98
Invoice: 8299603596-8	NOV 22			1,989.98	0100-30-400-25-53-510707-		ELECTRICAL CHARGES			
							Power			
				38321 37169	2067807917-7	NOV 22	11/30/2022		121522	27.95
Invoice: 2067807917-7	NOV 22			27.95	5000-40-400-21-00-510707-		ELECTRICAL CHARGES			
							Power			
				38322 37170	7067809683-8	NOV 22	11/30/2022		121522	6,970.54
Invoice: 7067809683-8	NOV 22			6,970.54	5100-50-405-28-00-510707-		ELECTRICAL CHARGES			
							Power			
				38324 37172	8407410335-3	NOV 22	11/30/2022		121522	100.26
Invoice: 8407410335-3	NOV 22			100.26	5004-40-500-30-01-510707-		ELECTRICAL CHARGES			
							Power			
				38325	4006021273-1	NOV 22	11/30/2022		121522	20,480.55

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DOCUMENT						INVOICE DTL DESC				
37173										
Invoice: 4006021273-1 NOV 22						ELECTRICAL CHARGES				
20,480.55 5002-40-400-20-00-510707-						Power				
						CHECK	1010464	TOTAL:	64,393.60	
1010465 12/15/2022 PRTD 11867 PACIFIC TIRE 38077 31875						12/07/2022		121522	22.14	
36932										
Invoice: 31875						WATER #117 - REPAIR FLAT				
22.14 5002-40-400-20-00-510300-						Vehicle Operations				
						CHECK	1010465	TOTAL:	22.14	
1010466 12/15/2022 PRTD 724 PALOMERA VASQUEZ, FR 38217 37067						12/12/2022		121522	9.70	
37067										
Invoice: 37067						UB 114685 456 MARENGO				
9.70 5002-00-000-00-00-100101-						AR - Utility Billing				
						CHECK	1010466	TOTAL:	9.70	
1010467 12/15/2022 PRTD 731 PEREZ, JOCELYNE 38253 37103						12/13/2022		121522	83.70	
37103										
Invoice: 37103						UB 113433 270 LOS ANGELES				
83.70 5002-00-000-00-00-100101-						AR - Utility Billing				
						CHECK	1010467	TOTAL:	83.70	
1010468 12/15/2022 PRTD 4808 PTS RENTALS INC 38155 35824						12/09/2022		121522	221.00	
37007										
Invoice: 35824						MCCF GENERATOR - MOVE DIESEL FUEL				
221.00 5100-50-405-28-00-510200-MCCF						Repairs & Maintenance				
						CHECK	1010468	TOTAL:	221.00	
1010469 12/15/2022 PRTD 1622 QUILL CORPORATION 38270 29324226						12/01/2022 111		121522	461.72	
37121						Office Supplies				
Invoice: 29324226						Office Supplies				
461.72 0100-10-140-10-00-510000-										
						38272	29296418	12/01/2022 111	121522	17.15
37122										
Invoice: 29296418						Office Supplies				
17.15 0100-10-140-10-00-510000-						Office Supplies				
						38273	29322716	12/01/2022 111	121522	16.72
37123										
Invoice: 29322716						Office Supplies				

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				DOCUMENT	INVOICE DTL	DESC		
	16.72	0100-10-140-10-00-510000-				Office Supplies		
					CHECK	1010469 TOTAL:		495.59
1010470 12/15/2022 PRTD	488	REVENUE & COST SPECI	38083	9093	11/30/2022	121522		4,625.00
Invoice: 9093			36938			Dev Impact Fees Police & Fire Sub Station #3		
	2,312.50	0100-10-110-03-00-510400-				Professional Services		
	2,312.50	0100-20-200-14-00-510400-				Professional Services		
					CHECK	1010470 TOTAL:		4,625.00
1010471 12/15/2022 PRTD	522	RICK VARGAS	38278	37127	12/13/2022	121522		25.20
Invoice: 37127			37127			Fuel Reimbursement (JBI Out of Service)		
	25.20	0100-10-405-26-00-510302-				Vehicle Operations - Fuel		
					CHECK	1010471 TOTAL:		25.20
1010472 12/15/2022 PRTD	713	RODRIGUEZ GONZALEZ,	38102	36956	12/09/2022	121522		9.95
Invoice: 36956			36956			UB 114123 572 KLASSEN		
	9.95	5002-00-000-00-00-100101-				AR - Utility Billing		
					CHECK	1010472 TOTAL:		9.95
1010473 12/15/2022 PRTD	285	RUSSELL (FRANK) MFG	38109	768932	11/23/2022	76 121522		61.49
Invoice: 768932			36963			WATER - BLACK EXTRA HEAVY PIPE		
	61.49	5002-40-400-20-00-510200-				Repairs & Maintenance		
			38113	769168	12/07/2022	76 121522		11.83
Invoice: 769168			36967			STREETS - ADVANTAGE GRIND WHEEL		
	11.83	0100-40-400-19-02-510200-				Repairs & Maintenance		
					CHECK	1010473 TOTAL:		73.32
1010474 12/15/2022 PRTD	728	SALAZAR HUERTA, CATA	38238	37088	12/13/2022	121522		33.48
Invoice: 37088			37088			UB 113723 332 S SHAFTER AVE		
	33.48	5001-00-000-00-00-205300-				Customer Deposits		
					CHECK	1010474 TOTAL:		33.48

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DOCUMENT					INVOICE DTL DESC			
1010475	12/15/2022	PRTD	737 SALAZAR HUERTA, CATA	38259 37109	12/13/2022	121522		9.06
Invoice: 37109					UB 113723 332 SHAFTER			
9.06 5002-00-000-00-00-100101-					AR - Utility Billing			
					CHECK 1010475 TOTAL:			9.06
1010476	12/15/2022	PRTD	14472 SAMSARA	38151 37004 CI_16000	12/09/2022	121522		30.38
Invoice: CI_16000					LICENSE FOR VG SERIS- GPS UNITS -12/09/22-01/08/23			
30.38 0100-40-400-19-02-510400-					Professional Services			
					CHECK 1010476 TOTAL:			30.38
1010477	12/15/2022	PRTD	13170 SENTINEL ENGINEERING	37963 1551 36824	12/02/2022	121522		1,366.00
Invoice: 1551					Juniper Switch Config/troubleshoot/Product Consult			
50.00 0100-20-200-15-00-510400-					Professional Services			
1,316.00 5103-50-500-29-00-510400-					Professional Services			
					CHECK 1010477 TOTAL:			1,366.00
1010478	12/15/2022	PRTD	12962 SEQUOIA EQUIPMENT CO	38240 37090 BAK-17380	12/05/2022 66	121522		383.54
Invoice: BAK-17380					WATER - FILTER FUEL/KIT /SENSOR			
383.54 5002-40-400-20-00-510204-					Equipment Repair			
					12/05/2022 121522			693.15
38241 37091 BAK-17381					STREETS - FILTER FUEL/PUMP FUEL/FITTING			
Invoice: BAK-17381					Equipment Repair			
693.15 0100-40-400-19-02-510204-					CHECK 1010478 TOTAL:			1,076.69
1010479	12/15/2022	PRTD	719 SHAFTER HISTORICAL S	38214 37064	12/12/2022	121522		38.86
Invoice: 37064					UB 101015 150 CENTRAL VALLEY			
18.31 5001-00-000-00-00-100101-					AR - Utility Billing			
20.55 5001-00-000-00-00-100101-					AR - Utility Billing			
					CHECK 1010479 TOTAL:			38.86
1010480	12/15/2022	PRTD	291 SHAFTER PARTS & SUPP	38275 033962 37125	12/09/2022	121522		65.66
Invoice: 033962					STREETS - NAPAGOLD DUEL FILTER			
65.66 0100-40-400-19-02-510300-					Vehicle Operations			

A/P CASH DISBURSEMENTS JOURNAL

 CASH ACCOUNT: 0000-00-000-00-00-100001-
 CHECK NO CHK DATE TYPE VENDOR NAME

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				DOCUMENT	INVOICE DTL	DESC		
					CHECK	1010480 TOTAL:	65.66	
1010481	12/15/2022	PRTD	10357	SHAFTER TRANSMISSION	38246	72203	12/01/2022	121522
					37096			61.75
Invoice: 72203				61.75	5003-40-140-12-00-510300-	DIAL-A-RIDE #T16 - SMOG INSPECTION	Vehicle Operations	
					38247	72202	12/01/2022	121522
					37097			963.89
Invoice: 72202				963.89	5003-40-140-12-00-510300-	DAIL-A-RIDE #T16 - ENGINE OIL LEAKS	Vehicle Operations	
					38248	72241	12/06/2022	121522
					37098			61.75
Invoice: 72241				61.75	5003-40-140-12-00-510300-	DIAL-A-RIDE #T14 - SMOG INSPECTION	Vehicle Operations	
					38249	72204	12/01/2022	121522
					37099			61.75
Invoice: 72204				61.75	5101-50-400-24-00-510300-	SHOP #36 - SMOG INSPECTION	Vehicle Operations	
						CHECK	1010481 TOTAL:	1,149.14
1010482	12/15/2022	PRTD	15015	SHAFTER TRUE VALUE I	38079	2212-050267	12/08/2022	97
					36935			121522
Invoice: 2212-050267				35.31	5002-40-400-20-00-510200-	WATER - 4PK DISP BAIT STATION/HILLMAN FASTNERS	Repairs & Maintenance	
					38150	2212-050402	12/09/2022	81
					37003			121522
Invoice: 2212-050402				50.66	5002-40-400-20-00-510001-	WATER - PVC CEMENT/PRIMER/PILOT BIT	Departmental Supplies	
					38160	2212-050481	12/09/2022	81
					37012			121522
Invoice: 2212-050481				10.68	0100-30-400-25-00-510001-	PARKS - KEY COPY	Departmental Supplies	
					38161	2212-050472	12/09/2022	81
					37013			121522
Invoice: 2212-050472				16.02	0100-40-400-19-02-510001-	STREETS - PROOF CHAIN/SNAP LINK	Departmental Supplies	
					38162	2212-050459	12/09/2022	81
					37014			121522
Invoice: 2212-050459				159.80	5101-50-400-24-00-510001-	SHOP - RECIP SAW	Departmental Supplies	

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				DOCUMENT	INVOICE	INVOICE DTL	DESC		
				38163	2212-050458	12/09/2022	81	121522	24.66
				37015					
Invoice: 2212-050458									
	24.66	5101-50-400-24-00-510001-				SHOP - PRUNING BLADE		Departmental Supplies	
				38165	2212-050456	12/09/2022	81	121522	52.39
				37016					
Invoice: 2212-050456									
	4.98	0100-40-400-19-02-510001-				SHOP - PROFF CHAIN/TAPE KNIFE/BOLT SNAP		Departmental Supplies	
	.30	0100-30-400-25-00-510001-				Departmental Supplies		Departmental Supplies	
	25.73	5000-40-400-21-00-510001-				Departmental Supplies		Departmental Supplies	
	5.37	5002-40-400-20-00-510001-				Departmental Supplies		Departmental Supplies	
	16.01	5101-50-400-24-00-510001-				Departmental Supplies		Departmental Supplies	
						CHECK	1010482	TOTAL:	349.52
1010483	12/15/2022	PRTD	723 SILER, AUDREY G	38216	37066	12/12/2022		121522	71.43
				37066					
Invoice: 37066									
	71.43	5002-00-000-00-00-100101-				UB 113315 375 REDWOOD		AR - Utility Billing	
						CHECK	1010483	TOTAL:	71.43
1010484	12/15/2022	PRTD	149 SALVADOR LEAL	38222	10-22S	10/31/2022		121522	2,737.50
				37072					
Invoice: 10-22S									
	547.50	0100-30-400-25-30-510400-				MOBILE PATROL & LOCKUPS-5 PARKS		Professional Services	
	547.50	0100-30-400-25-31-510400-				Professional Services		Professional Services	
	547.50	0100-30-400-25-33-510400-				Professional Services		Professional Services	
	547.50	0100-30-400-25-37-510400-				Professional Services		Professional Services	
	547.50	0808-40-400-19-04-510200-				Repairs & Maintenance		Repairs & Maintenance	
				38223	11-22S	11/30/2022		121522	2,737.50
				37073					
Invoice: 11-22S									
	547.50	0100-30-400-25-30-510400-				MOBILE PATROL & LOCKUPS-5 PARKS		Professional Services	
	547.50	0100-30-400-25-31-510400-				Professional Services		Professional Services	
	547.50	0100-30-400-25-33-510400-				Professional Services		Professional Services	
	547.50	0100-30-400-25-37-510400-				Professional Services		Professional Services	
	547.50	0808-40-400-19-04-510200-				Repairs & Maintenance		Repairs & Maintenance	
						CHECK	1010484	TOTAL:	5,475.00
1010485	12/15/2022	PRTD	449 ST OF CA DEPT OF JUS	38206	622563	12/05/2022		121522	492.00
				37057					
Invoice: 622563									
	66.00	0100-20-200-14-00-510115-				Livescans: PD, PW, and Pass-throughs		Recruitment	
	32.00	5100-50-405-28-00-510115-				Recruitment		Recruitment	
	394.00	0100-00-000-00-00-205304-				Livescan Deposits		Livescan Deposits	

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				DOCUMENT	INVOICE DTL	DESC		
					CHECK	1010485 TOTAL:	492.00	
1010486	12/15/2022	PRTD	14779	STANDARD PLUMBING SU	38081	TFYT64	12/08/2022	78
					36936		121522	19.71
Invoice: TFYT64				19.71	0100-40-400-19-02-510001-	STREETS - NTRL STANRD DTY 100PK	Departmental Supplies	
					38087	TFX420	12/07/2022	78
					36942		121522	48.38
Invoice: TFX420				48.38	0100-40-400-19-02-510001-	STREETS - HM IND ASSORT	Departmental Supplies	
					38088	TFYZ98	12/08/2022	78
					36943		121522	21.44
Invoice: TFYZ98				21.44	5002-40-400-20-00-510001-	WATER - EXCHANGE SAME TANK	Departmental Supplies	
					38089	TFWQ76	12/07/2022	146
					36944		121522	29.77
Invoice: TFWQ76				29.77	5002-40-400-20-00-510200-	WATER - SOLDER FLX PB FREE/ROJIN FINE/NOKORODE	Repairs & Maintenance	
					38166	TGCD00	12/09/2022	78
					37017		121522	9.31
Invoice: TGCD00				9.31	5002-40-400-20-00-510001-	WATER - BRASS KEY	Departmental Supplies	
					38167	TGFN13	12/11/2022	78
					37018		121522	25.53
Invoice: TGFN13				25.53	0100-30-400-25-00-510001-	PARKS - HM IND ASSORT	Departmental Supplies	
					38169	TGFN09	12/11/2022	
					37020		121522	-40.73
Invoice: TGFN09				-40.73	0100-30-400-25-00-510001-	PARKS - BIT DRILL FORSTNER	Departmental Supplies	
					38170	TGDT77	12/10/2022	78
					37021		121522	75.32
Invoice: TGDT77				75.32	0100-30-400-25-00-510001-	PARKS - ACE GLS CHC BRWN/DRILL/HM IND ASSORT	Departmental Supplies	
					CHECK	1010486 TOTAL:	188.73	
1010487	12/15/2022	PRTD	11283	STERLING BUSINESS SE	38184	21686	11/16/2022	
					37035		121522	202.70
Invoice: 21686				202.70	0100-10-140-10-00-510001-	A/P & PAYROLL CHECK STOCK	Departmental Supplies	

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				DOCUMENT	INVOICE DTL	DESC		
					CHECK	1010487	TOTAL:	202.70
1010488	12/15/2022	PRTD	710 SUN COUNTRY FLOWERS	38099 36953	12/09/2022	121522		83.11
Invoice: 36953				83.11 5002-00-000-00-00-100101-	UB 106143 234	CENTRAL		
						AR - Utility Billing		
					CHECK	1010488	TOTAL:	83.11
1010489	12/15/2022	PRTD	6039 SUN RIDGE SYSTEMS IN	38204 7408	12/09/2022	23000211 121522		5,500.00
Invoice: 7408				5,500.00 0100-20-200-14-00-510105-	RIMS Server Upgrade			
						Software Licensing		
					CHECK	1010489	TOTAL:	5,500.00
1010490	12/15/2022	PRTD	12660 TRAFFIC MANAGEMENT I	38171 936585	12/09/2022	121522		535.84
Invoice: 936585				535.84 0100-40-400-19-02-510001-	STREETS - HIP WHT ON GRN			
						Departmental Supplies		
					CHECK	1010490	TOTAL:	535.84
1010491	12/15/2022	PRTD	11919 TRANSUNION RISK & AL	38200 183429-202211-1	12/01/2022	121522		26.80
Invoice: 183429-202211-1				26.80 0100-20-200-14-00-510400-	POLICE-TLO-NOVEMBER 2022			
						Professional Services		
					CHECK	1010491	TOTAL:	26.80
1010492	12/15/2022	PRTD	303 TYACK'S TIRES	38242 220136	11/17/2022	121522		381.16
Invoice: 220136				381.16 0100-40-400-19-02-510300-	STREETS SWEEPER - HI RUN STC 8D/DISMOUNT & MOUNT			
						Vehicle Operations		
					11/17/2022	121522		419.97
Invoice: 220137				419.97 0100-40-400-19-02-510300-	STREETS - FIRESTONE TRANSFORCE			
						Vehicle Operations		
					CHECK	1010492	TOTAL:	801.13
1010493	12/15/2022	PRTD	12519 UBEO MIDCO, LLC	38026 3911755	11/04/2022	121522		11,595.00
Invoice: 3911755				11,595.00 5103-50-500-29-00-510203-	UBEO Document Mgmt Support Renewal - Laserfiche			
						Software Maintenance		

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DOCUMENT					INVOICE DTL DESC			
					CHECK	1010493	TOTAL:	11,595.00
1010494	12/15/2022	PRTD	712 URBINA HERNANDEZ, AL	38101 36955	12/09/2022	121522		53.53
Invoice: 36955			53.53	5002-00-000-00-00-100101-	UB 112713 649	CENTRAL AR - Utility Billing		
					CHECK	1010494	TOTAL:	53.53
1010495	12/15/2022	PRTD	45 WAGEWORKS, INC	38207 INV4455212	11/23/2022	121522		170.75
Invoice: INV4455212			170.75	0100-10-135-09-00-510400-	Monthly Compliance and Admin. Fee: Nov. 2022	Professional Services		
					CHECK	1010495	TOTAL:	170.75
1010496	12/15/2022	PRTD	15101 WEX BANK - ACCOUNT 0	38300 NOINV 120622	12/06/2022	121522		63.05
Invoice: NOINV 120622			63.05	0100-20-200-14-00-510302-	POLICE-FUEL	Vehicle Operations - Fuel		
					38336 NOINV 110622	11/06/2022	121522	38.81
Invoice: NOINV 110622			38.81	0100-20-200-14-00-510302-	POLICE-FUEL	Vehicle Operations - Fuel		
					38337 NOINV 111122	11/11/2022	121522	41.72
Invoice: NOINV 111122			41.72	0100-20-200-14-00-510302-	POLICE-FUEL	Vehicle Operations - Fuel		
					38338 NOINV 11/11/22	11/11/2022	121522	32.51
Invoice: NOINV 11/11/22			32.51	0100-20-200-14-00-510302-	POLICE-FUEL	Vehicle Operations - Fuel		
					38339 NOINV 111522	11/15/2022	121522	56.64
Invoice: NOINV 111522			56.64	0100-20-200-14-00-510302-	POLICE-FUEL	Vehicle Operations - Fuel		
					38340 NOINV 111622	11/16/2022	121522	70.00
Invoice: NOINV 111622			70.00	0100-20-200-14-00-510302-	POLICE-FUEL	Vehicle Operations - Fuel		
					38341 NOINV 111822	11/18/2022	121522	57.64

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CASH ACCOUNT: 0000-00-000-00-00-100001-
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				DOCUMENT	INVOICE DTL DESC		
Invoice: NOINV 111822				57.64 0100-20-200-14-00-510302-	POLICE-FUEL	vehicle Operations - Fuel	
					CHECK	1010496 TOTAL:	360.37
1010497	12/15/2022	PRTD	618 WILLIAM A WINN	38199 124 37050	12/04/2022	121522	808.67
Invoice: 124				808.67 0100-20-200-14-00-510001-	POLICE-DUTY AMMUNITION	Departmental Supplies	
					CHECK	1010497 TOTAL:	808.67
1010498	12/15/2022	PRTD	1495 WITCHER ELECTRIC INC	38092 39077AA 36946	11/28/2022	121522	669.78
Invoice: 39077AA				669.78 5002-40-400-20-00-510200-	WSTER TANK #1 - AIR COMPRESSOR REPAIRS	Repairs & Maintenance	
					CHECK	1010498 TOTAL:	669.78
				NUMBER OF CHECKS	91	*** CASH ACCOUNT TOTAL ***	287,777.08
						COUNT	AMOUNT
				TOTAL PRINTED CHECKS		86	181,576.18
				TOTAL WIRE TRANSFERS		5	106,200.90
						*** GRAND TOTAL ***	287,777.08

A/P CASH DISBURSEMENTS JOURNAL

JOURNAL ENTRIES TO BE CREATED

CLERK: 5292blopez

YEAR	PER	JNL	SRC	ACCOUNT	EFF	DATE	JNL	DESC	REF	1	REF	2	REF	3	ACCOUNT	DESC	T	OB	DEBIT	CREDIT
															LINE	DESC				
2023	6	311																		
APP	5001-00-000-00-00-205000-															Accts Payable			82,236.75	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	0000-00-000-00-00-100001-															Cash: Mission Bank Acct#7135				287,777.08
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	0100-00-000-00-00-205000-															Accts Payable			79,545.48	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5103-00-000-00-00-205000-															Accts Payable			15,887.89	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5002-00-000-00-00-205000-															Accts Payable			72,596.82	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5100-00-000-00-00-205000-															Accts Payable			9,205.78	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5000-00-000-00-00-205000-															Accts Payable			2,414.77	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5101-00-000-00-00-205000-															Accts Payable			966.06	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5006-00-000-00-00-205000-															Accts Payable			161.98	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5004-00-000-00-00-205000-															Accts Payable			4,585.86	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	0808-00-000-00-00-205000-															Accts Payable			4,464.44	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	5003-00-000-00-00-205000-															Accts Payable			2,167.79	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	0301-00-000-00-00-205000-															Accts Payable			6,580.00	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	0305-00-000-00-00-205000-															Accts Payable			6,925.00	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
APP	0807-00-000-00-00-205000-															Accts Payable			38.46	
	12/15/2022	121522														AP CASH DISBURSEMENTS JOURNAL				
																GENERAL LEDGER TOTAL			287,777.08	287,777.08
APP	0000-00-000-00-00-209037-															Due To Funds - Refuse Operat			82,236.75	
	12/15/2022	121522																		
APP	5001-00-000-00-00-109000-															Due From Funds - Cash Pool				82,236.75
	12/15/2022	121522																		
APP	0000-00-000-00-00-209001-															Due To Funds - Gen Fund			79,545.48	
	12/15/2022	121522																		
APP	0100-00-000-00-00-109000-															Due From Funds - Cash Pool				79,545.48
	12/15/2022	121522																		
APP	0000-00-000-00-00-209049-															Due To Funds - Info Tech			15,887.89	
	12/15/2022	121522																		
APP	5103-00-000-00-00-109000-															Due From Funds - Cash Pool				15,887.89
	12/15/2022	121522																		
APP	0000-00-000-00-00-209038-															Due To Funds - Water Operat			72,596.82	

A/P CASH DISBURSEMENTS JOURNAL
JOURNAL ENTRIES TO BE CREATED

YEAR PER	JNL									
SRC ACCOUNT	EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC	T OB	DEBIT	CREDIT	
	12/15/2022	121522	121522							
APP 5002-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			72,596.82	
APP 0000-00-000-00-00-209046-	12/15/2022	121522	121522			Due To Funds - Facility Maint		9,205.78		
APP 5100-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			9,205.78	
APP 0000-00-000-00-00-209036-	12/15/2022	121522	121522			Due To Funds - Wastewtr Operat		2,414.77		
APP 5000-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			2,414.77	
APP 0000-00-000-00-00-209047-	12/15/2022	121522	121522			Due To Funds - Vehicle Maint		966.06		
APP 5101-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			966.06	
APP 0000-00-000-00-00-209042-	12/15/2022	121522	121522			Due To Funds - Rail Operat		161.98		
APP 5006-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			161.98	
APP 0000-00-000-00-00-209040-	12/15/2022	121522	121522			Due To Funds - Telecom Operat		4,585.86		
APP 5004-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			4,585.86	
APP 0000-00-000-00-00-209032-	12/15/2022	121522	121522			Due To Funds - LLMD - 001-2015		4,464.44		
APP 0808-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			4,464.44	
APP 0000-00-000-00-00-209039-	12/15/2022	121522	121522			Due To Funds - Transit Operat		2,167.79		
APP 5003-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			2,167.79	
APP 0000-00-000-00-00-209015-	12/15/2022	121522	121522			Due To Funds - Wastewtr Conect		6,580.00		
APP 0301-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			6,580.00	
APP 0000-00-000-00-00-209019-	12/15/2022	121522	121522			Due To Funds - Traffic Mit		6,925.00		
APP 0305-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			6,925.00	
APP 0000-00-000-00-00-209031-	12/15/2022	121522	121522			Due To Funds - LLMD - 002-2007		38.46		
APP 0807-00-000-00-00-109000-	12/15/2022	121522	121522			Due From Funds - Cash Pool			38.46	
SYSTEM GENERATED ENTRIES TOTAL								287,777.08	287,777.08	
JOURNAL 2023/06/311 TOTAL								575,554.16	575,554.16	

A/P CASH DISBURSEMENTS JOURNAL
 JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
0000 Pooled Cash Fund	2023 6	311	12/15/2022			
0000-00-000-00-00-100001-				Cash: Mission Bank Acct#7135		287,777.08
0000-00-000-00-00-209001-				Due To Funds - Gen Fund	79,545.48	
0000-00-000-00-00-209015-				Due To Funds - Wastewtr Conect	6,580.00	
0000-00-000-00-00-209019-				Due To Funds - Traffic Mit	6,925.00	
0000-00-000-00-00-209031-				Due To Funds - LLMD - 002-2007	38.46	
0000-00-000-00-00-209032-				Due To Funds - LLMD - 001-2015	4,464.44	
0000-00-000-00-00-209036-				Due To Funds - Wastewtr Operat	2,414.77	
0000-00-000-00-00-209037-				Due To Funds - Refuse Operat	82,236.75	
0000-00-000-00-00-209038-				Due To Funds - Water Operat	72,596.82	
0000-00-000-00-00-209039-				Due To Funds - Transit Operat	2,167.79	
0000-00-000-00-00-209040-				Due To Funds - Telecom Operat	4,585.86	
0000-00-000-00-00-209042-				Due To Funds - Rail Operat	161.98	
0000-00-000-00-00-209046-				Due To Funds - Facility Maint	9,205.78	
0000-00-000-00-00-209047-				Due To Funds - Vehicle Maint	966.06	
0000-00-000-00-00-209049-				Due To Funds - Info Tech	15,887.89	
				FUND TOTAL	287,777.08	287,777.08
0100 General Fund	2023 6	311	12/15/2022			
0100-00-000-00-00-109000-				Due From Funds - Cash Pool		79,545.48
0100-00-000-00-00-205000-				Accts Payable	79,545.48	
				FUND TOTAL	79,545.48	79,545.48
0301 Wastewater Connection	2023 6	311	12/15/2022			
0301-00-000-00-00-109000-				Due From Funds - Cash Pool		6,580.00
0301-00-000-00-00-205000-				Accts Payable	6,580.00	
				FUND TOTAL	6,580.00	6,580.00
0305 Traffic Mitigation	2023 6	311	12/15/2022			
0305-00-000-00-00-109000-				Due From Funds - Cash Pool		6,925.00
0305-00-000-00-00-205000-				Accts Payable	6,925.00	
				FUND TOTAL	6,925.00	6,925.00
0807 LLMD - 002-2007	2023 6	311	12/15/2022			
0807-00-000-00-00-109000-				Due From Funds - Cash Pool		38.46
0807-00-000-00-00-205000-				Accts Payable	38.46	
				FUND TOTAL	38.46	38.46
0808 LLMD - 001-2015	2023 6	311	12/15/2022			
0808-00-000-00-00-109000-				Due From Funds - Cash Pool		4,464.44
0808-00-000-00-00-205000-				Accts Payable	4,464.44	
				FUND TOTAL	4,464.44	4,464.44

A/P CASH DISBURSEMENTS JOURNAL
 JOURNAL ENTRIES TO BE CREATED

FUND ACCOUNT	YEAR PER	JNL	EFF DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
5000 Wastewater Operations	2023 6	311	12/15/2022			
5000-00-000-00-00-109000-				Due From Funds - Cash Pool		2,414.77
5000-00-000-00-00-205000-				Accts Payable	2,414.77	
				FUND TOTAL	2,414.77	2,414.77
5001 Refuse Operations	2023 6	311	12/15/2022			
5001-00-000-00-00-109000-				Due From Funds - Cash Pool		82,236.75
5001-00-000-00-00-205000-				Accts Payable	82,236.75	
				FUND TOTAL	82,236.75	82,236.75
5002 Water Operations	2023 6	311	12/15/2022			
5002-00-000-00-00-109000-				Due From Funds - Cash Pool		72,596.82
5002-00-000-00-00-205000-				Accts Payable	72,596.82	
				FUND TOTAL	72,596.82	72,596.82
5003 Transit Operations	2023 6	311	12/15/2022			
5003-00-000-00-00-109000-				Due From Funds - Cash Pool		2,167.79
5003-00-000-00-00-205000-				Accts Payable	2,167.79	
				FUND TOTAL	2,167.79	2,167.79
5004 Telecommunications Operations	2023 6	311	12/15/2022			
5004-00-000-00-00-109000-				Due From Funds - Cash Pool		4,585.86
5004-00-000-00-00-205000-				Accts Payable	4,585.86	
				FUND TOTAL	4,585.86	4,585.86
5006 Rail Operations	2023 6	311	12/15/2022			
5006-00-000-00-00-109000-				Due From Funds - Cash Pool		161.98
5006-00-000-00-00-205000-				Accts Payable	161.98	
				FUND TOTAL	161.98	161.98
5100 Facility Maintenance	2023 6	311	12/15/2022			
5100-00-000-00-00-109000-				Due From Funds - Cash Pool		9,205.78
5100-00-000-00-00-205000-				Accts Payable	9,205.78	
				FUND TOTAL	9,205.78	9,205.78
5101 Vehicle Maintenance	2023 6	311	12/15/2022			
5101-00-000-00-00-109000-				Due From Funds - Cash Pool		966.06
5101-00-000-00-00-205000-				Accts Payable	966.06	
				FUND TOTAL	966.06	966.06
5103 Information Technology	2023 6	311	12/15/2022			

A/P CASH DISBURSEMENTS JOURNAL
JOURNAL ENTRIES TO BE CREATED

FUND	YEAR	PER	JNL	EFF	DATE	ACCOUNT DESCRIPTION	DEBIT	CREDIT
ACCOUNT								
5103-00-000-00-00-109000-						Due From Funds - Cash Pool		15,887.89
5103-00-000-00-00-205000-						Accts Payable	15,887.89	
						FUND TOTAL	15,887.89	15,887.89

A/P CASH DISBURSEMENTS JOURNAL
JOURNAL ENTRIES TO BE CREATED

FUND	DUE TO	DUE FR
0000 Pooled Cash Fund	287,777.08	
0100 General Fund		79,545.48
0301 Wastewater Connection		6,580.00
0305 Traffic Mitigation		6,925.00
0807 LLMD - 002-2007		38.46
0808 LLMD - 001-2015		4,464.44
5000 Wastewater Operations		2,414.77
5001 Refuse Operations		82,236.75
5002 Water Operations		72,596.82
5003 Transit Operations		2,167.79
5004 Telecommunications Operations		4,585.86
5006 Rail Operations		161.98
5100 Facility Maintenance		9,205.78
5101 Vehicle Maintenance		966.06
5103 Information Technology		15,887.89
TOTAL	287,777.08	287,777.08

** END OF REPORT - Generated by Brenda Lopez **

DETAIL PROOF - FINAL REPORT

Pay Period 11/12/22 To 11/25/22

WARRANT: 120222 PAYROLL TYPE: BIWEEKLY

CHECK DATE: 12/02/2022

Earnings-Deductions Proof Summaries

Total Pre-Notes: 0

Available Cash Balance after payroll: 2,905,223.06

Total Cash Requirements:

Total Employee Checks:	0.00
Total Employee ACH Transactions:	286,468.95
Total Vendor Checks this payroll:	0.00
Total Vendor Checks other payrolls:	0.00
Total Vendor Electronic Transfers this payroll:	0.00
Total Vendor Electronic Transfers other payrolls:	0.00
Total Vendor Telephone Transfers this payroll:	0.00
Total Vendor Telephone Transfers other payrolls:	0.00

Total Cash Required: 286,468.95

Payments to be Processed:

Total Telephone Transfers: 0.00

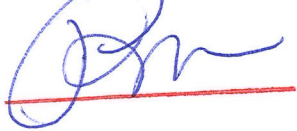
Remaining Payroll Liabilities:

Total Employee/Employer (Check type = No check):	23,656.44
Total Pay Escrow:	0.00
Total Escrow Balance:	0.00
Total Invoices this payroll:	188,408.26
Total Invoices other payrolls:	0.00
Total Checks/Invoices/EFT/Telephone transfers this payroll (deferred):	84,547.61
Total Checks/Invoices/EFT/Telephone transfers other payrolls (deferred):	0.00

Total Liabilities: 296,612.31

** END OF REPORT - Generated by Lety Lara **

APPROVED BY:



DETAIL PROOF - FINAL REPORT

Pay Period 12/05/22 To 12/05/22

WARRANT: 120522 PAYROLL TYPE: MISC

CHECK DATE: 12/05/2022

Earnings-Deductions Proof Summaries**DEDUCTION SUMMARY**

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DED	TYPE	EMPLOYEE AMT	EMPLOYER AMT	TOTAL AMT	EMPLOYEE GROSS	FICA/MED CALC
1000	FICA	4,008.01	4,008.01	8,016.02	64,645.10 X 12.40% =	8,015.99
1100	MEDICARE	937.39	937.39	1,874.78	64,645.10 X 2.90% =	1,874.71
3000	FIT	14,221.98	0.00	14,221.98	64,645.10	
4000	SIT	4,266.54	0.00	4,266.54	64,645.10	
8300	CA SDI	711.18	0.00	711.18	64,645.10	
9995	DIRECT DEP F	500.00	0.00	500.00	2,394.27	
9996	DIRECT DEP F	200.00	0.00	200.00	2,394.27	
9999	DIRECT DEP	39,800.00	0.00	39,800.00	64,645.10	

Total:	64,645.10	4,945.40
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Total Females:	6	Gross Pay:	14,365.58
Total Males:	21	Gross Pay:	50,279.52
Total Employees:	27	Gross Pay:	64,645.10

Total Pre-Notes: 0

Available Cash Balance after payroll: 3,151,192.01

Total Cash Requirements:

Total Employee Checks:	0.00
Total Employee ACH Transactions:	40,500.00
Total Vendor Checks this payroll:	0.00
Total Vendor Checks other payrolls:	0.00
Total Vendor Electronic Transfers this payroll:	0.00
Total Vendor Electronic Transfers other payrolls:	0.00
Total Vendor Telephone Transfers this payroll:	0.00
Total Vendor Telephone Transfers other payrolls:	0.00

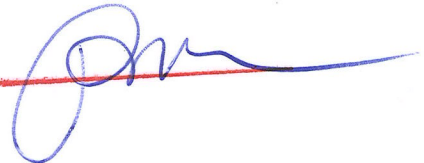
Total Cash Required: 40,500.00

Payments to be Processed:

Total Telephone Transfers: 0.00

Remaining Payroll Liabilities:

Total Employee/Employer (Check type = No check):	0.00
Total Pay Escrow:	0.00
Total Escrow Balance:	0.00
Total Invoices this payroll:	29,090.50
Total Invoices other payrolls:	0.00
Total Checks/Invoices/EFT/Telephone transfers this payroll (deferred):	0.00

APPROVED BY:


DETAIL PROOF - FINAL REPORT

Pay Period 12/09/22 To 12/09/22

WARRANT: 120922 PAYROLL TYPE: MISC

CHECK DATE: 12/09/2022

Earnings-Deductions Proof Summaries**DEDUCTION SUMMARY**

DED	TYPE	EMPLOYEE AMT	EMPLOYER AMT	TOTAL AMT	EMPLOYEE GROSS	FICA/MED CALC
1000	FICA	155.00	155.00	310.00	2,500.00 X 12.40% =	310.00
1100	MEDICARE	36.25	36.25	72.50	2,500.00 X 2.90% =	72.50
3000	FIT	550.00	0.00	550.00	2,500.00	
4000	SIT	165.00	0.00	165.00	2,500.00	
8300	CA SDI	27.50	0.00	27.50	2,500.00	
9999	DIRECT DEP	1,566.25	0.00	1,566.25	2,500.00	
Total:		2,500.00	191.25			

Total Females:		Gross Pay:	0.00
Total Males:	1	Gross Pay:	2,500.00
Total Employees:	1	Gross Pay:	2,500.00

Total Pre-Notes: 0

Available Cash Balance after payroll: 3,190,125.76

Total Cash Requirements:

Total Employee Checks:	0.00
Total Employee ACH Transactions:	1,566.25
Total Vendor Checks this payroll:	0.00
Total Vendor Checks other payrolls:	0.00
Total Vendor Electronic Transfers this payroll:	0.00
Total Vendor Electronic Transfers other payrolls:	0.00
Total Vendor Telephone Transfers this payroll:	0.00
Total Vendor Telephone Transfers other payrolls:	0.00

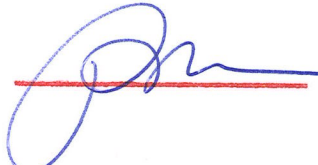
Total Cash Required: 1,566.25

Payments to be Processed:

Total Telephone Transfers: 0.00

Remaining Payroll Liabilities:

Total Employee/Employer (Check type = No check):	0.00
Total Pay Escrow:	0.00
Total Escrow Balance:	0.00
Total Invoices this payroll:	1,125.00
Total Invoices other payrolls:	0.00
Total Checks/Invoices/EFT/Telephone transfers this payroll (deferred):	0.00
Total Checks/Invoices/EFT/Telephone transfers other payrolls (deferred):	84,547.61

APPROVED BY:


DETAIL PROOF - FINAL REPORT

Pay Period 12/09/22 To 12/09/22

WARRANT: 1222SW PAYROLL TYPE: MISC

CHECK DATE: 12/09/2022

Earnings-Deductions Proof Summaries**DEDUCTION SUMMARY**

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DED	TYPE	EMPLOYEE AMT	EMPLOYER AMT	TOTAL AMT	EMPLOYEE GROSS	FICA/MED CALC
1000	FICA	2,442.80	2,442.80	4,885.60	39,400.06 X 12.40% =	4,885.61
1100	MEDICARE	883.27	844.43	1,727.70	58,239.90 X 2.90% =	1,688.96
1100	MEDICARE -2				4,315.68 X .90% =	38.84
3000	FIT	12,812.81	0.00	12,812.81	58,239.90	
4000	SIT	3,843.81	0.00	3,843.81	58,239.90	
6000	CHILDSUPP-CA	0.00	0.00	0.00	803.25	
8300	CA SDI	433.42	0.00	433.42	58,239.90	
8310	CA UI	0.00	0.00	0.00	58,239.90	
9995	DIRECT DEP F	300.00	0.00	300.00	2,000.80	
9999	DIRECT DEP	37,523.79	0.00	37,523.79	58,239.90	
Total:		58,239.90	3,287.23			

Total Females:	9	Gross Pay:	16,184.79
Total Males:	21	Gross Pay:	42,055.11
Total Employees:	30	Gross Pay:	58,239.90

Total Pre-Notes: 0

Available Cash Balance after payroll: 3,153,868.22

Total Cash Requirements:

Total Employee Checks:	0.00
Total Employee ACH Transactions:	37,823.79
Total Vendor Checks this payroll:	0.00
Total Vendor Checks other payrolls:	0.00
Total Vendor Electronic Transfers this payroll:	0.00
Total Vendor Electronic Transfers other payrolls:	0.00
Total Vendor Telephone Transfers this payroll:	0.00
Total Vendor Telephone Transfers other payrolls:	0.00

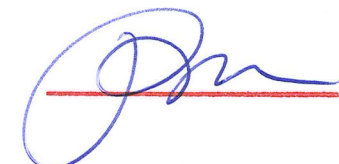
Total Cash Required: 37,823.79

Payments to be Processed:

Total Telephone Transfers: 0.00

Remaining Payroll Liabilities:

Total Employee/Employer (Check type = No check):	0.00
Total Pay Escrow:	0.00
Total Escrow Balance:	0.00
Total Invoices this payroll:	23,703.34
Total Invoices other payrolls:	0.00

APPROVED BY:


**MINUTES OF THE REGULAR MEETING OF THE
SHAFTER CITY COUNCIL
COUNCIL CHAMBER, 336 PACIFIC AVENUE
MEETING HELD IN-PERSON AND VIA ZOOM AND LIVESTREAM TO YOUTUBE
TUESDAY, DECEMBER 6, 2022**

Pursuant to AB 361 Issued by Governor Gavin Newsom on September 20, 2021 and, to the extent applicable, Government Code Section 54953(e), this meeting was held as a Virtual Meeting via Zoom and livestreaming on YouTube Live.

CALL TO ORDER: 6:00 PM

ROLL CALL:

PRESENT (In-Person): Mayor Prout, Mayor Pro Tem Givens, Council Members Alvarado, Espinoza, and Lopez. City Manager Gonzalez, Human Resources Manager Chavolla, Planning Director Esselman, Building Official Fidler, Education Partnership Director Franz, Public Works Director James, City Clerk Pallares, IT Systems Manager Rubio, Administrative Services Director Sanchez, and Chief of Police Zimmermann. (Via Zoom): Economic Development Director Meadows and Community Engagement Manager Zermeno.

PLEDGE OF ALLEGIANCE: Council Member Espinoza

INVOCATION: Council Member Alvarado

APPROVAL OF AGENDA:

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL DETERMINED THERE WAS A NEED TO TAKE IMMEDIATE ACTION AND THAT THE NEED FOR ACTION CAME TO THE ATTENTION OF THE COUNCIL SUBSEQUENT TO THE AGENDA BEING POSTED TO MOVE MANAGEMENT REPORT NO. 5 TO A FUTURE CITY COUNCIL MEETING AGENDA AND APPROVED THE AGENDA AS AMENDED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

PUBLIC COMMENT:

There were no members of the public wishing to speak.

COUNCIL ANNOUNCEMENTS AND REPORTS:

Council Member Lopez provided an update on his son and thanked everyone for their support.

Mayor Pro Tem Givens reported on December 23, 2022, Shafter High School will be hosting a Community Rally at the Downtown Plaza to congratulate the Shafter High Football Team.

On November 16, 2022, Mayor Prout and Council Member Espinoza attended the Kern County

On November 16, 2022, Mayor Prout attended a Kern Council of Governments (Kern COG) Board meeting.

On November 28, 2022, Mayor Prout and Council Member Espinoza, along with staff, attended the Housing Element Update Community Workshop at the Shafter Veterans Hall.

On December 1, 2022, Mayor Prout and Council Member Espinoza attended the Oath of Office ceremony for Facilities Manager Kenneth Green and Administrative Assistant Griselda Hernandez.

On December 2, 2022, Council Member Alvarado reported the Shafter Lions Club hosted the Christmas Parade at Mannel Park. Mayor Prout, Mayor Pro Tem Givens, and Council Members Alvarado and Espinoza attended the Shafter Lions Club Parade.

On December 5, 2022, Mayor Prout, Mayor Pro Tem Givens, Council Member Espinoza, and Staff attended the Annual Christmas Tree Lighting and Sing downtown.

CONSENT CALENDAR:

1. Approve General Checks: November 17, 2022, November 23, 2022, December 1, 2022.
2. Approve Payroll: November 18, 2022, November 18, 2022, December 1, 2022.
3. Approve Minutes: November 15, 2022.
4. Approve Overtime Report: November 2022.
5. Approve Special Event Permit: Rafael Garibay, Toy Drive, Veterans Park, December 10, 2022.
6. Approve the cancellation of the regularly scheduled City Council meeting of January 3, 2023.
7. Council approve the renewal of the Support Contract in the amount of \$11,595 with UBEO (Formerly Ray Morgan Company) for technical support of the City's Document Management System Laserfiche.
8. Council find the requested action is exempt from the California Environmental Quality Act; and accept the dedications of easement for street and public utility purposes from Lennar Homes of California and authorize the City Engineer to record said documents.

*MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL APPROVED THE CONSENT CALENDAR AS PRESENTED.
MOTION CARRIED BY THE FOLLOWING VOTE:*

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

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 City Council at or prior to this public hearing.

- 1. GOSSAMER GROVE SPECIFIC PLAN AMENDMENT NO. 22-05:** Planning Director Esselman made introductory comments. A notice of public hearing was properly advertised.

Mayor Prout opened the public hearing.

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

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL CONDUCTED A PUBLIC HEARING AND INTRODUCED FOR FIRST READING BY TITLE ONLY AND WAIVED READING OF ORDINANCE NO. 745, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER, CALIFORNIA MAKING FINDINGS AND ADOPTING SPECIFIC PLAN AMENDMENT NO. 22-05 TO THE GOSSAMER GROVE SPECIFIC PLAN AS PROVIDED IN EXHIBIT "A". MOTION CARRIED BY THE FOLLOWING VOTE:

*AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.
NAYS: NONE.
ABSENT: NONE.
ABSTENTIONS: NONE.*

- 2. ZONE CODE AMENDMENT NO. 22-17 - AMENDING TITLES 16 (SUBDIVISION ORDINANCE) AND 17 (ZONING ORDINANCE) OF THE CITY OF SHAFTER MUNICIPAL CODE:** Planning Director Esselman made introductory comments. A notice of public hearing was properly advertised. Planning Director Esselman provided Council with the correct copy of Ordinance 735.

Mayor Prout opened the public hearing.

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

MOVED (LOPEZ) AND SECONDED (GIVENS) COUNCIL CONTINUED HEARING AND INTRODUCED FOR FIRST READING BY TITLE ONLY AND WAIVED READING OF ORDINANCE NO. 735, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER, CALIFORNIA AMENDING TITLES 16 (SUBDIVISION ORDINANCE) AND 17 (ZONING ORDINANCE) OF THE CITY OF SHAFTER MUNICIPAL CODE (1): (1) IN RESPONSE TO CHANGES IN STATE LAW REGARDING: (A) ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND (B) LANDSCAPING; (2) FOR CONSISTENCY WITH THE CALIFORNIA BUILDING CODE; (3) FOR INTERNAL CONSISTENCY BETWEEN SECTIONS OF TITLE 17 REGARDING SECTION NUMBERING; AND (4) TO PLACE RECENT CHANGES TO TITLE 16 TEXT CHANGES IN A DIFFERENT SECTION FOR CLARITY. MOTION CARRIED BY THE FOLLOWING VOTE:

*AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.
NAYS: NONE.
ABSENT: NONE.
ABSTENTIONS: NONE.*

- 3. ADOPT ORDINANCE 743 REPEALING AND ADDING NEW CHAPTERS OF TITLE 15 ("CODE OF BUILDING REGULATIONS") OF THE SHAFTER MUNICIPAL CODE AS FOLLOWS: 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.20, 15.24, 15.26, 15.28, 15.32, 15.34, 15.36, 15.40, 15.44, & 15.52 WHICH INCLUDES ADOPTION OF THE CALIFORNIA BUILDING STANDARDS CODE, AS MODIFIED, TO PROVIDE A NEW CODE OF BUILDING REGULATIONS:** Building Official Fidler made introductory comments. A notice of public hearing was properly

advertised.

Mayor Prout opened the public hearing.

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

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL CONDUCTED A PUBLIC HEARING AND RECEIVED PUBLIC COMMENT; INTRODUCED FOR SECOND READING BY TITLE ONLY, WAIVED READING, AND ADOPTED ORDINANCE 743, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER, CALIFORNIA AMENDING TITLE 15 OF THE SHAFTER MUNICIPAL CODE BY REPEALING AND ADDING NEW CHAPTERS OF TITLE 15 ("CODE OF BUILDING REGULATIONS") OF THE SHAFTER ORDINANCE CODE AS FOLLOWS 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.20, 15.24, 15.26, 15.28, 15.32, 15.34, 15.36, 15.40, 15.44, AND 15.52; AND ADOPTING BY REFERENCE THE 2022 CALIFORNIA ADMINISTRATIVE, BUILDING, RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, EXISTING BUILDING, HISTORICAL BUILDING, FIRE, GREEN BUILDING STANDARDS, REFERENCED STANDARDS CODES, THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE, SHAFTER GRADING CODE, SHAFTER MOVED-BUILDING REGULATIONS, MOBILE HOMES AND ACCESSORY STRUCTURES, SHAFTER FLOODPLAIN MANAGEMENT ORDINANCE, AND LOCAL AMENDMENTS WITH CERTAIN APPENDICES, AS MODIFIED, TO PROVIDE A NEW CODE OF BUILDING REGULATIONS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

- 4. PUBLIC HEARING TO TAKE PUBLIC INPUT OF THE PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT APPLICATION FISCAL YEAR 2023-2024:** Education Partnership Director Franz made introductory comments. A notice of public hearing was properly advertised.

Mayor Prout opened the public hearing.

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

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL FIND THE PROPOSED ACTIVITY IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTED RESOLUTION 2897, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER AUTHORIZING THE FILING OF FISCAL YEAR 2023-2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FAIR SHARE PROJECT FUNDS. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

- 5. ADOPT RESOLUTION NO. 2895 CERTIFYING THAT THE CITY COUNCIL OF THE CITY OF SHAFTER HAS RECEIVED, REVIEWED, EVALUATED, AND CONSIDERED THE INFORMATION CONTAINED IN THE ADDENDUM TO THE CERTIFIED FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE 2005 GENERAL PLAN UPDATE AND RELATED ACTIONS (SCH NO. 2004101029) FOR SPECIFIC PLAN AMENDMENT NO. 21-03 AND INTRODUCE**

ORDINANCE NO. 744 TO APPROVE SPECIFIC PLAN AMENDMENT NO. 21-03 TO AMEND THE ADOPTED HERITAGE RANCH SPECIFIC PLAN TO CHANGE THE SPECIFIC PLAN NAME, REMOVE THE PROVISIONS FOR A GATED AGE-RESTRICTED NEIGHBORHOOD, SWIMMING POOL AND RECREATION BUILDING, AMEND THE DEVELOPMENT STANDARDS, AND MAKE MINOR CORRECTIONS, CHANGES, AND UPDATES TO THE SPECIFIC PLAN TEXT: Planning Director Esselman made introductory comments. A notice of public hearing was properly advertised.

Mayor Prout opened the public hearing.

Whitney Jackson, with McIntosh & Associates, spoke in favor of the project.

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

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL CONDUCTED A PUBLIC HEARING; ADOPTED RESOLUTION 2895, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER CERTIFYING IT HAS RECEIVED, REVIEWED, EVALUATED, AND CONSIDERED THE INFORMATION CONTAINED IN THE ADDENDUM TO THE CERTIFIED FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE 2005 GENERAL PLAN UPDATE AND RELATED ACTIONS (SCH NO. 2004101029) FOR SPECIFIC PLAN AMENDMENT NO. 21-03, AN AMENDMENT TO THE HERITAGE RANCH SPECIFIC PLAN, AND CERTIFYING THAT THE ADDENDUM HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND STATE CEQA GUIDELINES; AND, INTRODUCED FOR FIRST READING BY TITLE ONLY, AND WAIVED READING, ORDINANCE NO. 744, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER, CALIFORNIA MAKING FINDINGS AND ADOPTING SPECIFIC PLAN AMENDMENT NO. 21-03 TO THE HERITAGE RANCH SPECIFIC PLAN AS PROVIDED IN EXHIBIT "A". MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

MANAGEMENT REPORT:

- 1. ACCEPTANCE OF THE CITY OF SHAFTER COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE YEAR ENDED JUNE 30, 2021:** Administrative Services Director Sanchez and Kelly Telford, with LSL CPA's and Advisor's, provided a presentation.

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL FIND THE PROPOSED ACTIVITY IS NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ACCEPTED THE ANNUAL COMPREHENSIVE FINANCIAL REPORT, AND SAS 114 LETTER, FOR THE YEAR ENDED JUNE 30, 2021. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

- 2. AWARD A CONSTRUCTION CONTRACT TO LOOP ELECTRIC, INC IN THE AMOUNT OF \$314,625 FOR THE 2022 PARK LIGHTING IMPROVEMENT**

PROJECT MANNEL PARK & VETERANS PARK: Public Works Director James made introductory comments.

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL FIND THE REQUESTED ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ACCEPTED THE BIDS RECEIVED FOR THE 2022 PARK LIGHTING IMPROVEMENT PROJECT - MANNEL PARK & VETERANS PARK; AUTHORIZED THE AWARD OF SAID PROJECT TO LOOP ELECTRIC, INC. VALUED AT \$314,625; AND AUTHORIZED THE CITY ENGINEER TO ISSUE A NOTICE OF AWARD AND NOTICE TO PROCEED TO LOOP ELECTRIC, INC. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

3. AWARD PROFESSIONAL SERVICES CONTRACT FOR NORTH SHAFTER COMMUNITY PARK DEVELOPMENT ARCHITECTURAL & ENGINEERING DESIGN: Public Works Director James made introductory comments.

MOVED (LOPEZ) AND SECONDED (GIVENS) COUNCIL ACCEPTED PROPOSALS RECEIVED FOR THE NORTH SHAFTER COMMUNITY PARK DEVELOPMENT ARCHITECTURAL & ENGINEERING DESIGN SERVICES PROJECT; AUTHORIZED AN AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR SAID PROJECT TO WYNN SMITH LANDSCAPE ARCHITECTURE, INC.; AND AUTHORIZED PUBLIC WORKS DIRECTOR TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

4. APPROVE THE PROPOSAL FOR PROFESSIONAL SERVICES FROM TETER, LLP IN THE AMOUNT OF \$40,000 FOR THE PROGRAMMING AND CONCEPTUAL DESIGN OF NEW POLICE SUBSTATION AND FIRE STATION: City Manager Gonzalez made introductory comments.

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL ACCEPTED PROPOSALS RECEIVED FOR THE NEW POLICE SUBSTATION AND KERN COUNTY FIRE STATION ARCHITECTURAL & ENGINEERING PROGRAMMING AND CONCEPTUAL DESIGN; AUTHORIZED AN AWARD OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$40,000 FOR SAID PROJECT TO TETER, LLP, A PROFESSIONAL ARCHITECT AND ENGINEERING FIRM; AND AUTHORIZED THE CITY MANAGER TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ALVARADO, ESPINOZA, GIVENS, LOPEZ, AND PROUT.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

5. ITEM MOVED TO A FUTURE CITY COUNCIL MEETING AGENDA DISCUSSION AND DIRECTION OF PROPOSED REVISIONS TO THE CITY OF SHAFTER BIDDING AND PROCUREMENT POLICY UPDATES.

CITY MANAGER COMMENTS AND REPORTS: City Manager Gonzalez reported an update

on the schedule of upcoming events; and reported the new agenda management system was successfully launched for the December 6, 2022 City Council meeting.

DEPARTMENT DIRECTOR COMMENTS AND REPORTS: Public Works Director James provided an update for the relocation of the transit bus stop.

RECESS:

MOVED (GIVENS) AND SECONDED (LOPEZ) COUNCIL RECESSED INTO CLOSED SESSION AT 7:18 P.M.

CLOSED SESSION:

1. **CONFERENCE WITH LABOR NEGOTIATORS:** Pursuant to California Government Code, Section 54957.6. Agency Representative: Gabriel A. Gonzalez, City Manager. Employee Organization: Non-Represented Employees. *NO REPORTABLE ACTION.*

ADJOURNMENT:

MOVED (GIVENS) AND SECONDED (ESPINOZA) COUNCIL ADJOURNED THE MEETING AT 9:22 P.M. MOTION CARRIED WITH NO OPPOSITION.

Cathy L. Prout, Mayor

ATTEST:

Yazmina Pallares, City Clerk



Resolution of Service Recognition

Suzanne Forrest

Senior Planner

September 29, 2006 - March 3, 2023

Sixteen Years of Service

WHEREAS, for the past sixteen years, Suzanne Forrest has diligently and faithfully served the City of Shafter in the Planning Department; and

WHEREAS, Suzanne's career with the City of Shafter began as a Senior Planner on September 29, 2006; and

WHEREAS, she has performed the work and duties of her employment in a capable and trustworthy manner, has been an integral part of the Planning Department, processing land subdivisions, administering the Zoning Ordinance, and overseeing maintenance of the General Plan. Over the years, Suzanne has also built strong professional relationships with the Planning Commission; and

WHEREAS, Suzanne dedicated her adult life to her family; husband Brad and daughter Callie. During her free time, Suzanne enjoys baking a variety of dishes, gardening, quilting and sewing; and

WHEREAS, the City's elected representatives, now properly give well-deserved recognition and appreciation for Suzanne's personal and professional involvement resulting in the betterment of the community of Shafter.

NOW, THEREFORE, LET IT BE RESOLVED, the City of Shafter does hereby officially recognize and commend Suzanne Forrest for her years of public service with the City of Shafter and wish her much happiness as she begins this exciting new chapter in her life.

PASSED and ADOPTED this 20th day of December, 2022.

Cathy L. Prout, Mayor



Resolution of Commendation

2022 Shafter High Generals Varsity Football Team

WHEREAS, the 2022 Shafter High Varsity Football team had and exceptional and memorable season led by Head Coach Jerald Pierucci, and Assistant Coaches Sean Lozano, Acie George, Derric Kirschenmann, Lio Maino, Fortino Valdivia, Chase Mears, Adam Clayton, Zach Clayton, Roger Patterson, Jaden Pierucci, Sal Maino, Nathan DeJager, and Panch Marquez; and

WHEREAS, the 2022 Shafter Football team ended the season with a record of 11-5, entering the CIF DIV Central Section playoffs as the 8th seed, they then had a unprecedented post season, becoming the Central Section Division IV Champions; Southern Region DV Champions and an amazing 2nd place finish in State ; and

WHEREAS, these young men did all this with class, honor, hard work, selflessness, and a genuine love for each other; they are a source of pride for the community of Shafter and have honorably represented the Shafter's competitive spirit; and

WHEREAS, the City Council does hereby recognize the following young

- | | |
|---------------------|------------------------|
| 1 Ezekiel Osborne | 24 Rafael Roman-Amador |
| 2 Mariyon Sloan | 33 Nick Rosette |
| 3 Alex Aguirre | 40 Uriah Salcido |
| 4 Ernesto Guerrero | 44 Chris Espinoza |
| 6 Jesse Bernal | 50 Daniel Olvera |
| 7 Jesus Figueuroa | 51 Hector Cruz |
| 8 Luciano Burnias | 52 Matthew Cordova |
| 9 Jonathan Escobedo | 54 Ethan Jimenez |
| 10 Cash Gutierrez | 55 Parker Valderrama |
| 11 Koa Rhodes | 56 Joel Gutierrez |
| 12 Aaron Jimenez | 59 Wenceslo Flores |
| 18 Dallas Holguin | 66 Ethan Dunlap |
| 19 Daniel Rodriguez | 75 Jeronimo Ceja |
| 22 Jesus Vasquez | 76 Landon Monreal |
| 23 Juan Zuniga | 77 Jeff VanderPoel |

men who are models to their peers and adults alike:

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Shafter proclaim that all citizens of Shafter join together to congratulate and extend a special tribute to the Shafter High Varsity team.

PASSED AND ADOPTED this 22th day of December, 2022

Cathy L. Prout, Mayor
City of Shafter



336 Pacific Avenue, Shafter CA 93263
Tel: (661) 746-5002 • Fax (661) 746-9125
Email: facilityrentals@shafter.com

APPLICATION FOR SPECIAL EVENT PERMIT

Shafter Municipal Code 17.02.100 permits short-term placement of activities on privately or publicly owned property with appropriate regulations so that such activities are compatible with the surrounding areas.

The City's Project Assistance Team is authorized to approve a special event permit if the event is expected to accommodate less than 50 persons. City Council approval is required if more than 50 persons will attend.

Complete applications must be received a minimum of 30 days prior to the event. If errors or omissions are discovered, the application will be deemed incomplete and will be returned to the applicant for revision. Acceptance of your application is not a guarantee of approval. After the initial intake of your completed application, other City permits may be required. Application Fees are due at the time of submittal and are non-refundable.

APPLICANT: Name (Contact Person): Gabriel Gonzalez

Name of Business or Organization (if applicable): City of Shafter

If Organization, what type: ☐ Service Club ☐ Church ☐ Other: _____

Mailing Address: 336 Pacific Avenue City Shafter State CA Zip 93263

Phone 661-805-9692 Fax _____ Email ggonzalez@shafter.com

TYPE OF EVENT (concert, reception, parade, party, promotion, rally, wedding, parade, etc.)

Community Rally celebrating Shafter High Generals Football

DATE(S) OF EVENT: From: 12/22/2022 To: 12/22/2022

TIME OF EVENT: From: 6:00 pm To: 8:00 pm

TIME SET-UP STARTS: 3:00 pm **TIME CLEAN-UP ENDS:** 8:00 pm

NUMBER OF ATTENDEES: 100+ **ADMISSION FEE?** ☐ Yes ☒ No

LOCATION OF EVENT: Shafter Downtown Square

Name of Facility/Address

Name of Property Owner: City of Shafter

FULL DESCRIPTION OF ACTIVITY: (check all that apply)

- ☒ Amplified speech or music ☒ Food Beverages served/sold** ☐ Banners/Flags to be used ☐ Public Dance
☒ Street closure (attach map) ☐ Barricades (attach map) ☒ Equipment to be brought in (specify below)
☒ Food Vendors ****a copy of the Community Event Permit issued by Kern County Public Health must be attached**
☐ Alcoholic Beverage **** the event organizer must obtain an ABC licensed issued by Alcoholic Beverage Control**

EVENT ORGANIZERS ARE RESPONSIBLE FOR ENSURING ALL VENDORS ARE PROPERLY LICENSED.

Additional Pertinent Information (attach additional sheet if necessary): _____

GENERAL REQUIREMENTS:

1. Execute a Hold Harmless Agreement.
2. Provide a Certificate of Insurance with an Endorsement for the City of Shafter, if required. See “Insurance Requirement” below.
3. There shall be no disruption in normal vehicular traffic flow.
4. All City noise regulations must be observed.
5. Parking must be in authorized parking spaces only.
6. There shall be no alcoholic beverages at event without prior City Council approval.
7. Carefully observe Hours of Event, as stated on permit.
7. All set-up and clean-up is the responsibility of the permit-holder. Following the event, all facilities must be left in a clean and orderly condition.
8. If indicated, comply with any additional conditions that may have been imposed as Conditions of Approval following review of your application for a Special Event Permit.
9. Do not advertise your event until the application is approved.
10. Application fees are non-refundable.

INSURANCE REQUIREMENTS ONLY IF THE EVENT WILL BE HELD ON A CITY OWNED FACILITY OR ON CITY RIGHT-OF-WAY:

- | | | |
|------------------------------|---|--|
| 1. Open to the Public | ☒ Yes | ☐ No |
| 2. Fundraising | ☐ Yes | ☒ No |
| 3. More than 100 persons | ☒ Yes | ☐ No |
| 4. Amplification | ☒ Yes | ☐ No |
| 5. Alcohol to be served/sold | ☐ Yes | ☒ No |

If any one or more of the boxes above are marked YES, a Certificate of Insurance must be filed two weeks prior to the event. The Certificate of Insurance alone is not an acceptable proof of coverage and must be accompanied by an Endorsement page naming: **“The City of Shafter, it’s Officers, Employees, City Council members, Agents, Boards and Commissions”** as additional insured. The insurance coverage accepted is \$1,000,000 per occurrence and \$2,000,000 general aggregate. In addition, if Alcohol is present or sold, a host liquor liability in the amount of \$2,000,000 per occurrence and \$4,000,000 general aggregate must be produced.

The following Hold Harmless Agreement is also required:

This is to certify that City of Shafter agrees to indemnify and hold harmless the City of Shafter, its Employees, City Council members, Agents, Boards and Commissions from and against any and all claims, liability loss, costs, damages, fees of attorneys, and other expenses which the City may sustain or incur by reason of, or in consequence of, the use of City streets and land, including but not limited to, sums paid on liability judgments in relation to use of land and streets.

Furthermore, I certify that I am the applicant or authorized agent and that the information filed is true and correct to the best of my knowledge. I understand that additional Conditions of Approval may be imposed on my event by the Project Assistance Team or the City Council, and I agree to comply with any conditions that may be required.

Applicant’s Signature _____ Date: 12/14/2022

CHIEF OF POLICE: ☐ Approved ☐ Approved with Conditions Listed Below ☐ Denied

Signature: _____ Date: _____

PROJECT ASSISTANCE TEAM: ☐ Approved ☐ Approved with Conditions Listed Below ☐ Denied

Signature: _____ Date: _____

CITY COUNCIL: ☐ Approved ☐ Approved with Conditions Listed Below ☐ Denied

Signature: _____ Date: _____

CONDITIONS OF APPROVAL

As part of the approval process for a Special Event Permit application, conditions may be imposed that are deemed necessary to ensure that the permit will be applied in accordance with the criteria outlined in the City Zoning Ordinance. These conditions may involve any factors affecting the operation of the temporary use or event. Conditions of Approval include the following items circled:

1. Provision of temporary parking facilities, including vehicular ingress and egress.
2. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination of adjacent properties, noise, vibration, smoke, dirt, odors, gases, and heat.
3. Regulation of temporary buildings, structures, and facilities, including placement, height and size, location or equipment and open spaces including buffer areas and other yards.
4. Provision of sanitary and medical facilities.
5. Provision of solid waste collection and disposal.
6. Police and fire concerns.
7. Provision of security and safety measures.
8. Regulation of operating hours and days, including limitation of the duration of the special event to a shorter time period than requested.
9. Submission of a performance bond or other surety device to assure that any temporary facilities or structures used for the proposed special event will be removed from the site within a reasonable time following the event and that the property will be restored to its former conditions.
10. Submission of a site plan indicating any information required by the Zoning Ordinance.
11. A requirement that the approval of the requested special event permit is contingent upon compliance with the Zoning Ordinance and with other applicable provision of other ordinances, resolutions, or regulations.
12. Other conditions that will ensure the operation of the proposed special event in an orderly and efficient manner and in accordance with the intent and purpose of the Zoning Ordinance.
13. Additional Conditions of Approval: _____

FOR OFFICE USE ONLY

Received by _____ Date _____ Zoning of Property _____

Fee Waived: ☐ Yes ☐ No Fee: \$ _____ Cash _____ Credit Card _____ Check No. _____

☐ Yes ☐ NA Park Use Permit Issued ☐ Yes ☐ NA Insurance Certificate Filed

☐ Yes ☐ NA Encroachment Permit Issued ☐ Yes ☐ NA ABC License



APPLICATION FOR PARK USAGE
336 Pacific Avenue, Shafter, California 93263
(661) 746-5002 • Fax (661) 746-9125
Email: facilityrentals@shafter.com

APPLICANT: Rachel Zermeno Organization City of Shafter
If applicable, what type of Organization: ☐ Service Club ☐ Church ☐ Other: _____
Local non-profit Organization? ☐ Yes ☒ No If yes, please provide Tax ID No. _____
Mailing Address: 336 Pacific Avenue City Shafter State CA Zip 93263
Tel 661-746-5000 Fax _____ Email ggonzalez@shafter.com
Alternate Contact Name: Gabriel Gonzalez Tel 661-746-5000

CHECK ALL THAT APPLY:

☒ Open to the Public ☒ Amplified Music/Speech ☐ Alcoholic Beverage ☐ Amusement/Mechanical Rides
☐ Bounce House/Water Slide ☒ Food Sales ☐ Fundraiser ☐ Admission Charge ☐ Birthday Party
☐ Carnival ☐ Circus ☐ Family Reunion ☐ Other, please describe _____

GROUP PARK FACILITY USE PERMIT:

Name of Park: Shafter Downtown Plaza Area of Park: _____
Day Thursday Date 12/22/2022 Start Time 3PM End Time 8PM
Day _____ Date _____ Start Time _____ End Time _____
Day _____ Date _____ Start Time _____ End Time _____
Number of Attendees: Adults 50+ Juveniles 50+ Total 100+

NOTICE: Please visit cdph.org and kernpublichealth.com for updates and information on how to protect yourself and others from COVID-19.

Purpose/Nature of Event: Community Rally Celebrating Shafter High Generals Football Team
☐ Sports Field Lighting ☒ Yes ☐ No If yes, please indicate requested Start Time _____ End Time _____
☒ Electricity * ☐ Water * (**Available at Mannel Park only. Areas 1 and 5*)
Equipment to be brought into the Park Lighting Towers, Generator, Cones to Close off Streets of Central and James
Provisions for Security and Medical Aid _____

AMPLIFIED MUSIC/SPEECH PERMIT: (Municipal Code 12.32.150 -160)

Time of Use 6PM Wattage _____ Maximum Distance Music will be Heard _____

ALCOHOLIC BEVERAGE POSSESSION OR CONSUMPTION PERMIT: (Municipal Code 12.32.070)

Type of Alcohol: N/A

ALCOHOLIC BEVERAGE SALE PERMIT: (Attach Copy of ABC License) (Municipal Code 12.32.070)

Purpose of Sale N/A
Type of Alcohol _____ Tax Exempt No. _____
ABC License _____

PARK RENTAL AGREEMENT	INITIAL RZ
A facility use agreement authorizes rental of the facility under the following conditions: - The requested park facility, date and time are available - The rental will not interfere with official City business or programs - A complete reservation form has been submitted to the City and all applicable fees paid - A hold harmless and indemnification agreement has been signed and submitted - If Liability insurance is required, the renter must submit proof of insurance coverage and endorsements to the City ten days prior to the event	
Standard Park Conditions: - Applicant must be 18 years or older - Park hours are from 5am to 10pm and facilities are available for Rental between 5am to 9pm - Applicant is responsible for the conduct and control of the attendees and must be present at the rental at all times - City events will take precedence over non-city events - Payment of park permit fees is non-refundable. In the event of a rain-out, the renter may opt to reserve a future rental date up to 120 days in advance and is subject to availability - Applicant is responsible for vacating the facility in a timely manner - All parks are to left clean and litter free after use, all trash must be placed in the trash bin receptacles - Placement of signs or posters for advertising purposes is prohibited - Recurring reservations that are religious or political in nature are prohibited - Changes to the reservation date, time and nature of activity must be requested in person - Consumption of Alcohol is prohibited - Additional Conditions of Approval _____ _____ _____	
CITY'S RIGHT TO REVOKE, CANCEL OR DENY RENTAL PERMIT	INITIAL RZ
The Director may revoke an issued permit or deny a reservation, when it is determined by the Director that the proposed use of the facility is not consistent with the intended use. Use of the facility will be granted upon the conditions that all rules and regulations will be followed. A rental permit may be revoked for violations of any rule or regulation contained in the City of Shafter Municipal Code or state and local laws by the renter, guests, attendees, employees or vendors. Applicant is responsible for any damage to the facility, contents or fixtures and is responsible for the cost of repairs and or replacements of such at the City's discretion. All damages must be reported to the City at the conclusion of the event or the next business day.	
RIGHT TO ESTABLISH ADDITIONAL RULES AND CONDITIONS	INITIAL RZ
The Director may establish additional rules, regulations and conditions concerning the use of the park that are consistent with Chapter 12.32 of the Municipal Code	
NON-ASSIGNMENT	INITIAL RZ
The Park Permit is nonexclusive and nontransferable. Under no condition shall the Renter assign or transfer use of this permit or any obligation, right, title or interest assumed by the renter without the prior written consent of the City. City reserves the right to terminate the park permit.	
ATTENDANCE AND CAPACITY	INITIAL RZ
Applicant is responsible for the conduct and control of all the attendees AND further agrees to ensure that the number of attendees does not exceed the number declared on the Permit Application. Non-compliance with this requirement can be subject to rental cancellation and fees revoked.	
SALES AND COLLECTION OF FEES	INITIAL RZ
The Director may grant local charitable or non-profit organizations to conduct sales, collect fees or have fundraising events at city parks under the following conditions: - A use permit is granted - A city business license is obtained - Food sales must be approved by Kern County Public Health and a copy of the permit filed with the City.	

INFLATABLES AND BOUNCE HOUSES	INITIAL RZ
Inflatable attractions including bounce houses, water slides, obstacle courses, laser tags and non-mechanical rides may be permitted as follows: a. Facility must be adequate in size and have electricity or water connection available b. Vendor must have an active business license with the City c. Liability insurance and additional endorsements must be filed with the City 10 days prior to the event	
AMUSEMENT/MECHANICAL RIDES	INITIAL RZ
1. No Amusement Ride shall be operated in the City of Shafter unless such ride has a valid TAR Permit and a Certificate of Inspection issued by the State of California. 2. Certificate shall be posted on or near the amusement ride in a location where it can be easily seen and accessible at the request of authorized City Staff. 3. Other City Permits may be required.	
INSURANCE REQUIREMENT	INITIAL RZ
City Council Resolution 888 requires that a Certificate of Insurance shall be submitted if the event is open to the public; is a fund-raising activity; is expected to have: more than 100 persons attending; amplified music; amusement rides; or alcohol consumption. MINIMUM REQUIREMENTS: Commercial insurance with limits not less than \$2,000,000 in aggregate and \$1,000,000 each occurrence. Proof of insurance coverage including the required additional endorsements naming the City of Shafter, its Officers, Employees, City Council members, Agents, Boards and Commissions as Additional Insured must be filed with the city 10 days prior to the event. The insurance carrier must have a Best's A- and be size VII or larger and licensed to do business in the State of California.	
Is certificate of Insurance required? ☐ Yes ☐ No	
OTHER REGULATIONS AND PROHIBITED ACTS	INITIAL RZ
1. Play golf or archery or fly motor-driven model aircrafts (except in designated areas) 2. Vandalize or damage any park trees or other vegetation, buildings, benches, equipment or facilities 3. Light any fire (except in grills and pits) 4. Litter in any manner 5. Drive or park motor vehicles or bicycles (except when authorized on park permit) 6. Ride horses or other animals 7. Allow dogs to run loose 8. Interfere with other persons or groups who have reserved park areas 9. Obstruct paths and passage ways 10. Possess or use any weapon 11. Camp or lodge overnight, except by permission of the City 12. Operate a radio or other audible device loud enough to be heard 50 feet from the radio or device 13. Amplified music, speech or sound, except by permit 14. Possess, consume or sell alcoholic beverages, except by permit issued by the City Council a. Application to consume or sell alcoholic beverages must be submitted 21 days prior to the event b. Denial of the application may be appealed to the City Council by filing a written appeal with the City Clerk within 5 days of mailing or delivery of such decision c. The City Council shall hold a hearing within 14 days of filing the appeal d. The decision of the Council shall be final 15. Power driven mechanical rides also referred to as Amusement Rides require City Council approval 16. Hazardous materials are prohibited in any City facility and defined as asbestos or asbestos containing materials, petroleum, including but not limited to crude oil, natural gas, or natural liquids, pollutants or contaminants 17. Any violations of law	

By initialing and signing this application, the applicant agrees to the rental policies set forth. I certify that I am the applicant or authorized agent and that the information filed is true and correct to the best of my knowledge.

Applicant's Signature _____ Date 12/14/2022

FOR OFFICE USE ONLY	
Received by _____	Date _____ Time _____
Fee \$ _____ Cash _____ Check No. _____	Credit Card _____ Receipt No. _____
PARK PERMIT APPROVAL: ☐ Approved ☐ Approved with Conditions ☐ Denied	
GROUP PARK FACILITY USE: Public Works Director: _____	
PERMIT REVIEW: City Manager _____	
PERMIT REVIEW: Chief of Police _____	

**RELEASE, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT
AND WAIVER OF LIABILITY FOR THE CITY OF SHAFTER, CALIFORNIA**

This **Release, Hold Harmless And Indemnification Agreement** (“**Agreement**”) is made and entered into by and between the **City of Shafter, California**, a California municipal corporation organized under the laws of the State of California (“**City**”), and CITY OF SHAFTER (“**User/Renter**”).

In consideration of the covenants, promises, representations, and warranties set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, intending to be legally bound hereby, the parties agree as follows:

User/Renter has reserved and rented the following property, venue, or space owned or operated by **City** and commonly referred to as SHAFTER DOWNTOWN PLAZA, which is located at _____, Shafter, CA. **City** hereby grants permission to **User/Renter** to reserve, rent, enter, and use the above-referenced property for lawful and authorized purposes or events as further detailed in the records related to **User/Renter**’s reservation, use and rental of the referenced **City** property.

User/Renter hereby agrees to indemnify and hold harmless the **City**, and its officials, officers, employees, and agents from any and all suits, demands, claims, lawsuits, judgments, losses, penalties, actions, fines, costs, liabilities, debts, damages, and expenses, including but not limited to all reasonable legal fees and costs, from loss, damage, or injury to persons or property in any manner arising out of, allegedly arising out of, incident to, or connected to any acts, omissions, or misconduct in connection with the reservation, use, and rental described above whereby **User/Renter** enters, occupies, or uses the above-referenced **City** property. **User/Renter** further agrees to defend at **User/Renter**’s own expense, including but not limited to all reasonable legal fees and costs, the **City**, and its officials, officers, employees, and agents in any legal action based upon such acts, omissions, or misconduct.

User/Renter fully recognizes the dangers of entering, occupying, or using the above-referenced **City** property for lawful and authorized purposes or events and voluntarily assumes all risks of loss, damage, or injury to persons or property associated with his or her reservation, use, and rental.

User/Renter hereby releases **City** from any and all liability in any manner arising out of, allegedly arising out of, incident to, or connected to **User/Renter**’s reservation, use, and rental of the above-referenced **City** property. **User/Renter** understands and acknowledges that **City** is not liable for any loss, damage, or injury to persons or property associated with **User/Renter**’s reservation, use, and rental.

If any provision of this **Agreement** is held to be void or unenforceable, the remaining provisions shall continue in full force and effect. This **Agreement** shall be governed by and construed in accordance with the laws of the State of California without giving effect to any choice of law or conflict of law provision or rule in any other jurisdiction. This **Agreement** constitutes the entire **Agreement** between the parties with respect to the subject matters described herein, and supersedes any and all agreements or understandings, whether written or oral, between the parties with respect to such subject matters. All waivers of any provision hereunder shall be in writing and signed by both parties. The failure of either party to enforce at any time for any period any provision hereof shall not be construed to be a waiver of such provision.

This **Agreement** shall be effective on the date of execution by the parties, as indicated by the later date of the parties’ signatures below, and expires on the completion of the above-referenced reservation, use, and rental by **User/Renter** from **City**, which in no case should extend beyond the Thursday day of DECEMBER 22, 202022.

USER/RENTER:

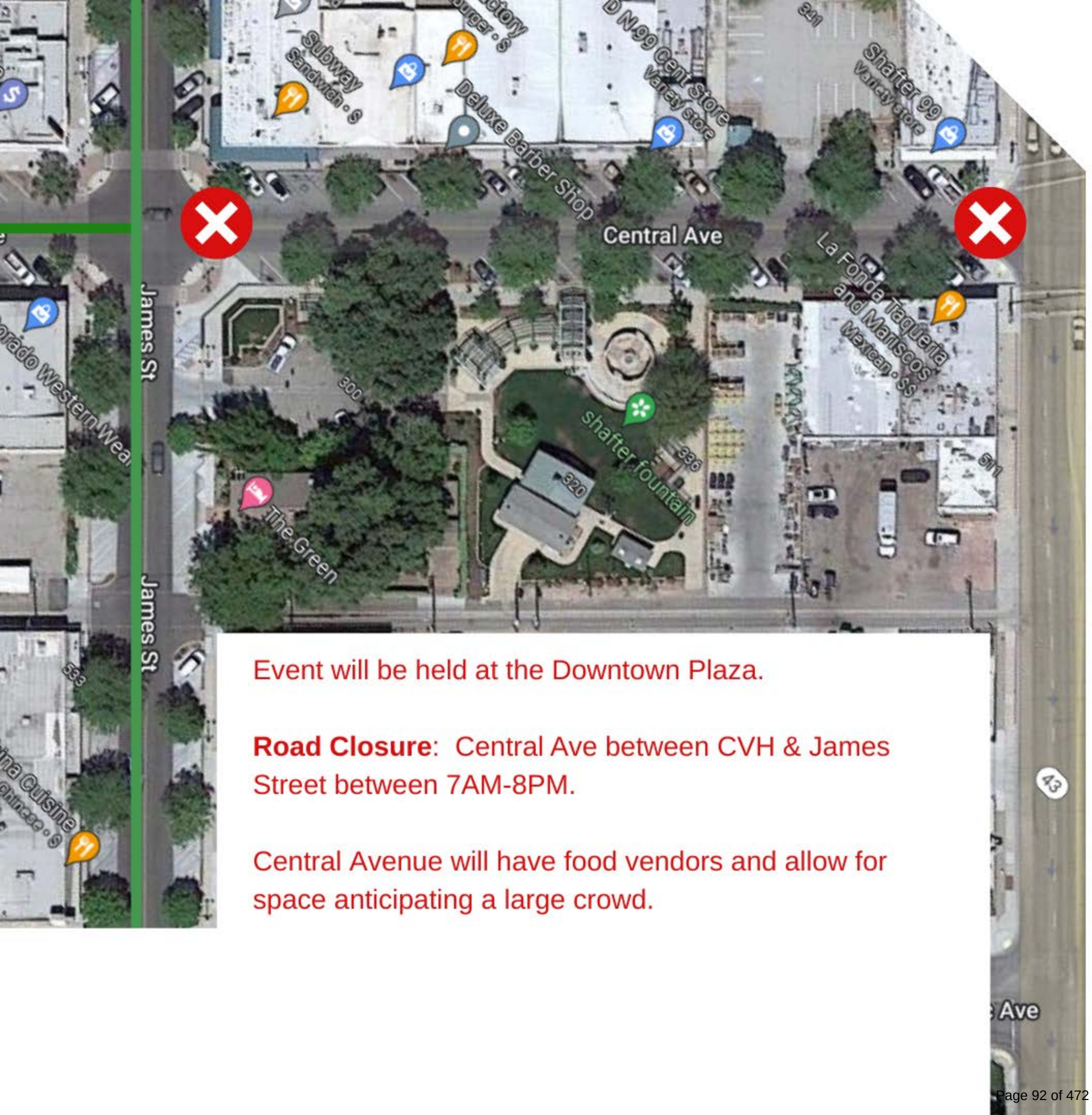
RACHEL ZERMENO

User/Renter [Print Name]

User/Renter [Signature]

12/14/2022

Date



Event will be held at the Downtown Plaza.

Road Closure: Central Ave between CVH & James Street between 7AM-8PM.

Central Avenue will have food vendors and allow for space anticipating a large crowd.



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Steve Esselman, Planning Director

SUBJECT: GOSSAMER GROVE SPECIFIC PLAN AMENDMENT NO. 22-05

RECOMMENDATION

Council introduce for second reading, waive reading; and adopt Ordinance No. 745, an Ordinance of the City Council of the City of Shafter, California, making findings and adopting Specific Plan Amendment No. 22-05 to the Gossamer Grove Specific Plan as provided in Exhibit "A".

BACKGROUND

Lennar Homes of California (Lennar) is requesting an amendment to the adopted Gossamer Grove Specific Plan to (1) revise both the "Community Core Structure Diagram" (Figure 5-2a) and "Community Core Concept Sketch" (Figure 5-2b) to include a public services area, an area for additional residential lots to the west of, and adjacent to, the public services area, and revisions to nearby local and collector roads and (2) make a minor text change to allow a small percentage of detached (along with the already approved attached) residential land uses west of, and adjacent to, the public services area to accommodate additional residential lots that can have either attached or detached units because of this proposed specific plan amendment.

At the December 6, 2022 City Council meeting, the Council voted unanimously to introduce Ordinance No. 745 for a first reading and waive the reading. This action is the second reading of the Ordinance.

ANALYSIS

The proposed changes are consistent with the adopted Gossamer Grove Specific Plan. The amendment is refining the approved Community Core Structure Diagram and Community Core Concept Sketch and is consistent with the uses proposed within the current and adopted Diagram and Sketch.

FISCAL IMPACT

None.

CEQA ANALYSIS

The amendment is within the scope and intensity of the original Gossamer Grove Specific Plan analyzed in the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update (SCH No. 2004101029). The certified Program EIR adequately describes the activity of the public services area as a mix of land uses that can include a police station, fire substation, and residential. The maximum allowable residential densities for the entire Specific Plan area (including the public services area) are not exceeded by the addition of the police substation, fire station, and 13 additional residential lots because of this amendment. Therefore, per Section 15061(b)(3) of the California Environmental Quality Act Guidelines (commonly referred to as the “Common Sense exemption”), it can be seen with certainty that the action will not cause a significant effect on the environment, and therefore, the action is not subject to CEQA.

APPROVED BY THE CITY ATTORNEY

Not Applicable

ALTERNATIVES

The City Council could deny the proposed action and the SPA would not be approved. However, without approval of this Amendment, the needed public services area with police substation and fire station would not be realized.

NEXT STEPS

The Ordinance will go into effect 30 days from its approval date and, within 20 days after its adoption, a copy of same will be published and circulated in the City of Shafter together with the names of the members of the City Council voting for and against the same.

ATTACHMENTS

1. Exhibit 1 - Ordinance No. 745

ORDINANCE NO. 745

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER MAKING FINDINGS AND ADOPTING SPECIFIC PLAN AMENDMENT NO. 22-05 TO THE GOSSAMER GROVE SPECIFIC PLAN AS PROVIDED IN EXHIBIT “A”.

WHEREAS, Lennar Homes of California is requesting an amendment to the adopted Gossamer Grove Specific Plan to (1) revise the “Community Core Structure Diagram” (Figure 5-2a) and “Community Core Concept Sketch” (Figure 5-2b) to include a public services area, additional lots for residential units, and revisions to nearby local and collector road alignments and (2) make a minor text change to allow a small percentage of detached (along with the already approved attached) residential land uses west of, and adjacent to, the public services area to accommodate additional detached residential units on additional lots created because of Specific Plan Amendment No. 22-05 (the “Project”); and

WHEREAS, on November 8, 2022, the Planning Commission of the City of Shafter recommended the City Council adopt Specific Plan Amendment No. 22-05 under Resolution No. 22-415; and

WHEREAS, the City Council had determined that the Project is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines because the Project is within the scope and intensity of the original Gossamer Grove Specific Plan analyzed in the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update (SCH No. 2004101029); and

WHEREAS, the City Council has determined that the certified Program EIR adequately describes the activity of the public services area as a mix of land uses that can include a police station, fire substation, and residential and that the maximum allowable residential densities for the entire Specific Plan area (including the public services area) are not exceeded by the addition of the police substation, fire station, and additional residential lots because of Specific Plan Amendment No. 22-05; and

WHEREAS, the City Council has determined that, per Section 15061(b)(3) of the California Environmental Quality Act Guidelines, it can be seen with certainty that the action will not cause a significant effect on the environment, and therefore, the action is not subject to CEQA; and

WHEREAS, the City Council, through the City Clerk, did set Tuesday, December 6, 2022, 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 City Council on said proposal, and notice of the public hearing was given in the manner provided in Title 17 of the Shafter Municipal Code; and

WHEREAS, the City Council has determined that pursuant to Chapter 15, Title 17 of the City of Shafter Municipal Code, it is in the best interest of the City to adopt an amendment to the Gossamer Grove Specific Plan (Specific Plan Amendment No. 22-05) to enhance the quality of life and to protect the health, safety, and welfare of its citizens by applying orderly development to the City; and

WHEREAS, the subject property is located within the City of Shafter’s incorporated boundaries; and

EXHIBIT 1

WHEREAS, the subject amendment is consistent with the City of Shafter's existing General Plan; and

WHEREAS, the subject amendment is consistent with the goals, objectives, policies, and programs of the General Plan and adopted Gossamer Grove Specific Plan and is necessary and desirable for implementing the provisions of said planning documents; and

WHEREAS, the subject amendment will not adversely affect the public health, safety, and welfare or result in an illogical land use pattern; and

WHEREAS, the subject amendment is consistent with the purpose and intent of the remainder of Title 17 of the City of Shafter Municipal Code not under consideration.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHAFTER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The above recitals and findings incorporated herein, are true and correct.

SECTION 2: The Gossamer Grove Specific Plan, pursuant to Specific Plan Amendment No. 22-05, is consistent with the City of Shafter's General Plan.

SECTION 3: Based on the entire record before the City Council, including the above findings and all written and oral evidence presented to the City Council, the City Council hereby adopts Specific Plan Amendment No. 22-05, as shown in Exhibit "A", attached hereto, and made part of this Ordinance as though fully set forth herein.

SECTION 4: If any provision of this Ordinance or the application thereof is for any reason held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 5: This Ordinance shall take effect thirty (30) days after its final passage and adoption and, within twenty (20) days after its adoption, a copy of same shall be published and circulated in the City of Shafter together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED THIS 20th DAY OF DECEMBER, 2022.

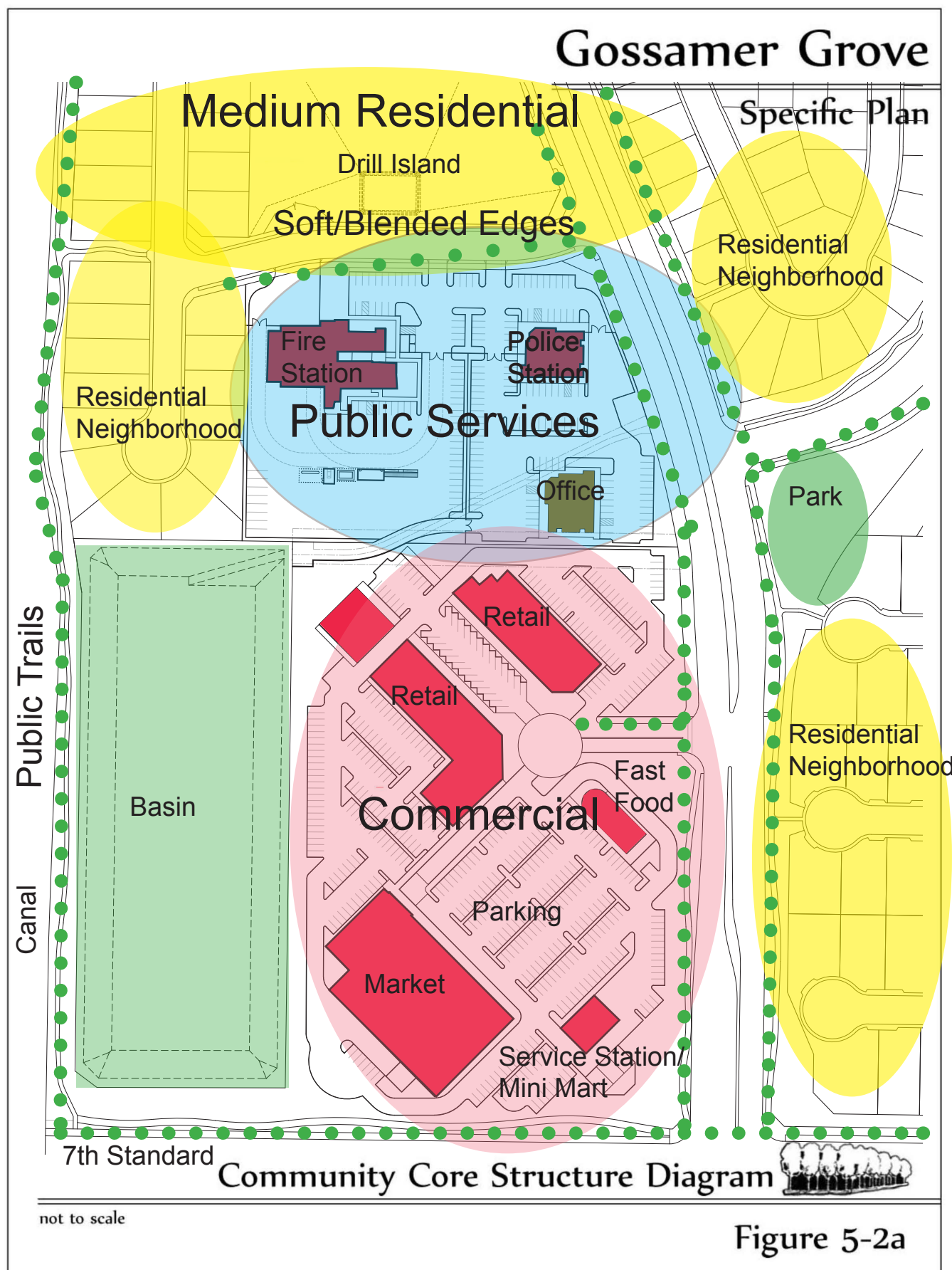
Cathy L Prout, Mayor

ATTEST:

Yazmina Pallares, City Clerk

APPROVED AS TO FORM:

Marco A. Martinez, City Attorney



Gossamer Grove

Specific Plan

Main Street Configuration for safe and enjoyable shopping

Direct Access to adjacent residential neighborhoods and regional and community trails

Outdoor Spaces with shade structures for socializing and eating



Enriched Landscaping with trails and attractive monumentation

Enriched Paving at key pedestrian crossings

Unique Siting of architectural elements to create a "Sense of Place"

Community Core Concept Sketch



not to scale

Figure 5-2b



B. PUBLIC SERVICES

The purpose of this land use designation is to provide for community serving facilities that are located within the community and promote community gathering and activity. Public facilities are located in a highly visible area of the community where they can serve as a beacon or way finding for residents of Gossamer Grove and beyond. This land use designation is planned adjacent to the main commercial area where the facilities can share and integrate parking. Typical uses in this area may include a range of public service facilities such as a police and/or fire station, library, post office, clubs and lodges. In addition, a small percentage of attached or detached residential land uses would be allowed so that the area has a population after working hours that can provide activity and “eyes on the street”.

C. SCHOOLS

Education facilities will be located in Planning Area 5 and Planning Area 6, totaling 28 net acres of the Specific Plan. This land area has been provided to accommodate two elementary schools for the population of the Gossamer Grove Specific Plan area.

D. DRILL ISLANDS

Drill islands have been established in Planning Areas 1, 2, and 4, totaling 10 acres of the Specific Plan area. This land area has been provided to accommodate oil and gas production.

3.3.3 PARKS AND RECREATION

Public recreation areas, trails and open space buffers constitute 62.1 acres of the Gossamer Grove Specific Plan. Public parks range in size from 1.5 to 7.8 acres.

A. PUBLIC PARK FACILITIES

Gossamer Grove will incorporate a community park in Planning Area 5 as an important element of the community design. The community park is intended to serve as a neighborhood gathering area and provide active and passive recreation for the residents of the community. The public facility will total approximately 7.8 acres. In addition to the community park, neighborhood parks will be provided in Planning Areas 1, 2, 3, 4, and 6 for a total of approximately 24 acres. Neighborhood parks shall be designed and maintained to provide active and/or passive uses and the design shall meet the approval of the City of Shafter and/or the entity that will be managing the facilities.



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Steve Esselman, Planning Director

SUBJECT: ZONE CODE AMENDMENT NO. 22-17 - AMENDING TITLES 16 (SUBDIVISION ORDINANCE) AND 17 (ZONING ORDINANCE) OF THE CITY OF SHAFTER MUNICIPAL CODE

RECOMMENDATION

Council introduce for second reading, waive reading; and, adopt Ordinance 735, an amendment to Shafter Municipal Code Titles 16 (Subdivision Ordinance) and 17 (Zoning Ordinance) to amend the Titles: In response to changes in State law regarding: accessory dwelling units and junior accessory dwelling units and drought-tolerant landscaping; For consistency with the California Building Code; For internal consistency between Sections of Title 17 regarding Section numbering; and To place recent changes to Title 16 in a different Section, which is a clearer and more logical place within Title 16 for the text.

BACKGROUND

1. The Governor has signed Senate Bill (SB) 13 as well as Assembly Bills 3182, 881, and 68 that made changes to Government Code related to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). On January 1, 2020, the various laws went into effect and voided Section 11.200 (Second Dwelling Units) of Shafter Municipal Code Title 17.
2. The Governor has signed SB 897 and AB 2221 that made further changes to Government Code related to ADUs and JADUs. On January 1, 2023, the various laws will go into effect.
3. The Governor has signed AB 1164 that made changes to Government Code related to drought-tolerant landscaping.
4. Title 17 is not consistent with the most current California Building Code related to minimum setbacks requirements between existing structures and proposed accessory structures within a residential zone.
5. Currently there are referenced Section numbers throughout Title 17 that are not accurate, likely due to previous changes in Title 17 that caused Section numbers to shift as additional Sections were created.

ZONE CODE AMENDMENT NO. 22-17 - AMENDING TITLES 16 (SUBDIVISION ORDINANCE) AND 17 (ZONING ORDINANCE) OF THE CITY OF SHAFER MUNICIPAL CODE

6. Recent changes to Title 16 were placed in a subsection that does not make sense in the context of the greater Section. Therefore, this proposed change to Title 16 places the text changes in a different Section, which is a clearer and more logical place within Title 16 for the text.

ANALYSIS

The changes to Title 17 (Zoning Ordinance) of the Shafter Municipal Code would bring the Code into compliance with recent State law regarding ADUs and JADUs and drought-tolerant landscaping.

The changes would make Title 17 consistent with modern California Building Code.

The changes would make Section number references in Title 17 internally consistent. Finally, changes to Title 16 place recent changes to the Title in a different Section, which is a clearer and more logical place within Title 16 for the text.

FISCAL IMPACT

There is no fiscal impact because of the proposed action.

CEQA ANALYSIS

The proposed activity is not subject to the California Environmental Quality Act (CEQA) because it is not defined as a "project" pursuant to Section 15378(b)(5) of the CEQA Guidelines. The action is organization or administrative activities of governments, in part to comply with State law, that does not result in direct or indirect physical changes to the environment.

APPROVED BY THE CITY ATTORNEY

Yes

ALTERNATIVES

The City Council could deny the proposed action, and the Municipal Code would not be amended. The Council also has the option to modify this proposed Ordinance change by accepting, revising, and/or rejecting portions of the recommended revisions to Titles 16 and 17.

NEXT STEPS

The Ordinance will go into effect 30 days from its approval date and, within 20 days after its adoption, a copy of same will be published and circulated in the City of Shafter together with the names of the members of the City Council voting for and against the same.

ATTACHMENTS

1. Exhibit 1 - Ordinance No. 735

ORDINANCE NO. 735

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER AMENDING TITLES 16 (SUBDIVISION ORDINANCE) AND 17 (ZONING ORDINANCE) OF THE CITY OF SHAFTER MUNICIPAL CODE (1) IN RESPONSE TO CHANGES IN STATE LAW REGARDING ACCESSORY DWELLING UNITS, JUNIOR ACCESSORY DWELLING UNITS, AND LANDSCAPING; (2) FOR CONSISTENCY WITH THE CALIFORNIA BUILDING CODE; (3) FOR INTERNAL CONSISTENCY BETWEEN SECTIONS OF TITLE 17 REGARDING SECTION NUMBERING; AND (4) TO PLACE RECENT TITLE 16 TEXT CHANGES IN A DIFFERENT SECTION FOR CLARITY

WHEREAS, the City of Shafter, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, in 2021, the California Legislature approved, and the Governor signed into law Senate Bill (“SB”) 13, which among other things, amends, repeals, and adds Section 65852.2 of the Government Code, and adds and repeals Section 17980.12 of the Health and Safety Code related to land use and accessory dwelling units (“ADUs”) and junior accessory dwelling units (JADUs); and

WHEREAS, in 2021, the California Legislature approved, and the Governor signed into law Assembly Bill (“AB”) 3182, which among other things, amends Section 4740 of, and adds Section 4741 to, the Civil Code, and amends Section 65852.2 of the Government Code related to land use and ADUs and JADUs; and

WHEREAS, in 2021, the California Legislature approved, and the Governor signed into law AB 881, which among other things, amends, repeals, and adds Section 65852.2 of the Government Code related to land use and ADUs and JADUs; and

WHEREAS, in 2021, the California Legislature approved, and the Governor signed into law AB 68, which among other things, amends Sections 65852.2 and 65852.22 of the Government Code related to land use and ADUs and JADUs; and

WHEREAS, in 2022, the California Legislature approved, and the Governor signed into law SB 897, which among other things, amend Section 65852.22 of, to add Section 65852.23 to, and to repeal and amend Section 65852.2 of the Government Code, and to amend Section 17980.12 of the Health and Safety Code, relating to land use and ADUs and JADUs; and

WHEREAS, in 2022, the California Legislature approved, and the Governor signed into law AB 2221, which among other things, repeals and amends Section 65852.2 of the Government Code related to land use and ADUs and JADUs; and

WHEREAS, in 2015, the California Legislature approved, and the Governor signed into law AB 1164, which among other things, add Section 53087.7 to the Government Code related to water conservation and drought-tolerant landscaping; and

WHEREAS, the City desires to amend its local regulatory scheme in Title 17 of the Shafter Municipal Code to (1) comply with State law and (2) for consistency with the California Building Code; and

EXHIBIT 1

WHEREAS, Title 17 is not consistent with the most current California Building Code related to related to minimum setbacks requirements between existing structures and proposed accessory structures within a residential zone; and

WHEREAS, there are currently referenced Section numbers throughout Title 17 that are not accurate; and

WHEREAS, recent text changes to Title 16 were placed in a subsection that does not make sense in the context of the greater Section and this change to Title 16 places the text changes in a different Section, which is clearer and more logical place within Title 16 for the text.

NOW, THEREFORE, the City Council of the City of Shafter does hereby ordain as follows:

Section 1. The recitals above are each incorporated by reference by the City Council.

Section 2. Title 16 and 17 of the Shafter Municipal Code is hereby amended and restated as provided in Exhibit “A”, attached hereto and incorporated herein by reference.

Section 3. The City Clerk shall publish and certify as to adoption of this Ordinance as required by law.

Section 4. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this resolution are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

Section 5. The Ordinance shall take effect and be enforced commencing thirty (30) days following its adoption.

PASSED AND ADOPTED THIS 20th DAY OF DECEMBER, 2022.

Cathy L. Prout, Mayor

ATTEST:

Yazmina Pallares, City Clerk

APPROVED AS TO FORM:

Marco A. Martinez, City Attorney

EXHIBIT A

Title 16 and 17 Revisions

(see attached)

3.020 TENTATIVE AND PARCEL MAPS REQUIRED

A tentative parcel map and parcel map shall be required in the following cases:

- A. All those subdivisions described in Sections 3.010. A, B, C, and D of this Chapter.
- B. Divisions of land into four (4) or fewer parcels, which may be referred to as a minor land division.

3.030 CONVERSION OF MOBILEHOME PARK, URBAN LOT SPLIT

When at least two-thirds (2/3) of the owners of mobilehomes, who are tenants in a mobilehome park, sign a petition indicating their intent to purchase the mobilehome park for purposes of converting it to resident ownership, and a field survey is performed, the requirement for a parcel map or a tentative and final map shall be waived unless any of the following exist:

- A. There are design or improvement requirements necessitated by significant health or safety concerns.
- B. The City Engineer determines that there is an exterior boundary discrepancy that requires recordation of a new parcel map or tentative and final map.
- C. The existing lots which exist prior to the proposed conversion were not created by a recorded parcel map or final map.
- D. The conversion would result in the creation of additional parcels.

~~E. Application for an Urban Lot Split~~

~~1. Purpose~~

~~The purpose of this section is to allow and appropriately regulate urban lot splits in accordance with Government Code section 66411.7.~~

~~2. Definition~~

~~An "urban lot split" means a subdivision of an existing, legally subdivided lot into two lots in accordance with the requirements of this section.~~

~~3. Application~~

~~a. Only individual property owners may apply for an urban lot split. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corp, S corp, etc.) except for a community land trust (as defined by Rev. & Tax Code § 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by § 214.15).~~

~~b. An application for an urban lot split must be submitted on the City's approved form. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.~~

~~c. The City may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The City Council may establish and change the fee by resolution. The fee must be paid with the application.~~

4. Approval

- a. A parcel map waiver shall be the mechanism for urban lot splits. An application for a parcel map waiver for an urban lot split is approved or denied ministerially, by the Planning Director, without discretionary review.
- b. The approval must require the owner and applicant to hold the City harmless from all claims and damages related to the approval and its subject matter.
- c. The approval must require the owner and applicant to reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this code.
 - The buyer or grantee of a lot that is created by the urban lot split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.

5. Requirements

An urban lot split must satisfy each of the following requirements:

- a. The urban lot split must conform to all applicable objective requirements of the Subdivision Map Act (Gov. Code § 66410 et. seq., "SMA"), including implementing requirements in this code, except as otherwise expressly provided in this section.
- b. If an urban lot split violates any part of the SMA, the City's subdivision regulations, including this section, or any other legal requirement:
 - The buyer or grantee of a lot that is created by the urban lot split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.
 - The City has all the remedies available to it under the SMA, including but not limited to the following:
 - An action to enjoin any attempt to sell, lease, or finance the property.
 - An action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.
 - Criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to \$10,000, or both; or a misdemeanor.
 - Record a notice of violation.
 - Withhold any or all future permits and approvals.
- c. Notwithstanding section 66411.1 of the SMA, no dedication of rights-of-way or construction of offsite improvements is required for an urban lot split.

6. Zone

The lot to be split is the Estate (E), Residential Estate (R-E), or Low Density Residential (R-1) zone district. For purposes of this section, a single-family residential zone is a zone where the only residential use that is allowed as a primary use is a single residential dwelling on a lot.

7. ~~Lot Location~~

The lot to be split is not located on a site that is any of the following:

- a. ~~Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.~~
- b. ~~A wetland.~~
- c. ~~A hazardous waste site that has not been cleared for residential use.~~
- d. ~~Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.~~
- e. ~~Within a 100-year flood hazard area, unless the site has either:~~
 - ~~Been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction or~~
 - ~~Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.~~
- f. ~~Within a regulatory floodway, unless all development on the site has received a no-rise certification.~~
- g. ~~Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.~~
- h. ~~Habitat for protected species.~~
- i. ~~Land under conservation easement.~~
- j. ~~The purpose of subpart (c)(2)(A) above is merely to summarize the requirements of Government Code section 65913.4(a)(6)(B)-(K). (See Gov. Code § 66411.7(a)(3)(C).)~~

8. ~~Not Historic~~

The lot to be split must not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a City or county landmark or as a historic property or district.

9. ~~No Prior Urban Lot Split~~

- a. ~~The lot to be split was not established through a prior urban lot split.~~
- b. ~~The lot to be split is not adjacent to any lot that was established through a prior urban lot split by the owner of the lot to be split or by any person acting in concert with the owner.~~

10. ~~No Impact on Protected Housing~~

~~The urban lot split must not require or include the demolition or alteration of any of the following types of housing:~~

- ~~a. Housing that is income restricted for households of moderate, low, or very low income.~~
- ~~b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its policy power.~~
- ~~c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060-7060.7) at any time in the 15 years prior to submission of the urban lot split application.~~
- ~~d. Housing that has been occupied by a tenant in the last three years. The applicant and the owner of a property for which an urban lot split is sought must provide a sworn statement as to this fact with the application for the parcel map. The City may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the City may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.~~

11. ~~Lot Size~~

- ~~a. The lot to be split must be at least 2,400 square feet.~~
- ~~b. The resulting lots must each be at least 1,200 square feet.~~
- ~~c. Each of the resulting lots must be between 60 percent and 40 percent of the original lot area.~~

12. ~~Easements~~

- ~~a. The owner must enter into an easement agreement with each public-service provider to establish easements that are sufficient for the provision of public services and facilities to each of the resulting lots.~~
- ~~b. Each easement must be shown on the tentative parcel map.~~
- ~~c. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final map may be approved, in accordance with subpart (c)(2) above.~~

13. ~~Lot Access~~

- ~~a. Each resulting lot must adjoin the public right of way.~~
- ~~b. Each resulting lot must have frontage on the public right of way of at least 12.5 feet or, if accessed by the "pole" of a flag lot, then at least 20 feet.~~

14. ~~Unit Standards~~

- ~~a. Quantity~~

~~No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit"~~

means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under Chapter 4 and 11 of this Code, an ADU, or a JADU.

b. Unit Size

The total floor area of each primary dwelling that is developed on a resulting lot:

- must be at least 500 square feet and
- may be a larger floor area based on the maximum lot coverage of the underlying zone.

c. A primary dwelling that was legally established prior to the urban lot split and that is larger than 800 square feet is limited to the lawful floor area at the time of the urban lot split. It may not be expanded.

d. A primary dwelling that was legally established prior to the urban lot split and that is smaller than 800 square feet may be expanded to 800 square feet after the urban lot split.

15. Height Restrictions

a. On a resulting lot that is larger than 2,000 square feet, no new primary dwelling unit may exceed a single story or 16 feet in height, measured from grade to peak of the structure.

b. On a resulting lot that is smaller than 2,000 square feet, no new primary dwelling unit may exceed two stories or 22 feet in height, measured from grade to peak of the structure. Any portion of a new primary dwelling that exceeds one story must be stepped back by an additional five feet from the ground floor; no balcony deck or other portion of the second story may project into the setback.

c. No rooftop deck is permitted on any new or remodeled dwelling or structure on a lot resulting from an urban lot split.

16. Lot Coverage

The maximum lot coverage standard for lots created by an urban lot split shall be consistent with the coverage percentage allowed by the applicable zoning district. In areas subject to an adopted Specific Plan, the lot coverage standards of the adopted Specific Plan shall apply. This lot coverage standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 square feet each.

17. Setbacks

a. Generally

All setbacks must conform to those objective setbacks that are imposed through the underlying zone.

b. Exceptions

Notwithstanding subpart 14.b. above:

- The total floor area of each primary dwelling that is developed on a resulting lot must be:

- Existing Structures

Compliance with current setback standards is not required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.

- New Structures

The setbacks imposed by the underlying zone must yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 square feet in floor area; but in no event may any structure be less than four feet from a side or rear property line.

18. Front Setback Area

Notwithstanding any other part of this code, or subject to an adopted Specific Plan, dwellings that are constructed under this section must be at least 25 feet from the front property lines. The front setback area must:

- a. Be kept free from all structures greater than six feet high.
- b. Allow for vehicular and fire safety access to the front and rear structure.

19. Parking

Each new primary dwelling unit that is built on a lot after an urban lot split must have at least one off-street parking space per unit unless one of the following applies:

- a. The lot is located within one-half mile walking distance of either:

- A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours or

- A site that contains:

- an existing rail or bus rapid transit station,
- a ferry terminal served by either a bus or rail transit service, or
- the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

- b. The site is located within one block of a car share vehicle location.

20. Architecture

- a. If there is a legal primary dwelling on the lot that was established before

the urban lot split, any new primary dwelling unit must match the existing primary dwelling unit in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.

- b. If there is no legal primary dwelling on the lot before the urban lot split, and if two primary dwellings are developed on the lot, the dwellings must match each other in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.

21. Nonconforming Conditions

An urban lot split may be approved without requiring a legal nonconforming zoning condition to be corrected.

22. Utilities

- a. Each primary dwelling unit on the resulting lots must have its own direct utility connection to the utility service provider.
- b. Each dwelling unit shall be connected to the public sewerage system in accordance with Shafer Municipal Code Section 8.40.050.
- c. Each primary dwelling unit on the resulting lots that is or that is proposed to be connected to an onsite wastewater treatment system must first have a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

23. Building and Safety

All structures built on the lot must comply with all current local building standards. An urban lot split is a change of use.

24. Separate Conveyance

a. Within a resulting lot:

- Primary dwelling units on a lot that is created by an urban lot split may not be owned or conveyed separately from each other.
- Condominium airspace divisions and common interest developments are not permitted on a lot that is created by an urban lot split.
- All fee interest in a lot and all dwellings on the lot must be held equally and undivided by all individual property owners.

b. Between resulting lots:

Separate conveyance of the resulting lots is permitted. If dwellings or other structures (such as garages) on different lots are adjacent or attached to each other, the urban lot split boundary may separate them for conveyance purposes if the structures meet building code safety standards and are sufficient to allow separate conveyance. If any attached structures span or will span the new lot line, the owner must record appropriate CC&Rs, easements, or other documentation that is necessary to allocate rights and responsibility between the owners of the two lots.

25. Regulations of Use

a. Residential only

No non-residential use is permitted on any lot created by urban lot split other than those uses allowed per Section 11.170 (Home Occupations).

b. No Short term Rentals

No dwelling unit on a lot that is created by an urban lot split may be rented for a period of less than 30 days.

c. Owner Occupancy

The applicant for an urban lot split must sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the urban lot split is approved.

26. Notice of Construction

a. At least 30 business days before starting any construction of a structure on a lot created by an urban lot split, the property owner must give written notice to all the owners of record of each of the adjacent residential parcels, which notice must include the following information:

- Notice that construction has been authorized,
- The anticipated start and end dates for construction,
- The hours of construction,
- Contact information for the project manager (for construction-related complaints), and
- Contact information for the Building & Safety Department.

b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. Approval is ministerial. Under state law, the City has no discretion in approving or denying a particular project under this section. This notice requirement is purely to promote neighborhood awareness and expectation.

27. Deed Restriction

The owner must record a deed restriction, acceptable to the City, that does each of the following:

- a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.
- b. Expressly prohibits any non-residential use of the lots created by the urban lot split.
- c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest

~~development within the lot.~~

- ~~d. States that the property is formed by an urban lot split and is therefore subject to the City's urban lot split regulations, including all applicable limits on dwelling size and development.~~

~~28. Specific Adverse Impacts~~

- ~~a. Notwithstanding anything else in this section, the City may deny an application for an urban lot split if the building official makes a written finding, based on a preponderance of the evidence, that the project would have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.~~

- ~~b. "Specific adverse impact" has the same meaning as in Gov. Code § 65580.5(d)(2): "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" and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code section 214(g).~~

- ~~c. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.~~

Provided subsections A through D above are not applicable, Sections 66428.1(b), (d)-(h) of the Subdivision Map Act shall apply.

3.040 PARCEL MAP WAIVER

- B. A parcel map, as provided in Section 3.020 of this Chapter, may be waived in accordance with the procedures set forth in this Chapter and in accordance with Section 66428(b) of the Subdivision Map Act. A tentative map shall be required in cases where a parcel map is waived.
- C. An application for waiver of the requirement of a parcel map shall be filed with the Planning Director upon such forms and accompanied by a plot plan and such information as may be prescribed or requested by the Planning Director.
- D. The Project Assistance Team may waive the requirement for a parcel map provided the Project Assistance Team finds that the proposed land division complies with the following requirements of Title:
1. Required area;
 2. Required improvements;
 3. Flood water drainage control;
 4. Appropriate improved public roads;
 5. Sanitary disposal facilities;

compliance with the provisions of this Title has been filed for record by the County Recorder.

- B. Nothing contained herein shall be deemed to prohibit an offer or contract to sell, lease or finance real property or to construct improvements thereon where such sale, lease, financing or the commencement of construction is expressly conditioned upon the approval and filing for recordation by the County Recorder of the final map or the parcel map.

3.140 MODIFICATIONS OF TITLE

- A. Whenever in the opinion of the Decision Making Body the land involved in any subdivision is of such size or shape, is subject to such title limitations of record, is affected by such topographical location or conditions, or is to be devoted to such use that it is impossible or impracticable in the particular case for the subdivider to conform fully to the regulations contained in this Title, the Decision Making Body may make such modification thereof, as in its opinion is reasonable, necessary, expedient, and in conformity with the spirit and purpose of the General Plan, any applicable specific plan, the Zoning Ordinance, and this Title.
- B. Each such proposed modification shall be referred to the officer or department under whose particular jurisdiction the regulation involved comes, and such officer or department shall transmit to the Decision Making Body its written recommendations on each such proposed modification and the facts supporting such recommendation.
- C. Said recommendation shall be reviewed by the Decision Making Body and, in case such modification is made by the Decision Making Body together with appropriate findings to support the decision, the maps shall be modified accordingly.
- D. A copy of the recommendations and findings shall be filed in the City Engineer's office.

3.150 VOIDABILITY OF CERTAIN TRANSACTIONS

Any deed of conveyance, sale or contract to sell real property which has been divided, or which has resulted from a division, in violation of the provisions of this Title, is voidable to the extent and in the same manner provided in Section 66499.32 of the Subdivision Map Act.

3.160 REMEDIES NOT BARRED

This Title does not bar any legal, equitable or summary remedy to which the City or any aggrieved public agency or person may otherwise be entitled and the City or any aggrieved public agency or person may file a suit in the superior court to restrain or enjoin any attempted or proposed division of land or other act which is in violation of this Title.

3.170 URBAN LOT SPLIT

A. Application for an Urban Lot Split

1. Purpose

The purpose of this section is to allow and appropriately regulate urban lot splits in accordance with Government Code section 66411.7.

2. Definition

An "urban lot split" means a subdivision of an existing, legally subdivided lot into two lots in accordance with the requirements of this section.

3. Application

- a. Only individual property owners may apply for an urban lot split. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, LP, LLC, C corp, S corp, etc.) except for a community land trust (as defined by Rev. & Tax Code § 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by § 214.15).
- b. An application for an urban lot split must be submitted on the City's approved form. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
- c. The City may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The City Council may establish and change the fee by resolution. The fee must be paid with the application.

4. Approval

- a. A parcel map waiver shall be the mechanism for urban lot splits. An application for a parcel map waiver for an urban lot split is approved or denied ministerially, by the Planning Director, without discretionary review.
- b. The approval must require the owner and applicant to hold the City harmless from all claims and damages related to the approval and its subject matter.
- c. The approval must require the owner and applicant to reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this code.
 - The buyer or grantee of a lot that is created by the urban lot split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.

5. Requirements

An urban lot split must satisfy each of the following requirements:

- a. The urban lot split must conform to all applicable objective requirements of the Subdivision Map Act (Gov. Code § 66410 et. seq., "SMA"), including implementing requirements in this code, except as otherwise expressly provided in this section.
- b. If an urban lot split violates any part of the SMA, the City's subdivision regulations, including this section, or any other legal requirement:
 - The buyer or grantee of a lot that is created by the urban lot split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.
 - The City has all the remedies available to it under the SMA, including but not limited to the following:

- An action to enjoin any attempt to sell, lease, or finance the property.
- An action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.
- Criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to \$10,000, or both; or a misdemeanor.
- Record a notice of violation.
- Withhold any or all future permits and approvals.

c. Notwithstanding section 66411.1 of the SMA, no dedication of rights-of-way or construction of offsite improvements is required for an urban lot split.

6. Zone

The lot to be split is the Estate (E), Residential Estate (R-E), or Low Density Residential (R-1) zone district. For purposes of this section, a single-family residential zone is a zone where the only residential use that is allowed as a primary use is a single residential dwelling on a lot.

7. Lot Location

The lot to be split is not located on a site that is any of the following:

- a. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.
- b. A wetland.
- c. A hazardous waste site that has not been cleared for residential use.
- d. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.
- e. Within a 100-year flood hazard area, unless the site has either:
 - Been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction or
 - Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.
- f. Within a regulatory floodway, unless all development on the site has received a no-rise certification.
- g. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.
- h. Habitat for protected species.

i. Land under conservation easement.

j. The purpose of subpart (c)(2)(A) above is merely to summarize the requirements of Government Code section 65913.4(a)(6)(B)–(K). (See Gov. Code § 66411.7(a)(3)(C).)

8. Not Historic

The lot to be split must not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a City or county landmark or as a historic property or district.

9. No Prior Urban Lot Split

a. The lot to be split was not established through a prior urban lot split.

b. The lot to be split is not adjacent to any lot that was established through a prior urban lot split by the owner of the lot to be split or by any person acting in concert with the owner.

10. No Impact on Protected Housing

The urban lot split must not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households of moderate, low, or very low income.

b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its policy power.

c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of the urban lot split application.

d. Housing that has been occupied by a tenant in the last three years. The applicant and the owner of a property for which an urban lot split is sought must provide a sworn statement as to this fact with the application for the parcel map. The City may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the City may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.

11. Lot Size

a. The lot to be split must be at least 2,400 square feet.

b. The resulting lots must each be at least 1,200 square feet.

c. Each of the resulting lots must be between 60 percent and 40 percent of the original lot area.

12. Easements

a. The owner must enter into an easement agreement with each public-service provider to establish easements that are sufficient for the provision of public services and facilities to each of the resulting lots.

- b. Each easement must be shown on the tentative parcel map.
- c. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final map may be approved, in accordance with subpart (c)(2) above.

13. Lot Access

- a. Each resulting lot must adjoin the public right of way.
- b. Each resulting lot must have frontage on the public right of way of at least 12.5 feet or, if accessed by the "pole" of a flag lot, then at least 20 feet.

14. Unit Standards

a. Quantity

No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under Chapter 4 and 11 of this Code, an ADU, or a JADU.

b. Unit Size

The total floor area of each primary dwelling that is developed on a resulting lot:

- must be at least 500 square feet and
- may be a larger floor area based on the maximum lot coverage of the underlying zone.

c. A primary dwelling that was legally established prior to the urban lot split and that is larger than 800 square feet is limited to the lawful floor area at the time of the urban lot split. It may not be expanded.

d. A primary dwelling that was legally established prior to the urban lot split and that is smaller than 800 square feet may be expanded to 800 square feet after the urban lot split.

15. Height Restrictions

- a. On a resulting lot that is larger than 2,000 square feet, no new primary dwelling unit may exceed a single story or 16 feet in height, measured from grade to peak of the structure.
- b. On a resulting lot that is smaller than 2,000 square feet, no new primary dwelling unit may exceed two stories or 22 feet in height, measured from grade to peak of the structure. Any portion of a new primary dwelling that exceeds one story must be stepped back by an additional five feet from the ground floor; no balcony deck or other portion of the second story may project into the setback.
- c. No rooftop deck is permitted on any new or remodeled dwelling or structure on a lot resulting from an urban lot split.

16. Lot Coverage

The maximum lot coverage standard for lots created by an urban lot split shall be consistent with the coverage percentage allowed by the applicable zoning district. In areas subject to an adopted Specific Plan, the lot coverage standards of the adopted Specific Plan shall apply. This lot coverage standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 square feet each.

17. Setbacks

a. Generally

All setbacks must conform to those objective setbacks that are imposed through the underlying zone.

b. Exceptions

Notwithstanding subpart 14.b. above:

- The total floor area of each primary dwelling that is developed on a resulting lot must be:

- Existing Structures

Compliance with current setback standards is not required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.

- New Structures

The setbacks imposed by the underlying zone must yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 square feet in floor area; but in no event may any structure be less than four feet from a side or rear property line.

18. Front Setback Area

Notwithstanding any other part of this code, or subject to an adopted Specific Plan, dwellings that are constructed under this section must be at least 25 feet from the front property lines. The front setback area must:

a. Be kept free from all structures greater than six feet high.

b. Allow for vehicular and fire-safety access to the front and rear structure.

19. Parking

Each new primary dwelling unit that is built on a lot after an urban lot split must have at least one off-street parking space per unit unless one of the following applies:

a. The lot is located within one-half mile walking distance of either:

- A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours or
- A site that contains:
 - an existing rail or bus rapid transit station,
 - a ferry terminal served by either a bus or rail transit service, or
 - the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
- b. The site is located within one block of a car-share vehicle location.

20. Architecture

- a. If there is a legal primary dwelling on the lot that was established before the urban lot split, any new primary dwelling unit must match the existing primary dwelling unit in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.
- b. If there is no legal primary dwelling on the lot before the urban lot split, and if two primary dwellings are developed on the lot, the dwellings must match each other in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.

21. Nonconforming Conditions

An urban lot split may be approved without requiring a legal nonconforming zoning condition to be corrected.

22. Utilities

- a. Each primary dwelling unit on the resulting lots must have its own direct utility connection to the utility service provider.
- b. Each dwelling unit shall be connected to the public sewerage system in accordance with Shafer Municipal Code Section 8.40.050.
- c. Each primary dwelling unit on the resulting lots that is or that is proposed to be connected to an onsite wastewater treatment system must first have a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

23. Building and Safety

All structures built on the lot must comply with all current local building standards. An urban lot split is a change of use.

24. Separate Conveyance

- a. Within a resulting lot:

- Primary dwelling units on a lot that is created by an urban lot split may not be owned or conveyed separately from each other.
- Condominium airspace divisions and common interest developments are not permitted on a lot that is created by an urban lot split.
- All fee interest in a lot and all dwellings on the lot must be held equally and undivided by all individual property owners.

b. Between resulting lots:

Separate conveyance of the resulting lots is permitted. If dwellings or other structures (such as garages) on different lots are adjacent or attached to each other, the urban lot split boundary may separate them for conveyance purposes if the structures meet building code safety standards and are sufficient to allow separate conveyance. If any attached structures span or will span the new lot line, the owner must record appropriate CC&Rs, easements, or other documentation that is necessary to allocate rights and responsibility between the owners of the two lots.

25. Regulations of Use

a. Residential-only

No non-residential use is permitted on any lot created by urban lot split other than those uses allowed per Section 11.170 (Home Occupations).

b. No Short-term Rentals

No dwelling unit on a lot that is created by an urban lot split may be rented for a period of less than 30 days.

c. Owner Occupancy

The applicant for an urban lot split must sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the urban lot split is approved.

26. Notice of Construction

a. At least 30 business days before starting any construction of a structure on a lot created by an urban lot split, the property owner must give written notice to all the owners of record of each of the adjacent residential parcels, which notice must include the following information:

- Notice that construction has been authorized.
- The anticipated start and end dates for construction.
- The hours of construction.
- Contact information for the project manager (for construction-related complaints), and
- Contact information for the Building & Safety Department.

- b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. Approval is ministerial. Under state law, the City has no discretion in approving or denying a particular project under this section. This notice requirement is purely to promote neighborhood awareness and expectation.

27. Deed Restriction

The owner must record a deed restriction, acceptable to the City, that does each of the following:

- a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.
- b. Expressly prohibits any non-residential use of the lots created by the urban lot split.
- c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.
- d. States that the property is formed by an urban lot split and is therefore subject to the City's urban lot split regulations, including all applicable limits on dwelling size and development.

28. Specific Adverse Impacts

- a. Notwithstanding anything else in this section, the City may deny an application for an urban lot split if the building official makes a written finding, based on a preponderance of the evidence, that the project would have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
- b. "Specific adverse impact" has the same meaning as in Gov. Code § 65589.5(d)(2): "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" and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code section 214(g).
- c. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

the previous final map, whichever is later. The extensions shall not extend the tentative map more than ten (10) years from its approval or conditional approval. "Public improvements," as used in this subsection, include traffic controls, streets, roads, highways, freeways, bridges, over-crossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities. Where the provisions of this subsection so apply, upon the recordation of a final map for any phase, the City Engineer shall conform the conditions applicable to all remaining phases to the requirements of the City in effect as of such date.

- E. A tentative map on property subject to a development agreement may be extended for the period of time provided for in the agreement, but not beyond the duration of that agreement.
- F. After approval of the tentative map, if changes deemed substantial by the City Engineer are proposed, a filing of a revised tentative map will be required. The previously assigned tract number will be used with the word "Revised" added to the number. The procedure for filing a revised tentative map is the same as for the tentative map. A revised tentative map cannot be filed if the approval on the original map has expired. An approved revised tentative map supersedes the tentative map for which it was filed.
- G. Tentative maps subject to a development moratorium imposed after approval of the tentative map, or subject to a lawsuit involving the approval or conditional approval of the tentative map pending in a court of competent jurisdiction, shall be subject to the provisions of Sections 66452.6(3)(b)(1) through 66452.6(b)(3) or Section 66452.6(c), respectively.

4.90 ENVIRONMENTAL ANALYSIS REQUIRED FOR MAP APPROVAL

- A. No tentative maps shall be acted upon by the Decision Making Body unless the provisions of the City's latest adopted "Guidelines Implementing the California Environmental Quality Act (Guidelines)" have been adhered to.
- B. The subdivider shall provide such data and information as may be required by the Guidelines, which may be required in the form of an Initial Study. Based upon the conclusion drawn from the Initial Study, the subdivider may be required to provide for, under the direction of the City, a draft EIR in accordance with the provision of the Guidelines and deposit such fees with the City as may be required for the preparation and processing of any such required environmental document.

4.100 MAP APPROVAL CONDITIONED ON COMPLIANCE WITH GRADING AND EROSION CONTROL

Every tentative map approved pursuant to this Title shall be conditioned to comply with the requirements for grading and erosion control, including the prevention of sedimentation or potential damage to off-site property, as set forth in Appendix Chapter 33 of the Uniform Building Code Chapter 15.28 (Grading Code) of the Shafter Municipal Code as adopted by the City.

2. A determination of merger shall be recorded as provided for in Section 66451.12 of the Subdivision Map Act no later than ninety (90) days following the mailing of notice required by this Chapter.
- C. Recording and Mailing Notification Not to Merge. If it is determined that the parcels shall not be merged, the City Engineer shall cause to be recorded with the County Recorder, in the manner specified in Section 66451.12 of the Subdivision Map Act, a release of the notice of intention to determine status, and shall mail a clearance letter to the then current owner of record.

15.40 EXCEPTION: LOT MERGERS OF CONTIGUOUS PARCELS UNDER COMMON OWNERSHIP

- A. An application for a lot merger for contiguous parcels under common ownership, by the owner of such parcels, may be approved by the Project Assistance Team provided that said application is consistent with all requirements of the General Plan, the Zoning Ordinance, the latest edition of the **Uniform California** Building Code adopted by the City Council, and this Title. Any other merger, other than the example described above, shall be subject to the provisions of Chapter 3, Article 1.5 (Merger of Parcels), Sections 66451.10 through 66451.24 of the Subdivision Map Act, and Sections 15.010 through 15.030 of this Chapter.
- B. Application for a lot merger for contiguous parcels under common ownership, as provided in Section 66499.20.3 of the Subdivision Map Act, shall be filed with the Planning Director upon such forms and accompanied by a plot plan and such information as may be requested by the Planning Director
- C. Upon approval of the application for a lot merger, the City Engineer shall, provided each condition has been satisfied and such lot merger is reflected in a deed to be concurrently recorded with the County Recorder, issue a certificate of compliance and shall cause said certificate of compliance or conditioned certificate of compliance to be filed for record with the County Recorder. A record of survey shall also be recorded if required by Section 8762 of the Business and Professions Code.

lot lines of those properties are considered to be abutting, adjoining, or adjacent.

Access Corridor

A portion of the site providing access from a street and having a dimension less than the required lot width. The area of an access corridor shall not be included in determining the lot area.

Access Rights

The right, claims, title, or privilege of access, by pedestrians or vehicles, to a public road or way.

Access Road

A graded road with such improvements and of such width as required in Title 16 of the Municipal Code which provides access from a division of land to an existing maintained street or highway.

Accessory Dwelling Unit

A dwelling unit with complete independent living facilities for one or more persons that can be detached (separate from the primary structure), attached (attached to the primary structure), or converted existing space (e.g., master bedroom, attached garage, or similar use) on the lot of the primary residence that is converted into an independent living unit for one or more persons. An ADU also includes the following: (1) an efficiency unit as defined in California Health and Safety Code Section 17958.1 and (2) a manufactured home as defined in California Health and Safety Code Section 18007.

Accessory Structure

Any subordinate structure or portions of the main structure, the use of which is incidental to that of the main structure on the same lot or premises, and which is used exclusively by the occupants of the main structure. An accessory structure may be erected only after the principal structure is established.

Accessory Living Quarters – See Guest Quarters**Accessory Use**

Any use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or premises. An accessory use may be established only after the principal use is established.

Acreage (Gross)

The total fee ownership of a parcel or land area including any easements, but excluding any existing offers of dedication, dedications, or rights-of-way.

Acreage (Net)

The land area which remains after dedication of ultimate rights-of-ways for 1) exterior boundary streets, 2) flood control rights-of-way, and 3) public parks developed to meet minimum standards. Major utility easements and rights-of-way may not be counted as adjusted net acreage. Areas devoted to park land or active recreational uses may be counted as adjusted net acreage only if such public facilities are proposed over and above the City's minimum park land requirements.

Active Recreational Uses

Facilities occurring in a planned development or multiple family project which are designed to provide individual or group activities of an active nature including, but not limited to, sports fields, court games, swimming pools, children's play areas, picnic areas, golf courses, and recreational community gardening. Active recreational uses do not include natural open space, nature study areas, open space for buffer areas, riding and hiking trails, water courses or drainage areas.

ADU

See "Accessory Dwelling Unit."

Adult Arcade

Any establishment, where, for any form of consideration, still or motion picture machines, videocassettes, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, in which a substantial portion of the total presentation time of the images so displayed are distinguished or characterized by an emphasis on depicting or describing "Specified Sexual Activities" or "Specific Anatomical Areas."

Adult Bookstore

Any establishment selling or renting books, magazines, periodicals or other printed matter, photographs, films, motion pictures, slides, tapes, video cassettes, record or any other forms of visual or audio representation twenty-five (25) percent of which, by number, are characterized by an emphasis upon the depiction or description of "Specified Sexual Activities" or "Specified Anatomical Areas."

Adult Cabaret

Any nightclub, bar, restaurant, or similar establishment in which a significant portion of the entertainment presented, features:

- Live performances which are distinguished or characterized by an emphasis on "Specified Sexual Activities" or "Specified Anatomical Areas;"
- Films, motion pictures, video cassettes, or slides or other photographic reproductions whose dominant or predominant character and theme is the depiction of "Specified Sexual Activities" or "Specified Anatomical Areas" for the observation by patrons.

Adult Model Studio

Any establishment wherefore any form of consideration or gratuity, human models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculpted, photographed, or otherwise depicted by persons other than the proprietor paying such consideration or gratuity. This provision shall not apply to any school of art, a firm which is operated by an individual, firm, association, partnership, corporation or an institution which meets the requirements established in the Education Code of the State of California for the issuance or conferring of a diploma.

Community Noise Equivalent Level (CNEL)

The average noise level during a 24 hour day, in decibels, weighted to account for the lower tolerance of people to noise during evening (7:00 p.m. to 10:00 p.m.) and night (10:00 p.m. to 7:00 a.m.) hours relative to daytime hours. CNEL shall be computed as prescribed by Title 25 of the Administrative Code of the State of California.

Community Services District

A community services district which has the power to construct and maintain streets, landscaping, or other public improvements as appropriate with the context used.

Complete Independent Living Facility

Permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated.

Condominium

An estate in real property consisting of an undivided interest in real property, coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map or condominium plan in sufficient detail to locate all boundaries thereof, and as more specifically defined by California Civil Code Section 1351(f).

Conservation Zone

An area of the City, whether commercial or residential, a majority of whose buildings are 50 years old or older, which the City wishes to maintain and revitalize so as to emphasize their importance to the past, present, and future of the City.

Construction (New)

Structures for which the "start of construction" commenced on or after the effective date of this code.

Construction (Start of, Substantial)

The placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as a principal use as defined by the District within which the property is located.

Contiguous Parcels

Adjacent parcels of land, which shall be considered contiguous even if separated by roads, streets, utility easements, or railroad rights-of-way.

Efficiency Kitchen

A kitchen that includes (1) a cooking facility with appliances and (2) a food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the ADU.

Emergency Shelter

A facility that provides immediate and short term housing and supplemental services to homeless persons or families. Supplemental services may include food, counseling, and access to other social programs (per Health and Safety Code 50801).

Entertainment (Live)

This term, when used in this Code in connection with the performing arts and other methods of live performances by entertainers shall apply to the following activities where they occur on a scheduled basis 3 or more days during a calendar year on the site of a use other than a public or semi-public use:

- A musical, theatrical or dance recital performed by one (1) or more persons, regardless of whether performers are compensated;
- Any form of dancing by patrons or guests at a business establishment.
- A fashion show, except when conducted within an enclosed building used primarily for manufacture or sale of clothing.

Environmental Constraint Note

Any note or notes required by the conditions of approval to be shown on an Environmental Constraint Sheet and reference made thereto on the final map. This shall be required when constraints involving (but not limited to) any of the following are conditioned by the Planning Commission or City Council: archaeological sites, geologic mapping, grading, building, building setback lines, flood hazard zones, fire protection, water availability, sewage disposal, and signalization mitigation.

Environmental Constraint Sheet

A duplicate of the final map on which are shown the Environmental Constraint Notes. This sheet shall be filed simultaneously with the final map, with the City Engineer and labeled Environmental Constraint Sheet in the top margin. Applicable items will be shown under a heading labeled Environmental Constraint Notes. The Environmental Constraint Sheet shall contain the following, or a similar statement: *"The Environmental Constraint information shown on this map sheet is for informational purposes describing conditions as of the date of filing, and derived from public records or reports and does not imply the correctness or sufficiency of those records or reports by the preparer of this map sheet."*

Environmental Impact Report (EIR)

A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guidelines. This term is synonymous with an environmental impact statement (EIS) as defined in federal law.

Frontage Road

A minor street which is parallel to, and adjacent to an arterial street or freeway, and which provides access to abutting properties and protection from through and fast traffic.

Frontage (Street or Highway)

That portion of a lot or parcel of land which borders and has access to a public street, highway or parkway. The frontage shall be measured along the common lot line separating the lot or parcel of land from the public street, highway or park way.

Fruit/Vegetable Stand

Temporary structure used for the sale of cultivated fruits and/or vegetables grown on-site.

Garage

A permanently roofed structure with 3 enclosed sides and a garage door which is used for automobile shelter and storage.

Garage (Private)

A detached accessory building or a portion of a main building on the same lot for the parking and temporary storage of vehicles of the occupants of the premises.

Garage (Public)

Any garage other than a private garage.

General Plan

The City General Plan, as adopted and subsequently amended.

Grade (Existing)

The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this title.

Groundwater Recharge

The natural process of infiltration and percolation of rainwater from land areas or streams through permeable soils into water-holding rocks that provide underground storage ("aquifers").

Grove

A planting of fruit or nut trees, or other man-made planting of trees without underbrush.

Guest Quarters

Living quarters located on the same premises with the primary dwelling unit or attached to the main portion of the primary dwelling unit for the sole use of persons employed on the premises, members of the family living in the primary dwelling unit, or for temporary use by guests of the family living on the premises. Such quarters shall have no kitchen and shall not be rented or leased or otherwise used as a separate dwelling.

by any other entity approved by the City, or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the General Plan or any adopted specific plan.

Improvement Standards

The standards for improvements set forth in this and other regulations related to the development of land within the City of Shafter.

Infraction

A violation of any section of Title 17 of the Municipal Code.

Intensive Agricultural Use

Agricultural activities that typically are associated with one or more of the following impacts: strong offensive odors, substantial runoff, large concentrations of animal waste, noise, and/or extensive use of chemical, compost, and/or manure piles.

JADU

See "Junior Accessory Dwelling Unit."

Junior Accessory Dwelling Unit

A specific type of conversion of existing space that is contained entirely within an existing or proposed single-family residence or attached garage; must have a separate entrance, efficiency kitchen, and may include separate sanitation facilities or use the residence's existing sanitation system; and is no greater than 500 square feet in size.

Kennel (Commercial)

Any kennel maintained for the purpose of boarding, marketing, breeding, raising or training dogs and/or cats over the age of four months for a fee or for sale.

Kennel (Non-Commercial)

Any property where seven or more dogs and/or cats over the age of four months, are kept or maintained for the use and enjoyment of the occupant for non-commercial purposes.

Kiosk

Any Off-Site Subdivision or Business Directional Sign or structure, of four sides or less, typically constructed of 4" by 6" posts upon which Business Directional or Subdivision Signs may be mounted.

Kitchen

A room, or any portion of a room, used for cooking and/or preparation of foods.

Land Project

A subdivision as defined in Section 11000.5 of the Business and Professions Code.

4.10 PURPOSE AND INTENT

The General Plan outlines goals, objectives, and policies regarding the character of residential land uses and development. It is the purpose of this Chapter to provide regulations that implement those goals, objectives and policies that will assure availability of a wide range of residential housing opportunities and dwelling unit types to meet the needs of present and future City residents of all socioeconomic groups.

It is also the intent of this Chapter to ensure adequate light, air, privacy, and open space for each dwelling, minimize traffic congestion, avoid overloading of utilities resulting from the construction of buildings of excessive bulk or number in relation to the surrounding land area, protect residential properties from objectionable noise, illumination, unsightliness, odors, smoke and other deleterious influences; and facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities, and service requirements.

4.20 RESIDENTIAL DEVELOPMENT DISTRICTS

1. Estate (E) District

The primary purpose of the Estate zone district is to provide for and protect a rural atmosphere and lifestyle. This zone district is intended as an area for development of low density, large lot, single family detached residential dwelling units at a maximum allowable density of three and one-half (3 1/2) dwelling units per gross acre. This Chapter further establishes development standards, as depicted on Table 4.B, for the Estate zone districts depicted on the City Zoning Map.

2. Residential Estate (R-E) District

The primary purpose of the Residential Estate zone district is to provide for detached single-family residential development that serves as a transition between the larger Estate zone district type development and the Low Density Residential zone district. This zone district provides for a maximum density of four (4) dwelling units per acre and provides for development standards, as depicted on Table 4.B, for this zone district depicted on the City Zoning Map.

3. Low Density Residential (R-1) District

The primary purpose of the R-1 zone district is to provide for and protect the atmosphere and lifestyle associated with detached, single family residential neighborhoods. This zone district is intended as an area for residential small lot developments at a maximum allowable density of five (5) dwelling units per acre. This Chapter further establishes minimum development standards, as depicted on Table 4.B, for the R-1 zone districts depicted on the City Zoning Map.

~~Second dwelling units~~ ADUs and JADUs, in addition to existing primary structures, are permitted within the R-1 zone district pursuant to the provisions of Section ~~11.190~~ 11.200 of this Title, provided that the maximum allowable density of five (5) dwelling units per gross acre is not exceeded.

USE	E	R-E	R-1	R-2	R-3
C. PUBLIC/QUASI-PUBLIC USES					
1. Day Care Facilities	P	P	P	P	P
2. Post Office Branch	■	■	C	C	C
3. Churches	C	C	C	C	C
4. Clubs, Lodges, Fraternities/Sororities	C	C	C	C	C
5. Educational Institutions (public and private)	C	C	C	C	C
6. Fire and Police Stations	C	C	C	C	C
7. Public Libraries and Museums	■	■	■	C	C
8. Public Parks and Recreation, unless project otherwise entails a public hearing, then Permitted.	C	C	C	C	C
9. Public Utility and Public Service Substations, Reservoirs, Drainage Sumps, Pumping Plants, Transmission Lines, and similar installations not including Public Utility Offices, unless project otherwise entails a public hearing; then Permitted.	C	C	C	C	C
10. Recreational Facilities (e.g. Country Clubs, Tennis and Swim Clubs, Golf Courses), including Limited Commercial Uses which are commonly associated with and directly related to the Primary Use	C	C	C	C	C
D. HOME OCCUPATIONS					
1. Home Occupations (Subject to the provisions of Section 11.170 and the issuance of a Home Occupation Permit)	P	P	P	P	P
E. TEMPORARY USES					
1. Temporary Uses (Subject to the provisions of Section 2.90 and the issuance of a Temporary Use Permit)	P	P	P	P	P
F. ACCESSORY USES					
1. Accessory uses and structures located on the same site as a permitted use	P	P	P	P	P
2. Other accessory uses and structures located on the same site as a use permitted subject to a Conditional Use Permit	C	C	C	C	C
3. Antennas and Satellite Dishes; subject to Section 11.80 of this Title	P	P	P	P	P
4. Guest Quarters/Second Unit Accessory Dwelling Unit/Junior Accessory Dwelling Unit (ADU/JADU) (per State Law)	CP	CP	CP	■P	■P
5. Private Garage	P	P	P	P	P
6. Private Swimming Pool, Tennis Court	P	P	P	P	P
7. Recreational Vehicle Storage Yard (Associated with Residential Development)	C	C	C	C	C
8. Feed and Tack Stores accessory to Commercial Stables	C	■	■	■	■
9. Dormitories accessory to Educational Institutions	C	C	C	C	C
10. Medical Cannabis Uses, as defined under Section 1.190 and subject to the provision of Section 11.290, are prohibited in the residential districts.	■	■	■	■	■
11. Marijuana Uses, as defined under Section 1.190 and subject to the provisions of Section 11.30 are regulated in the residential districts.	■	■	■	■	■

USE	E	R-E	R-1	R-2	R-3
G. Other uses similar to, and no more objectionable than the uses identified above, subject to the provisions of Section 1.90 of this Title.					

Table 4.B Residential Site Development Standards

	E (Large Lot)	E	R-E	R-1	R-2	R-3
1. Maximum density (dwelling units per acre)	1.0	3.5	4.0	5.0	14.0	24.0
2. Minimum lot area (Net area in sq ft)						
a. interior	40,000 (1 Acre Avg)	10,800	7,500	6,480	9,000	12,000
b. corner	40,000 (1 Acre Avg)	11,500	8,385	6,835	9,385	12,500
3. Minimum lot width						
a. interior lot	135' (150' avg)	90'	70'	60'	75'	90'
b. corner lot	150'	100'	75'	65'	80'	100'
4. Minimum lot depth	200'	120'	100'	100'	100'	100'
a. If lot is less than 20,000 sq ft	---	100'	---	---	---	---
5. Minimum front yard set-back						
a. Lot adjacent to a straight street	40'	25'	25'	25'	20'	20'
b. Lot less than 20,000 sq ft adjacent to straight st.	---	25'	---	---	---	---
c. Cul-de-sac lot or knuckle lot	40'	20'	20'	20'	20'	20'
6. Minimum interior side yard setback		SEE NOTE ***				
a. 1 story	10'	5'	5'	5'	5'	5'
b. Any portion of a structure exceeding 1 story	10'	10'	10'	10'	10'	10'
c. Cul-de-sac lot or knuckle lot	10'	5'	---	---	---	---
7. Minimum street side yard setback:						
a. corner lot	20'	10'	15'	10'	10'	10'
b. reverse corner lot	30'	15'	15'	15'	15'	15'
8. Minimum rear yard setback:						
a. Lot with alley	N/A	15'	5'	5'	5'	5'
b. Lot with no alley	40'	25'	20'	15'	15'	15'
c. Lot less than 20,000 sq ft, with no alley	---	15'	---	---	---	---
9. Maximum lot coverage	25%	30%	35%	40%	50%	60%
10. Maximum height for buildings and structures	35'	35'	35'	35'	35'	35'
11. Minimum distance between buildings						
a. for lots 20,000 sq ft or larger	10'	10'	10'	10'	10'	10'
b. for lots less than 20,000 sq ft	10'	10'	10'	10'	10'	10'
11, 12. Minimum dwelling unit size (square feet)	1,850	1,450	1,300	1,150	850	850

Notes:

- * E (Large Lot) refers only to a subdivision subject to the provisions of Sect. 9.070 of the City's Subdivision Ordinance. Minimum lot width in E, R-E, R-1, and R-2 zone districts along the arc of the front property line shall be 35' for cul-de-sac lots and 40' for knuckle lots. Minimum lot width in an E (large lot) zone district along the arc of the front property line shall be 55' for cul-de-sac lots and 60' for knuckle lots.
- * Minimum building setback from the centerline of sub-standard streets shall be (a) 55' for R-1 lots, and (b) 65' for E lots.
- * A one-hour fire wall, approved by the Building Official, reduces the minimum distance between buildings as follows: (a) within a Planned Development, 0'; (b) within all other zone districts, 5'.
- * Minimum apartment size is (a) studio, 450 sq. ft.; (b) 1-bedroom, 650 sq. ft.; and (c) 2-bedroom, 850 sq. ft.
- * In an R-1 subdivision with 13 or more lots, the following shall apply: (a) the average minimum house size shall be 1,325 sq. ft.; (b) 20% of the lots in any block may be reduced in width to 55 ft.; and (c) the average lot size for all interior lots shall be 6,500 sq. ft.
- * In an R-E subdivision with 13 or more lots, the average minimum house size shall be 1,500 sq. ft.
- *** The minimum side yard setback shall be at least 5 feet, and the combination of both interior side yard setbacks added together shall not be less than 15 feet.

3. Additional Standards for Condominium, Townhouse, and Apartment Developments
- a. All condominium and condominium conversion projects shall comply with the provisions of Section 10.50 (Condominiums and Condominium Conversions) of this Title.
 - b. Any proposal for a condominium conversion shall include a set of original construction plans for the building(s) as part of the initial application for conversion.
 - c. For all condominium conversions, an on-site inspection shall be made by staff from the Building, Engineering, Fire, and Planning Departments to determine whether the design criteria set forth in this Section has been met. Such inspections shall be made after the initial application but prior to any approval of the primary entitlement.
 - d. Condominium, townhouse, and apartment developments shall comply with the latest City adopted **Uniform California** Building Code, **Uniform California** Mechanical Code, **Uniform/International California** Plumbing Code, **National California** Electrical Code, **Uniform California** Fire Code, and all other applicable codes, ordinances and regulations in effect.
 - e. Within for sale projects, including condominium conversions, separate utility services shall be provided to each dwelling unit.
 - f. When carports are provided for a condominium, townhouse, or apartment development, a minimum of 260 cubic feet of enclosed exterior storage space shall be required for each carport.
 - g. All permanent mechanical equipment, such as motors, compressors, pumps, and compactors, which is determined by the Building Official to be a source of structural vibration or structure borne noise, shall be shock-mounted with inertia blocks or bases and/or vibration isolators in a manner approved by the Building Official.
 - h. Where a multiple family dwelling, including incidental or required accessory uses, abuts property in an E or R-1 zone district, a masonry wall six feet in height shall be required along the property line between such use and the E or R-1 zone district.
 - i. The Planning Commission and/or City Council may require a greater setback as part of a Precise Plan of Design due to the size, width, or length of a building and its relationship to a street or intersection of two streets. In addition, a greater setback may be required to ensure compatibility with contiguous land uses.
 - (1) In the case of a dwelling structure designed with a patio above the first floor level, such patio shall be permitted to extend only a maximum of six (6) feet into the required side or rear yard

c. Ground Mounted Mechanical Equipment

Ground mounted equipment, including but not limited to air conditioning compressors, evaporative coolers and pool equipment; if fully enclosed, may be permitted in any rear or interior side yard setback. If fully enclosed, said equipment may project a maximum of four (4) feet into the required rear yard setback, and a maximum of two (2) feet into the required interior side yard setback, but shall be prohibited from projecting into the required front or street side yard setbacks.

d. Roof Mounted Mechanical Equipment

All roof mounted mechanical equipment, including but not limited to air conditioning compressors, evaporative coolers and pool equipment shall be located on the rear portion of the roof ridgeline in such a manner as to be screened from public streets. On commercial property, said mechanical equipment may be placed forward of a ridge line provided screening for the equipment has been approved. Industrial property is exempt from this provision.

e. Detached Accessory Structures

(1) A detached accessory structure may be located within five (5) feet of an interior side yard or rear yard, provided that when such a structure is located closer than five (5) feet to an interior side or rear lot line, one-hour fire walls shall be installed on the side or sides located within the setback area. In no case, however, shall an accessory structure be less than 120 square feet. The structure cannot be located closer than thirty (30) inches to an interior side property line or to a rear property line unless constructed in accordance with the requirements of the California Residential Code for fire-resistant construction.

(2) Accessory buildings shall have a maximum height of eight (8) feet if within ten (10) feet or less to an interior or rear lot line.

(3) (2) Accessory buildings shall have a maximum height of fifteen (15) feet if located more than ten (10) feet from an interior or rear lot line; provided, however, that the accessory building is no higher than the main structure.

f. Projections into Yards

Porches, steps, and other architectural features, such as eaves, awnings, chimneys, balconies, stairways, wing walls, and bay windows may project a maximum of thirty (30) inches into any required front, rear, or side setback area.

2. Accessory Structures: Nonresidential Districts
 - a. Accessory structures shall not be located within the “building frontage,” as defined in Section ~~1.180~~ 1.190 of this Title.
 - b. Accessory structures shall meet all of the setback requirements for the associated main buildings;
 - c. Eaves, roof projections, awnings, and similar adjacent architectural features may project into the City right-of-way subject to receiving an approved encroachment permit from the City Engineer.
 - d. Fireplaces, chimneys, bay windows, balconies, fire escapes, exterior stairs and landings, and similar architectural features may project into required building setback areas a maximum distance of thirty (30) inches, provided that all such features in any one setback shall not occupy more than 25 square feet of that required building setback area.
 - e. Flues, chimneys, antennas, elevators and other mechanical equipment, spires, bell towers, or similar architectural, utility, or mechanical features may exceed the height limit of the land use district in which it is located by not more than 25 percent, provided that such feature shall not be used for habitable space and appropriate screening is provided for mechanical equipment when possible.
 - f. Ground and wall mounted equipment incidental to industrial, commercial or office development shall be appropriately screened with solid walls and/or landscaping. Such equipment shall not be located in front of a building and any screening provided shall be architecturally compatible with adjacent architecture and materials.
 - g. Roof-mounted equipment shall be used only for the building upon which it is mounted.
 - h. Roof-mounted equipment shall be screened from public view to the extent practicable, as follows:
 - (1) All roof screens must be solid and continuous. Equipment may be covered by continuous grills or louvers.
 - (2) Roof screens shall be sheathed in a matching or complimentary material to the exterior building material and may include metal panels, aluminum, copper, ceramic tile, or other surface as approved by the Planning Department.
 - (3) Mechanical plants and distribution networks shall be located in a manner that is compatible with the affected building.

the estimated prices of the converted units and/or lots, a copy of the proposed CC & Rs, a Tenant Relocation Assistance Plan indicating the number of tenants interested in purchasing or relocating, and detailed plans for assisting in the relocation of tenants. The subdivider shall furnish each prospective buyer with a copy of this report together with the CC & Rs.

- (3) The Planning Department shall prepare and deliver to the applicant a Staff Report including a staff recommendation for approval or denial, a listing of conditions or requirements recommended as a basis for approval, and supportive reasons or justifications for such recommendations.
 - (4) Tenants shall be notified by the subdivider in writing, of all public hearings in connection with an application for conversion, and all tenants subsequent to the initial notice of intent shall be notified in writing of the pending conversion prior to occupancy.
 - (5) The applicant shall comply with the latest City adopted **Uniform California** Building Code, **Uniform California** Mechanical Code, **Uniform/International California** Plumbing Code, **National California** Electrical Code, **Uniform California** Fire Code, and all other applicable codes, ordinances and regulations. The applicant shall further complete such alterations or repairs required by the Building Official prior to the sale of any such units.
 - (6) Written notice shall be given to all residential tenants not less than one (1) year from the date of tentative approval.
- c. For residential conversions, the Planning Commission shall also determine that:
- (1) The conversion is consistent with the General Plan; and
 - (2) The vacancy factor of rental housing units in the City exceeds three (3) percent of the total rental housing inventory. Existing rental units may be approved for conversion regardless of the vacancy factor if the Planning Commission determines that a new rental unit has or will be added to the City's housing inventory for each rental unit removed through conversion; and
 - (3) The subdivider has complied with all provisions of this Title and all other requirements and conditions as may be imposed by the Planning Commission.

4) Minimum Unit Size.

The minimum floor area for each residential unit shall be as follows:

Notwithstanding the provisions of Table 4.B Chapter 4 of this Title, regulating minimum dwelling unit size, the units provided shall be no less than 415 square feet in floor area for efficiency units, 540 square feet in floor area for one bedroom, and 640 square feet in floor area for two bedroom, or as otherwise approved by the approving authority.

5) Open Space Requirements.

a) Private Open Space.

Notwithstanding the provisions of Section ~~4.30.4.c.(4)~~ 4.30.4.d of this Title, each dwelling unit shall be provided with a usable private open space in the form of a patio or courtyard with a minimum area of one-hundred (100) square feet and a minimum dimension of ten (10) feet, or a balcony of eighty (80) square feet and a minimum dimension of eight (8) feet.

b) Common Open Space.

Notwithstanding the Provisions of Section ~~4.30.4.c.(3)~~ 4.30.4.c of this Title, two-hundred twenty-five (225) square feet of usable common open space per unit shall be provided within the boundaries of all projects. Usable open space shall constitute area(s) readily available, practical and generally acceptable for active and/or passive recreational uses. Up to forty percent (40%) of the required common open space may be provided in the form of a common leisure/recreation room.

6) Parking Security

Parking facilities shall be designed to provide security for residents, guests, employees, shall be integrated into the architecture of the facility, and shall comply with the provisions of Chapter 13 of this Title.

7) Transit Facilities.

2. Applicability

All developer installed landscaping projects shall be subject to the provisions of this Section including landscaping projects installed on areas with a slope higher than four (4) feet as well as landscaping projects associated with the following land uses: commercial, industrial, multiple family and condominium developments, private parks, greenbelts, open space and all public landscaping.

3. Model Home Requirement

At least one model home in a subdivision of eight or more single family lots shall demonstrate through its landscape design, signs and written information the principles of water efficient landscaping. Written information shall be provided to homebuyers on the design, materials, installation and maintenance of the water efficient landscape.

4. Exceptions

The following shall be exempt from the provisions of this Section:

- a. Development projects with new landscaping area less than 2,500 square feet installed within any 12 month period.
- b. Residential landscaping and irrigation installed by individual property owners or their agents.
- c. Landscaping renovations and irrigation retrofits.
- d. Minor additions to and replacement or repair of existing irrigation system.
- e. Cemetery landscaping.
- f. Sites listed on the National Register of Historic Places.
- g. Tenant improvements.

5. Procedure

- a. Per Assembly Bill 1164, the City shall not prohibit the installation of drought tolerant landscaping, synthetic grass, or artificial turf on residential property, but may impose reasonable restrictions on the type of drought tolerant landscaping provided the restrictions do not: (1) substantially increase the cost of installing, (2) effectively prohibit the installation, or (3) significantly impede the installation;
- b. a Landscaping projects subject to the provisions of this Section shall be submitted to the Planning Department for review and approval. Landscape projects submittals shall include a water conservation concept statement summarizing the water efficiency measures and shall be signed by a California registered landscape architect or

contractor, a certified irrigation designer, or other licensed or certified professional in a related field.

- c. ~~b.~~ All landscape and irrigation plans must fully address water conservation according to the City of Shafter Landscaping Guidelines.
- d. ~~c.~~ Where feasible, the use of reclaimed water, including, but not limited to, dual distribution systems, is encouraged subject to all health standards and regulations.
- e. ~~d.~~ All landscape projects shall be evaluated according to an objective point system. Points shall be awarded for each water saving component of the plan as provided in this Section. A minimum of 80 points must be attained in the landscape planting category and 120 points in the irrigation category, for a total of 200 points for landscape project approval and permit issuance.

6. Notwithstanding other provisions of this Title, for purposes of the approval of landscaping projects submitted pursuant to this Section, the following point values which correspond to specific landscaping and irrigation techniques shall apply:

Landscaping Planting: 120 Points Possible (40%)	Maximum Points
Water Conserving Plants Used:	
25–100% of total plant material count*	25 pts
25% or less of total count of water conserving plants used	0 pts
Plant groups by water needs	10 pts
Spacing of plants based on mature growth	10 pts
Low water turf type	15 pts
Soil amendment (healthy soil, use less water)	10 pts
Deep root water sleeve for trees	10 pts
Turf 30–75% of total landscape area**	20 pts
(Turf 100% of total landscape area)	0 pts
Hardscape of 20% total	5 pts
Mulch 25–100% of total shrub area*	15 pts
Mulch 25% or less of total shrub area	0 pts
Landscape planting minimum requirements	80 pts

* Points allocated on a percentage basis

** Points allocated on a reverse percentage basis

Irrigation System: 180 Points Possible (60%)	Maximum Points
Low gallonage spray	40 pts
Drip/micro spray/bubbler	35 pts
Automatic controller	10 pts
Scheduling based on C.I.M.I.S. (California Irrigation Management Information System)	15 pts
Soil moisture sensors	15 pts

CHAPTER 11

SPECIFIC USE DEVELOPMENT STANDARDS

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exceed the maximum height established by the underlying zone district are subject to FAA approval.

- c. Facilities may be designed as or within a piece of public art such as a clock tower or historical monument for public benefit.
- d. The height of the support structures must be the minimum necessary to provide the required coverage. However, an antenna or its support structure shall not exceed the height in any zone as prescribed by the zoning code.
- e. Safety lighting or colors, if prescribed by the City or other approving agency (i.e., FAA), may be required for support structures.
- f. Support structures shall be either galvanized steel or painted an unobtrusive color to neutralize and blend with surroundings. Where an equipment building accompanies the support structure, it shall be designed, colored and textured to match adjacent architecture or blend in with surrounding development.
- g. Proposed Facilities shall not create any non-conforming situations to the site such as a reduction in parking, landscaping, loading zones, and/or elimination of loading zones. Facilities are to be installed and maintained in compliance with the requirements of the **Uniform California** Building Code, **Uniform California** Electrical Code, Noise Standards and all other applicable code.
- h. The Planning Commission may condition approval of Facilities on a five (5) year term or other review process.
- i. Whip and microwave dish antennae are permitted only if integrated into the design of the structure and/or fully screened from public view.
- j. All utilities associated with Facilities shall be placed underground.
- k. Chain link fencing is not permitted for containment of Facilities, unless such fencing is located in the rear portion of property not visible from a public right-of-way and is installed with tennis screen material on all facades of the fence.
- l. Temporary monopoles, if associated with an approved Facilities application, may be permitted, if justified to the satisfaction of the Planning Director, for a period of up to three (3) months, provided that screening is installed to prevent view of the monopole and related facilities from any and all public rights-of-way.
- m. Lattice towers shall not be permitted within the City boundaries.
- n. The operator or property owner is responsible for maintaining the Facilities in an appropriate manner consistent with the original approval of the Facilities. Should the use be replaced or discontinued for a period of six months, the approvals will lapse.

11.120 BED AND BREAKFAST USES**1. Intent**

This Section is intended to control the establishment and operation of bed and breakfast uses to ensure that such uses do not adversely affect the surrounding neighborhood.

2. Applicability

All bed and breakfast uses, as defined herein, shall comply with the provisions of this Section and the zone district in which the use is located.

3. General Regulations

a. Bed and breakfast uses may be permitted in all residential and commercial zone districts in which residential (permanent and transient) uses are either permitted or are permitted subject to an approved conditional use permit.

b. This use shall be conducted as an accessory use only; the residential structure shall serve as the primary residence of the owner. If a corporation is the owner, a majority shareholder of the corporation shall reside in the residential structure where said use is proposed.

(1) All bed and breakfast uses shall be subject to:

(a) A conditional use permit, as specified in Section 2.50 of this Title.

(b) A health permit, as specified in the Kern County Code.

(c) A transient occupancy tax (bed tax).

(2) Application for a permit shall be made by the resident property owner or his/her legal agent having power of attorney to make such application.

4. Development Standards**a. Structural Features**

(1) All dwelling units proposed for a bed and breakfast use shall comply with standards and specifications of the Uniform California Building Code, and shall also be subject to the Room Occupancy Standard outlined in the State Housing law (as amended).

(2) Each guest room shall be equipped with a fire extinguisher and a smoke detector conforming to Uniform California Building Code Standards. An exit/egress and an emergency evacuation

3. All fireworks stands shall comply with the requirements of the **Uniform California** Code and all other applicable codes, ordinances and regulations.

11.170 HOME OCCUPATIONS

1. Home occupations are intended to provide for commercial uses associated with a residence in those cases where that use will clearly not alter the character or the appearance of the residential environment. Home occupations, as defined in Chapter 1 of this Title, shall be permitted in any residential district, subject to the process required within the district and the following regulations of this Section.

2. Conditions

Prior to approving a request for a home occupation, the applicant shall complete and submit a home occupation application to the Planning Department. The Planning Director shall find that the proposed use meets the following conditions prior to approval of any such Home Occupation Permit.

- a. All employees shall be members of the resident family and shall reside on the premises.
- b. There will be no direct sales of products or merchandise.
- c. Pedestrian and vehicular traffic will be limited to that normally associated with residential districts.
- d. The home occupation shall not involve the use of commercial vehicles for the delivery of materials to or from the premises beyond those commercial vehicles normally associated with residential uses.
- e. Up to twenty-five (25) percent of the living space or two hundred fifty (250) square feet, whichever is greater, of the home may be used for storage of materials and supplies related to the home occupation.
- f. There shall be no outdoor storage of materials or equipment, nor shall merchandise be visible from outside the home.
- g. The home occupation shall be confined within the main building. A garage shall be considered as part of the main building.
- h. The appearance of the structure shall not be altered nor the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emissions of sounds, noises, vibrations, dust, electrical interference, fire hazard, glare or any other hazard or nuisance to any greater extent than normally found in a residential area.
- i. The use of utilities and community facilities shall be limited to that normally associated with the use of the property for residential purposes.

- n. Site shall be maintained free of litter and any other undesirable materials, shall be cleaned of loose debris on a daily basis, and shall be secured from unauthorized entry and removal of materials when attendants are not present;
- o. Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space shall be provided for a minimum of ten (10) customers except where the Planning Director determines that allowing overflow traffic above six (6) vehicles is compatible with surrounding businesses and public safety;
- p. One (1) parking space shall be provided for each commercial vehicle operated by the processing center. Parking requirements shall otherwise be as mandated by the zone district in which the facility is located.

7. Site Cleanup Required

The operator of any recycling collection or processing facility shall, on a daily basis, remove any and all recyclable materials or solid wastes which have accumulated or are deposited outside the containers, bins, or enclosures intended as receptacles for such materials. Upon failure to remove said materials, the City may deem them to be abandoned and may enter the site to remove the materials. The property owner(s) of the premises and the operator of the facility shall be liable for the full cost of any such cleanup work done by the City.

11.200 ~~SECOND DWELLING UNITS ACCESSORY DWELLING UNITS (ADUs)~~ AND JUNIOR ACCESSORY DWELLING UNITS (JADUs)

1. Intent

This Section is intended to ensure that ~~second dwelling units accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs)~~ located in residential districts do not adversely impact adjacent residential parcels or the surrounding neighborhood and are developed in a manner which protects the integrity of the residential district, while providing for needed housing opportunities for owners of eligible parcels. The intent of this Section is to also be in compliance with Government Code Sections 65852.2 and 65852.22.

2. Applicability

The provisions of this Section shall apply to all ~~second dwelling units ADUs and JADUs~~ in addition to the provisions of the zone district in which it is located.

An ADU or JADU that conforms to the standards in this section will not be (1) deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located; (2) deemed to exceed the allowable density for the lot on which the ADU or JADU is located; (3) considered in the application of any local ordinance, policy, or program to limit residential growth; and (4) required to correct a nonconforming zoning

condition, defined as a physical improvement on a property that does not conform with current zoning standards, but this does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

3. Development Standards Approvals

The following standards shall apply to all second dwelling units approvals apply to ADUs and JADUs.

- a. The lot shall be zoned for single-family residential use;
- b. The lot must contain a primary dwelling unit either existing or proposed to be constructed concurrent with the second dwelling unit;
- c. The minimum lot size for a parcel to construct a second dwelling unit shall be ten thousand (10,000) square feet
- d. The maximum building height for a second dwelling unit shall be one (1) story, not to exceed sixteen (16) feet. No second dwelling unit shall be higher than the main dwelling on the same parcel;
- e. The second dwelling unit shall be subject to the minimum required front, side, rear yard setbacks and maximum lot coverage of the zone district in which the property is located;
- f. The second dwelling unit may be attached or detached to the primary residence, but shall be architecturally compatible with the main dwelling and the surrounding neighborhood;
- g. A second dwelling unit shall have adequate water supply and sewer service;
- h. Only an owner-occupant of the primary dwelling unit shall be eligible to file an application for a second unit;
- i. The entrance to an attached second unit shall be separate from the entrance to the primary unit; and
- j. Second units shall be subject to all development fees including, but not limited to, public facilities impact fees, park fees and assessment districts, where so permitted.
- k. In the "R-1" zone district and in the "E" zone district, where a parcel of land is less than two and one-half (2 1/2) acres in size, the total floor area of the secondary residential unit shall not exceed fifty (50) percent of the total floor area of the principal residential unit; however, in no case may the total area of the secondary residential unit exceed nine hundred (900) square feet. In the "E" zone district, where the lot size is two and one-half (2 1/2) acres or greater, the secondary residential unit shall have no maximum allowable floor area.

- ~~I. Off street parking for a secondary unit shall be provided in conformance with Chapter 13 (Parking Regulations) of this Title.~~
- a. Building-permit Only. If an ADU or JADU complies with each of the general requirements in subsection 4 below, it is allowed with only a building permit in the following scenarios:
- (1) Converted on Single-family Lot: One ADU as described in this subsection 3a(1)(a) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
 - (b) Has exterior access that is independent of that for the single-family dwelling; and
 - (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
 - (d) The JADU complies with the requirements of Government Code Section 65852.22.
 - (2) Limited Detached on Single-family Lot: One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection 3a(1)(a) above), if the detached ADU satisfies each of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four feet.
 - (b) The total floor area is 800 square feet or smaller.
 - (c) The peak height above grade does not exceed the applicable height limit in subsection 4b below.
 - (3) Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection 3a(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
 - (4) Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing or proposed

multifamily dwelling if each detached ADU satisfies both of the following limitations.

- (a) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.
- (b) The peak height above grade does not exceed the applicable height limit provided in subsection 4b below.

b. ADU Permit

- (1) Except as allowed under subsection 3a above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in subsections 4 and 5 below.
- (2) The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city's ADU ordinance. The ADU-permit processing fee is determined by the director of community development and approved by the city council by resolution.

c. Process and Timing

- (1) An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
- (2) The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a completed application. If the city has not approved or denied the completed application within 60 days, the application is deemed approved unless either:
 - (a) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
 - (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
- (3) If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include,

among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection 3c(2) above.

- (4) A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

4. General ADU and JADU Requirements. The following requirements apply to all ADUs and JADUs that are approved under subsections 3a or 3b above:

a. Zoning

- (1) An ADU or JADU subject only to a building permit under subsection 3a above may be created on a lot in a residential or mixed-use zone.
- (2) An ADU or JADU subject to an ADU permit under subsection 3b above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

b. Height

- (1) Except as otherwise provided by subsections 4b(2) and 4b(3) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
- (2) A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
- (3) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
- (4) An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection 4b(4) may not exceed two stories.

- (5) For purposes of this subsection 4b, height is measured above existing legal grade to the peak of the structure.

c. Fire Sprinklers

- (1) Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- (2) The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

d. Rental Term. No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

e. No Separate Conveyance. An ADU or JADU may be rented, but except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

f. Septic System. If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

g. Owner Occupancy

- (1) An ADU that is permitted after January 1, 2020, but before January 1, 2025, is not subject to any owner-occupancy requirement.
- (2) Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
- (3) As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement in this subsection 4g(3) does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

h. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Planning Director. The deed restriction must run with the land and bind

all future owners. The form of the deed restriction will be provided by the city and must provide that:

- (1) Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
- (2) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
- (3) The deed restriction runs with the land and may be enforced against future property owners.
- (4) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
- (5) The deed restriction is enforceable by the director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

i. Income Reporting. In order to facilitate the city's obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 65852.2, the following requirements must be satisfied:

- (1) With the building-permit application, the applicant must provide the city with an estimate of the projected annualized rent that will be charged for the ADU or JADU.
- (2) Within 90 days after each yearly anniversary of the issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the city does not receive the report within the 90-day period, the owner is in violation of this Code, and the city may send the owner a notice of violation and allow the owner another 30 days to

submit the report. If the owner fails to submit the report within the 30-day period, the city may enforce this provision in accordance with applicable law.

j. Building and Safety

- (1) Must comply with building code. Subject to subsection 4j(2) below, all ADUs and JADUs must comply with all local building code requirements.
- (2) No change of occupancy. Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection 4j(2) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

5. Specific ADU Requirements. The following requirements apply only to ADUs that require an ADU permit under subsection 3b above.

a. Maximum Size

- (1) The maximum size of a detached or attached ADU subject to this subsection 5 is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms.
- (2) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.
- (3) Application of other development standards in this subsection (f), such as lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection 5a(2) above or of a front setback, lot coverage limit, or open-space requirement may require the ADU to be less than 800 square feet.

b. Setbacks

- (1) An ADU that is subject to this subsection 5 must conform to a 25-foot front-yard setback, subject to subsection 5a(3) above.
- (2) An ADU that is subject to this subsection 5 must conform to 4-foot side- and rear-yard setbacks.

- (3) No setback is required for an ADU that is subject to this subsection (f) if the ADU is constructed in the same location and to the same dimensions as an existing structure.
- c. Lot Coverage. No ADU subject to this subsection 5 may cause the total lot coverage of the lot to exceed 50 percent, subject to subsection 5a(3) above.
- d. Minimum Open Space. No ADU subject to this subsection 5 may cause the total percentage of open space of the lot to fall below 50 percent, subject to subsection 5a(3) above.
- e. Passageway. No passageway, defined as a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU, is required for an ADU.
- f. Parking
 - (1) Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, defined as two or more automobiles that are parked on a driveway or in any other location on a lot, lined up behind one another.
 - (2) Exceptions. No parking under subsection 5f(1) is required in the following situations:
 - (a) The ADU is located within one-half mile walking distance of public transit, defined as a location including, but not limited to, a bus stop or train station, where the public may access buses, trains, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
 - (b) The ADU is located within an architecturally and historically significant historic district.
 - (c) The ADU is part of the proposed or existing primary residence or an accessory structure under subsection 3a(1) above.
 - (d) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (e) When there is an established car share vehicle stop located within one block of the ADU.
 - (f) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections 5f(2)(a) through (f) above.

- (3) No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

g. Architectural Requirements

- (1) The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
- (2) The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
- (3) The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
- (4) The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- (5) The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.
- (6) Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.
- (7) All windows and doors in an ADU are less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

h. Landscape Requirements. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

- (1) At least one 15-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
- (2) Plant specimens must be at least six feet tall when installed. As an alternative, a solid fence of at least 6 feet in height may be installed.
- (3) All landscaping must be drought-tolerant.

6. Fees. The following requirements apply to all ADUs that are approved under subsections 3a or 3b above.

i. Impact Fees

- (1) No impact fee is required for an ADU that is less than 750 square feet in size. For purposes of this subsection 6i, "impact fee" means a "fee" under the Mitigation Fee Act (Government Code Section 66000(b)) and a fee under the Quimby Act (Government Code Section 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.
- (2) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (e.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

j. Utility Fees

- (1) If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
- (2) Except as described in subsection 6j(1), converted ADUs on a single-family lot that are created under subsection 3a(1) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
- (3) Except as described in subsection 6j(1), all ADUs that are not covered by subsection 6j(2) require a new, separate utility connection directly between the ADU and the utility.
 - (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
 - (b) The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

7. Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures
- a. Generally. The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.
- b. Unpermitted ADUs constructed before 2018.
- (1) Permit to Legalize. As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:
- (a) The ADU violates applicable building standards, or
- (b) The ADU does not comply with the state ADU law (Government Code section 65852.2) or this ADU ordinance (section 11.200). The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.
- (2) Exceptions
- (a) Notwithstanding subsection 7b(1) above, the city may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the city makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.
- (b) Subsection 7b(1) above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.
8. Nonconforming ADUs and Discretionary Approval. Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections 1 through 7 of this section may be allowed by the city with a conditional use permit, in accordance with the other provisions of this title.

11.210 SELF STORAGE WAREHOUSES

1. Intent

This Section is intended to ensure that self-storage warehouse operations, commonly known as “mini-warehouses,” do not result in an adverse impact on adjacent properties by reason of parking demand, traffic generation, fire, or safety hazard, or visual blight. The special conditions contained in this Section are intended to differentiate self-service storage warehousing uses from more

intensive wholesale or general warehousing uses, especially ~~in regard to~~ **regarding** the differing parking requirements for these uses.

2. Applicability

The provisions of this Section shall apply to all new self-storage warehouse uses, and to all existing facilities at such a time the storage area of an existing business is substantially expanded or modified, as defined in this Title.

3. Development Standards

a. Access and Parking

(3) Driveways adjacent to parking lanes shall be twelve (12) feet in width for one-way traffic and twenty-four (24) feet in width for two-way traffic.

(4) Access and circulation shall be designed to eliminate the need to back out of any drive or access.

(5) One parking space shall be provided for each two hundred (200) square feet of floor area within the office and/or caretakers quarters provided, however, a minimum of four (4) parking spaces shall be provided.

(6) The parking standards specified in this Section for this use shall be applicable to this use only.

b. Outside Storage

No storage of materials outside an enclosed building may be permitted unless expressly designed for such purpose and approved as a part of the conditional use permit for the site.

11.220 SERVICE STATIONS

1. Intent

This Section is intended to ensure that service stations do not result in adverse impacts on adjacent land uses, especially residential uses. The traffic, glare, and uses associated with service stations, particularly those which are open twenty-four (24) hours a day, may be incompatible with adjacent land uses. To protect the health, safety, and general welfare of the City and its residents, these special regulations shall be imposed on the development and operations of service stations.

2. Applicability

A service station shall comply with the provisions of this Section in addition to the property development standards and the permit procedures for the zone district in which it is to be located. The provisions of this Section and this Title, as applicable, shall apply to all new service stations and to all existing service

- (1) A minimum of fifteen (15) percent of the site shall be landscaped, which may include a planting strip at least five (5) feet wide along all interior parcel lines, non-driveway street frontages, and areas adjacent to buildings. Planters shall be surrounded by masonry or concrete curbs and so arranged to preclude motor vehicles from driving across the sidewalk at locations other than access driveways. Permanent opaque landscaping or berming shall be provided and maintained in the planters at a height of not less than three (3) feet above the average adjacent grade.
- (2) A minimum of one hundred and fifty (150) square foot landscaped area shall be provided at the intersection of two (2) property lines at a street corner.

h. Access and Circulation

No more than one (1) driveway with a maximum width of thirty-five (35) feet shall be permitted on any one (1) street frontage and shall be located as follows:

- (1) Driveways shall be located no closer than fifty (50) feet from a street intersection and fifteen (15) feet from a residential property line or alley and shall not interfere with the movement and safety of vehicular and pedestrian traffic. Locations of all driveways shall be subject to the approval of the City Engineer.
- (2) All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within fifty (50) feet of a residentially zoned property, and shall be oriented, when practical, away from public rights-of-way.

i. Air and Water

Each service station shall provide air and water to customers at a convenient location during hours when gasoline is dispensed.

j. Restrooms

Each service station shall provide a men's and women's public restroom that is accessible to the general public, including physically disabled persons, during all hours the service station is open to the public. Restrooms shall be identified by placing entrances or signage in a location that is clearly visible from the gasoline service area or cashier station, and shall be maintained on a regular basis.

k. Telephones

At least one public telephone ~~shall~~ **may** be provided at each service station in a location that is easily visible from public rights-of-way.

b. Enclosure

Awnings or umbrellas may be used in conjunction with a sidewalk cafe, but there shall be no permanent roof or shelter over the sidewalk cafe area without written approval from the Director of Public Works. Awnings shall be adequately secured, and shall comply with the provisions of the latest edition of the **Uniform California** Building Code adopted by the City.

c. Fixtures

The furnishings of the sidewalk cafe shall consist only of movable tables, chairs, and umbrellas. Lighting fixtures may be permanently affixed onto the exterior front of the main building.

d. Refuse Storage Area

No structure or enclosure to accommodate storage of trash or garbage shall be erected or placed on or adjacent to the sidewalk cafe on either a public sidewalk or public right-of-way. Sidewalk cafes shall remain clear of litter at all times.

e. Hours of Operation

The hours of operation of the sidewalk cafe shall be limited to the hours of operation of the associated restaurant or eating and drinking establishment.

11.240 SURFACE PARKING LOTS

1. Intent

This Section is intended to ensure that commercial parking facilities and surface parking lots located adjacent to residential districts will not adversely affect nearby residents or diminish the integrity of a residential district.

2. Applicability

All commercial parking facilities, including primary commercial parking uses, and accessory parking lots for associated commercial, industrial, institutional, and public uses shall comply with the provisions of this Section in addition to the applicable provisions of the zone district in which such a use is located.

3. Minimum Development Standards

a. Structures Permitted

A parking guard or attendant shelter may be permitted provided that the shelter does not exceed seventy-five (75) square feet, is not more than twelve (12) feet in height, is not located in any required setback area, and is located at least fifty (50) feet from any adjacent residential parcel.

- e. Swimming pools, spas, and hot tubs shall comply with “Special Use and Occupancy” requirements of the latest City adopted addition of the **Uniform California** Building Code.
5. Recreational Courts
- a. The maximum height of fences enclosing recreational courts shall be ten (10) feet.
 - b. Recreational courts shall be set back a minimum of ten (10) feet from the side property line, ten (10) feet from the rear property line, and fifty (50) feet from the front property line.
 - c. A maximum of eight (8) lights may be permitted. Said lights shall not exceed a height of twenty-two (22) feet.
 - d. All lighting shall:
 - (1) Be designed, constructed, mounted, and maintained so that the light source is cut off when viewed from any point above five (5) feet, measured at the lot line; and
 - (2) Be used only between the hours of 7:00 a.m. and 10:00 p.m.
 - e. The surface of a recreational court shall be designed, painted, colored, and/or treated to reduce reflection from any lighting thereon.
 - f. The above listed standards shall be considered minimum standards. The Planning Agency may impose more stringent standards if it is determined that such standards are required to achieve consistency with the intent and purpose of the General Plan and this Title.

11.260 VEHICLE REPAIR FACILITIES

1. Intent

This Section is intended to regulate the establishment and operation of vehicle repair facilities to reduce or eliminate potential noise, fumes, litter, and parking problems associated with motor vehicle repair shops. The provisions of this Section are further intended to ensure that vehicle repair facilities are compatible with adjacent and surrounding land uses.

2. Applicability

Each vehicular repair facility, including those which may be part of and incorporated within a vehicle dealership, shall comply with the provisions of this Section in addition to the development standards and permit procedures of the zone district in which it is to be located and with other applicable provisions of this Title.

3. Minimum Development Standards

a. Paving

The portion of the site devoted to vehicle repair facilities shall be entirely paved, except for buildings and landscaping.

b. Structures

When practical, entrances to individual service bays shall not face public rights-of-way or abutting residential parcels.

c. Repair Activities

All repair activities, operations, and storage of materials shall be conducted entirely within an enclosed building. Outdoor hoists are prohibited.

d. Enclosure

Repair facilities, performing body and fender work, or similar noise-generating activities, shall be conducted within a fully-enclosed structure. All painting shall occur within a fully enclosed booth that meets all requirements of the **Uniform California** Building Code and Section 12.30 (Air Quality) of this Title.

e. Litter

The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No new, used, or discarded automotive parts, equipment, or permanently disabled, junked or wrecked vehicles may be stored outside of a building.

f. Storage

Exterior parking area shall be used for employee and customer parking only, and not for the repair or finishing work or long term (over one week) storage of vehicles. No vehicles to be repaired shall be parked or stored on any street or alley.

g. Hazardous Materials

Any handling, treatment, storage, or use of hazardous materials shall be subject to the requirements of Section 10.110 (Hazardous Materials Management) of this Title.

k. Repair of Vehicles

The repair and service facility portion of any used automobile/light truck sales facility shall comply with the provisions of Section ~~11.250~~ 11.260 (Vehicle Repair Facilities) of this Chapter.

l. Queuing of Vehicles

On-site queuing area or lanes for service customers shall be provided which shall be large enough to accommodate a minimum of one and a half vehicles for each service bay in the facility. One-site driveways may be used for queuing, but may not interfere with access to required parking spaces. Regular parking spaces may not double as queuing spaces.

m. Noise Control

- (1) Loudspeakers are permitted provided that noise levels are maintained below fifty-five (55) dBA at the property boundary.
- (2) All noise generating equipment exposed to the exterior shall be muffled with sound absorbing materials to reduce noise levels below fifty-five (55) dBA at the property boundary.

n. Toxic Waste Storage and Disposal

- (1) Gasoline storage tanks shall meet all applicable State and local health regulations, and shall be constructed and maintained under the same conditions and standards that apply to service stations.
- (2) Any handling, treatment, storage, or use of hazardous materials shall be subject to the requirements of Section 10.110 (Hazardous Materials Management) of this Title.

o. Air Quality

- (1) Brake washers shall be installed and utilized in all service stalls or areas which perform service on brakes containing asbestos or other materials known to be harmful when dispersed in air.
- (2) Mechanical ventilating equipment shall direct exhaust away from adjacent residential properties.
- (3) Exhaust systems shall be equipped with appropriate and reasonably available control technology to minimize or eliminate noxious pollutants which would otherwise be omitted.



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Suzanne Forrest, Senior Planner

SUBJECT: ADOPTION OF ORDINANCE NO. 744 TO APPROVE SPECIFIC PLAN AMENDMENT NO. 21-03 TO AMEND THE ADOPTED HERITAGE RANCH SPECIFIC PLAN TO CHANGE THE SPECIFIC PLAN NAME, REMOVE THE PROVISIONS FOR A GATED AGE-RESTRICTED NEIGHBORHOOD, SWIMMING POOL AND RECREATION BUILDING, AMEND THE DEVELOPMENT STANDARDS, AND MAKE MINOR CORRECTIONS, CHANGES, AND UPDATES TO THE SPECIFIC PLAN TEXT

RECOMMENDATION

Council introduce for second reading, waive reading; and, adopt Ordinance No. 744, an Ordinance of the City Council of the City of Shafter, California, making findings and adopting Specific Plan Amendment No.21-03, to the Heritage Ranch Specific Plan as provided in Exhibit "A".

BACKGROUND

At the December 6, 2022 City Council meeting, the Council voted unanimously to introduce Ordinance No. 744 for a first reading and waive the reading. This action is the second reading of the Ordinance.

ANALYSIS

Lennar Homes of California has proposed the following changes to the Heritage Ranch Specific Plan:

- Changing the name to Marcona Preserve Specific Plan;
- Removing the provisions for a gated, age-restricted neighborhood with privately maintained infrastructure;
- Removing the plans for a swimming pool and private recreation building;
- Revising the development standards related to minimum lot size and minimum building setbacks;
- Increasing the allowed maximum lot coverage;
- Removing the plant palette for the public landscape areas;
- Replacing the house elevations and floor plans with Lennar Homes product lines; and,
- Making minor corrections, changes, and updates to the Specific Plan text.

CONSENT CALENDAR

ADOPTION OF ORDINANCE NO. 744 TO APPROVE SPECIFIC PLAN AMENDMENT NO. 21-03 TO AMEND THE ADOPTED HERITAGE RANCH SPECIFIC PLAN TO CHANGE THE SPECIFIC PLAN NAME, REMOVE THE PROVISIONS FOR A GATED AGE-RESTRICTED NEIGHBORHOOD, SWIMMING POOL AND RECREATION BUILDING, AMEND THE DEVELOPMENT STANDARDS, AND MAKE MINOR CORRECTIONS, CHANGES, AND UPDATES TO THE SPECIFIC PLAN TEXT

The proposed amendment does not include any changes to the previously approved land uses or to the number of units allowed within the previously approved Heritage Ranch Specific Plan. The proposed amendment would also not alter the configuration of any of the lots within Tentative Tract 7244 approved by the City Council on August 15, 2017.

FISCAL IMPACT

There is no fiscal impact because of the proposed action.

CEQA ANALYSIS

An addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029), which includes the adopted Heritage Ranch Specific Plan, has been prepared for Specific Plan Amendment No. 21-03 (Exhibit 5). The project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update and related actions (SCH No. 2004101029) and the Addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update that was adopted for the Heritage Ranch Specific Plan per Resolution 06-1813. The certified Program EIR and Addendum adequately describe the activity of the residential development proposed in the Specific Plan Amendment.

APPROVED BY THE CITY ATTORNEY

ALTERNATIVES

The City Council could deny the proposed action, and the Specific Plan Amendment would not be granted. Without the requested changes, however, Lennar Homes could also choose not to move forward with the development plans since many of the proposed changes are needed to accommodate their product.

NEXT STEPS

Within 20 days, Ordinance No. 744 shall be published and circulated in the City of Shafter with the names and votes by the City Council members.

ATTACHMENTS

1. Ordinance 744 Specific Plan Amendment 21-03

ORDINANCE NO. 744

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER, CALIFORNIA MAKING FINDINGS AND ADOPTING SPECIFIC PLAN AMENDMENT NO. 21-03 TO THE HERITAGE RANCH SPECIFIC PLAN AS PROVIDED IN EXHIBIT “A”

WHEREAS, Lennar Homes of California is requesting minor amendments to the adopted Heritage Ranch Specific Plan including:

1. Changing the name of the Specific Plan to Marcona Preserve Specific Plan;
2. Removing the provisions for a gated, age-restricted neighborhood with privately maintained infrastructure;
3. Removing the plans for a community swimming pool and private recreation building;
4. Revising the development standards related to minimum lot size and minimum building setbacks;
5. Increasing the allowed lot coverage;
6. Replacing the house elevations and floor plans with Lennar Homes product lines; and
7. Making minor corrections, changes, and updates to the Specific Plan text. The existing adopted residential, park and school development densities will not be changed by the proposal; and

WHEREAS, the text changes update the plan text to reflect the requested changes, remove references to neighborhood signage, update sewer information, update the name and information related to the Shafter Library and Learning Center, and correct minor typographical errors; and

WHEREAS, the proposed amendment does not change the existing adopted residential, park, and school development densities within the Heritage Ranch Specific Plan; and

WHEREAS, the City Council, through the City Clerk, did set Tuesday, December 6, 2022, 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 City Council on said proposal, and notice of the public hearing was given in the manner provided in Title Seventeen of the Shafter Municipal Code; and

WHEREAS, the City Council of the City of Shafter, at the public hearing scheduled for December 6, 2022, studied and considered the Addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update (SCH No. 2004101029) for Specific Plan Amendment No. 21-03; and

WHEREAS, on November 8, 2022, the Planning Commission of the City of Shafter recommended the City Council certify the Addendum to the Certified Final Program

Environmental Impact Report for the 2005 General Plan Update (SCH No. 2004101029) for Specific Plan Amendment No. 21-03 under Resolution No. 22-411; and

WHEREAS, on November 8, 2022, the Planning Commission of the City of Shafter recommended the City Council adopt Specific Plan Amendment No. 21-03 under Resolution No. 22-412; and

WHEREAS, the 2005 General Plan Update was a comprehensive revision to the City of Shafter 1993 General Plan that expanded the General Plan Study Area Boundary, updated the seven mandatory elements of the General Plan, including the Housing Element, provided an explicit statement of community vision, Coberly West Specific Plan, Mission Lakes Specific Plan, annexation of 5,233.68 acres (Annexation No. 77), pre-zoning for Annexation No. 77, and cancellation of two Williamson Act contracts for 1,007 acres; and

WHEREAS, the expansion of the North of the River Municipal Water District was not proposed for adoption by the City of Shafter under the 2005 General Plan Update but addressed and analyzed under the Certified Final Program EIR regarding water service to Annexation No. 77; and

WHEREAS, in the initial stages of preparing the 2005 General Plan Update, the City of Shafter determined that an Environmental Impact Report (EIR) would be required for the project, and, therefore, a Notice of Preparation (NOP) was prepared in accordance with the California Environmental Quality Act (CEQA) to study the environmental impacts of the project; and

WHEREAS, the NOP for the 2005 General Plan Update was sent to all agencies having involvement in the project per Section 15082 of the CEQA Guidelines; and

WHEREAS, the Draft Environmental Impact Report for the 2005 General Plan Update and related actions was made available for a forty-five (45) day review period in accordance with Section 15087 of the CEQA Guidelines which began on April 13, 2005, and ended on May 27, 2005; and

WHEREAS, on June 9, 2005, the Final Program Environmental Impact Report (SCH No. 2004101029) was completed pursuant to Section 15132 of the CEQA Guidelines and notice of its availability was published in the Shafter Press and Bakersfield Californian and provided to interested parties and commenting agencies; and

WHEREAS, the environmental record prepared in conjunction with the project included the following:

1. The Notice of Preparation, the Draft Environmental Impact Report, and the Final Environmental Impact Report; and
2. All staff reports, memoranda, maps, letters, minutes of meetings, and other documents prepared by the consultant relating to the project; and
3. All testimony, documents, and evidence presented by the City of Shafter and consultant working with the City relating to the project; and

4. The proceedings before the Planning Commission relating to the project and Draft Environmental Impact Report including testimony and documented evidence introduced at the May 10, 2005 public hearing; and

WHEREAS, the laws and regulations relating to the preparation and certification of an environmental impact report, as set forth in the California Environmental Quality Act (CEQA) and State CEQA Guidelines were adhered to and duly followed by City Staff, the Planning Commission, and City Council; and

WHEREAS, in a timely and properly noticed public hearing for the 2005 General Plan Update was held by the City Council of the City of Shafter at a regular meeting on June 21, 2005, at which hearing evidence, oral and documentary, was admitted on behalf of said project; and

WHEREAS, in accordance with Sections 15090 and 15151 of the State CEQA Guidelines, the Final Environmental Impact Report for the 2005 General Plan Update (SCH No. 2004101029) was considered for adequacy, completeness, and good faith effort at full disclosure and completed in compliance with CEQA; and

WHEREAS, on June 21, 2005, the City Council of the City of Shafter certified the Final Program Environmental Impact Report for the 2005 General Plan Update and related Actions (SCH No. 2004101029) in Resolution No. 05-1738; and

WHEREAS, in accordance with Section 15091 of the State CEQA Guidelines, findings and supporting rationale regarding identified significant environmental effects and related mitigation measures in the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029) were adopted by the City of Shafter on June 21, 2005, under Resolution No. 05-1739, 05-1741, 05-142, 05-1743, 05-1744, and 05-1745 and Ordinance No. 05-567; and

WHEREAS, in accordance with Section 15093 of the State CEQA Guidelines, regarding the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029), a Statement of Overriding Considerations with supporting reasons for Aesthetics and Visual Resources, Air Quality, Water Resources, Agricultural Resources, and Population and Housing was adopted by the City of Shafter on June 21, 2005, under Resolution Nos. 05-1739, 05-1740, 05-1741, 05-1742, 05-1743, 05-1744, and 05-1745 and Ordinance No. 05-567; and

WHEREAS, in accordance with Section 15097 of the State CEQA Guidelines, regarding the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029), a Mitigation Monitoring and Reporting Program, for the mitigation measures referenced above was adopted by the City of Shafter on June 21, 2005, under Resolution Nos. 05-1739, 05-1740, 05-1741, 05-1742, 05-1743, 05-1744, and 05-1745 and Ordinance No. 05-567; and

WHEREAS, an addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029) for the Heritage

Ranch Specific Plan was certified by the City Council of the City of Shafter on February 7, 2006, under Resolution No. 06-1813; and

WHEREAS, the City Council of the City of Shafter adopted the Heritage Ranch Specific Plan on February 21, 2006, under Ordinance No. 06-574; and

WHEREAS, a timely and properly noticed public hearing for Specific Plan Amendment No. 21-03 was scheduled by the City Council of the City of Shafter for a meeting on December 6, 2022, at which hearing evidence, oral and documentary, was admitted on behalf of said amendment; and

WHEREAS, the City Council has determined that pursuant to Chapter 15, Title 17 of the City of Shafter Municipal Code, it is in the best interest of the City to adopt an amendment to the Heritage Ranch Specific Plan (Specific Plan Amendment No. 21-03) to enhance the quality of life and to protect the health, safety and welfare of its citizens by applying orderly development to the City; and

WHEREAS, the subject property is located within the City of Shafter's incorporated boundaries; and

WHEREAS, the subject amendment is consistent with the City of Shafter's existing General Plan; and

WHEREAS, the City Council has, at its regularly scheduled meeting on December 6, 2022, studied and considered Specific Plan Amendment No. 21-03, a proposal to amend the Heritage Ranch Specific Plan including changing the name of the project to the Marcona Preserve Specific Plan, removing provisions for a gated age-restricted neighborhood, swimming pool and recreation building, amending the development standards, replacing the house elevations and floor plans, and making minor corrections, changes, and updates to the Specific Plan text, as illustrated in Exhibit "A", attached hereto, and made a part of this ordinance as though fully set forth herein; and

WHEREAS, the subject amendment is consistent with the goals, objectives, policies and programs of the General Plan and adopted Heritage Ranch Specific plan and is necessary and desirable for implementing the provisions of said planning documents; and

WHEREAS, the subject amendment will not adversely affect the public health, safety, and welfare or result in an illogical land use pattern; and

WHEREAS, the subject amendment is consistent with the purpose and intent of the remainder of Title 17 of the City of Shafter Municipal Code not under consideration; and

WHEREAS, on December 6, 2022, the City Council of the City of Shafter certified the Addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update (SCH No. 2004101029) for Specific Plan Amendment No. 21-03 in Resolution No. 2895.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHAFTER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The above recitals and findings incorporated herein, are true and correct.

SECTION 2: The Heritage Ranch Specific Plan, pursuant to Specific Plan Amendment No. 21-03, is consistent with the City of Shafter's General Plan.

SECTION 3: The City Council certifies the Addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update (SCH No. 2004101029) for Specific Plan Amendment No. 21-03 in Resolution No. 2895.

SECTION 4: The Findings of Fact as provided in Exhibit "B", regarding the certified Final Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029), are hereby adopted for Specific Plan Amendment No. 21-03 by the City Council of the City of Shafter.

SECTION 5: That certain environmental impacts regarding Aesthetics and Visual Resources, Air Quality, Water Resources, Agricultural Resources, and Population and Housing are considered unavoidable and cannot feasibly be mitigated to a less-than-significant level. Moreover, the project alternatives analyzed in the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029), as referenced in the Addendum, would not feasibly mitigate the impacts. These impacts are discussed in attached Exhibit "B". Notwithstanding disclosure of these impacts, the City Council is approving the project based on the overriding considerations as set forth, and hereby adopted, in Exhibit "C".

SECTION 6: The Mitigation Monitoring and Reporting Program attached in Exhibit "D" is hereby adopted.

SECTION 7: Based on the entire record before the City Council, including the above findings and all written and oral evidence presented to the City Council, the City Council hereby adopts Specific Plan Amendment No. 21-03, as shown in Exhibit "A", attached hereto, and made part of this resolution as though fully set forth herein, and adopts all of the mitigation measures provided in the Certified Final Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029) for Specific Plan Amendment No. 21-03.

SECTION 8: If any provision of this Ordinance or the application thereof is for any reason held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 9: This Ordinance shall take effect thirty (30) days after its final passage and adoption and, within twenty (20) days after its adoption, a copy of same shall be published and circulated in the City of Shafter together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED THIS 20th DAY OF DECEMBER, 2022.

Cathy L. Prout, Mayor

ATTEST:

Yazmina Pallares, City Clerk

APPROVED AS TO FORM:

Marco A. Martinez, City Attorney

Marcona Preserve

Specific Plan

A Master Planned Community by

LENNAR



Prepared For:

Lennar Homes of California, Inc.
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Fresno, CA 93711

and

City of Shafter
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Prepared By:

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Marcona Preserve Specific Plan

Mayor & City Council

Cathy Prout, Mayor
Gilbert Alvarado, Mayor Pro Tem
Pete Espinoza, Council Member
Chad Givens, Council Member
Cesar Lopez, Council Member

City Manager

Gabriel Gonzalez

Planning Department

Steven Esselman, Planning Director
Suzanne Forrest, Senior Planner

Adopted February 21, 2006 (Ord. 06-574)
Amended September 16, 2014 (Ord. 658)
Amended September 5, 2017 (Ord. 699)
Amended xxx xx, 2022 (Ord. ____)

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CHAPTER 1

INTRODUCTION

A. PURPOSE AND INTENT

The purpose of the Marcona Preserve Specific Plan, formerly Heritage Ranch Specific Plan, is to define zoning, development standards, and design guidelines for the approximately 263 acres located north of Seventh Standard Road, between the Friant-Kern Canal and Calloway Canal. The property is situated within the City of Shafter Sphere of Influence, in the County of Kern, State of California. The City of Shafter General Plan update (2005) designates an area in the southeastern portion of the Sphere of Influence as Specific Plan. This area includes the Marcona Preserve property. The City annexed the property in 2005 and requires a Specific Plan to define the quality and character of development in the area. This Specific Plan will generally conform to the zoning and design guidelines outlined in the City of Shafter General Plan and Title 17 of the City of Shafter Municipal Code (Zoning Ordinance). The Specific Plan's intent is not to create a fundamentally new standard, but to outline how existing standards will be implemented in the Specific Plan area in order to create a high quality, cohesive community. This Specific Plan will be adopted by ordinance.

In those cases where the master developer does request variances from existing General Plan standards, an alternate design standard will be proposed for approval by the City of Shafter. To aid in this effort, this Specific Plan will discuss the general character and quality of the design proposed for the master-planned community and provide illustrations and examples that will serve as basis for future discussions between the City, community, and developer.

The Marcona Preserve Specific Plan complements the City of Shafter General Plan, ratified by the Shafter City Council on June 21, 2005. At the broadest possible level, the Marcona Preserve Specific Plan consists of a master-planned community on approximately 263 acres within the City of Shafter's Sphere of Influence. The Specific Plan allows for a mix of residential, public facility, and recreational land uses. It establishes the location, land use, intensity, and character of development. It examines these land uses, considering environmental compatibility and development capacity. Finally, it provides for adequate infrastructure to ensure the continuity of quality and design within the area.

The Specific Plan area will include single-family residential development characterized predominantly by suburban-type residential densities, a middle school, recreation amenities that include four public parks (two ± 1.0 -acre parks, 3.8 acre park, and a 4.3-acre park), meandering sidewalks, bike path, a natural trail, and all infrastructure improvements required to service the community. Residential development will include a mix of

products that will address the needs of first-time home buyers and provide “move-up” opportunities for area residents. The Marcona Preserve Specific Plan presents an opportunity to establish a unique and cohesive community identity in southeast Shafter with a combination of distinctive entry signs, landscape treatments, streetscapes, and architecture. The Specific Plan will promote the implementation of the concept of livable neighborhoods in the subject property. Livable neighborhoods are characterized by a well-defined community identity and by encouraging social interaction among residents. In order to achieve this goal, the Marcona Preserve Specific Plan incorporates some Neo-Traditional neighborhood design elements such as a balanced mix of uses (including recreational amenities), community connectivity, and pedestrian-friendly design.

The Marcona Preserve Specific Plan is a device used to implement the City of Shafter General Plan. It is a more detailed plan for a focused area. The Specific Plan articulates planning objectives and establishes regulations or controls for proposed uses. The Specific Plan is the combination of concepts, procedures, and regulations from numerous planning documents. It serves as the zoning and design standard for the Specific Plan property.

The Marcona Preserve Specific Plan must be updated every 10 years after approval to reflect changing market conditions, government regulations, and physical conditions. Estimated build-out for the Specific Plan area is 3 to 8 years.

B. AUTHORITY AND SCOPE

The provisions of California Government Code Section 65450 grant local government agencies the authority to prepare specific plans for the development of any area covered by a general plan, for the purpose of establishing systematic methods of implementation of the agency’s General Plan. Upon adoption of a specific plan, the city must make findings of consistency between the specific plan and any proposed tentative subdivision map before the subdivision can be approved. Hearings will be held by the Planning Commission and City Council before the Specific Plan is adopted by ordinance as a regulatory document.

The City of Shafter Development Code, Title 17, Chapter 15, establishes the purpose, requirements, regulations and procedures for preparation of a Specific Plan in the City of Shafter. The Marcona Preserve Specific Plan is a regulatory plan which will serve as the zoning ordinance for the project. Proposed development plans, or agreements, preliminary plats, site plans, and any other development approval must be consistent with this Specific Plan. Projects which are found consistent with the Specific Plan will be deemed consistent with the City of Shafter General Plan.

C. SPECIFIC PLAN USER'S GUIDE

This Specific Plan is organized into six chapters, as detailed below:

- **Chapter 1 – Introduction:** Includes the document's purpose and intent, authority and scope as well as this user's guide to the Specific Plan.
- **Chapter 2 – Project Location and Setting:** Provides general information about the property location, existing site conditions, and the Specific Plan's general relationship to the City of Shafter General Plan, Land Uses, and Zoning.
- **Chapter 3 – Community Development Plan:** Sets forth a master plan for development of the property consisting of a land use plan, a circulation plan, and public facility information.
- **Chapter 4 – Development Standards and Regulations:** Includes zoning criteria for the Specific Plan area.
- **Chapter 5 – Design Guidelines:** Contains design guidelines that will define the community character including, but not limited to: architecture, landscaping, entry signs, lighting, and walls.
- **Chapter 6 – Specific Plan Administration:** Describes the project phasing and sets forth administrative procedures for implementing the Specific Plan.

CHAPTER 2

PROJECT LOCATION AND SETTING

A. LOCATION

The City of Shafter is located in the heart of the San Joaquin Valley, approximately 15 miles northwest of the City of Bakersfield. The Marcona Preserve Specific Plan area is located in the southeastern portion of the City of Shafter, California, (see Exhibit 2-1: Regional Location Map). State Route 43 (SR-43) and State Route 99 (SR-99) provide regional access to Shafter.

The Marcona Preserve Specific Plan area is within a portion of Section 36, Township 28 South, Range 26 East, M.D.M. The property is situated approximately 1.2 miles west of SR-99, which is the closest freeway to Marcona Preserve, and approximately 3 miles from Meadows Field Airport in Bakersfield. Access to the site is primarily provided by Seventh Standard Road (see Exhibit 2-2: Vicinity Map).

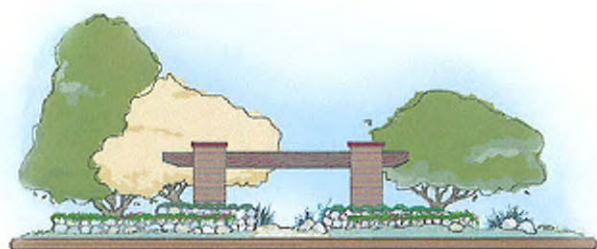
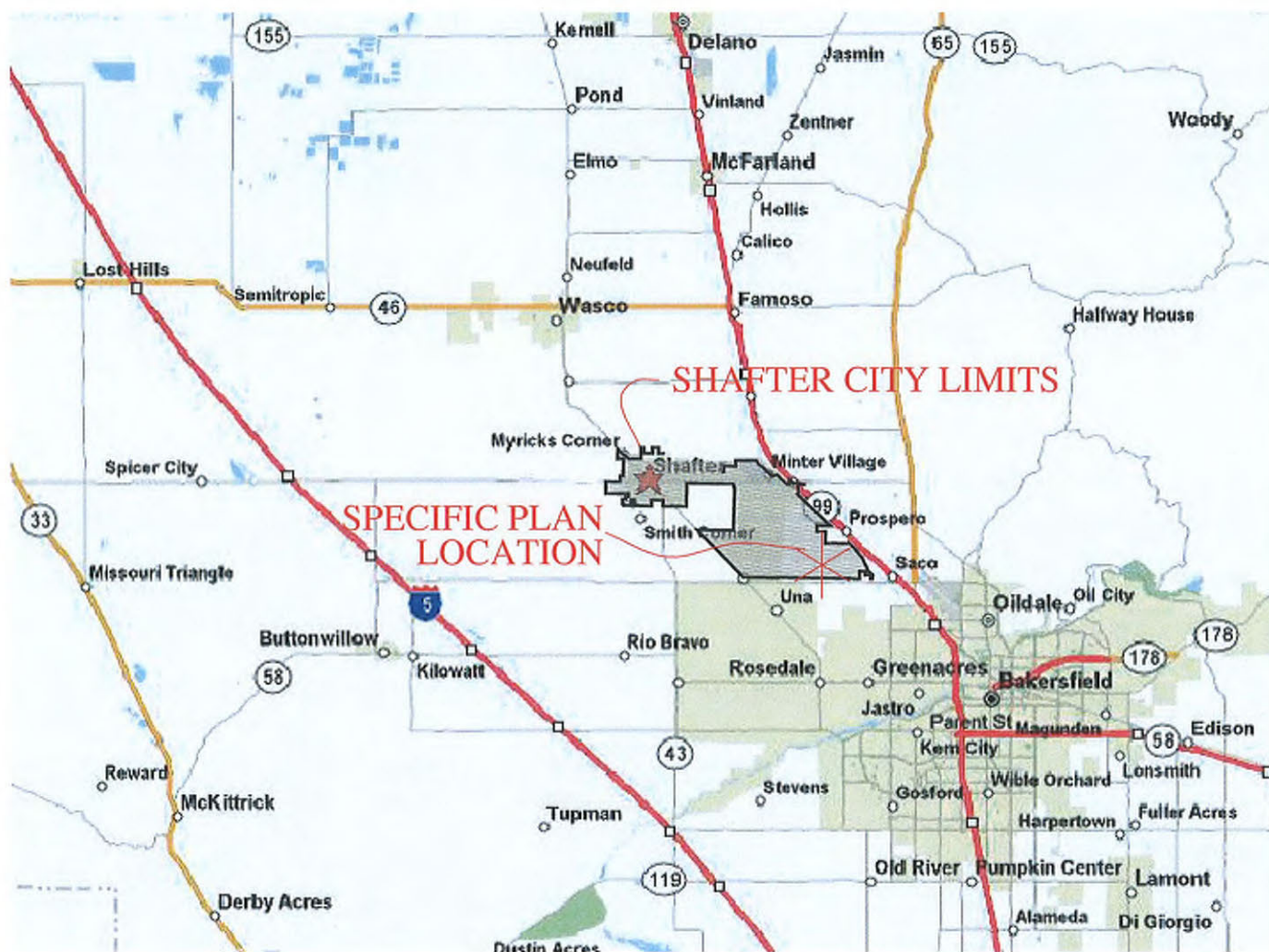
The 263-acre site is bordered on the south by Seventh Standard Road, on the east by the Friant-Kern Canal, on the west by the Calloway Canal, and on the north by a canal that transfers water from the Lerdo Canal to the Calloway Canal by the North Kern Water Storage District.

B. MARCONA PRESERVE SPECIFIC PLAN BACKGROUND

The City of Shafter has recently annexed the surrounding area north of Seventh Standard Road, west of SR-99, and east of Cherry Avenue. The southeastern portion of the City of Shafter includes 3,663 acres designated *Specific Plan*. This area lies west of SR-99 and north of Seventh Standard Road.

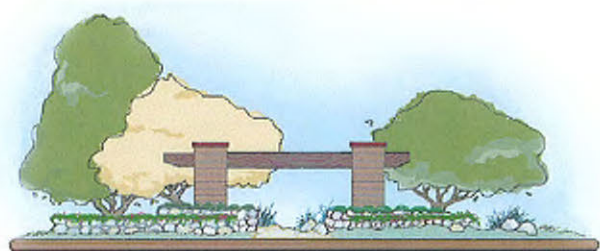
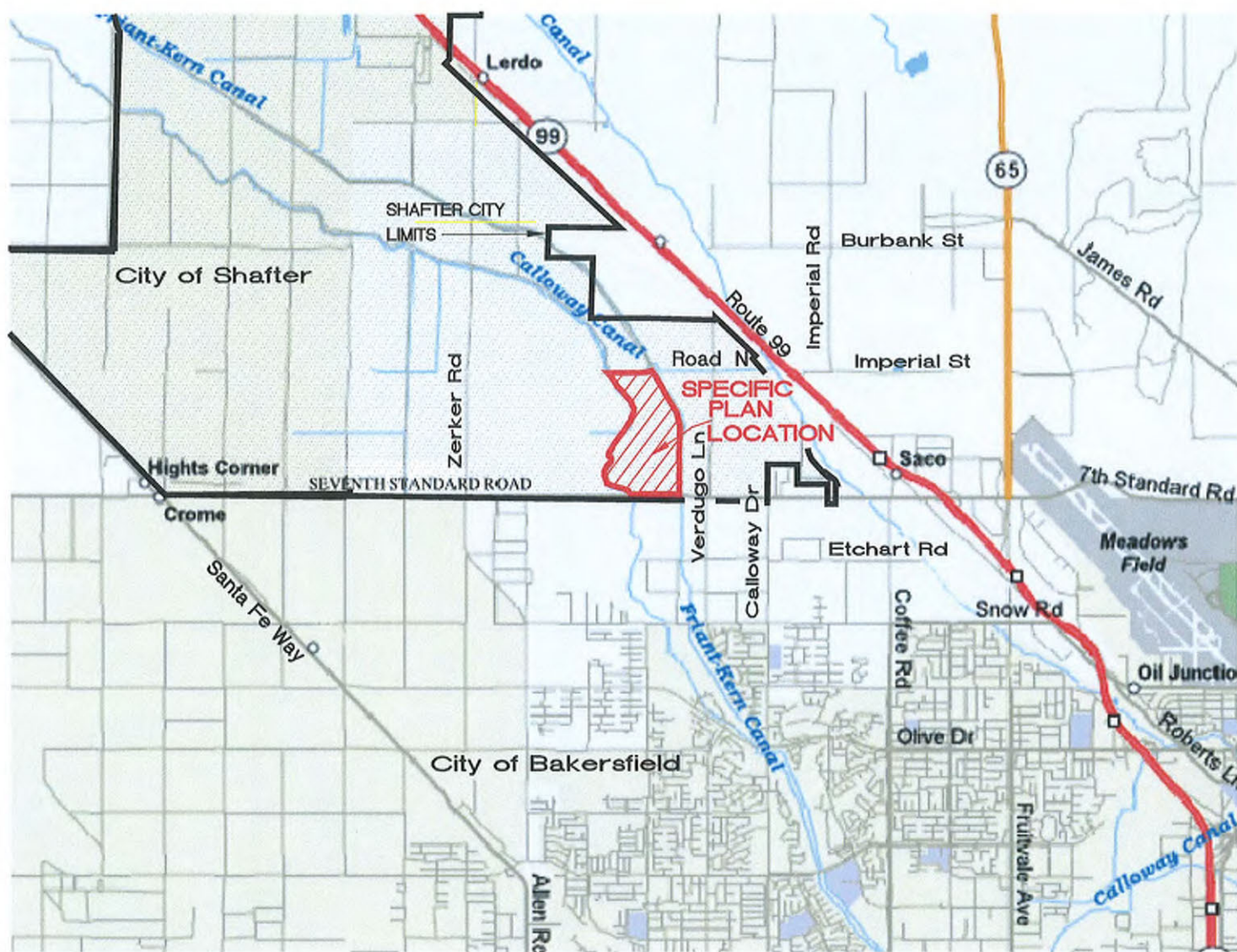
The area designated *Specific Plan*, which includes the Marcona Preserve Specific Plan property, allows for residential development, as well as for development opportunities associated with the Wonderful Industrial Park (or WIP, an industrial park) and the SR-99 (a major transportation corridor). Pressure for development within the area designated *Specific Plan* is a result of three rapidly expanding concentrations of urban development:

- Northward expansion of existing residential areas south of Shafter.
- Southerly and easterly expansion of existing industrial uses along Lerdo Highway.
- Expansion of existing industrial uses within WIP.



MARCONA PRESERVE
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EXHIBIT 2.1
Regional Location Map



MARCONA PRESERVE
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EXHIBIT 2.2
Vicinity Map

The WIP is a 3,300 acre industrial park with 500 acres developed and 1,000 acres available for immediate development located on the main line of the Burlington Northern Santa Fe Railway and approximately 4.5 miles west of the project site. This facility is designed to combine a quality industrial setting with a regional transportation solution, including an intermodal facility allowing direct rail service to and from the Ports of Los Angeles and Long Beach, for shippers and distributors serving the western United States.

Urban residential development was approved in this area in 1996, when the Kern County Board of Supervisors approved a 568-acre residential planned community known as Coberly Farms along the north side of Seventh Standard Road. Concurrent with the Coberly Farms development, Kern County also approved urban development on the “Etcheverry Property,” south of Seventh Standard Road. This joint project is also known as “Coberly-Etcheverry.”

The area designated *Specific Plan* provides the City of Shafter with the opportunity to establish a unique, planned community, with amenities that will promote high quality of life in the area. The City of Shafter recognizes that the potential to preserve agricultural greenbelts and to plan the area in large blocks provides an opportunity to apply “smart growth” principles and implement a walkable community with a broad range of housing, commercial and employment opportunities in close proximity to each other. The area designated *Specific Plan* was thoroughly analyzed in the City of Shafter General Plan update and related Environmental Impact Report (EIR, 2005).

The Heritage Ranch Specific Plan, now Marcona Preserve Specific Plan, was adopted on February 7, 2006 and will contribute to fulfill the City of Shafter General Plan goals and objectives for the area designated *Specific Plan*. Project compliance with the City of Shafter General Plan is demonstrated in Appendix B to this *Specific Plan*.

C. SURROUNDING LAND USES AND DEVELOPMENT

At the present time, with the exception of small isolated areas of rural residential development, the Marcona Preserve Specific Plan site and surrounding property either supports agricultural activities or is vacant (see Exhibit 2-3: Aerial Photograph). Low density residential uses are located less than one mile east and south of the *Specific Plan* area. In addition, the land use designation for properties south of the *Specific Plan* site is LR-Low Density Residential within the City of Bakersfield jurisdiction. Urban development is planned for the areas east, west, north, and south of the Marcona Preserve Specific Plan site. Development west of Marcona Preserve Specific Plan is detailed in the adopted Mission Lakes Specific Plan and development north and east of the Marcona Preserve property is detailed in the adopted Gossamer Grove Specific Plan. Both Mission Lakes and Gossamer Grove Specific Plans are planned communities characterized by urban and suburban-type residential densities. Development south of Marcona Preserve Specific Plan is currently planned within active Tentative Tract Maps 6765 & 6766 within the City of Bakersfield.

Land uses adjacent to the Specific Plan property are summarized below:

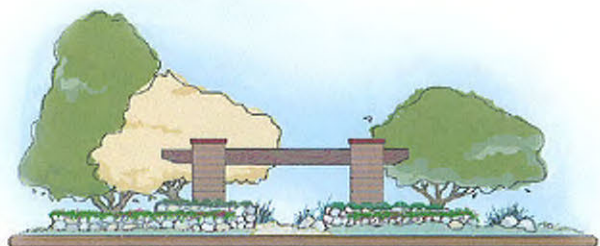
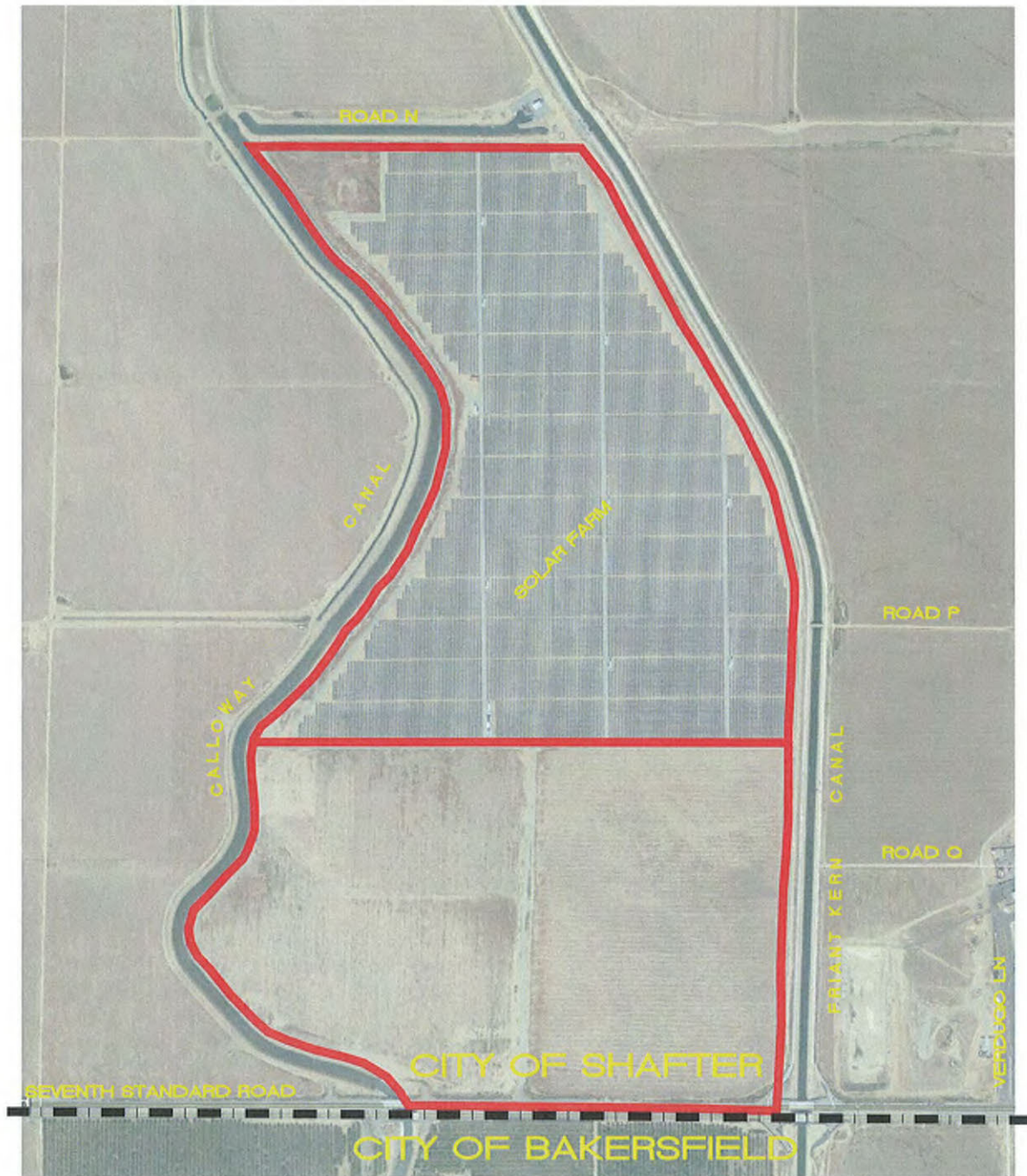
- **North:** The Gossamer Grove Specific Plan is situated north of the subject property. Currently, a dirt road, utility power poles, a canal from the Lerdo Canal that drains into the Calloway Canals, and agricultural property are located north of the subject property.
- **East:** The Gossamer Grove Specific Plan is situated east of the subject property. Currently, a dirt road, the Friant-Kern Canal, and single-family residential development on a portion of Gossamer Grove are located east of the subject property.
- **West:** The Mission Lakes Specific Plan is situated west of the subject property. Currently, a dirt road, the Calloway Canal, and agricultural property are located west of the subject property.
- **South:** The Etcheverry Property, located south of the subject property is within the City of Bakersfield. Currently, a Shell pipeline, utility power poles and Seventh Standard Road separate the project site and the Etcheverry Property. The Etcheverry Property is entitled for residential use and is currently used for agricultural purposes. Tentative Tract 6765 was approved on October 15, 2015. Tentative Tract 6766 was approved on February 15, 2017. Both are located south of the subject property.

D. EXISTING SITE CONDITIONS

The Marcona Preserve Specific Plan property lies between the Friant-Kern Canal and Calloway Canal. The subject property is currently agricultural land in the southern portion and a solar photovoltaic facility occupies the northern portion. The solar photovoltaic power facility was approved by City of Shafter Planning Commission per Conditional Use Permit (CUP) No. 10-57, and was adopted by Resolution No. 11-201 on February 8, 2011. The CUP does not affect the adopted Specific Plan. Historical and current aerial photographs contributed to determine that the majority of the subject property has been used as agricultural land for over seventy-five years. There are no permanent or temporary structures on the subject property, with the exception of the solar panels.

Agricultural and oil extraction activities have disturbed much of the surface of the land in the subject property. There may remain, however, subsurface archaeological sites that are undisturbed. If cultural or paleontological resources are encountered during grading, alteration of earth materials in the vicinity of the find shall be halted until a qualified expert has evaluated the find and recorded identified cultural resources.

The Specific Plan site is not subject to any Williamson Act Land Conservation Contract. The contracts previously in place were cancelled by the City of Shafter in 2006. The



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EXHIBIT 2.3
Aerial Photograph

conversion of agricultural lands to urban uses was considered in the City of Shafter General Plan update and EIR when the land use designation *Specific Plan* was adopted for the project site.

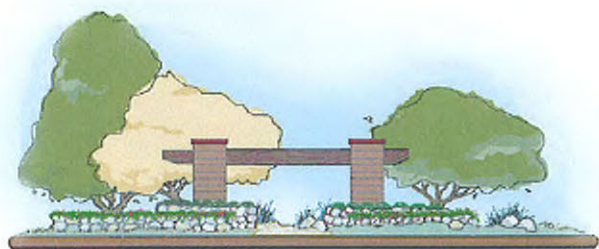
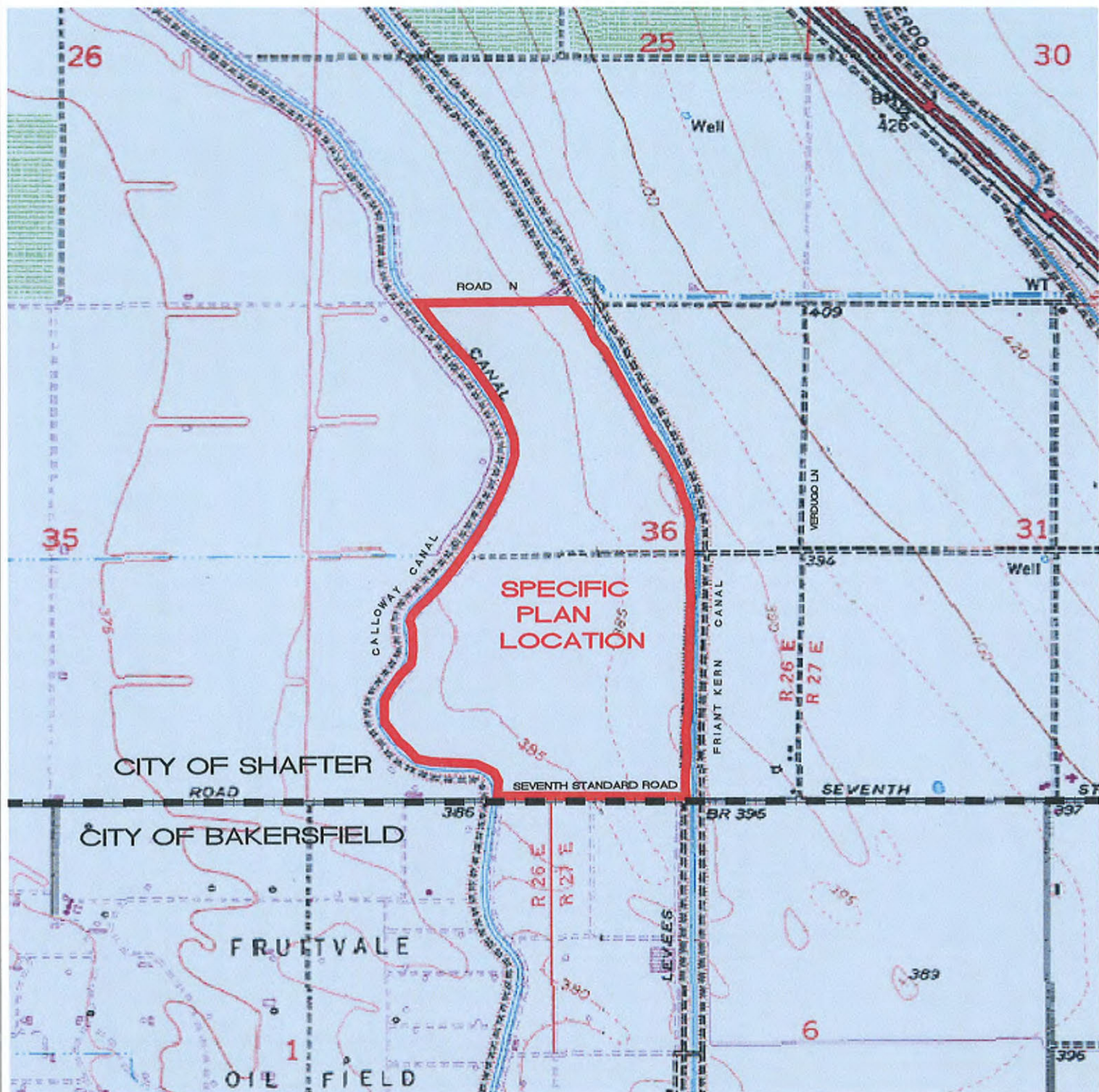
According to the State of California Geologic Energy Management Division (CalGEM) Map, a portion of the subject property is located within the Rosedale Ranch Oilfield. Oilfield activities have occurred on the subject property, and there are two oil wells onsite. Ne-Tex Oil Corp. Well “Lerdo” 1-36 is an abandoned well per CalGEM report of abandonment dated May 22, 1956 and is located within the Park Site Lot C in PA-2. Freedom Oil Co., “LLC 3” 48-36 was recently reactivated and redrilled per Permit P415-1779 dated 4/3/2015 and is located within the designated Drill Site. In the event that a building is constructed within 10 feet of an abandoned oil well, a leak test must be performed. This consists of exposing the well casing that is normally 5 feet below the ground surface and checking for the presence of any leaks with a soap solution. In very rare instances, a building is allowed to be constructed over an abandoned well. When allowed, a single well vent system must be constructed according to CalGEM requirements. According to the CalGEM map, oilfield activities have also occurred adjacent to the subject property and within a one-mile radius of the subject property. There are five abandoned oil wells, one idle oil well, and one active oil well within properties adjacent to the subject site. There are thirty-three abandoned oil wells and thirty-one active oil wells within the one-mile radius area.

Surface water resources within or adjacent to the project site include Calloway Canal, Friant-Kern Canal, and other man-made irrigation structures. According to the Improvement District No. 4 Report on Water Conditions 2016 (Kern County Water Agency, February 1, 2017), the groundwater beneath the subject property is at an approximate depth of 300 feet below ground surface, and flows towards the southwest.

The Specific Plan area has been studied by the Federal Emergency Management Agency (FEMA). The Specific Plan area is contained within Flood Insurance Rate Map (FIRM) Panel 1800 of 4125 Map Number 06029C1800E, and Panel 1825 of 4125 Map Number 06029C1825E (Kern County, CA, effective September 26, 2008). The FIRM Map depicts the Specific Plan site as Other Areas Zone X (areas determined to be outside the 0.2% annual chance floodplain).

Topographically, the site is characterized as gently sloping, as shown in Exhibit 2.4: Topography. According to the contour lines on the United States Geological Survey (USGS) Oildale and Rosedale, California Topographic Quadrangle Map, 7.5 minute series, the subject property elevation is approximately 385 feet above mean sea level. The topographic quadrangle map indicates that the property slopes to the southwest. The property does not have any distinguishing geologic formations or topographic features.

The southern portion of the San Joaquin Valley is surrounded on all sides, excluding the north, by active fault systems, including the San Andreas, White Wolf-Breckenridge-Kern



MARCONA PRESERVE
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EXHIBIT 2.4
Topography

Canyon, and Garlock Faults. Numerous smaller faults exist within the San Joaquin Valley. The closest known faults to the subject site are located in the Pond and North of Oildale Quadrangles, approximately 12 and 6 miles from the subject site, respectively.

The Marcona Preserve Specific Plan site is located within a structural trough between the Coastal Range and the Sierra Nevada Mountains. Erosion from both of these mountain ranges has resulted in the deposition of immense thickness of sediments in the San Joaquin Valley floor. Heavily-laden streams from the Sierra Nevada have built very prominent alluvial fans along the margins of the Valley. The soil types prevalent on the subject property are listed in the United States Department of Agriculture Soil Conservation Service Northwestern Part and Natural Resources Conservation Services book and map Southwestern Part. The number following the soil designation represents the index to the Soil Survey of Kern County, California.

- **Driver coarse sandy loam (#145)** - Deep, well drained soil is on terraces, with a 0 to 2 percent slopes. It formed in alluvium derived dominantly from granitic rock. The surface layer is yellowish brown coarse sandy loam about 16 inches thick, with the upper 10 inches of the substratum is brown, weakly cemented coarse sandy loam, and the lower part to a depth of 65 inches is yellowish brown and pale brown, stratified loam and loamy coarse sand. In some areas the surface layer is loamy sand or fine sandy loam. Permeability of the Driver soil is moderately slow in the subsoil and slow in the weakly cemented substratum. Runoff is very slow, and the hazard of water erosion is slight. Effective rooting depth is 60 inches or more. This unit is suited for irrigated crops, mainly cotton and alfalfa. These soils are in capability Unit IIs-8 (17), irrigated, and capability Subclass VIIs, non-irrigated.
- **Kimberlina fine sandy loam (#174)** - Sandy loam and deep well-drained soil, with a 0 to 2 percent slope on alluvial fans and plains. The surface layer is typically a brown fine sandy loam about 9 inches thick with the upper 36 inches of the underlying material a pale brown fine sandy loam, and the lower part to a depth of 71 inches is a pale brown silt loam. Permeability is moderate and available water capacity is high. Runoff is slow, and the hazard of water erosion is slight. Effective rooting depth is 60 inches or more. Most areas of these soils are used for irrigated crops mainly almonds, alfalfa, cotton, and grapes. Among the other crops grown are potatoes, sugar beets, pistachios, and onions. The soils are also suited for irrigated crops, hay and pasture. A limitation of these soils for urban development is due to rare periods of flooding and moderate to high density developments require sewage systems to prevent contamination of groundwater. These soils are in capability Class I (17) irrigated and capability Subclass VIIc non-irrigated.

Review of historical aerial photographs (County of Kern Engineering and Surveying Services and Western Photogrammetrics) helped determine that the majority of the property has been used for agricultural activities since 1937. The Marcona Preserve

Specific Plan project site is generally devoid of natural vegetation, except for a few isolated locations. Over the years the site has regularly been cleared and plowed for agricultural activities. The majority of vegetation on-site exists in a disturbed condition as a result of past and present agricultural activities. Disturbed vegetation consists primarily of non-native grasslands and scrubs. Large areas of natural habitats have been eliminated by past agricultural practices. Due to the disturbance of the natural vegetation cover onsite resulting from agricultural activities, the site presents low wildlife activity.

E. LAND USE DESIGNATIONS AND ZONING

GENERAL PLAN

The Marcona Preserve Specific Plan property is part of a larger area that has been designated as *Specific Plan* in the City of Shafter General Plan update (see Exhibit 2.5: City of Shafter General Plan Land Use Designations). The *Specific Plan* designation is a special classification that provides for development of a master-planned community, by means of preparation of a Specific Plan for the area. The designation requires that appropriate infrastructure and public services be provided with development.

The City of Shafter General Plan provides for the development of the area and ensures that circulation and additional infrastructure is planned to meet the needs of the areas designated *Specific Plan*. Planned improvements include the ultimate widening of Seventh Standard Road to six lanes from SR-99 to Santa Fe Way. The General Plan states that long-term regional transportation improvements are anticipated, including development of a ‘westerly beltway’ (a north-south expressway or freeway connecting the westerly portion of Bakersfield with State Route 99 in the central to northern portion of the Shafter planning area) and a ‘northerly beltway,’ providing an east-west connection between the State Route 99 and Interstate 5.”

The Marcona Preserve Specific Plan provides for a detailed planning process and covers development issues in a comprehensive manner for a portion of the area designated *Specific Plan* in the General Plan.

ZONING

The City of Shafter has pre-zoned the site as *Specific Plan*. The Marcona Preserve Specific Plan will determine the zoning for the proposed project area.

LEGEND

-  GENERAL PLAN AREA BOUNDARY
-  RURAL RESIDENTIAL (0.4 DU/AC)
-  RURAL COMMUNITY (1 DU/AC)
-  VERY LOW DENSITY RESIDENTIAL (3.5 DU/AC)
-  LOW DENSITY RESIDENTIAL (5 DU/AC)
-  MEDIUM DENSITY RESIDENTIAL (10 DU/AC)
-  MEDIUM HIGH DENSITY RESIDENTIAL (20 DU/AC)
-  AGRICULTURE/OPEN SPACE
-  SPECIFIC PLAN
-  BUSINESS PARK
-  COMMUNITY FACILITIES
-  COMMERCIAL/PROFESSIONAL OFFICE
-  INDUSTRIAL
-  PARKS & SCHOOL
-  RESOURCE MANAGEMENT
-  CANAL/RIGHT OF WAY

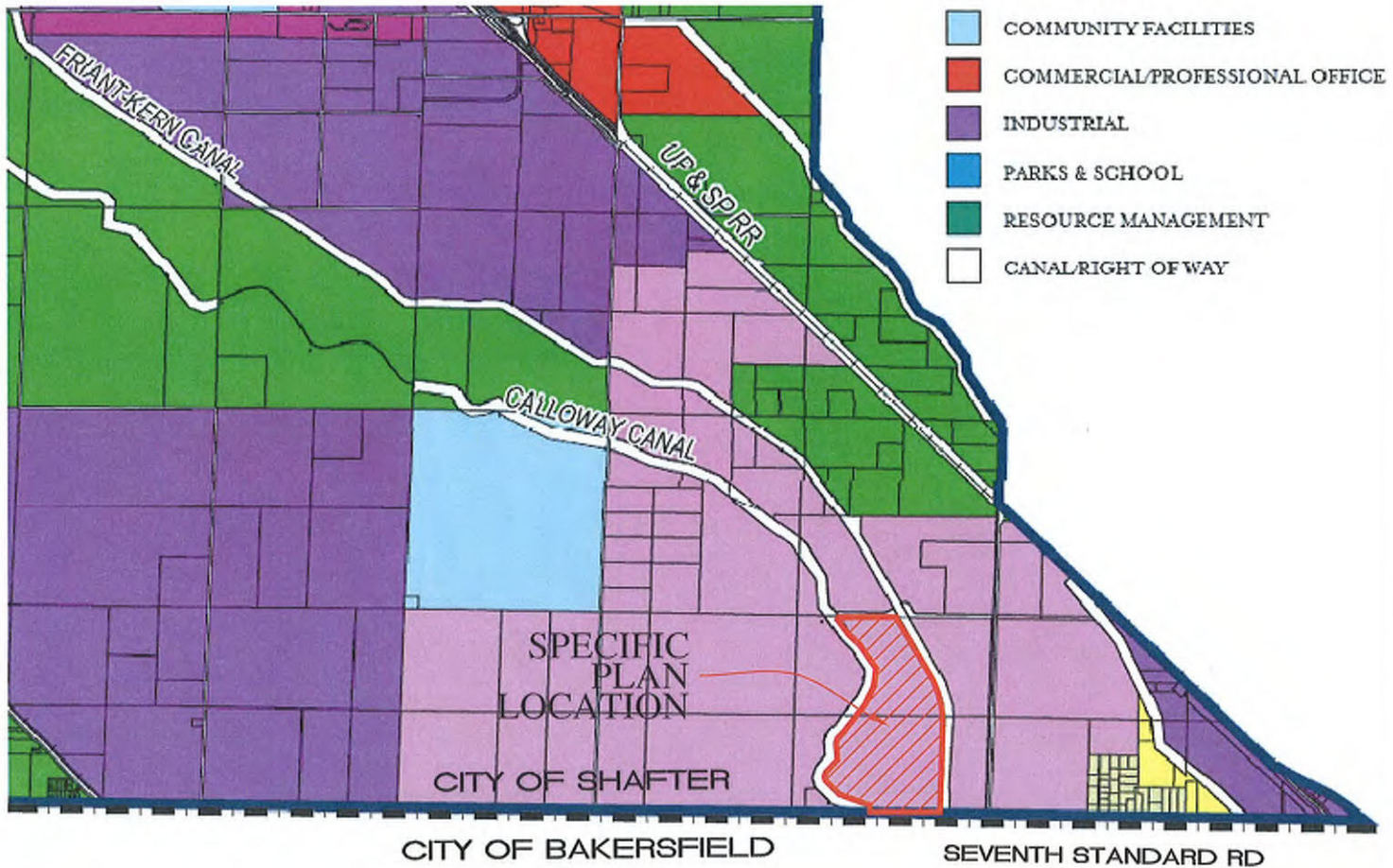


EXHIBIT 2.5
City of Shafter General Plan
Land Use Designation

CHAPTER 3

COMMUNITY DEVELOPMENT PLAN

A. PROJECT SUMMARY

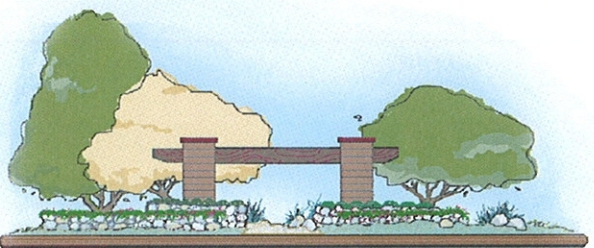
The Marcona Preserve Specific Plan area is envisioned as a master-planned community containing a maximum of 880 single-family residential units, a middle school and public recreational facilities. The minimum square footage for residential lots within the Specific Plan area is 5,500 square feet. Recreation facilities consist of four (4) public parks; a 4.3-acre, a 1.01 acre, a 1.75 acre, and a 3.8-acre public park and a multi-use walkway. The parks may include recreational amenities such as playground equipment and park furniture, and will support primarily passive recreation uses. The parks will be connected to a multi-use walkway along Jewetta Avenue North, the Specific Plan's main roadway. A 16.88-acre middle school site is also planned for the Marcona Preserve Specific Plan area (see Exhibit 3.1 – Marcona Preserve Specific Plan Land Use). The entire Specific Plan area will be tied together by common design elements, which will help create a strong community identity. The use of a thematic architectural design, entry signs, a distinct landscape plant palette, and a unique system of street lighting will convey the community theme. These elements are discussed in more detail in Chapter 5.

The new community proposed by the Marcona Preserve Specific Plan emphasizes the concept of livable neighborhoods. Livable neighborhoods are characterized by a well-defined community identity and by encouraging social interaction among residents. In order to achieve this goal, the Marcona Preserve Specific Plan incorporates some Neo-Traditional neighborhood design elements such as a balanced mix of uses, community connectivity, pedestrian-friendly design, and neighborhood parks. The multi-use walkway along Jewetta Avenue North will increase connectivity of residential areas with the parks, school, and adjacent developments, thus reducing dependence on automobile travel within the Specific Plan area. The multi-use walkway will also encourage social interaction among residents. The walkway, natural trail, bike path, and the neighborhood parks will provide the community with recreational opportunities and contribute to tie the Specific Plan area together.

As part of the development, infrastructure improvements will be made to the project site and surrounding area. Improvements to the circulation system will include widening of Seventh Standard Road (which is the primary access to the site), a traffic signal at the main entrance at Seventh Standard Road and Jewetta Avenue North, landscaping, street lighting, parks and recreation facilities and sidewalk installation within the project site and a Natural Trail along Seventh Standard Road property frontage, pedestrian bridges across both the Friant-Kern Canal and the Calloway Canal. Other infrastructure improvements

LEGEND

LOW DENSITY
RESIDENTIAL
DRILL ISLAND
SCHOOL
MULTI-USE WALKWAY
NATURAL TRAIL
RECREATION/OPEN SPACE



MARCONA PRESERVE
A PLANNED COMMUNITY

EXHIBIT 3.1
Marcona Preserve Specific Plan
Conceptual Land Use

will also be implemented to support the development, such as water, wastewater, and drainage systems.

Development of roadways and public facilities will occur concurrently with residential development and are planned to accommodate the built-out requirements of the Marcona Preserve Specific Plan community, ensuring that the Specific Plan standards for orderly growth are implemented. Due to the single access point from Seventh Standard Road, a traffic signal at the intersection of Seventh Standard Road and Jewetta Avenue North will be installed prior to occupancy of any home in the property.

Development also requires to be equipped to access the City of Shafter fiber communications system. Infrastructure for the fiber system will be installed throughout the Marcona Preserve Specific Plan community. Equipment and conduits will connect residences and the recreation center to the fiber system which will be located in the street.

B. DESIGN OBJECTIVES

The Marcona Preserve Specific Plan provides for a comprehensive planning approach that will implement the City of Shafter General Plan. The Specific Plan will help create a high quality development, with a strong sense of place.

To achieve this goal, a number of important issues were considered during the preparation of this Specific Plan, including the City of Shafter General Plan (2005), City of Shafter Zoning Ordinance (updated May 2016), and the City of Shafter Municipal Service Review (September 2014), as well as other regulatory policies, environmental constraints, development phasing, and local community goals. To ensure the functional integrity, environmental sensitivity, and positive aesthetic contribution of the Specific Plan to the Southeast Shafter area, this extensive analysis was used to establish the following list of project objectives:

- Set forth a comprehensive development plan that implements the applicable portions of the City of Shafter General Plan and achieves the City's development goals for this portion of Southeast Shafter.
- Provide a balance of compatible and complementary residential, recreational, and educational land uses in a well-designed master-planned community.
- Ensure coordinated, responsible planning through the use of cohesive procedures, regulations, standards, and guidelines (quality growth).
- Create an aesthetically pleasing and distinct community identity through the establishment of design criteria for architecture, landscaping, walls, street improvements, signs, and other planning and design features.

- Ensure that supporting infrastructure systems sufficiently sustain the land use plan by approving development predicated on the ability to provide adequate water supply, sewer and storm water infrastructure, public services, and transportation system connections in a comprehensive and timely manner.

C. LAND USE PLAN OVERVIEW

The Marcona Preserve Specific Plan area will contain a high quality and aesthetically pleasing community composed of single-family residential, recreational, and public facility land uses on 263 acres. The land use plan was developed to create a complementary mix of land uses that will address the needs of the Marcona Preserve community. The Marcona Preserve Specific Plan design also reflects a plan consistent with applicable City of Shafter ordinances, development standards, and guidelines.

Land uses within the Specific Plan area include residential, recreational/open space, and school, as described below and illustrated in Exhibit 3.1 - Marcona Preserve Specific Plan Land Use.

RESIDENTIAL

Residential uses account for approximately 254 acres of the project site, which will contain a maximum of 880 dwelling units. Residential uses are divided into five categories, according to location. Future residential development Planning Area 5 (PA-5), (current solar project), will be developed by a tentative tract map at a later date. The portion of the residential development along Seventh Standard Road east of Jewetta Avenue North will be developed with smaller single-family residential lots (5,500-13,601 s.f.) and will be called Planning Area 4 (PA-4). The portion of the residential development east of Jewetta Avenue North, to the south of the school site, will generally include smaller to medium sized single-family residential lots (5,500-14,672 s.f.) and will be called Planning Area 3 (PA-3). The portion of the Specific Plan west of Jewetta Avenue North, approximately centered in the Specific Plan area will generally include medium sized single-family lots (6,000-14,668 s.f.). This area of the Marcona Preserve development will be called Planning Area 2 (PA-2). The portion of the residential development west of Jewetta, along Seventh Standard Road will generally contain larger single-family lots (9,450+ s.f.). This area of the Specific Plan will be called Planning Area 1 (PA-1). All residential lots within the Specific Plan area will have a minimum lot size of 5,500 square feet for interior and corner lots.

RECREATIONAL/OPEN SPACE

The main recreation/open space features within the Specific Plan area include four public parks. One 3.8-acre park on the west side of Jewetta Avenue North and one 4.3-acre park on the east side of Jewetta Avenue North, north of the school site are proposed (PA-5), as

well as one 1.01-acre park (PA-2), and one 1.75-acre park south of the school site (PA-3). In addition, a 14' wide multi-use walkway and bike lanes are located along Jewetta Avenue North. The parks are planned primarily as passive recreation facilities, with open turf areas, playground equipment, picnic areas, and other park furniture. A meandering multi-use walkway is planned along the eastern side of the future Jewetta Avenue North (this multi-use walkway is described in more detail in Chapter 3, Section F, and illustrated in Exhibits 3.6, 5.7, 5.8, and 5.9). The multi-use walkway will increase community connectivity, since it will tie residential uses to the school and park uses. Sidewalks will also connect the two parks (1.01 acre and 1.75-acre located east and west of Jewetta Avenue North) and the school area. The multi-use walkway connection with the parks, school, and the Natural Trail along Seventh Standard Road will tie into the future bike path along the westerly right-of-way of the Friant-Kern Canal and trails within the Mission Lakes and Gossamer Grove Specific Plans. In addition, Jewetta Avenue North will have Class II bike lanes on both sides, which is consistent with the City of Shafter General Plan – Circulation Element. The coordinated walkways, bike lanes, and trails will enhance recreational opportunities and promote pedestrian and bicycle circulation within the community.

SCHOOL

A 16.88-acre middle school site is planned within the Specific Plan area. Development of a new school will address the future residents' need for middle education facilities within the Specific Plan area.

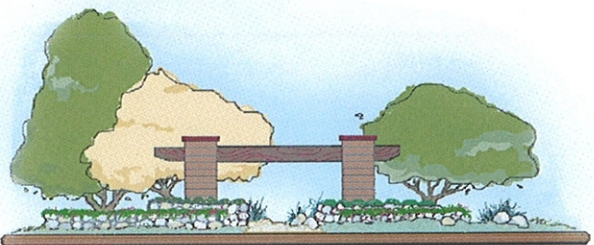
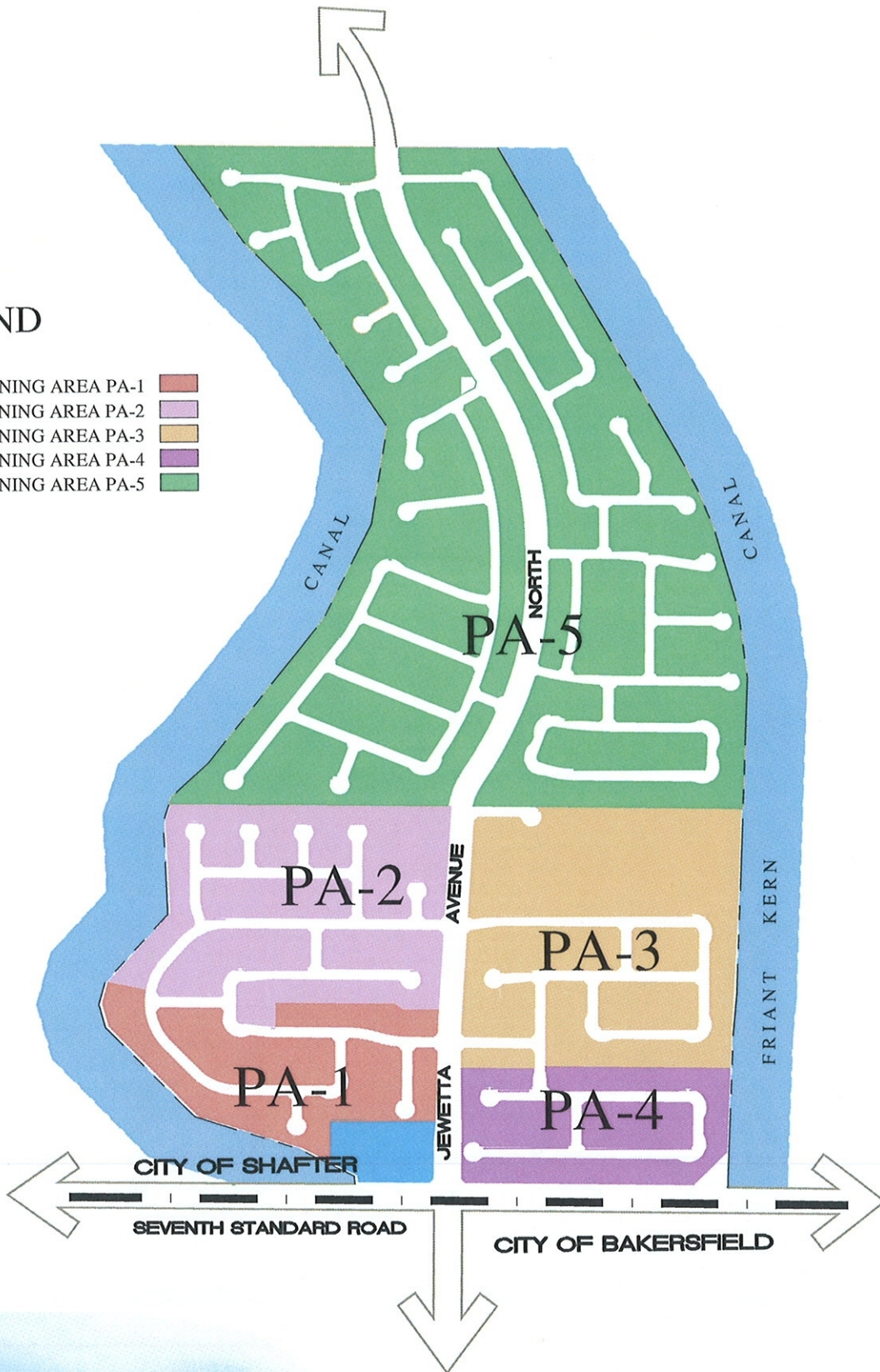
D. PLANNING AREAS

Five distinct development areas, referred to as "Planning Areas" have been created to implement the planning objectives of the Marcona Preserve Specific Plan. These Planning Areas were formed based on their land uses. Each Planning Area has unique characteristics, but will be integrated into a broader, cohesive community through complementary architectural, landscape, signage, and lighting themes and common recreational amenities.

Of the Planning Areas, all five are Residential Planning Areas (see Exhibit 3.2: Marcona Preserve Planning Areas). Specific information on each Planning Area is included in Table 3-1.

LEGEND

- RESIDENTIAL PLANNING AREA PA-1
- RESIDENTIAL PLANNING AREA PA-2
- RESIDENTIAL PLANNING AREA PA-3
- RESIDENTIAL PLANNING AREA PA-4
- RESIDENTIAL PLANNING AREA PA-5



MARCONA PRESERVE
A PLANNED COMMUNITY

EXHIBIT 3.2

Marcona Preserve Specific Plan
Conceptual Planning Areas

**TABLE 3-1
MARCONA PRESERVE SPECIFIC PLAN – PLANNING AREAS**

Planning Area	Specific Plan Land Use	Approximate Net Acreage	Max. Dwelling Units
PA-1	single-family residential lots, drill site	16.32	60
PA-2	single-family residential lots, recreation/open space/sump lot	23.63	142
PA-3	single-family residential lots, recreation/open space, school	32.81	101
PA-4	single-family residential lots	13.99	92
PA-5	single-family residential lots, recreation/open space	138	485
	Total:	224.75 (net acres)	880

Development standards for each Planning Area are described in Chapter 4. Development in the Planning Areas of the Marcona Preserve Specific Plan will be in substantial conformance with the design standards presented in this document. Actual residential lotting will be determined at the tentative tract map stage.

RESIDENTIAL PLANNING AREA PA-1

Residential Planning Area PA-1 will include approximately 16.32 net acres, with a maximum density of 3.68 units per net acre. PA-1 will also contain a 3.8 acre site for a drill island. Design considerations for Residential Planning Area PA-1 are as follows:

1. Street lighting within Residential Planning Area PA-1 shall be consistent with lighting along Jewetta Avenue North. Street lighting within the Specific Plan area will be thematic and consistent with the overall rustic ranch theme (please refer to Chapter 5, Section E for more detail in lighting design guidelines).
2. Landscaping throughout the Planning Area PA-1 shall be cohesive with landscaping used along Jewetta Avenue North (please refer to Chapter 3, Section G and Exhibit 3.7: Landscape Plan with Signs).
3. Sidewalks will connect the multi-use walkway along Jewetta Avenue North to the parks within Planning Area PA-2 and PA-3, increasing connectivity within the Specific Plan area and providing for a pedestrian-friendly environment (please refer to Exhibit 3.6: Parks and Recreation Plan).
4. Wall and buffering requirements for residential properties adjacent to Seventh Standard Road, the Drill Island, or canal will follow the City of Shafter Development Code standards and canal company requirements, as appropriate (please refer to Chapter 3, Exhibit 3.8: Wall Plan and Chapter 5, Exhibit 5.11).

5. Site-specific design of the park shall be determined and executed by a landscape architect and shall meet the approval of the Planning Director or his/her designee.

RESIDENTIAL PLANNING AREA PA-2

Residential Planning Area PA-2 will include approximately 23.63 net acres, with a maximum density of 6.0 units per net acre. Planning Area PA-2 will also contain a 1.01-acre neighborhood park. Design considerations for Planning Area PA-2 are as follows:

1. Street lighting within Residential Planning Area PA-2 shall be consistent with lighting along Jewetta Avenue North. Street lighting within the Specific Plan area will be thematic and consistent with the overall rustic ranch theme (please refer to Chapter 5, Section E for more detail in lighting design guidelines).
2. Landscaping throughout the Planning Area PA-2, including the park, shall be cohesive with landscaping used along Jewetta Avenue North (please refer to Chapter 3, Section G and Exhibit 3.7: Landscape Plan with Signs).
3. Sidewalks will connect the multi-use walkway along Jewetta Avenue North to the parks within Planning Areas PA-2 and PA-3, increasing connectivity within the Specific Plan area and providing for a pedestrian-friendly environment (please refer to Exhibit 3.6: Parks and Recreation Plan).
4. Wall and buffering requirements for residential properties adjacent to the canal will follow the City of Shafter Development Code standards and canal company requirements, as appropriate (please refer to Chapter 3, Exhibit 3.8: Wall Plan and Chapter 5, Exhibit 5.11).
5. Site-specific design of the park shall be determined and executed by a landscape architect and shall meet the approval of the Planning Director.
6. Maintenance of the park will be provided the City of Shafter.

RESIDENTIAL PLANNING AREA PA-3

Residential Planning Area PA-3 includes approximately 32.81 net acres with a maximum density of 6.13 units per net acre, located in the eastern portion of the Marcona Preserve property, with access to Jewetta Avenue North. Residential Planning Area PA-3 will contain a 1.75-acre park and middle school. The school shall be provided with a minimum of two points of access per California Department of Education siting requirements. Development of the school shall be coordinated with the Norris School District. Design Considerations for Planning Area PA-3 are as follows:

1. Street lighting within Residential Planning Area PA-3 shall be consistent with lighting along Jewetta Avenue North. Street lighting within the Specific Plan area will be thematic and consistent with the overall rustic ranch theme (please refer to Chapter 5, Section E for more detail in lighting design guidelines).

2. Landscaping throughout the Planning Area PA-3, including the park, shall be cohesive with landscaping used along Jewetta Avenue North (please refer to Chapter 3, Section G and Exhibit 3.7: Landscape Plan with Signs).
3. Wall and buffering requirements for residential properties adjacent to the canal will follow the City of Shafter Development Code standards and canal company requirements, as appropriate (please refer to Chapter 3, Exhibit 3.8: Wall Plan and Chapter 5, Exhibit 5.11).
4. Site-specific design of the park shall be determined and executed by a landscape architect and shall meet the approval of the Planning Director.
5. Maintenance of the park and recreational facility will be provided by the City of Shafter.

RESIDENTIAL PLANNING AREA PA-4

Residential Planning Area PA-4 will include approximately 13.99 net acres, with a maximum density of 6.57 units per net acre and is located in the southeast portion of the Heritage Ranch Specific Plan.

1. Street lighting within Residential Planning Area PA-4 shall be consistent with lighting along Jewetta Avenue North. Street lighting within the Specific Plan area will be thematic and consistent with the overall rustic ranch theme (please refer to Chapter 5, Section E for more detail in lighting design guidelines).
2. Landscaping throughout the Planning Area PA-4, shall be cohesive with landscaping used along Jewetta Avenue North (please refer to Chapter 3, Section G and Exhibit 3.7: Landscape Plan with Signs).
3. Sidewalks will connect to the multi-use walkway along Jewetta Avenue North and to the parks within Planning Areas PA-2 and PA-3, increasing connectivity within the Specific Plan area and providing for a pedestrian-friendly environment (please refer to Exhibit 3.6: Parks and Recreation Plan).
4. Wall and buffering requirements for residential properties adjacent to the canal and Seventh Standard Road will follow the City of Shafter Development Code standards and canal company requirements, as appropriate (please refer to Chapter 3, Exhibit 3.8: Wall Plan and Chapter 5, Exhibit 5.11).

RESIDENTIAL PLANNING AREA PA-5

Residential Planning Area PA-5 will include approximately 138 gross acres. Planning Area PA-5 will also contain 3.8-acre and 4.3-acre neighborhood parks. Design considerations for Planning Area PA-5 are as follows:

1. Street lighting within Residential Planning Area PA-5 shall be consistent with lighting along Jewetta Avenue North. Street lighting within the Specific Plan area will be thematic and consistent with the overall rustic ranch theme (please refer to Chapter 5, Section E for more detail in lighting design guidelines).

2. Landscaping throughout the Planning Area PA-5, including the parks, shall be cohesive with landscaping used along Jewetta Avenue North (please refer to Chapter 3, Section G and Exhibit 3.7: Landscape Plan with Signs).
3. Sidewalks will connect to the multi-use walkway along Jewetta Avenue North and to the parks within Planning Area PA-5, increasing connectivity within the Specific Plan area and providing for a pedestrian-friendly environment (please refer to Exhibit 3.6: Parks and Recreation Plan).
4. Wall and buffering requirements for residential properties adjacent to the canal will follow the City of Shafter Development Code standards and canal company requirements, as appropriate (please refer to Chapter 3, Exhibit 3.8: Wall Plan and Chapter 5, Exhibit 5.11).
5. Site-specific design of the park shall be determined and executed by a landscape architect and shall meet the approval of the Planning Director.
6. Maintenance of the park and recreational facilities will be provided by the City of Shafter.

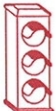
E. CIRCULATION

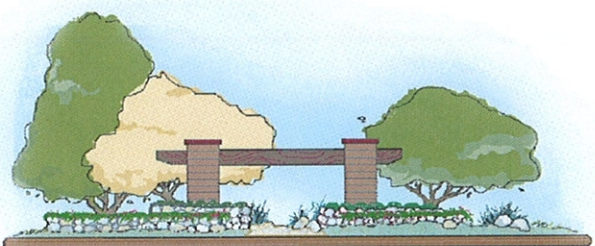
The main objective of the circulation plan and the planned roadway improvements is to provide direct and convenient access to the community through a safe and efficient network of roadways. A roadway concept has been developed for the Marcona Preserve Specific Plan as illustrated on Exhibit 3-3: Circulation Plan. Circulation improvements constructed for the project will improve the functional efficiency of the Southeast Shafter/Northwest Bakersfield circulation system and will enhance the aesthetics of the street network through landscape improvements along the project's frontage and Jewetta Avenue North. All streets within the Specific Plan area shall be dedicated as public streets.

Access to the project site will be provided primarily via Seventh Standard Road. A secondary entrance will be provided through Jewetta Avenue North, which connects to the Gossamer Grove Specific Plan, located immediately north of the Marcona Preserve Specific Plan site. Typical Marcona Preserve Specific Plan Street Cross Sections are illustrated in Exhibit 3-4. A description of the circulation concept follows:

- ***Seventh Standard Road*** is an adopted Specific Plan line with Kern County and the City of Shafter. Seventh Standard Road forms the southerly boundary of the project site and is designated by the City of Shafter General Plan Circulation Element as a Designated Express Way, with a base right-of-way width of 126 feet. The Marcona Preserve Specific Plan primary entry sign will be located at the intersection of Seventh Standard Road and Jewetta Avenue North, creating a gateway to the community. Prior to occupancy within the Specific Plan, a traffic signal will be installed at the intersection of Seventh Standard Road and Jewetta Avenue North.

LEGEND

-  DESIGNATED EXPRESSWAY
-  ARTERIAL STREET
-  CLASS II BIKE LANES
-  SIGNALIZED INTERSECTION



MARCONA PRESERVE
A PLANNED COMMUNITY

EXHIBIT 3.3

Marcona Preserve Specific Plan
Conceptual Circulation Plan

- ***Jewetta Avenue North*** will extend in a north-south alignment, from the northern project boundary to Seventh Standard Road. Jewetta Avenue North will connect residential, recreation, and school uses. A multi-use walkway will follow Jewetta Avenue North on the east side, which will enhance the community's recreational opportunities, as well as contribute to create a strong community identity and an aesthetically pleasant main street. A Class II bike lane shall be striped along both the east and west sides of Jewetta Avenue North. Jewetta Avenue North is an arterial south of Seventh Standard Road (in the City of Bakersfield Metropolitan Bakersfield General Plan) and will be classified as an arterial within the Marcona Preserve Plan area. The arterial designation for the avenue within the Specific Plan area will allow for appropriate roadway connection at the intersection of Seventh Standard Road and Jewetta Avenue North.

The typical arterial cross section in the City of Shafter includes 110-foot right-of-way. From the northern right-of-way line of Seventh Standard Road to a point 1,000 feet north of it, the cross section for Jewetta Avenue North will include a 10-foot sidewalk/landscape area along the western side, a 17-foot sidewalk/landscape area along the eastern side, and a 14-foot auxiliary lane plus two 12-foot through lanes on each side, separated by a 14-foot median. From a point 1,000 feet north of the northern right-of-way line of Seventh Standard Road to the northern project boundary, Jewetta Avenue North will include a 14-foot sidewalk/landscape area along the western side, a 10-foot auxiliary lane and two 12-foot through lanes on each side, separated by a 14-foot median. Along this northern portion of the roadway, Jewetta Avenue North will have an additional 7-foot strip to create a 21-foot wide landscape and multi-use walkway area along the eastern side. All sidewalks on Jewetta Avenue North and Seventh Standard Road shall be separated from pavement and curb with landscaping.

The applicant/developer of the Marcona Preserve Specific Plan area and City staff will negotiate the location of traffic signal along Jewetta Avenue North, north of Seventh Standard Road, within the Marcona Preserve Specific Plan area. The developer shall participate in the Regional Transportation Impact Fee (RTIF) program and will be entitled to reimbursement through the program. Reimbursement through the RTIF will include the signal at the intersection of Jewetta Avenue North and Seventh Standard Road and signals offsite. Reimbursement through the RTIF will not include signals directly serving the subdivisions within the Marcona Preserve Specific Plan area that are not regional in nature.

- ***The remaining streets within the Specific Plan area are designated as local streets.*** Local streets, including cul-de-sacs, provide circulation within the individual planning areas. Local streets will have a base right-of-way width of 52

feet that will include two-way lanes (12-foot) as well as 8-foot parking lanes and 6-foot sidewalks on both sides of the street. Implementation of sidewalks and painted bicycle lanes along the public roadways will facilitate non-vehicular circulation and increase connectivity with the trail system in the area. The project will comply with the City of Shafter Bikeway Plan included in the General Plan, as Class II bike lanes will be implemented along Jewetta Avenue North (see Exhibit 3-5: City of Shafter Bicycle Trail Plan and Policy 11, Section 3.4 of the Transportation Program of the City of Shafter General Plan). Final design of local streets will be determined at the tract map stage.

According to the City of Shafter Municipal Service Review (September 2014), the interchange at Seventh Standard Road and State Route 99 has undergone an upgrade and a railroad grade separation, which contributes to improved traffic circulation to and from the Specific Plan area.

F. PARKS AND RECREATION PLAN

Park and recreation facilities within the City of Shafter Sphere of Influence are provided by four entities: the City of Shafter, the Shafter Recreation and Park District, the Kern County Park and Recreation Department, and the North of the River Recreation and Park District. The North of the River Recreation and Park District covers the southeastern portion of the planning area.

The following parks in the City core are operated and maintained by the City of Shafter: Mannel Park (4.5 acres, within the Shafter “core area”), Rodriguez Park (6.1 acres, located within the southeast portion of the City of Shafter), Stringham Park (1.2 acre, located downtown Shafter), Veteran’s Park (15.7 acres, located in the southeast portion of the City of Shafter) and Kirschenmann Park (6.2 acres, at the intersection of Birch Street and Euclid Avenue). The City also operates Flight Park (3.2 acres) located within the Gossamer Grove Specific Plan.

Recreational facilities within the City of Shafter Sphere of Influence include tennis courts and athletic fields at Shafter High School, and the Shafter Aquatic Center at 269 Poso Street. The Community Action Partnership of Kern operates a youth facility west of SR-43, south of East Euclid Avenue, and north of East Ash Street. This facility includes an 18,000-square foot gym, a computer training room, a day care center with playground, and food service facilities. The Shafter Recreation and Park District operates the Walker Senior Center at 505 Sunset Avenue. Just south of the youth facility, the City of Shafter has constructed a skate park.

The Parks and Recreation Plan, shown in Exhibit 3-6, is an important element of the Marcona Preserve Specific Plan. The Parks and Recreation Plan provides adequate recreational/open space facilities to address the needs of the Specific Plan community.

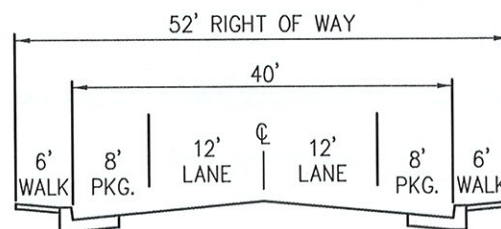
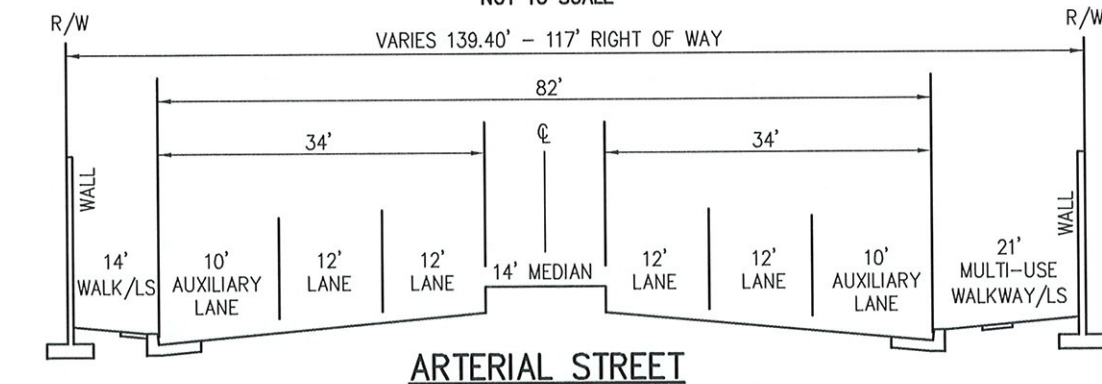
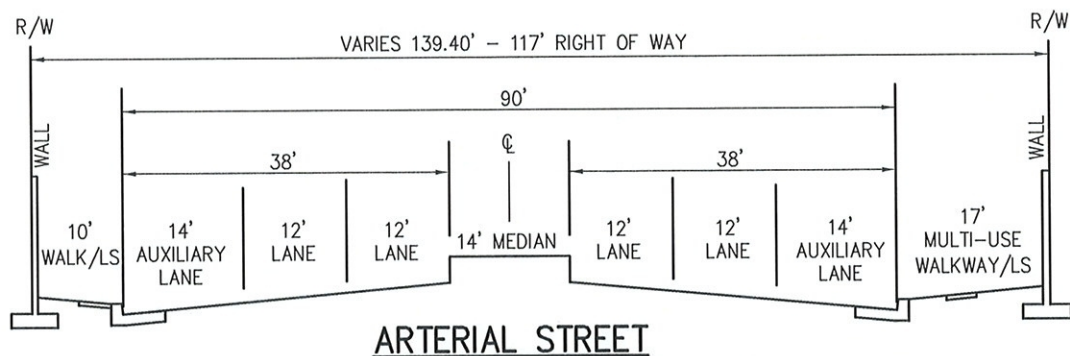
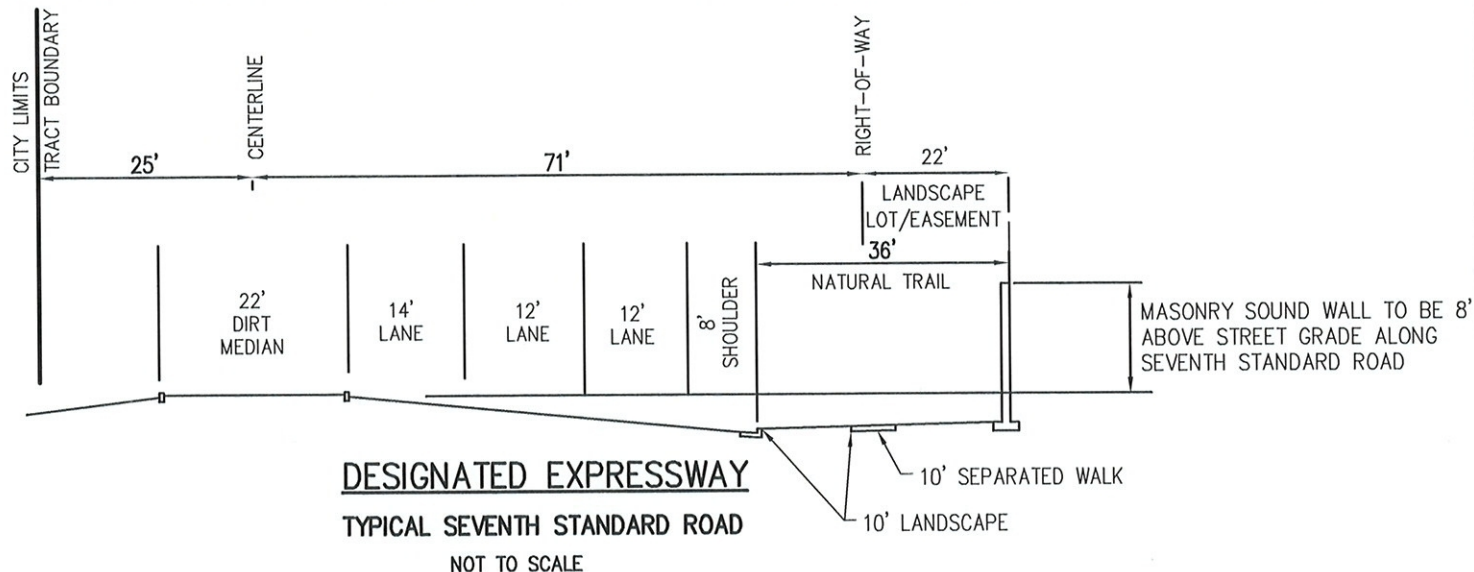


EXHIBIT 3.4

Marcona Preserve Specific Plan Typical Street Cross-Sections

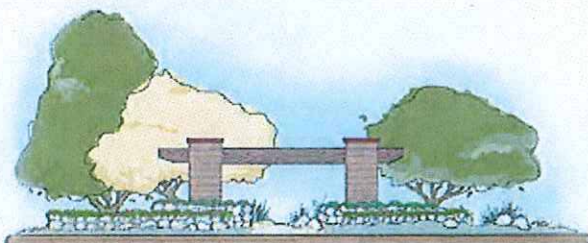
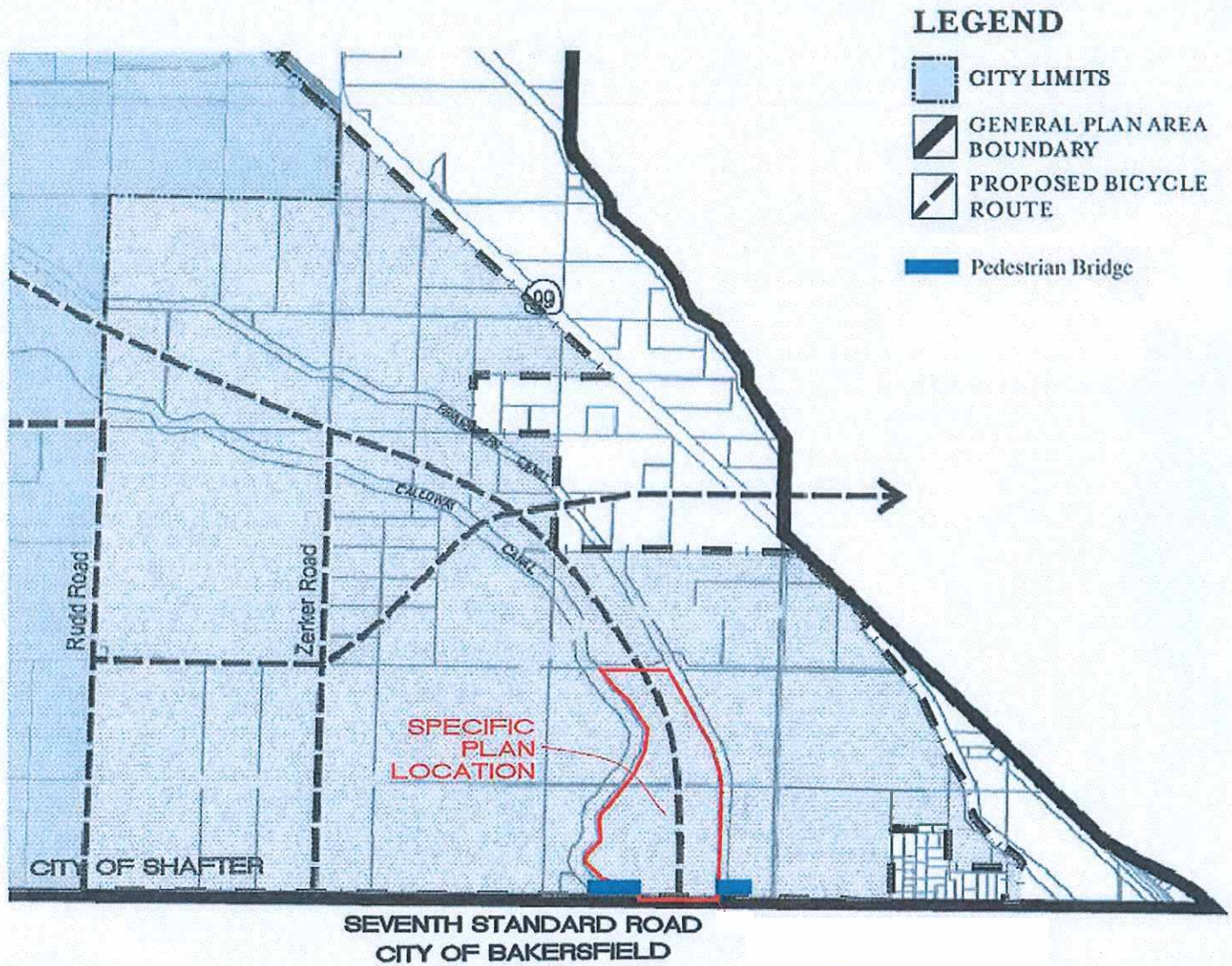


EXHIBIT 3.5
Marcona Preserve Specific Plan
City of Shafter Conceptual Bicycle Plan

The Parks and Recreation Plan features a 3.8-acre public park on the western side of Jewetta Avenue North, a 4.3-acre park on the eastern side of Jewetta Avenue North, north of the school. One approximately 1.01-acre park and one approximately 1.75-acre park are located on each side of Jewetta Avenue North, south of the school site. In addition, the Specific Plan will develop a multi-use walkway along Jewetta Avenue North, the Specific Plan's main road. Sidewalks will also connect Jewetta Avenue North to the parks and Natural Trail and pedestrian bridges across both the Friant-Kern Canal and the Calloway Canal along Seventh Standard Road are also planned, as additional amenities that will further increase connectivity of the area's trail system, expected to be developed as part of the Gossamer Grove and Mission Lakes Specific Plan areas (east and west of the Marcona Preserve property). Sidewalks will connect the parks and the school area east and west of Jewetta Avenue North. A Class II bike lane will also be implemented along Jewetta Avenue North and the development will provide multiple access points to a bicycle trail, originating in the City of Bakersfield.

The public parks are envisioned as gathering places for the community, and may accommodate small neighborhood events. These areas, together with the multi-use walkway, will be focal points of the Marcona Preserve community. The parks will be primarily passive recreation areas, and may include amenities such as children's play area with adjacent seating and paths, multipurpose turf, bike racks, picnic tables, and other park furniture. Lighting within the parks will be consistent with street lighting along Jewetta Avenue North. Landscaping will also be consistent with the landscape design along Jewetta Avenue North. The 1.01-acre and 1.75-acre public parks will be maintained by the City of Shafter and the larger parks in Planning Area-5 may be maintained by Shafter.

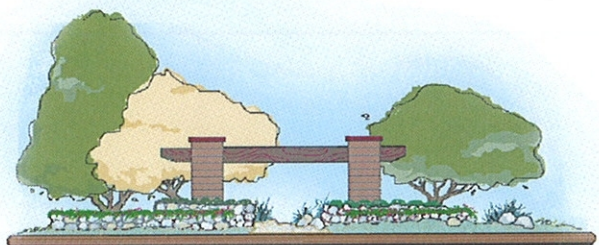
The multi-use walkway along Jewetta Avenue North will be a meandering path that will accommodate pedestrians and bicyclists, as well as other non-motorized users. The multi-use walkway will provide residents with an alternative mode of transportation throughout the community, and may enhance social interaction within the Specific Plan area. In addition, Class II bike lanes will be implemented along both sides of Jewetta Avenue North. Sidewalks will be developed to connect the parks and the school to Jewetta Avenue North.

A minimum 36-foot wide Natural Trail will be implemented along the entire frontage along Seventh Standard Road, which will tie into the trails planned as part of the Mission Lakes and Gossamer Grove Specific Plans. The Natural Trail will include a 10-foot wide landscaped sidewalk separated from Seventh Standard Road by at least 10 feet of landscaping. The Natural Trail will be a major recreational amenity within the Specific Plan area and will also enhance community connectivity, since it will link residential uses to the neighboring residential developments.

The City of Shafter has established a park-to-population ratio of 2.5 acres of park space for every 1,000 residents. The number of persons per dwelling unit per 2010 US Census, rounded to 4.0 pp/du x 880 dwelling units x 2.5 = 8,800 for a required 8.8 acres of

LEGEND

LOW DENSITY RESIDENTIAL	
DRILL ISLAND	
SCHOOL	
MULTI-USE WALKWAY	
NATURAL TRAIL	
RECREATION/OPEN SPACE	



MARCONA PRESERVE
A PLANNED COMMUNITY

EXHIBIT 3.6 Marcona Preserve Specific Plan Conceptual Parks & Recreation Plan

required parkland. The proposed total park acreage of 10.86 acres exceeds the City requirement and addresses the Specific Plan area residents' recreation and open space needs adequately.

G. LANDSCAPE PLAN

The landscaping and signage will contribute greatly to define the Marcona Preserve community character. Exhibit 3-7: Landscape Plan with Signs includes conceptual locations for landscaping, and for primary tract, school and park signs. Distinctive landscape and streetscape features contribute to integrate the diverse elements of the built environment. These features help unify the street aesthetics, provide orientation to residents and visitors, and create a powerful, memorable view.

The purpose of the Landscape Plan with Signs is to establish a cohesive landscape framework that permeates the community, contributing towards an aesthetic continuity in the Specific Plan area. Elements of the Plan are as follows:

Primary Entry Signs: these signs will be designed to identify the main entrance to the Marcona Preserve community and will be located on both sides of Jewetta Avenue North, near the intersection with Seventh Standard Road. The signs will create a visual gateway to the Specific Plan area and will contribute to establish a strong community identity (see Exhibits 5-1: Primary Entry Sign Plan; 5-2: Primary Entry Sign Elevation; and 5-3: Primary Entry Sign Elevation-Detail).

Major Roadway Streetscape: this type of landscaping shall be used along Jewetta Avenue North and Seventh Standard Road and shall clearly identify the roadway hierarchy within the Specific Plan area. The streetscape will accommodate bike lanes and multi-use walkways, and a Natural Trail in some portions of these roadways. Tree species will include a mixture of evergreen and deciduous species, for added visual interest. Please refer to Chapter 5, Section C for detailed streetscape design guidelines.

Local Roadways Streetscape: this type of landscaping shall be used along local roadways. A unifying plant palette in similar patterns that reflect the community's design theme will be used to create the local roadway streetscapes. Please refer to Chapter 5, Section C for detailed streetscape design guidelines.

Primary entry signs-and school/park signs will follow standards shown in this Specific Plan (Exhibits 5.1, 5.2, 5.3, and 5.4).

H. WALL PLAN

A sample wall plan was developed for the Marcona Preserve Specific Plan and is shown in Exhibit 3-8. A block wall with pilasters will be built along Jewetta Avenue North and along the residential property lines adjacent to parks (please refer to Chapter 5, Exhibit 5.10 for an illustration of the proposed wall). A block wall with slumpstone cap and color compatible with the theme wall will be implemented along the northern, eastern, and western boundaries of the school site, as a buffer to residential properties and the canal. The Wall Plan objective is to shield residential uses while being consistent with the community theme.

Distinct pilasters will be spaced along the block wall. Decorative accents will be applied to it, to create a wall design consistent with the Specific Plan architecture theme.

An 8-foot tall block wall is to be constructed along the frontage of Seventh Standard Road and 300 feet north of Seventh Standard Road along the eastern and western project boundaries. The wall will be stepped down to 6 feet and extended along the east and west project boundaries to separate the residential parcels from the Friant-Kern Canal and the Calloway Canal. Cross-section drawings are depicted in Exhibit 3.8. The block wall will be maintained at 8 feet in height above the grade of Seventh Standard Road, as measured from the median, to top of wall at all points of construction.

I. GRADING CONCEPT

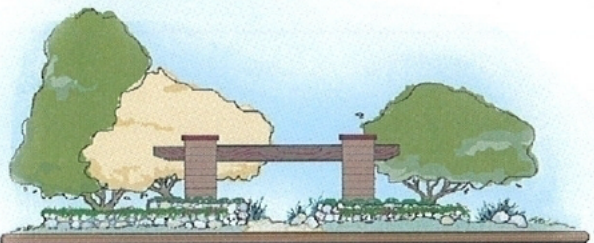
Grading for the Marcona Preserve Specific Plan is tailored to the existing topography of the project site. The project site is on a flat to gently sloping terrain. Soil and geologic conditions present no known significant constraints to grading. The primary objectives of the grading concept are to:

- Establish road grades that are consistent with those of the existing City streets around the site.
- Provide stable development pads for residential, educational, or recreational structures or amenities.
- Balance the cut and fill grading quantities on-site.

The grading plans shall be designed to accommodate drainage and a street system that meets the City of Shafter standards.

LEGEND

PRIMARY ENTRY SIGN	
SCHOOL & PARK SIGN	
TREE GROVES	
LOW DENSITY RESIDENTIAL	
DRILL ISLAND	
SCHOOL	
RECREATION/OPEN SPACE	



MARCONA PRESERVE
A PLANNED COMMUNITY

EXHIBIT 3.7

Marcona Preserve Specific Plan
Conceptual Landscape Plan With Signs

J. PUBLIC FACILITIES

WATER DISTRIBUTION

The City of Shafter and the Oildale Mutual Water company are the only municipal and industrial water purveyors in and adjacent to the City and the Specific Plan area. The City of Shafter owns and operates its own public water system. Four major canals affect water resources in the Shafter area. These include: Friant-Kern Canal (also known as the Federal Central Valley Project), the California Aqueduct (also known as the State Water Project), Lerdo or Beardsley Canal, and the Calloway Canal. These canals are vital to agricultural fields throughout the County and State.

Oildale Mutual Water Company currently provides water to residential and commercial development north of Seventh Standard Road and west of Highway 99. Oildale Mutual's existing water supply is a combination of groundwater and treated surface water.

Oildale Mutual Water Company will provide water services to the Specific Plan area with a dual water supply system. This system includes a domestic water supply and a landscape irrigation water supply. The water supply and distribution system will comply with all Oildale Mutual Water Company standards.

The primary connection points available for the Marcona Preserve Specific Plan area will be from the Gossamer Grove and Mission Lakes Specific Plan areas through Street "D", as shown in the Mission Lakes Specific Plan, and additionally along Seventh Standard Road to the east to form a looped system (Exhibit 3-9: Utility Concept Plan - Water).

The proposed water system will include a water line along Jewetta Avenue North, extending from the 12-inch minimum water line at Seventh Standard Road to the 12-inch minimum water line at Street "D" between the Gossamer Grove and Mission Lakes Specific Plan areas, and 6-inch and 8-inch lines within the internal roadways to provide domestic service to each proposed residence and the school, as well as supply sufficient fire flows to fire hydrants placed in accordance with the Kern County Fire Department standards.

SEWER SERVICES

Wastewater (effluent) treatment involves cleaning used water and sewage so that it can be returned safely to the environment or reused in place of other resources. The City of Shafter Department of Public Works is responsible for the operation and maintenance of the City's public sewer system. Wastewater treatment service provided to the City is accomplished through a co-ownership of the Shafter/North of River Sanitation District No. 1 (NORS) regional treatment plant that guarantees a set share of its capacity. The City of Shafter owns one-third of the wastewater treatment plant capacity and NORS owns two thirds of the plant. According to the *Municipal Services Review* prepared for the

LEGEND

STANDARD BLOCK WALL
WITH PILASTERS



8' HIGH BLOCK WALL WITH
PILASTERS (THEME WALL)



STANDARD 8' HIGH BLOCK WALL



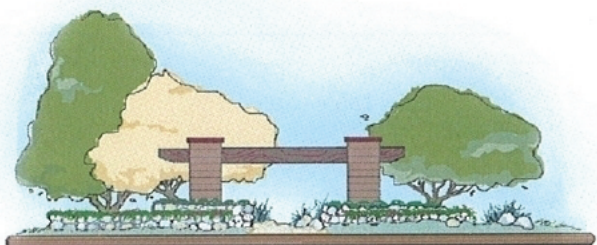
TO 300' NORTH OF
SEVENTH STANDARD
ROAD @ 8' ABOVE GRADE
OF 7TH STANDARD ROAD

TO 300' NORTH OF SEVENTH
STANDARD ROAD @ 8' ABOVE
GRADE OF 7TH STANDARD
ROAD

CITY OF SHAFTER

CITY OF BAKERSFIELD

SEVENTH STANDARD ROAD



MARCONA PRESERVE
A PLANNED COMMUNITY



EXHIBIT 3.8

Marcona Preserve Specific Plan
Conceptual Wall Plan

City of Shafter in September 2014, both the City sewer mains and the regional wastewater treatment plant have plenty of capacity for the long-term future.

The proposed sewer plan for this Specific Plan consists of an extension of the already existing facilities west of the project. A gravity sewer line ranging in size from 18 to 30 inches has been constructed along Seventh Standard Road and provides sewer service to the project. A 10-inch gravity main will connect to the gravity main in Seventh Standard Road as depicted in Exhibit 3-10. The sewer system will also include 6-inch and 8-inch lines within the internal roadways to provide domestic service to each proposed residence. Sewage disposal facilities shall be installed in accordance with requirements and specifications of the State Department of Health Services and the Kern County Department of Public Health.

DRAINAGE PLAN

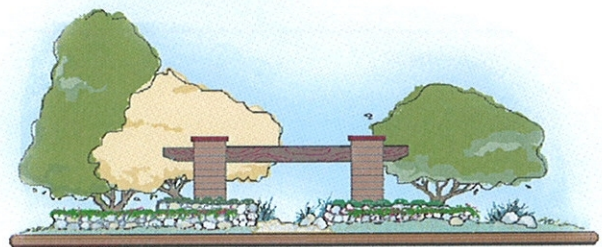
A preliminary on-site hydrology study will be performed to analyze the project's approximate 263 acres and determine an approximation of flows generated by the current undeveloped conditions and build-out conditions. The preliminary on-site hydrology study will be based on conceptual grading plans.

The Marcona Preserve Specific Plan site is classified by the USGS as Quaternary alluvium in the southern Joaquin Valley. The southwesterly flowing Kern River is approximately 6 miles south of the site. Existing topographic relief consists of relatively flat contours, with the existing site drainage generally sheet flowing in a northeasterly direction. The site is not located within the 500-year Kern River floodplain zone. No 100-year floodplains are located onsite. Calloway Canal and the Friant-Kern Canal delineate the western and eastern borders of the Specific Plan area, respectively. The drainage plan for Marcona Preserve Specific Plan will be consistent with common practice in the area and City of Shafter standards.

Prior to approval of any final map associated with the Marcona Preserve Specific Plan, detailed drainage/hydrological studies shall be required to address on-site drainage conditions and increased runoff flows associated with proposed land uses on a subdivision-level basis. Drainage facilities within public road right-of-way and drainage easements are proposed to be maintained by the City of Shafter.

K. PUBLIC SERVICES

The following information is a brief summary of services to be provided to the Marcona Preserve Specific Plan community.

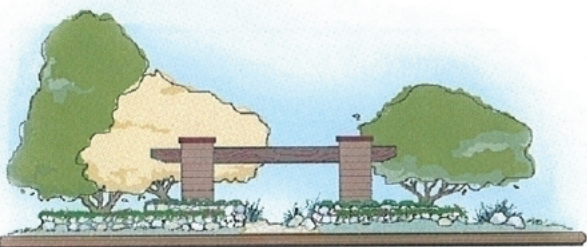


MARCONA PRESERVE
A PLANNED COMMUNITY

EXHIBIT 3.9

Marcona Preserve Specific Plan

Utility Concept Plan - Water



MARCONA PRESERVE
A PLANNED COMMUNITY

EXHIBIT 3.10
Marcona Preserve Specific Plan
Utility Concept Plan - Sewer

FIRE AND POLICE PROTECTION

Fire Protection Services

The City of Shafter contracts with the Kern County Fire Department (KCFD) for fire protection services. The KCFD provides response to all fire and life safety emergencies. Within the City core and areas in the northern portion of the City, fire prevention services are provided from Station 32, located in the downtown area. Station 61, located at 6400 Fruitvale Avenue currently is and would continue to be the station serving the southeast Shafter area. This station contains both an Engine Company and a Ladder Company, each with a full-time captain, engineer, and firefighter. Station 61 operates three shifts (48 hours on-duty) and has one Type I engine and one ladder truck. KCFD is planning for a new fire station (Station 68) near the intersection of Seventh Standard Road and Allen Road. Currently, the new station has no construction date. Depending on the severity of the fire emergency, additional units from Bakersfield, Oildale, or other locations may respond (City of Shafter Municipal Service Review, September 2014).

While the Insurance Services Office (ISO) considers the ideal travel distance for a fire engine to be 1.5 miles, for planning purposes, the Kern County Fire Department (KCFD) uses a travel distance of 2 miles for a fire engine as the standard response distance. For ladder trucks, the ideal ISO travel distance is 2.5 miles. The KCFD uses a standard response distance of 3 miles. KCFD's staff and equipment will have to increase in order to respond adequately to the Marcona Preserve, Mission Lakes, and Gossamer Grove Specific Plan developments. The Mission Lakes and Gossamer Grove Specific Plans state that acreage for fire facilities will be provided within those Specific Plan areas as required by the City of Shafter/Kern County. No additional acreage for those uses will be necessary within the Marcona Preserve Specific Plan boundaries.

Police Protection Services

Law enforcement services in the City of Shafter and surrounding area are provided by three agencies: the Shafter Police Department, the Kern County Sheriff's Department, and the California Highway Patrol. These three agencies coordinate their efforts to ensure adequate police protection services are provided to residents and businesses.

The City of Shafter Police Department provides police protection services within the incorporated limits of the City. The Department employs 26 uniformed officers and 13 civilian support personnel. The Department maintains 2 uniformed officers and 1 police supervisor per shift, 24 hours per day, 7 days per week. The Department's desired police officer to population ratio is 1.1 sworn officers per 1,000 residents. The 2010 US Census has established the City of Shafter's population at 16,988 persons. Based on the Department's preferred ratio, 26 sworn officers meet desired staffing goals.

The California Department of Finance has estimated the population in the City of Shafter in 2017, to be 18,868. Based on the current population, the City needs a total of 21 sworn officers to service the residential areas and one to service the industrial development. As the population grows in the southeast portion of the City, additional police personnel, equipment, and facilities will be needed.

Police protection services for the unincorporated areas surrounding the City of Shafter are provided by the Kern County Sheriff's Department. The Buttonwillow Substation provides service to the unincorporated areas surrounding the City.

The California Highway Patrol (CHP) provides traffic enforcement on major roads, State Highways, and Freeways within the City of Shafter and City's Sphere of Influence.

The Gossamer Grove Specific Plan identifies areas for police facilities within the Specific Plan areas as required by the City of Shafter/Kern County. No additional acreage for those uses will be necessary within the Marcona Preserve Specific Plan boundaries.

SCHOOLS

The Marcona Preserve Specific Plan is within the Norris Elementary School District. The Marcona Preserve Specific Plan proposes the construction of a middle school on a 16.88-acre site to meet the future Specific Plan area residents' educational needs. The middle school is anticipated to join the Norris Elementary School District. The Kern High School District will serve high school students of the Marcona Preserve community.

PUBLIC LIBRARY

The Shafter Library and Learning Center is operated by the Shafter Education Partnership. The library, located at 236 James Street, maintains a collection of over 30,000 books, videos, DVDs, audio books, and other media in their facility. The Shafter Education Partnership operates the Shafter Learning Center out of the same building. The Learning Center hosts classes that challenge advanced students and enriches education in Shafter. The Shafter Learning Center also has computers available to the public.

UTILITIES

The Marcona Preserve Specific Plan will be served with telephone, cable, internet, electricity, natural gas and solid waste collection services from public and private companies as detailed below:

Utility	Provider
Electricity	PG&E
Gas	Southern California Gas Co.
Water	Oildale Mutual Water District
Sewer	City of Shafter
Solid Waste	Varner Brothers
Telephone	AT&T and Shafter Connect
Cable	AT&T, Spectrum, and Shafter Connect

CHAPTER 4

DEVELOPMENT STANDARDS AND REGULATIONS

The following Development Standards and Regulations implement the planning and design concepts of this Specific Plan. These standards and regulations address site development issues and provide the basic criteria that govern all development within the boundaries of the Marcona Preserve Specific Plan. Development within the Specific Plan shall be subject to the review processes discussed further in this document (Chapter 6). Any standard or regulation contained herein that differs from the City of Shafter Municipal Code shall take precedence over and supersede the City of Shafter Municipal Code, unless otherwise prohibited. Any standard or regulation of the City of Shafter not covered in this Specific Plan in the areas of site development, administration, review procedures, environmental review, and parking regulations, shall apply to this Specific Plan. Where a discrepancy occurs, which unreasonably restricts the implementation of this Specific Plan, a Specific Plan Amendment shall be required.

A. GENERAL PROVISIONS

DEFINITION OF TERMS

All terms used in this document shall have the same definitions as provided in the City of Shafter Municipal Code, Zoning Ordinance, Section 1.190, except where altered in the definitions provided below:

- ***Abutting, Adjoining, Adjacent.*** Having district boundaries or lot lines in common. Where properties would have had lot line in common except for the existence of an alley, the lot lines of those properties are considered to be abutting, adjoining, or adjacent.
- ***Accessory Structure.*** Any subordinate structure or portions of the main structure, the use of which is incidental to that of the main structure on the same lot or premises, and which is used exclusively by the occupants of the main structure. An accessory structure may be erected only after the principal structure is established.
- ***Acreage, Gross.*** The total fee ownership of a parcel or land area including any easements.
- ***Acreage, Net.*** The land area which remains after dedication of ultimate rights-of-ways for 1) exterior boundary streets, 2) flood control rights-of-way, and 3) easements.

- ***Architectural Features.*** Any portion of the outer surface of a structure, including, but not limited to, the kind, color and texture of the building material, the type and style of windows, doors, lights, signs, walls, fences, awnings, canopies, screens, sculptures, decoration, roof shape and materials, and other fixtures appurtenant to a structure.
- ***Architectural Projections.*** A marquee, fireplace, chimney, porch, canopy, or similar projection of a building.
- ***Builder.*** The person or entities who acquire Planning Areas (as defined below) in the Marcona Preserve Specific Plan from the Master Developer.
- ***Building Height.*** The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the highest point of the highest gable of a pitch or hip roof, but exclusive of vents, air conditioners, chimneys, or other such incidental appurtenances.
- ***Coverage, Lot or Site.*** “Lot or Site Coverage” shall mean the ratio between the ground floor area of the habitable buildings (or buildings as defined by the Uniform Building Code) and the lot area.
- ***Density.*** The number of permanent dwelling units per planning area based on net acreage.
- ***Developers.*** The person or entities who acquire Planning Areas (as defined below) in the Marcona Preserve Specific Plan Area from the Owner for the purpose of developing said Planning Areas.
- ***Dwelling, Single-Family.*** A building containing one dwelling unit on one lot.
- ***Easement.*** The right to use property owned by another for specific purposes or to gain access to another property. For example, utility companies may have easements on private properties to be able to install and maintain utility facilities.
- ***Floor Area, Gross.*** The total enclosed area of all floors of a building measured to the inside face of the exterior walls including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a height of more than 7 feet, but excluding area used exclusively for vehicle parking or loading.
- ***Floor Area, Net.*** The total building floor area excluding garages, hallways, lobbies, elevators, and other common spaces.
- ***Frontage, Building.*** The side or face of the building which is parallel to or is at an angle of 45 degrees or less to a public street or a public parking area.
- ***Frontage, Road.*** A minor street which is parallel to, and adjacent to an arterial street or freeway, and which provides access to abutting properties and protection from through and fast traffic.
- ***Frontage, Street or Highway.*** That portion of a lot or parcel of land which borders and has access to a public street, highway, or parkway. The frontage shall be measured

along the common lot line separating the lot or parcel of land from the public street, highway, or parkway.

- **Garage.** A permanently roofed structure with 3 enclosed sides and a garage door which is used for automobile shelter and storage.
- **Lot.** A site or parcel of land under one ownership having frontage upon a street, other than an alley, or a private easement determined by the Public Works Manager to be adequate for purposes of access.
- **Lot Area.** The horizontal area within the property lines excluding area to be included in future street right-of-way as established by dedication.
- **Lot, Corner.** A site bounded by 2 or more adjacent street lines that have an angle of intersection of not more than 135 degrees.
- **Lot Depth.** The average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.
- **Lot, Double Frontage.** An interior lot having frontage on more than one street.
- **Lot, Interior.** A lot other than a corner lot.
- **Lot Line.** A line of record that divides one lot from another lot or from a public or private street or any other public space.
- **Lot Width.** The average horizontal distance between the side lot lines, measured at right angles to the lot depth as a point midway between the front and rear lot lines.
- **Open Space.** Any area of land, essentially left undeveloped and not occupied by structures that is set aside, dedicated, or reserved in perpetuity for public or private enjoyment as a preservation or conservation area. Open space areas may include developed areas for passive recreation. Facilities within open space areas may include nature trails, exercise trails, seating areas, picnic tables, grills, and children's playground equipment.
- **Open Space, Usable.** Outdoor space which serves a recreational function or provides visual relief from the building mass, the minimum dimension of which shall be 6 feet excluding required front yards.
- **Passive Recreation.** Recreational activities which can be done in natural open space areas without extensive development of the area, i.e., hiking, walking, day picnicking.
- **Planning Area.** A designated sub-area of the Specific Plan with specified permitted uses and regulations covering the development of those uses.
- **Project.** Any proposal for new or changed use, or for new construction, alteration or enlargement of any structure, that is subject to the provisions of this Specific Plan.
- **Property Line, Front.** The shortest boundary line of a lot which is coterminous with a street line. Boundary lines of a double frontage lot which are coterminous with street lines shall be front lines and shall both meet minimum front yard set back requirements. When the boundary lines of a corner lot, which are coterminous with

street lines, are of equal or substantially equal lengths, the front line shall be determined by the Planning Director. In determining the front line, the City of Shafter Planning Director shall take into consideration the character of the improvements in the neighborhood of the lot, the relative impact to abutting property owners from the establishment of either of such boundaries as a front line, the character of the building proposed to be constructed and the distance that the buildings are set back from the lines of the two streets on which the lot in question abuts.

- ***Property Line, Interior.*** A lot line not abutting a street.
- ***Property Line, Rear.*** A lot line that is parallel or approximately parallel to the front lot line. Where no lot line is within 45 degrees of being parallel to the front lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line for the purpose of measuring rear yard depth.
- ***Property Line, Side.*** Any lot line that is not a front lot line or a rear lot line.
- ***Property Line, Streetside.*** A side lot line abutting a street.
- ***Recreational Area.*** Any private or public land use which relates to the pursuit of active or passive movement to refresh body or mind, such as tennis, golf, baseball, soccer, swimming, walking, jogging, etc.
- ***Residential.*** Any land designated for the establishment of structures in which to live.
- ***Setback.*** The minimum distance required by zoning to be maintained between two structures or between a structure and a property line.
- ***Specific Plan.*** A plan as defined in California Government Code 65450.
- ***Structure.*** Anything constructed or erected that requires a location on the ground, including a building, but not including a fence or a wall used as a fence if the height does not exceed 6 feet, or access drives, or walks, or swimming pools.
- ***Yard or Court.*** An open space on the same site as a structure, unoccupied, and unobstructed by structures from the ground upward or from the floor level of the structure requiring the yard or court upward except as otherwise provided in this title, including a front yard, side yard, rear yard, or court between structures.
- ***Yard, Front.*** A yard extending the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site. The front yard of a corner lot is the yard adjacent to the shorter street frontage.
- ***Yard, Rear.*** A yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear yard shall extend only to the side yard abutting a street.

- ***Yard, Side.*** A yard extending from the rear line of the required front yard, or the front property line of the site where no front yard is required, to the front of the line of the required rear yard, or the rear property line if the site where no rear yard is required, the width of which is the horizontal distance between the side property line and line parallel thereto on the site, except that the side yard on the street side of a corner lot shall extend to the rear lot line.

GENERAL NOTES

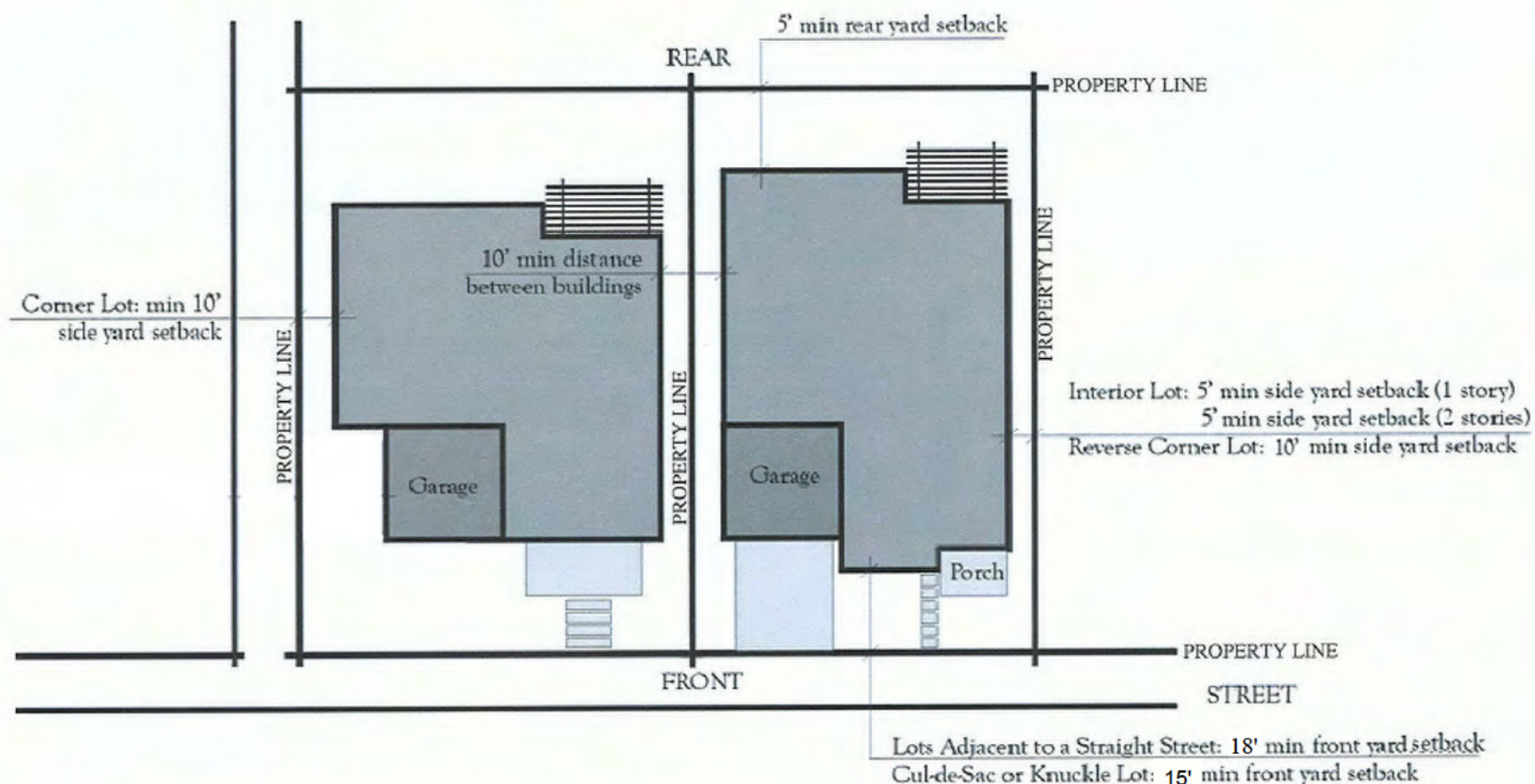
1. The Marcona Preserve Specific Plan Development Regulations shall be applied only to the Marcona Preserve Specific Plan area.
2. Any reference to Development Regulations shall mean the Marcona Preserve Specific Plan Development Regulations.
3. Whenever a use has not specifically been listed as being a permitted use in a particular zone classification within the Specific Plan, the City of Shafter Planning Director may determine said use is similar in nature to allowable uses and consistent with the goals and objectives of the Specific Plan and therefore an allowable use.
4. The maximum number of residential dwelling units permitted by the Marcona Preserve Specific Plan shall be 880.
5. Development standards contained in Chapters 10 through 14 of the Zoning Ordinance (Title 17 of the City of Shafter Municipal Code) shall be applicable to performance standards, parking, signage, swimming pools and other specific uses, accessory structures and other general development in the Specific Plan area. Where a discrepancy occurs, the standards and regulations contained in this section of the Specific Plan document shall supersede Chapters 10 through 14 of the Zoning Ordinance.
6. Specific development standards contained in Chapter 4 of the Zoning Ordinance (Title 17 of the City of Shafter Municipal Code) shall be applicable to the Specific Plan area except as noted herein. Specific development standards include parking requirements, landscaping, open space, private open space, pedestrian circulation, security fencing, laundry facilities, lighting, trash collection areas, and security devices. Where a discrepancy occurs, the standards and regulations contained in this section of the Specific Plan document shall supersede Chapter 4 of the Zoning Ordinance.
7. Minor boundary, density, and acreage variations (up to 15%) in the Planning Areas may be permitted, subject to approval of the City of Shafter Planning Director, without an Amendment to the Specific Plan. Requests for variance and modification may be approved by the City of Shafter Planning Director during the tentative tract map process.

8. The setback requirements are as specified within the development standards for each planning unit. If not otherwise specified, all setbacks shall be determined as the perpendicular distance from the existing or planned street right-of-way, or property line, to the foundation point of the closest structure, except covered patios, whichever is most restrictive.
9. Setbacks for all permitted accessory structures shall be the same as those required by the Shafter Zoning Ordinance.
10. The Marcona Preserve Specific Plan identifies only those uses and development regulations unique to the project. These Development Regulations modify or supersede those found in the Shafter Zoning Ordinance and General Plan.
11. If any provisions (or portions of any provision) of these Specific Plan Development Regulations or their application to any person or circumstance is held to be invalid, the remainder of the Specific Plan Development Regulations and the application of that provision to other persons or circumstances shall not be affected.
12. All construction within the Marcona Preserve Specific Plan shall comply with the provisions outlined herein, and relevant City of Shafter provisions. Building and other construction permits shall be issued only after the City of Shafter Planning Director or designee has determined that said permit applications are consistent with the applicable provisions of the Specific Plan and Development Regulations outlined herein.
13. The hierarchy of applicability shall be first to the Marcona Preserve Specific Plan and these Specific Plan Development Regulations, and then to the applicable provisions of the City of Shafter Zoning Ordinance, and other City codes and ordinances.
14. The site plan approval process for all developments requiring site plan review shall be in accordance with the City of Shafter Development Code.
15. Any persons, firm, or corporation, whether a principal, agent, employee or otherwise, violating any provisions of these regulations shall be made to comply with the City of Shafter ordinances pertaining to zoning violations.

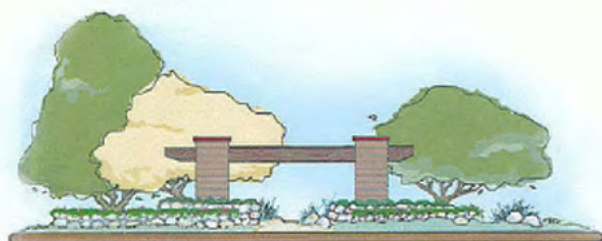
B. DEVELOPMENT STANDARDS AND REGULATIONS

The following Section sets forth development standards for all land uses within the Marcona Preserve Specific Plan community. This Section has been prepared in accordance with California Government Code Section 65450 and all applicable development and design standards of the City of Shafter Zoning Ordinance, with some modification to accommodate the Marcona Preserve Specific Plan land use plan.

All setbacks established in this Chapter, unless otherwise noted below, shall be measured from the property line.



NOTE: THIS SITE PLAN IS CONCEPTUAL AND IS ONLY ONE OF MANY DESIGN SOLUTIONS
 THAT ARE PERMITTED IN THE RESIDENTIAL PLANNING AREAS
 SEE TABLE 4-1 AND FOOTNOTES
 NOT TO SCALE



MARCONA PRESERVE
 A PLANNED COMMUNITY

EXHIBIT 4.1

Marcona Preserve Specific Plan
 Development Standards - Residential Planning Areas

RESIDENTIAL PLANNING AREAS

Permitted and conditionally permitted uses in the Residential Planning Areas (PA-1, PA-2, PA-3, PA-4, and PA-5) shall be all those allowed under the City of Shafter Zoning Ordinance R-1 Zone. There is no maximum lot coverage being proposed. The Marcona Preserve Specific Plan Residential Planning Areas will comply with the *Use Regulations for Residential Districts* included in Section 4.3 of Title 17 of the City of Shafter Municipal Code. The following standards are applicable to the Residential Planning Areas (Exhibit 4-1 Development Standards – Residential Planning Area):

TABLE 4-1 RESIDENTIAL PLANNING AREA STANDARDS

	All Residential Planning Areas
Maximum Density (dwelling units per gross acre) for entire Specific Plan Area ¹	4.25
Minimum Lot Area (net area in square feet)	
a. interior lot	5,500
b. corner lot	5,500
Minimum lot width ²	
a. interior lot	50'
b. corner lot	55'
Minimum lot depth ³	100'
Minimum front yard setback	
a. Lot adjacent to a straight street to habitable space	15'
b. Cul-de-sac lot or knuckle lot to habitable space	15'
c. Lot adjacent to a straight street to garage	18'
d. Cul-de-sac lot or knuckle lot to garage	18'
Minimum interior side yard setback ⁴	
a. Single- and multi-story structures	5'
Minimum street side yard setback	
a. corner lot	10'
b. reverse corner lot	10'
Minimum rear yard setback	5'
Maximum height for buildings and structures	35'
Minimum distance between buildings ⁵	10'
Minimum dwelling unit size (square feet)	1,400

¹ Per the City of Shafter General Plan update, Section 2.8, Policy 4, the maximum allowable residential density for the entire Specific Plan area is 4.25 dwelling units per gross acre, excluding acreage within the rights-of-way of Seventh Standard Road and existing canals. Residential development products with higher densities than 4.25 d.u./acre may be permitted, provided that sufficient usable open space or non-residential uses are provided so as not to exceed the maximum overall allowable density of the project.

² Minimum lot width along the arc of the front property line shall be 35 feet for cul-de-sac lots and 40 feet for knuckle lots.

- ³ 100' average lot depth does not apply to lots in the southeast corner specifically Lots 117 & 118 of RTM 7244.
- ⁴ All lot types except street side yards.
- ⁵ A one-hour fire wall, approved by the Building Official, reduces the minimum distance between buildings to 5 feet.

▪ ***RESIDENTIAL PLANNING AREA PA-1***

A Drill Island is permitted in the Residential Planning Area PA-1.

▪ ***RESIDENTIAL PLANNING AREA PA-2***

Common recreation areas are permitted in the Residential Planning Area PA-2. Residential Planning Area PA-2 will accommodate a 1.01-acre public recreational/open space facility. This park will be centrally located within the Specific Plan area and will be surrounded by residential land uses. This area is planned primarily for passive recreational uses, but may also include amenities such as:

- Picnic/Barbecue Facilities
- Playground Furniture
- Shade Tree Plantings and Turf Areas

PA-2 standard building setbacks do not apply to the park area. Parking for each use shall comply with Chapter 13 of the City of Shafter Municipal Code, Title 17 (Zoning Ordinance).

▪ ***RESIDENTIAL PLANNING AREA PA-3***

Common recreation areas and public school uses are permitted in the Residential Planning Area PA-3. Residential Planning Area PA-3 will accommodate a 16.88-acre educational facility. Final educational facility location, construction, and design will be determined in conjunction with the School District. PA-3 standard building setbacks do not apply to the school area.

Residential Planning Area PA-3 will also accommodate a 1.75-acre public recreational/open space facility. The park will be surrounded by residential land uses. The area is planned primarily for passive recreational uses, but may also include amenities such as:

- Recreational Facility
- Picnic/Barbecue Facilities
- Playground Furniture
- Shade Tree Plantings and Turf Areas

PA-3 standard setbacks do not apply to the park area. Parking for each use shall comply with Chapter 13 of the City of Shafter Municipal Code, Title 17 (Zoning Ordinance). Deviations from these standards may be approved by the Planning Commission at the time of site plan review.

▪ ***RESIDENTIAL PLANNING AREA PA-4***

A neighborhood consisting of no more than 92 single-family residential lots is permitted in Residential Planning Area PA-4. Minimum lot widths of 50 feet will be allowed within Residential Planning Area PA-4.

▪ ***RESIDENTIAL PLANNING AREA PA-5***

Common recreation areas are permitted in the Residential Planning Area PA-5. Residential Planning Area PA-5 will consist of access to the Natural Trail and future pedestrian bridge by means of a 10-foot wide pedestrian access through the eastern wall. PA-5 will also accommodate 3.8-acre and 4.3-acre public recreational/open space facilities. These parks will be surrounded by residential land uses. These areas are planned primarily for passive recreational uses, but may also include amenities such as:

- Picnic/Barbecue Facilities
- Playground Furniture
- Shade Tree Plantings and Turf Areas

PA-5 standard setbacks do not apply to the park areas. Parking for each use shall comply with Chapter 13 of the City of Shafter Municipal Code, Title 17 (Zoning Ordinance). Deviations from these standards may be approved by the Planning Director at the time of site plan review.

CHAPTER 5

DESIGN GUIDELINES

A. PURPOSE AND INTENT

The Marcona Preserve Specific Plan Design Guidelines provide general criteria for architecture, landscaping, entry signs, lighting, and wall design in order to ensure high-quality development, unique community character, and land use compatibility within the Specific Plan area. They are also presented to give guidance to City staff, the Planning Commission and the City Council in their review of development projects within the Marcona Preserve Specific Plan area.

These guidelines are intended to provide criteria for design, while allowing flexibility for architects, landscape architects, developers, builders, and others involved in the design of community elements. The Design Guidelines are intended to work in concert with the Development Standards contained in Section 4.0 of this document.

B. ARCHITECTURAL DESIGN GUIDELINES

The goal of the architectural design guidelines is to allow for a diversification of architecture styles while ensuring visual compatibility. These guidelines are not intended to limit designs, but to provide a flexible framework to accomplish a cohesive design concept and to promote high quality construction.

Architecture, or building design, contributes significantly to create a visual and spatial expression of special design considerations and solutions. All architecture is intended to appear to be an integrated part of an overall site design concept.

Architectural styles should reflect a variety of compatible elements to avoid monotonous neighborhoods. This can be accomplished efficiently through the use of compatible materials, color combinations, setback variations, and articulated wall surfaces and rooflines.

ARCHITECTURAL THEME

The architectural theme for the Marcona Preserve Specific Plan area is based on the history and tradition associated with the City of Shafter and general Specific Plan region. The Marcona Preserve Specific Plan architecture shall reflect the traditional agricultural and ranching practices in the area and the values of the regional community. The historic and cultural inspiration translates into a modern interpretation of a rustic, ranch-style

architecture. Conceptual renderings that illustrate the design of residential structures are included in Appendix C.

The unifying architectural theme will not only promote the physical integration of structures within the overall community, but will also contribute to create a “sense of place” among community residents, which also ties into the historic Shafter core area. Neo-traditional design elements will be incorporated to encourage social interaction among residents, resulting in a welcoming community to the new homeowners.

ARCHITECTURAL STYLES

The Marcona Preserve Specific Plan recommends that architectural styles that have historical precedence in Central California be used as design inspiration. Contemporary interpretation and variation of styles such as “Spanish Colonial”, “Colonial”, “Craftsman”, “Bungalow”, “Monterey”, and “Cottage” shall be encouraged. Additional architectural styles that are consistent with the community theme may be incorporated into the Marcona Preserve Specific Plan.

The Specific Plan architectural themes shall address today’s market conditions, economics, and building industry standards.

COLORS AND BUILDING MATERIALS

The colors and building materials used in the Specific Plan structures shall be complementary, and when considered together, shall reflect a distinct community character, keeping with the overall Marcona Preserve Specific Plan theme, and exterior building materials shall be consistent with said theme. A variety of natural materials and earth tone-based colors will provide the diversity required for visual interest while unifying the building with their settings and creating a timeless appeal.

The primary purpose of the color palette is to avoid monotony, provide a variety of color schemes, and promote visual diversity. Recommended major colors are subdued earth tone colors such as browns, tans, and grays with additional accent colors.

Coordinated use of external building materials can contribute greatly to create a unifying architectural theme. Building materials add texture and color variety to architectural design and complement the use of a color palette. Recommended building materials are:

- Masonry (including brickwork and stonework)
- Stucco
- Concrete (including salt finished and concrete with decorative impressions)
- Cast iron
- Wrought iron

The use of river rock, river cobble, and decomposed granite for stonework.

Ranch-style architecture and rustic design traditionally calls for the use of wood. However, to increase durability, the use of metal or plastic molded and colored to imitate wood is recommended.

Color and building material recommendations are as follows:

- Incorporate a minimum of three colors within each elevation, such as one body, one trim, and one accent color.
- Select individual color schemes that are appropriate to each of the architectural styles, with a harmonious selection of accent materials and roof profile and colors.
- Avoid the use of the same exterior color scheme on two adjacent homes with the same floor plan. A scheme of color on exterior elements should be distinct on adjacent homes, with deeper tones encouraged to promote variation.
- If balconies are provided, match or complement those materials on the main portion of the building.

BUILDING MASS, FORM, AND SCALE

Creating an aesthetically pleasing street scene with visual variety is one of the Marcona Preserve Specific Plan design guidelines' objective. The following recommendations are intended to develop variation in appearance and a sense of individuality for each home:

1. Single-story components such as porches, reduced heights of living spaces, and/or garage areas may be used to create a sense of variety within the street scene and to break up building massing.
2. Homes with entries, windows, front porches, and living areas closer to the street and with recessed garages are encouraged.
3. The fenestration for each structure should vary according to the architectural style chosen.
4. Garage doors shall be integrated into the design of the architecture and complement the building elevation. Accent colors may be considered to complement the architecture and to provide visual variety along streetscapes.

RESIDENTIAL

Residential architecture shall be oriented to the street so that interactive elements reinforce the human scale and are inviting to the street scene. Interactive elements include porches, porticos, trellises, arbors, and courtyards. The quality design and orientation of interactive elements contribute to pedestrian safety, a sense of place, activity, and neighborhood socialization.

The roofs' pitch and form are major visible community features. A varied range of roof forms and roof pitches can add an appealing visual impact to the community and to the streetscape. Roof overhangs are allowed and shall be designed as an integral part of the roof form. The roofing material shall be constructed of non-reflective, non-combustible materials and exhibit muted earth tones. Concrete tile, tile, or architectural style composition shingle with dimensional color variation is allowed per City Zoning Ordinance. Wood, metal, and standard "flat" composition roofing materials will not be permitted.

All walls and fences used within the residential area shall be of material compatible with the architectural design of the structure. Walls shall not exceed six feet in height except for retaining walls. If the fence or wall connects two separate units they shall be of the same color and material, and be compatible with the color and material of the architecture.

Rectangular plans and variations of the rectangle can assure compatibility and variation. Variety and interest can be created by varying dimensions and positions of structures.

All parking structures, either free-standing or attached garages, shall incorporate the same design element as the dwelling unit. In order to de-emphasize the role of the garage in front elevations, "neo-traditional" treatments such as staggered setbacks, recessed garages, detached garages, among others, are encouraged. Garages shall be constructed of materials compatible with the architectural style of the primary structure.

Recessed door, window and wall openings are characteristic elements of the intended architectural theme and convey the appearance of thick protective exterior walls. Fully recessed openings are encouraged, although plaster projections and projecting windows may be used to add articulation to wall surfaces. Buildings may have a shadow relief. Offsets, pop-outs, overhangs and recesses, all may be used to produce effective shadow interest areas.

SCHOOL BUILDINGS

Architectural styles for the school component of the project shall complement the community theme. The placement and design of structures should facilitate and encourage pedestrian activity and convey a physical and visual link to the adjacent residential developments, streets, and sidewalks, including the multi-use walkway along Jewetta Avenue North. Long linear vistas and building edges should be avoided by varying and articulating building facades, heights and rooflines.

Roof projections over windows are encouraged. Roofs may be constructed of clay tile, slate, concrete or asphaltic compound shingles. No mechanical equipment of any kind is permitted on roofs. All vents and other projections shall be colored to blend with the roof.

Flat roofs with parapet walls to screen rooftop equipment are appropriate, although building with angular forms and changes in roof planes are encouraged.

Perimeter walls shall not exceed a height of 8 feet above finished grade except for retaining walls. Refer to Section E of this Chapter for more detail on neighborhood walls. Walls shall match primary buildings with respect to color, texture and overall design.

Decorative paving may be incorporated into parking lot design, driveway entries, pedestrian walkways, and crosswalks. Parking lots and driveway lighting shall provide uniform illumination with accent illumination at key points, such as entrances, exits, and loading zones. Parking lots shall be landscaped with a minimum of one shade tree per 10 stalls.

The architectural design standards and requirements of the school buildings within Planning Area PA-3 shall be consistent with the applicable sections of the City of Shafter Zoning and Development Code at the time of development.

C. LANDSCAPE DESIGN GUIDELINES

The Marcona Preserve Specific Plan Design Guidelines determines a landscape theme for the project and sets forth general criteria for landscaping of the residential community, school site, and recreational areas.

Landscape elements contribute significantly to the development of the community identity, as well as to the overall aesthetic character of a project area. Community character is reinforced through the coordinated design and choice of landscape materials. To achieve uniformity, guidelines are presented for the following categories:

- Entries and Signs
- Streetscapes
- Project Edges
- Multi-Use Walkway
- Public Park
- Landscape Buffering or Screening
- Natural Trail

Water conservation shall be taken into account during development of the plant palette. The plant palette shall be composed of species that require low to medium water use and are compatible with year-round weather of the proposed project area.

Selected plant material and design will be similar to the palette used at Gossamer Grove along Seventh Standard and the Natural Trail.

The landscape design for the Marcona Preserve Specific Plan shall include one or more “theme” trees for the community, which will be planted at the main entrances to the project, as well as accompany signs, and permeate the project area. This repetition of one or more types of trees will reinforce the community identity.

Once a particular plant or plant combination is used for a particular application, it is recommended that its use be repeated in similar areas of the community to reinforce a sense of neighborhood cohesion. For example, flowering tree species may be used at major intersections and along traffic calming devices.

The landscape design for the Marcona Preserve community shall be detailed at the time of site development plan.

ENTRIES AND SIGNS

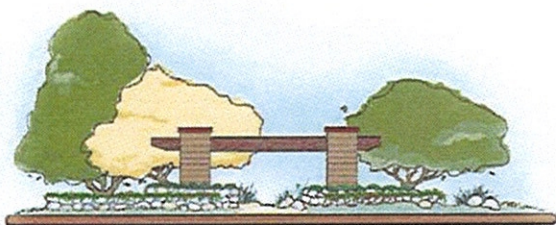
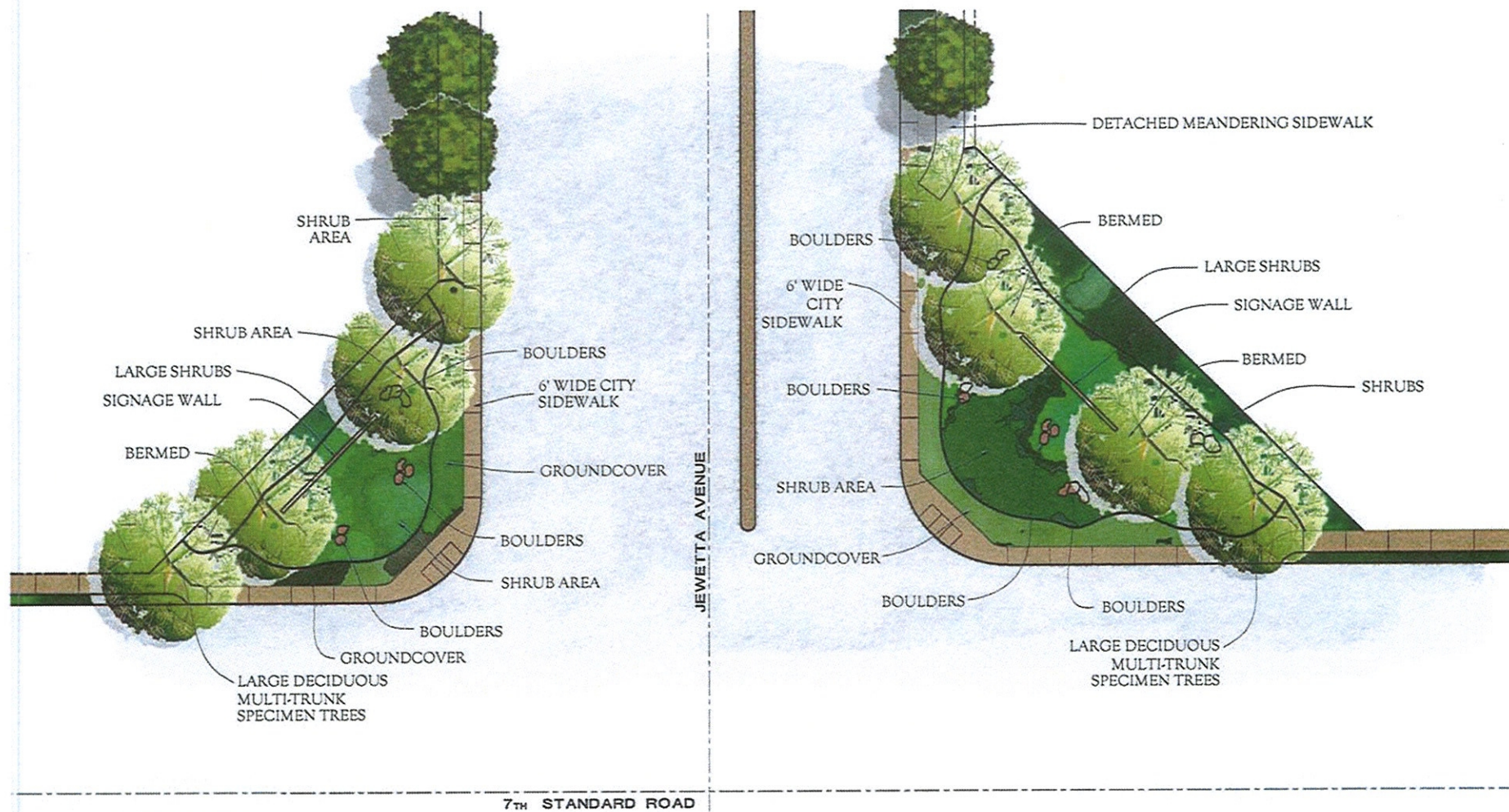
The Marcona Preserve Landscape Plan with Signs is shown in Exhibit 3.7. Landscape and streetscape elements will be used to create visual continuity throughout the Marcona Preserve Specific Plan area.

The design of the primary entry (intersection of Seventh Standard Road and Jewetta Avenue North) into the project shall symbolically form a gateway and clearly identify the transition to the Marcona Preserve community. Special landscape treatments with specialty paving, lush plantings, signage, and primary entry signs shall be used to emphasize and contrast the entryway with the rest of the environment. Clear views for traffic safety and project signage must be maintained. Primary entry signs and school/park signs will follow standards shown in this Specific Plan (Exhibits 5.1, 5.2, 5.3, and 5.4).

Exhibits 5-1: Primary Entry Sign - Plan, 5.2: Primary Entry Sign - Elevation, and 5.3: Conceptual Primary Entry Sign illustrate the sign that will occupy the northern corners of the intersection of Seventh Standard Road and Jewetta Avenue North. The sign will be located over an 18-inch high decorative wall. Groundcover such as grass or flowers may be planted on the high wall base. Whenever possible, the theme tree for the Specific Plan area shall be planted behind the structure, in order to visually frame the sign and reinforce the community identity.

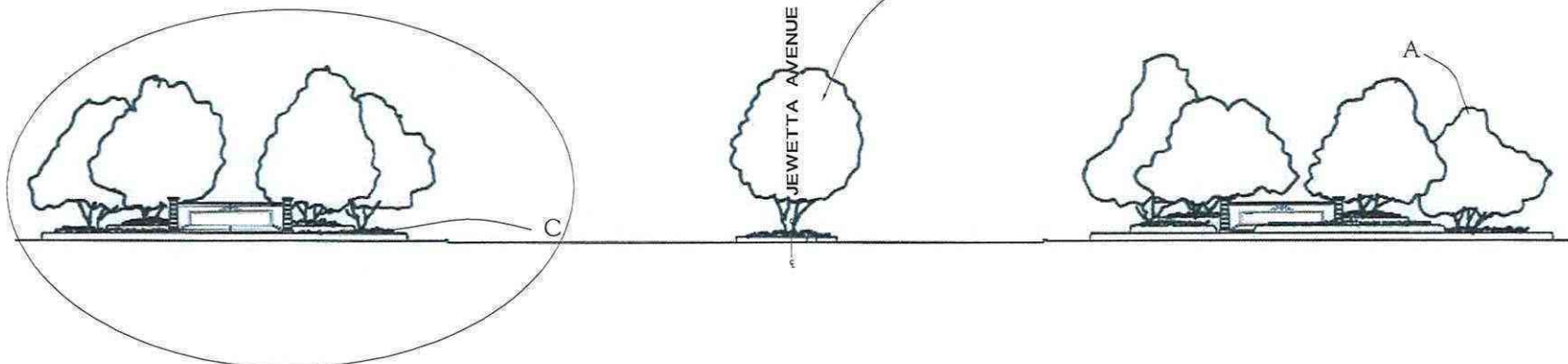
Tract signs will be designed to identify entrances into the public parks and school. This type of sign will be accompanied with the theme tree or accent plant species, such as flowering trees, with specialty paving and plantings, and shall be consistent with the style of the major entrances. Recommended design for these signs is shown in Exhibit 5.4: School/Park Sign.

A 20-foot minimum building- and parking-free area shall be maintained at the entry intersection to provide adequate visual access to entry signs.



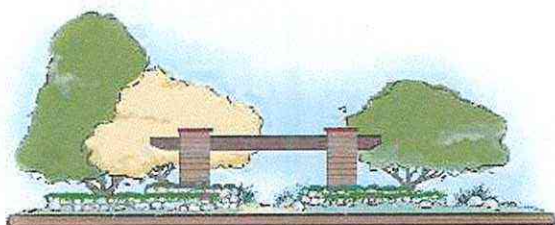
MARCONA PRESERVE
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EXHIBIT 5.1
Primary Entry Sign Plan



Detail-Exhibit 5.3

- A Large canopy deciduous multi-trunk specimen accent tree.
- B Medium canopy evergreen multi-trunk specimen tree on shrubbed median
- C Shrubs to be drought tolerant, low water usage plant material with a range from fine to coarse textures and colors that vary from dark green to soft gray. Flowering shrubs should be mixed based on color and different flowering seasons to maintain some flowering accent throughout the year with the monument feature.

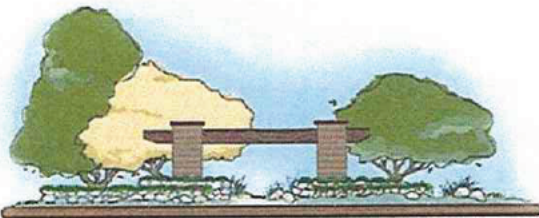
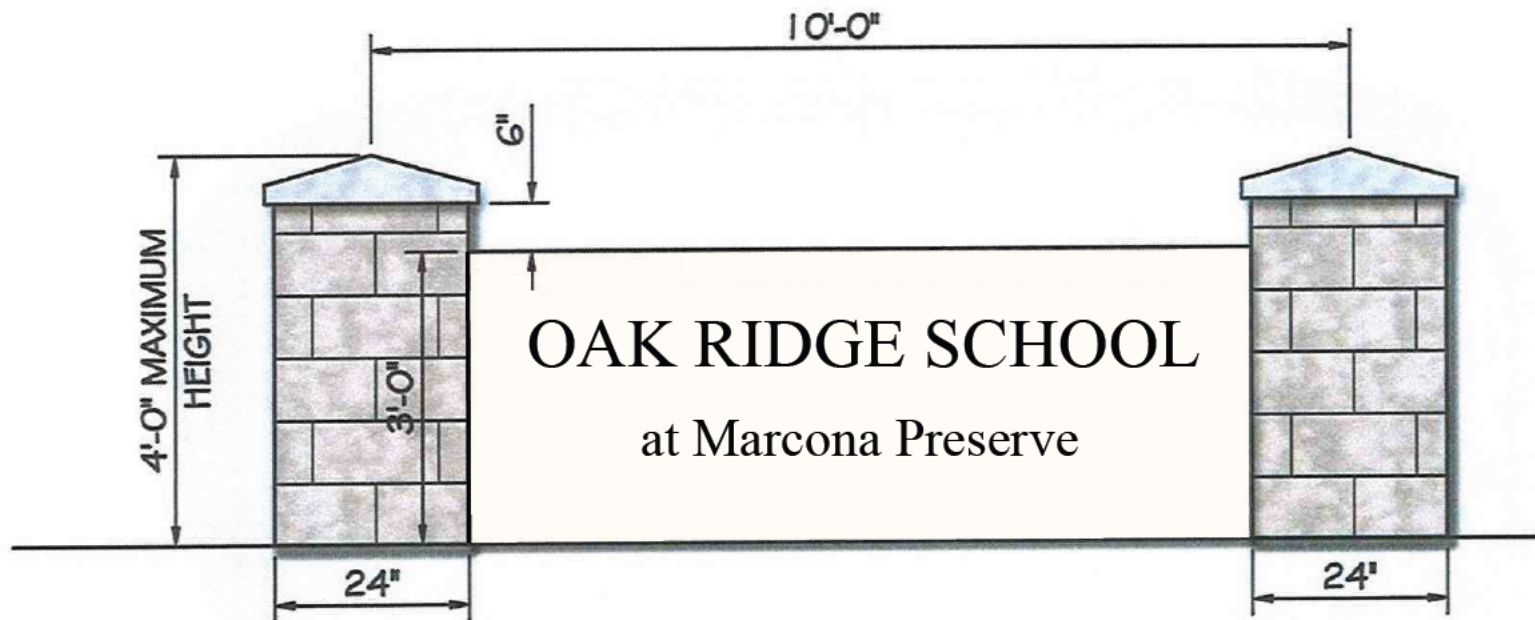


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EXHIBIT 5.2
Primary Entry Sign Elevation



EXHIBIT 5.3
Conceptual Primary Entry Sign



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EXHIBIT 5.4
School/Park Sign

STREETSCAPE

Landscaping of perimeter and internal streets will provide continuity throughout the community and create an appropriate link with adjacent areas. Street trees within the Marcona Preserve Specific Plan area will reflect the community's design theme, as well as provide shade, colorful ground plane treatment, and enhanced views. The use of a unifying plant palette in similar patterns will reinforce the community identity. In addition, a unifying paving theme may be utilized throughout the project site to complement the use of landscaping and signage.

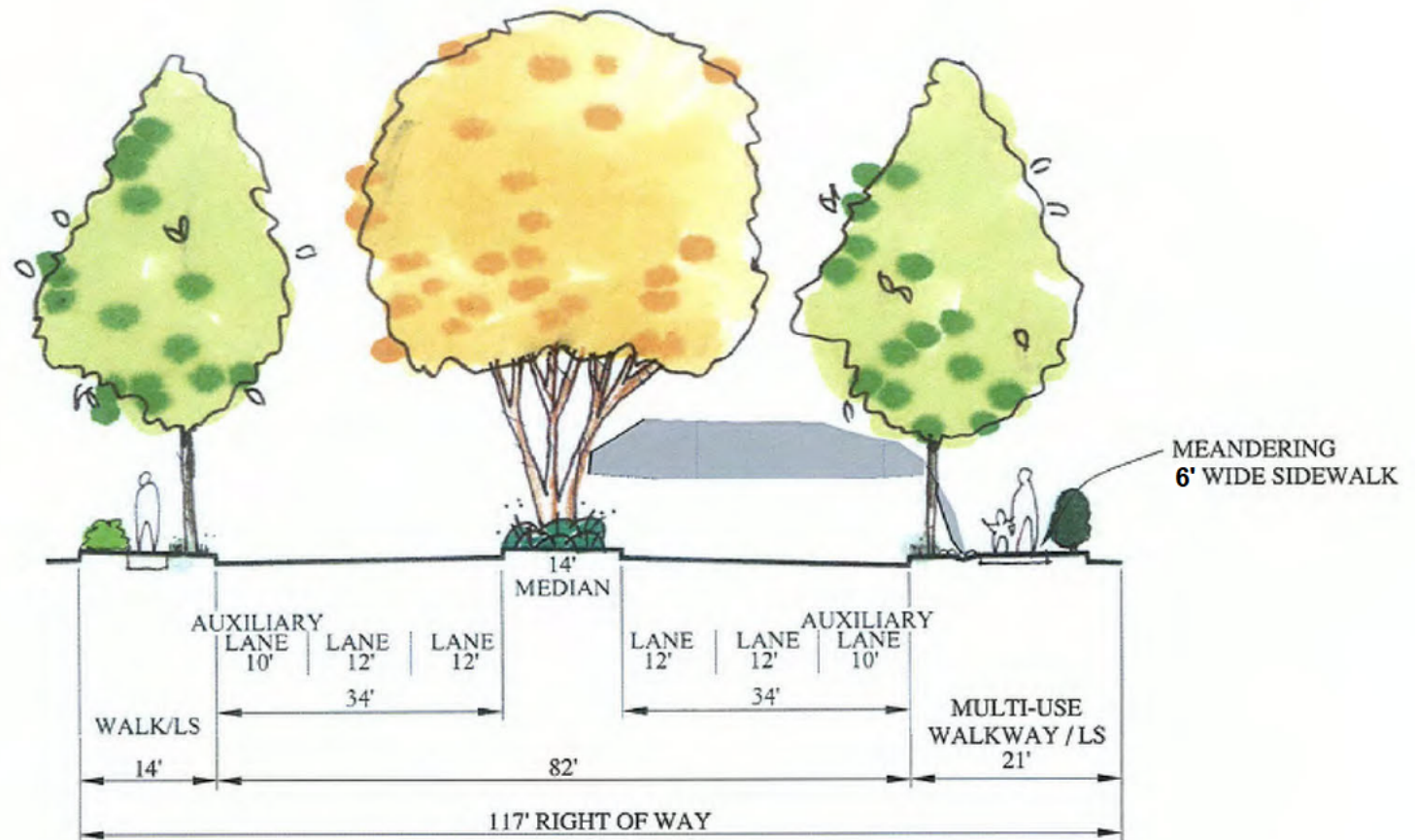
Landscaping along roadways will contribute to identify Jewetta Avenue North as the primary circulation feature within the Specific Plan area. Street trees along Seventh Standard Road will be consistent with the landscape treatment implemented along Mission Lakes and Gossamer Grove Specific Plan frontages. The remaining roadways will receive landscape treatment that will establish continuity within the Specific Plan area.

The different streetscapes for the Marcona Preserve Specific Plan as described below.

Jewetta Avenue North – Jewetta Avenue North will be an arterial street (refer to Exhibit 3-3 – Circulation Plan and 3-4 – Typical Street Cross-Sections) and will have a median that may receive medium canopy evergreen multi-trunk tree species, such as olive trees (Exhibit 5.5 – Streetscape: Jewetta Avenue North Cross Section and Exhibit 5.6: Streetscape – Jewetta Avenue North Plan).

A 6-foot wide multi-use walkway, with planting areas along both sides, will follow the eastern side of Jewetta Avenue North within the Specific Plan area (Exhibit 5.7 – Multi-Purpose Trail - Elevation and Exhibit 5.8 – Multi-Purpose Walkway-Perspective). A sidewalk and landscaping will follow the entire western side of Jewetta Avenue North. Medium canopy evergreen trees and groupings of large shrub hedges may be implemented along this side of the street to counterbalance the landscape treatment along the eastern site of the roadway. Landscaping will separate the pedestrian walkway from the roadway (Exhibit 5.6: Streetscape – Jewetta Avenue North Plan).

Seventh Standard Road – Exhibit 5.9 – Streetscape – Natural Trail at Seventh Standard Road – Frontage illustrates the conceptual pedestrian facility and landscaping along the Marcona Preserve Specific Plan frontage. A 10-foot wide concrete sidewalk will be implemented along the north side of Seventh Standard Road, with planting areas along both sides of the sidewalk. Medium canopy trees may be planted along the planting area adjacent to Seventh Standard Road within drought tolerant ground covers and low flowering shrubs (less than 3 feet). The landscaping treatment shall create a relatively natural feel to the project frontage, with varying elements and pleasant aesthetics.



NOTES: LS=LANDSCAPE

REFER TO EXHIBIT 3.4 FOR JEWETTA AVENUE NORTH
CROSS SECTION FROM SEVENTH STANDARD ROAD
TO A POINT 1,000 FEET NORTH OF THE SEVENTH
STANDARD ROW



EXHIBIT 5.5
Streetscape - Jewetta Avenue North Cross Section

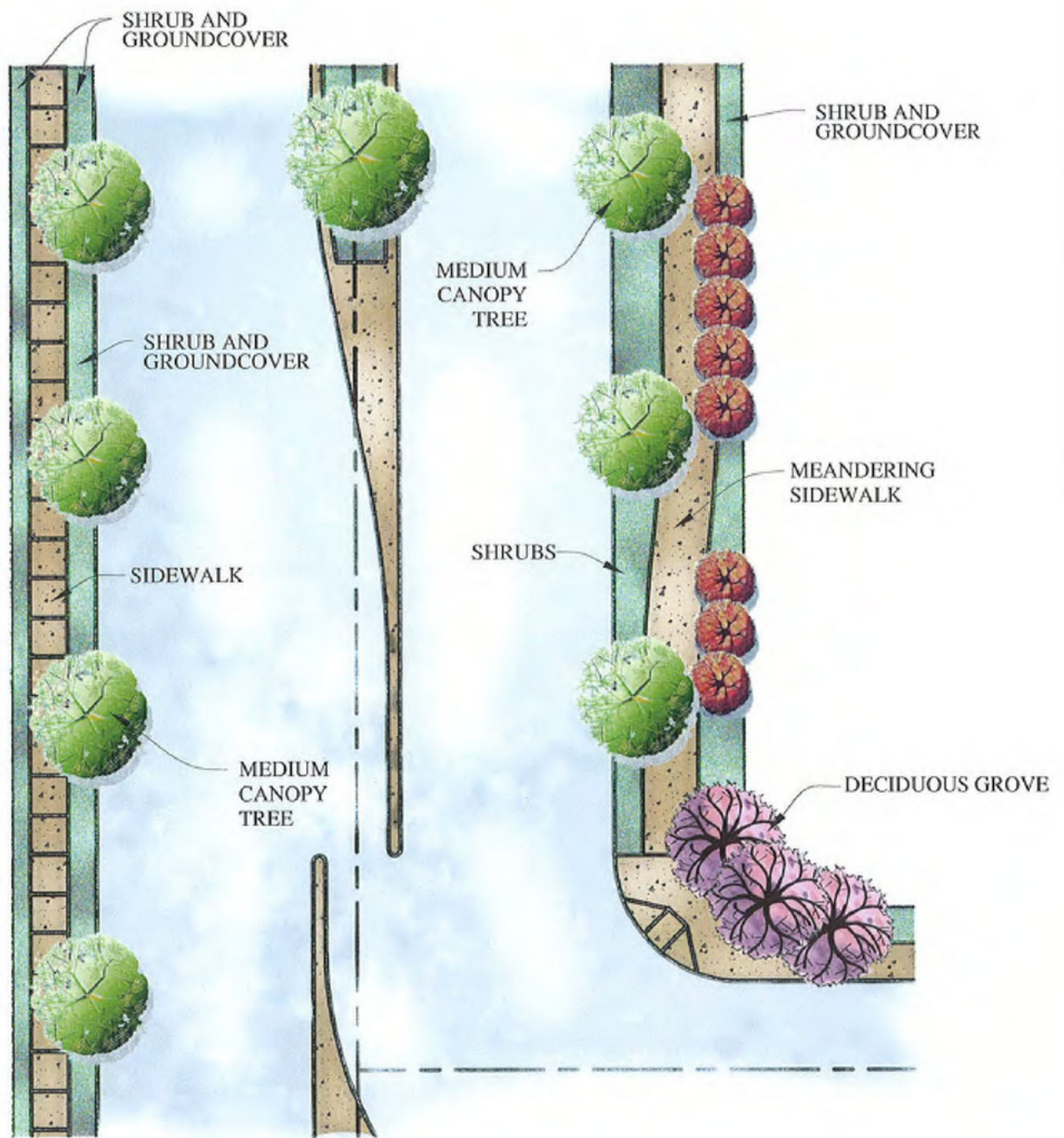
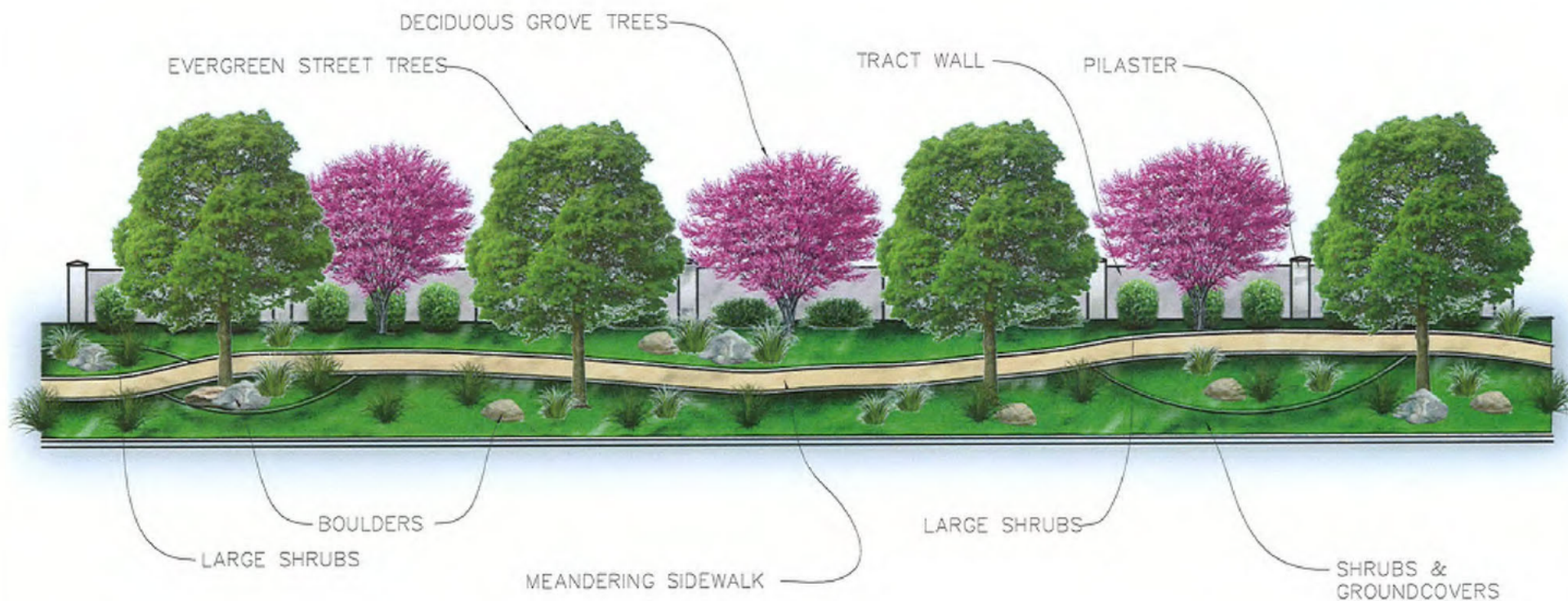
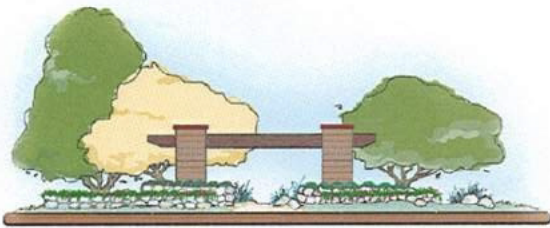


EXHIBIT 5.6
Streetscape: Jewetta Avenue North Plan



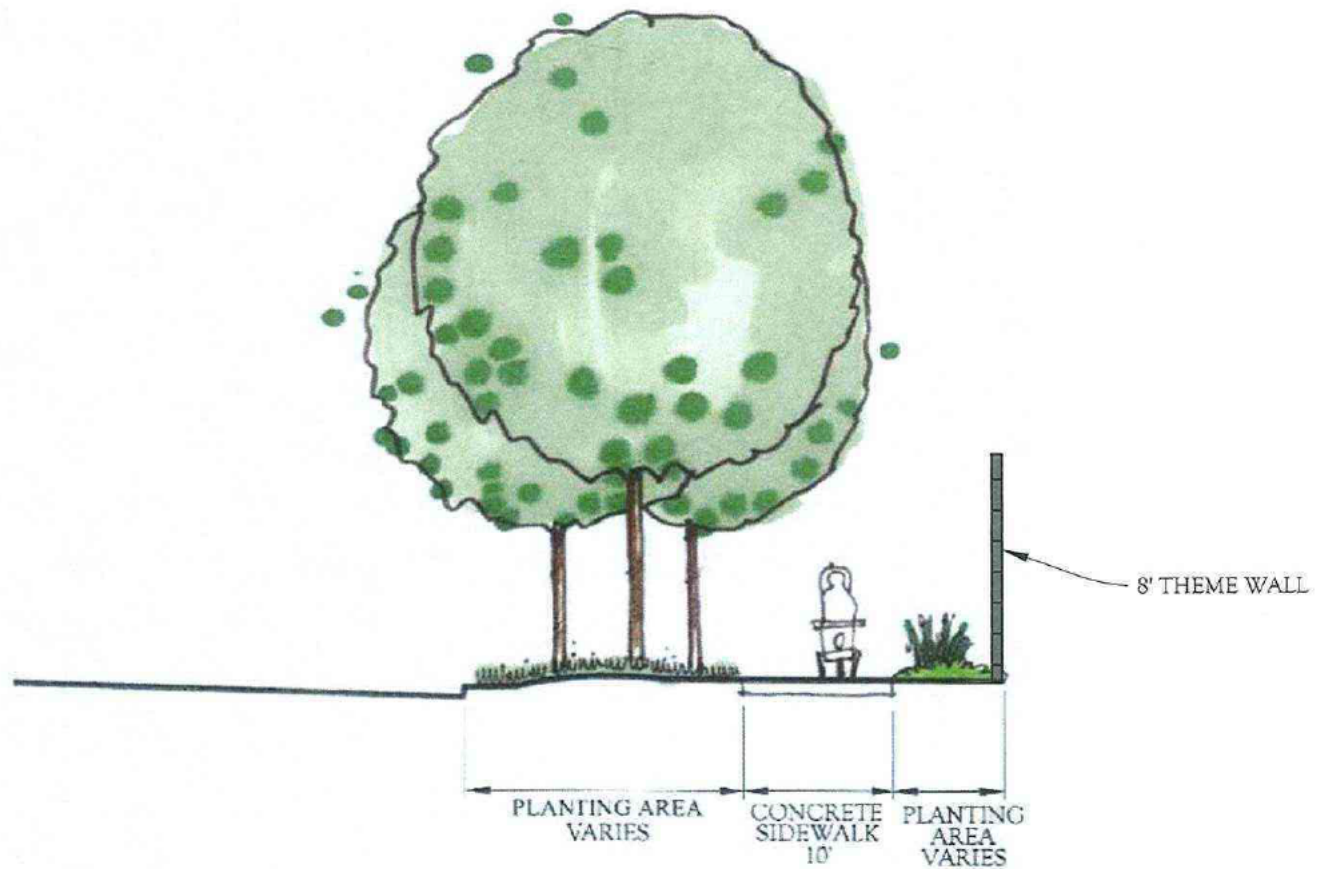
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EXHIBIT 5.7
Multi-Use Walkway Elevation



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EXHIBIT 5.8
Conceptual Sidewalk/LS



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EXHIBIT 5.9
Natural Trail at 7th Standard Road

Sidewalks will connect the parks to Jewetta Avenue North. These sidewalks will contribute to a pedestrian-friendly environment within the Specific Plan area.

MULTI-USE WALKWAY AND PUBLIC PARKS

The multi-use walkway along the east side of Jewetta Avenue North will be landscaped to provide shade for walkway users and to create an aesthetically pleasant and pedestrian friendly recreation area along the Specific Plan's main avenue. The multi-use walkway will have a sequence of the Specific Plan "theme tree", which will contribute to reinforce the community identity (Exhibits 5.6, 5.7, and 5.8).

The multi-purpose walkway will be cleared to 6 feet. A landscape buffer will separate the trail from the wall and may include large shrub hedges (less than 5 feet high) and small deciduous tree groupings. These tree groupings will be alternated with medium canopy evergreen trees spaced approximately 40 feet. The tree distribution will follow a harmonic cadence, without the rigidity of formal landscaping. Decorative grass will line the area close to the curb and boulders may be scattered in this area for added interest. The meandering sidewalk trail and landscape planting scheme will lend an organic feel to the path.

The multi-use walkway landscape treatment will be drought-tolerant and follow water-wise landscape design principles. Water-wise landscape design and management focus on working with nature and natural forces (such as rainfall) to create an aesthetically pleasing, livable landscape, while using less water from the local supply.

The multi-use walkway will connect to a natural trail along Seventh Standard Road, which will offer continuity to the natural trails planned as part of the Gossamer Grove and Mission Lakes Specific Plan.

The public parks will be centrally located in the Specific Plan development and will be connected to Jewetta Avenue North and the meandering sidewalk by separated sidewalks. Open turf areas should be provided to allow for passive recreation activities.

LANDSCAPE BUFFERING OR SCREENING

Areas that may need to be screened from view from the streets and adjacent parcels of dissimilar use include all parking areas, loading areas, and refuse collection. Screening shall consist of walls or earth berming and landscaping.

Large areas of asphalt or concrete parking lots are unattractive and deflect heat into nearby buildings. The use of groundcovers and shade trees will reduce the amount of paving, softening the appearance of the parking area while reducing the solar heat gain.

All graded areas shall be revegetated, prior to seasonal rains, for erosion control.

PROJECT EDGES

The perimeter edge of the project along Seventh Standard Road will be landscaped with the same landscape plant palette used internally in the project area. The intersection of Seventh Standard Road and Jewetta Avenue North is the major entrance to the Specific Plan area and shall have high quality landscaping to convey the community theme to drivers approaching the Specific Plan area. Walls will shield residential properties from the Designated Express Way (refer to Exhibit 3.8 – Wall Plan and Section E of this Chapter).

D. NEIGHBORHOOD WALLS

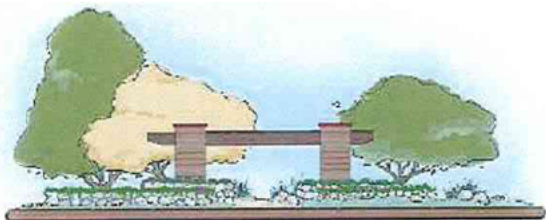
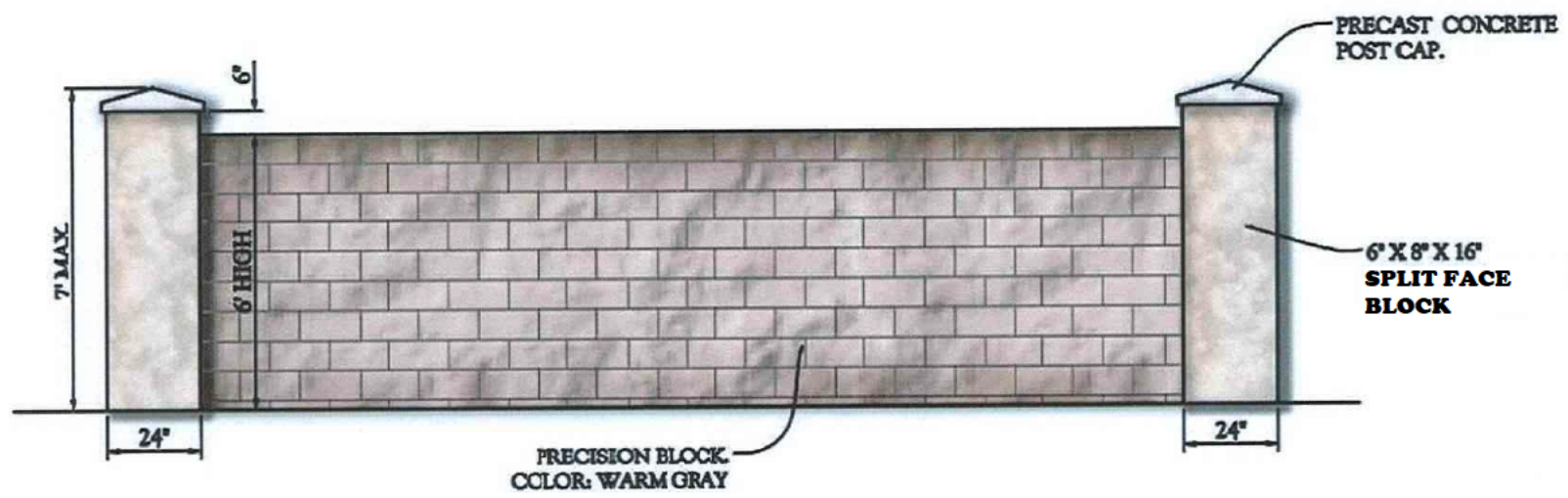
All walls and fences used within the residential communities shall be of a material compatible with the architectural design of the structures. Exhibit 3.8 identifies the location of walls to shield residential uses from major roadways and different land uses. Exhibit 5.10 Wall & Pilaster Elevation (Theme Wall) shows the recommended design for the block walls with pilasters identified in Exhibit 3.8. These shall be block walls with a thematic design consistent with the Specific Plan architecture. Wall systems along major streets shall respect the designated setback requirement and have a stepped, varied, or non-linear appearance.

All walls shall be a visual extension of the architecture of the main residential or school structure. The texture and color of walls shall conform to the same standards as the main structure. Exterior building colors will follow a varied color palette consistent with the overall community character. Walls shall not exceed six feet in height except when constructed along the Seventh Standard Road frontage, separating residential uses from the Drill Island, constructed as perimeter walls, or approved by the Director of Planning or designee.

The following materials are allowed for walls and fences:

- Wrought iron
- Concrete masonry: integral color (consistent with building color)
- Brick
- Concrete: textured, brushed, hammered, rock salt, sandblasted, integral color (consistent with building color)
- Stucco: integral or painted color (consistent with building color)

All swimming pools shall be enclosed by a fence, wall or other structure in conformance with the provisions of the Uniform Building Code.



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EXHIBIT 5.10
Wall & Pilaster Elevation
(Theme Wall)

E. LIGHTING DESIGN GUIDELINES

Lighting is an architectural component; it contributes to the creation and dramatization of nighttime visual appeal of structures. It is also necessary for safety, security and identification. Lighting location and design must complement community design elements such as landscaping and signage, as well as enhance safety.

The Marcona Preserve Specific Plan shall have a unique street lighting system, to be implemented along Jewetta Avenue North and local streets. The project will install street lighting in accordance with the City of Shafter Development Code standards and will dedicate them to the City of Shafter. Street lights within public right-of-way will be maintained and operated by the City.

Specific lighting design and standards will embody the following design concepts:

- Street lighting within the Specific Plan area will be thematic and consistent with the overall Marcona Preserve theme. The lighting for the roadway shall reflect simplicity of the rustic theme with the flare of the modern industrial. Their style reflects traces of the Spanish influenced Mission style.
- Street lighting is to be in scale with adjoining uses, emphasizing human scale as well as public safety.
- Street lighting is to be consistent throughout the project area on all arterial and collector roadways. The maximum height for streetlights will be 30 feet.
- Street lighting within individual neighborhoods will be consistent throughout the project area.
- All project lighting is to minimize the projects' contribution to ambient light production and will take into account the effect upon surrounding and adjacent land uses.
- Site development lighting shall be designed to minimize direct light rays from going offsite. Lighting shall be directed downward onto the pavement/property and not onto neighboring areas. Screening will be used as necessary to reduce spill over onto residential property and road right-of-way.
- Landscape lighting shall be used to highlight features such as specimen trees, signage, and pedestrian paths. Such lighting will be privately maintained and operated, unless the lighting is located within public right-of-way in which case it will be maintained and operated by the City of Shafter with City approval.
- Pathway lighting is to be architecturally compatible with other lighting used throughout the site.
- Use of light emitting diode (LED) lights is required.

CHAPTER 6

SPECIFIC PLAN ADMINISTRATION

A. ADMINISTRATION

OVERVIEW

The Marcona Preserve Specific Plan provides a framework for residential and commercial development within the project area. Implementation of the project will require the approval of numerous additional discretionary entitlements over the life of project build-out.

This section sets forth the procedures needed to implement the approved Specific Plan and the procedures to amend the Specific Plan, if necessary.

The methods and procedures for implementation and administration of this Specific Plan document are contained in this Chapter.

ENVIRONMENTAL REVIEW AND IMPLEMENTATION

Section 65457 of the California Government Code provides that once an Environmental Impact Report (EIR) is certified and a specific plan adopted, any residential development project, including any subdivision or zone change that is undertaken to implement it and that is consistent with the specific plan, is exempt from further California Environmental Quality Act (CEQA) review. This exemption does not apply if, after the adoption of the specific plan, any of the events which would trigger preparation of a subsequent or supplemental EIR occur, including substantial changes in the project or circumstances under which the project is being undertaken requiring major revisions in the project, or new information that becomes available which was not known at the time the EIR was certified. However, if a supplemental EIR is prepared covering the changes, new circumstances, or new information, and is certified, the exemption will apply to the projects that then follow the specific plan.

APPROVAL AUTHORITY

The Planning Director's responsibilities include the administration, interpretation, and enforcement of the Marcona Preserve Specific Plan requirements and development standards, including the acceptance and processing of all land use permit applications. The Planning Director or his/her designee may approve development permits that meet the requirements of this Specific Plan and may approve, conditionally approve, or deny minor requests for waiver of Specific Plan standards. The Planning Director may impose

conditions of approval or make interpretations of the Specific Plan (City of Shafter Development Code, Section 1.70, Clarification of Ambiguities), which may be appealed to the Planning Commission. The Planning Director may refer matters involving development issues to the Project Assistance Committee, or the Planning Commission, and may consult with the City Attorney on questions of interpretation.

The following policies guide the administration of this plan:

1. The title of this plan shall be Marcona Preserve Specific Plan and shall be designated on the City's Zoning Map for this property as SP.
2. The Marcona Preserve Specific Plan shall be adopted in accordance with Title 17, Chapter 15 of the City of Shafter Development Code.
3. Permitted, conditionally permitted, and prohibited land uses shall be as indicated in Chapter 4 of this document. The development standards and design regulations, as specified in Chapters 4 and 5 of this Specific Plan are adopted by ordinance as zoning regulations for the property located within the Specific Plan boundaries.
4. Administrative procedures are provided in this Chapter. The City of Shafter Development Code shall be referred to for any topics that are not presented here, specially the Development Agreement (Section 17.2.70), Non-Conforming (Section 17.2.120), and Specific Plan (Chapter 15) sections of the Shafter Development Code.
5. Administrative interpretation of proposed plans may be made for the following:
 - a. Adequacy of application submissions and documentation;
 - b. Residential unit counts and mix within the designated density ranges;
 - c. Compliance with design requirements;
 - d. Variations in landscape concept for location of landscape features, but not the total amount of landscaping;
 - e. Variations in setback that do not exceed 10% of the prescribed dimension;
 - f. Land use designation boundary modifications not to exceed a 10% change in area.
6. The Planning Director has the authority to make interpretations and approve modifications to this Specific Plan, including the determination that a proposed project exceeds the flexibility rules and intent of the Specific Plan. In the latter case, an amendment to the Specific Plan would be necessary. The Director's determination shall be rendered within 15 working days of a request for interpretation. This determination may be appealed to the Planning Commission and, subsequently, the City Council. However, under no circumstance shall a modification under this provision be allowed that cannot substantiate the required Specific Plan findings.

B. REQUIRED FINDINGS

An application for a Development Plan Review (for a permitted use) or Conditional Use Permit (for a conditionally permitted use) may be approved or conditionally approved if, on the basis of application, plans, materials, and/or testimony submitted, the following findings can be made:

1. The project is consistent with the Marcona Preserve Specific Plan and the Shafter General Plan;
2. The project can provide the appropriate infrastructure and resources for water, sewer and electrical service; and
3. The project has demonstrated compliance with the Mitigation Measures identified within the General Plan Update Environmental Impact Report.

C. IMPLEMENTATION

The Marcona Preserve Specific Plan will be implemented through the processing of tract maps, parcel maps, and site plans. The implementation process provides the mechanism for reviewing development plans and ensuring consistency with the Specific Plan objectives. The processes for the amendment of this Specific Plan and for findings of Substantial Conformance to this Specific Plan are also provided in this Chapter. All development within the Marcona Preserve Specific Plan is subject to the implementation procedures described herein.

DEVELOPMENT PLAN REVIEW

PURPOSE

The purpose of this section is to provide a process for the implementation and review of all site plans that will be required to implement the development and construction of this Specific Plan.

An application for design review is required prior to the issuance of any residential building permit within the Specific Plan area.

TIME LIMITATIONS

Each design approval granted through the Development Plan Review process shall become null and void two years after the date of approval, unless:

1. Building permits have been obtained and successful completion of the first building and safety division inspection has commenced within this period.
2. Any valid design review in effect at the date of adoption or amendment of this Specific Plan shall remain valid for a period of two years from the date of that design review approval or design review amendment. No further extension of time shall be granted for such design review upon expiration of that two-year period.

PRE-APPLICATION CONFERENCE

Prior to the filing of an application for Development Plan Review, the applicant or the applicant's representative may request a pre-application conference with the Planning Director and other designated staff from other departments and divisions to review the procedures and criteria for the design review process.

APPLICATION

An application for Development Plan Review shall be filed with the Planning Department in compliance with Chapter 2 of the City of Shafter Development Code. Submittals will include, but are not limited to, site plans and elevations. Further, any improvements that are depicted on any colored rendering, elevation, or drawing which is presented to the Planning Director, or Project Assistance Team for review and approval in conjunction with a development application, shall be installed pursuant to their appearance in that colored rendering, elevation, or drawing.

DESIGN REVIEW

No building permit for residential development shall be issued until the proposed development has received, as part of the building permit review process, design review approval pursuant to the provisions of Section 2.80 of the City of Shafter Development Code.

SPECIFIC PLAN AMENDMENTS

Approval of this Specific Plan indicates acceptance by the City Council of a general framework for development of the Specific Plan site. Part of that framework establishes specific development standards that constitute the zoning regulations for the Specific Plan area. It is anticipated that certain modifications to the Specific Plan text, exhibits, and/or project may be necessary during the development of the project. Any modifications to the Specific Plan shall occur in accordance with the amendment process described in this section. These amendments, should they occur, are divided into two categories.

The first category, "Substantial Conformance," as defined below, allows for minor changes to the Specific Plan without a public hearing and may be approved by the Planning Director.

All other proposed changes are considered Formal Amendments and are required to be reviewed for approval by the Planning Commission and the City Council. In all cases amendments must be found to be in substantial conformance with the goals and standards of the Marcona Preserve Specific Plan.

Amendments may be requested at any time pursuant to Section 65453(a) of the Government Code.

If the Amendment is deemed major by the Planning Director, it will be processed in the same manner as the original Specific Plan. Proposed amendments deemed to be minor modifications by the Planning Director, as defined below, will be processed administratively by the Administrative Review process.

Depending upon the nature of the proposed Specific Plan Amendment, a supplemental environmental analysis may be required, pursuant to the CEQA Guidelines, Section 15162.

Substantial Conformance

Upon determination by the Planning Director, the following minor modifications to the Specific Plan text, graphics, and/or project design will not require a Specific Plan Amendment and are subject to review and approval by the Planning Director or designee.

- Expansions or reductions of the net acreage covered by a given Planning Area by 10 percent or less.
- Decrease in project density.
- Transfer of up to 10 percent of dwelling units from one Residential Planning Area to another, as long as the maximum unit count does not exceed 880 units.
- Realignment or modifications of streets serving the project, lot lines, easement locations, and grading adjustments, if also approved by City Engineer.
- Modification of design criteria such as paving treatments, sidewalks, fencing, walls, lighting, and entry treatments.
- Final facility sizing and precise location of water, sewer, and storm drainage improvements when directed by the City Engineer.
- Change in utility and/or infrastructure servicing agency.
- Collector or public road alignment revisions when the centerline moves by less than 10 feet.
- Landscape, wall material, wall alignment, and streetscape design modification that is consistent with the design guidelines contained in this document, as determined by the Planning Director.
- Modifications to wall type, including decorative walls.
- Minor changes to recreation facilities so long as they are consistent with the overall intent of the Specific Plan.
- Modifications to Architectural Design Guidelines, such as variations of materials within the particular architectural style and minor variations in colors.
- Revisions to project graphics that do not substantially change the intent of the Marcona Preserve Specific Plan.
- Specific modifications of a similar nature that are deemed minor by the Planning Director, keep the overall objectives of the Marcona Preserve Specific Plan, and are in conformance with the City of Shafter General Plan.

Formal Amendments

All Specific Plan modifications that do not meet the criteria of a Substantial Conformance as defined above shall be deemed to require a Formal Amendment. This Specific Plan was

prepared pursuant to the California Government Code 65450, et. seq., and amendments to the Specific Plan shall be processed in accordance with applicable requirements of the same Code.

IMPLEMENTATION ACTIONS

The following actions must be taken to facilitate implementation of the Marcona Preserve Specific Plan Amendment:

Condition projects within the Marcona Preserve Specific Plan to comply with the mitigation measures specified in the General Plan Update Environmental Impact Report.

D. PHASING PLAN

Construction of the Marcona Preserve Specific Plan will be phased in a logical sequence, in response to market demands. Ultimate phasing by recordation of phased final tract maps will be finalized at time of sale to merchant builders based on market demands.

Phasing for the Marcona Preserve Specific Plan will allow initial development to take place near Seventh Standard Road and gradually reach the northern portions of the Specific Plan area. Adjustments to the phasing sequence and sizes are permitted provided that utilities and public facilities are available to service the phase in question.

The multi-use walkway shall be implemented in conjunction with construction of Jewetta Avenue North and the Natural Trail and pedestrian bridges shall be implemented in conjunction with the widening of Seventh Standard Road.

APPENDIX A

MARCONA PRESERVE SPECIFIC PLAN LEGAL DESCRIPTION

APPENDIX A

LOTS 1, 2, 3, 4, AND 5 OF TRACT NO. 7333, IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA, AS PER MAP FILED DECEMBER 11, 2018 IN BOOK 63 OF MAPS, AT PAGE 9 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 536-020-01, 536-020-03, 536-020-04, 536-020-06, AND 536-020-07

APPENDIX B

CONSISTENCY WITH THE CITY OF SHAFTER GENERAL PLAN

APPENDIX B

A. CITY OF SHAFTER GENERAL PLAN CONSISTENCY

The Marcona Preserve Specific Plan provides a site specific, detailed description of regulations, standards, and guidelines for implementing the City of Shafter General Plan goals and policies. According to the California Government Code, a specific plan may not be adopted or amended unless the proposed plan or amendment is consistent with the general plan pursuant to §65454. Based on the language contained in the statutes and various legal interpretations by the courts, a general rule for consistency determinations can be stated as follows:

An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.

In addition, the California Government Code states that the specific plan shall include a statement of the relationship of the specific plan to the general plan pursuant to § 65451. This section presents the Goals included in the City of Shafter General Plan and findings of Specific Plan consistency with each Goal.

B. LAND USE

GOAL: *To achieve and maintain a pattern of land uses that meets the needs of a diverse and growing population, while reinforcing those characteristics of a rural community that make Shafter a desirable place to live.*

Findings: The City of Shafter General Plan update recognizes the opportunity to create an amenity-rich, large-scale planned community in close proximity to existing and future employment opportunities within the ITTC along Seventh Standard Road, south of the expanding industrial area along Lerdo Highway. The General Plan states that “the City’s vision is to provide a wide range of housing, including move-up housing opportunities, focusing new residential development to areas immediately adjacent to the existing community center, as well within a planned community to be created in the southeast portion of the Planning Area” (City of Shafter General Plan, page 2-2). The Marcona Preserve Specific Plan is part of the effort to create this planned community and will include residential products that will address the needs of first time home buyers as well as provide move-up opportunities for local residents. The General Plan also states that “new commercial development is to be provided in close proximity to existing and future residential areas” (City of Shafter General Plan, page 2-2). The Marcona Preserve community will include commercial and recreational opportunities, as well as a school, to accommodate future residents.

The Marcona Preserve Specific Plan is consistent with the Land Use designation (Specific Plan) included in the City of Shafter General Plan. The Specific Plan defines the amount,

location, and distribution of land uses within the proposed project area and intends to organize the physical environment into a logical, functional, and visually pleasing pattern.

The Marcona Preserve Specific Plan community will offer 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. As the General Plan recommends, the Specific Plan promotes suburban densities. The Marcona Preserve community includes move-up housing opportunities and housing for those desiring amenities not typically found in small town subdivisions (e.g., common open space and recreational areas). Moreover, the Specific Plan establishes design guidelines to create new residential development with identifiable neighborhood units. Street design will route through traffic around, rather than through new neighborhoods. Neighborhood streets will be designed to encourage a quiet, safe environment that is amenable to bicyclist and pedestrian use.

The Marcona Preserve Specific Plan will ensure coordination with area service agencies to define their needs and guarantee an adequate inventory of land for schools, parks and recreational facilities, and other public and quasi-public services. The Specific Plan will also ensure that the location, intensity, and timing of new urban development are coordinated with the provision of infrastructure.

Specific Plan (Seventh Standard Road)

The City of Shafter General Plan's Land Use Program includes recommendations regarding the Specific Plan area along Seventh Standard Road. The General Plan Objective for that area is *"To provide an amenity-rich, master-planned urban enclave with a broad range of housing opportunities, including move-up housing, south and east of Shafter's existing industrial areas whose visual character is defined principally by suburban density residential and low-rise commercial uses, along with industrial uses which provide a transition between the Specific Plan area's residential neighborhoods and industrial areas to the north and west"* (City of Shafter General Plan, page 2-9). The following are applicable Policies included in the General Plan concerning this Objective. The Marcona Preserve Specific Plan is consistent with each of these Policies.

"1. Prior to approvals of development applications for all or any portion of this area [the area designated Specific Plan], a Specific Plan or planned development is to be prepared and approved. Such Specific Plan or planned development shall provide detailed guidance for project-related land use, provision and financing of required public services and facilities, protection of agricultural lands, community design, recreational amenities, and community improvements. Development within the Specific Plan area shall be predicated upon the availability of adequate infrastructure and other public services and facilities for each phase of the project." The Marcona Preserve Specific Plan provides regulation and guidance to development within the proposed project area. Implementation of the Marcona Preserve Specific Plan ensures that development will occur in a planned, orderly manner, and will be accompanied of all necessary infrastructure.

"2. Urban development shall not be permitted on any parcel for which there is a valid land conservation contract in effect. Where urban development is to be located adjacent to an agricultural

use, adequate buffers shall be provided.” The Marcona Preserve Specific Plan site will be bordered by the Mission Lakes and Gossamer Specific Plan developments to the west, north, and east. The site will be bordered by Seventh Standard Road to the south. Therefore, the Marcona Preserve community will not be adjacent to agricultural uses and no buffers will be required. In addition, development of the Specific Plan area will be subject to cancellation of the existing Land Conservation Contracts for the property.

“4. The maximum allowable residential density for development within the Seventh Standard Road Specific Plan area shall be 4.25 dwelling units per gross acre within each Specific Plan, excluding acreage within the rights-of-way for Seventh Standard Road and the existing canals. Residential development products with higher densities than 4.25 dwelling units per acre may be permitted, provided that sufficient usable open space or non-residential uses (e.g., commercial and office development) are provided so as not to exceed the maximum overall allowable density of the project.” The maximum number of dwelling units within the Marcona Preserve Specific Plan shall not exceed 800, which shows that the Specific Plan will not exceed the maximum density of 4.25 dwelling units per gross acre for the Specific Plan area.

“6. Residential neighborhoods within the Specific Plan area should be designed to provide high quality housing that is attractive to a broad spectrum of buyers, including housing that provides “move-up” opportunities for local residents. Multifamily, for rent housing should be limited to key, central locations, adjacent to commercial uses.” The Marcona Preserve Specific Plan will include residential products that will address the needs of first time home buyers as well as provide move-up opportunities for local residents.

“7. Residential development should incorporate residential “village” themes, providing identifiable neighborhood areas within the area. The identity of individual neighborhoods should be reinforced with differing architectural styles and locations.” The portion of the residential development east of Jewetta Avenue will generally include smaller single-family residential lots. The portion of the Specific Plan west of Jewetta Avenue will generally include larger single-family lots. There are four product types with multiple elevations that will be used throughout the community. The Specific Plan establishes design guidelines to create a community that encourages pedestrian and bicycle traffic and fosters social interaction. The implementation of different residential products will result in different architectural design for this neighborhood.

“8. Residential communities within the Seventh Standard Road Specific Plan area shall provide a strong package of project amenities, which may include, but is not limited to the following:

- Trails and paseos;*
- Fountains and water features;*
- Amphitheaters and public gathering places;*
- Public facilities/parks”*

The Marcona Preserve Specific Plan will include a multi-use trail along Jewetta Avenue, and paseos connecting Jewetta Avenue and the parks and school site. In addition, a natural trail along Seventh Standard Road will connect to the natural trail that will be

constructed as part of the Mission Lakes and Gossamer Specific Plans. The public parks will be designed as gathering areas, where small community events may take place.

“14. d. Development of an appropriate level of pedestrian and bicycle circulation throughout the Specific Plan is to be provided, including pathways connecting residential neighborhoods with each other, as well as with nonresidential and recreational components of the area. Specific Plan development should also provide recreational trail systems for jogging and bicycling.” The Marcona Preserve Specific Plan includes a multi-use trail and Class II bike lanes along Jewetta Avenue. The multi-use trail will connect residential uses with the public parks, school site, and commercial area. The Class II bike lanes will be consistent with the Circulation Element of the City of Shafter General Plan.

“15. Development of the Specific Plan area shall provide such on- and off-site road improvements on City of Shafter streets as needed to ensure that applicable roadway performance standards are met.” The roadway within the Specific Plan area will be built in conjunction with construction of each phase of the development. The City of Shafter will implement roadway improvements for Seventh Standard Road.

“16. Public services and facilities, including needed on-site and off-site facilities, shall be provided and financed by the project as needed to meet applicable public services performance standards.” Public services and facilities within the Specific Plan area will be built in conjunction with construction of each phase of the development. The City of Shafter development regulations will ensure that off-site facilities adequately address the needs of the residents.

“17. Project development shall provide full mitigation of impacts on school facilities to affected school districts.” The Marcona Preserve Specific Plan plans for development of an elementary school within the proposed project site. This will fully mitigate the proposed project impacts to elementary schools. The Mission Lakes Specific Plan includes a middle school, which will further mitigate impacts to school facilities in the area.

“18. The timing of new development shall be correlated with the installation of water, sewer, electrical, and natural gas utility systems, provision of municipal services (including emergency services), and project open space and amenities with land development in a manner that is economically feasible and that ensures adequate service to uses within the site.” Utilities, public services and facilities within the Specific Plan area will be built in conjunction with construction of each phase of the development. Construction of the Marcona Preserve Specific Plan will be phased in a logical sequence, in response to market demands. Completion of these amenities on a parallel track with proposed residential development would help improve the quality of life of the residents during the implementation of the Specific Plan. The multi-purpose trail shall be implemented in conjunction with construction of Jewetta Avenue North.

“19. Project entry, streetscape, and landscape design elements are to be designed to create and maintain a strong community identity.” Signage and landscaping within the Specific Plan area are planned to clearly identify community areas and boundaries, so as to efficiently guide residents and visitors through the Specific Plan area and contribute to the creation of a strong community identity. Landscape, entry signs, and streetscape elements will be used to create visual continuity throughout the Marcona Preserve Specific Plan area.

“20. Development of an attractive, but natural appearing landscape at community entries and along arterials and collector roadways is to be provided with groves of trees, earth tone wall colors, and drifts of flowering shrub materials.” A 10-foot wide concrete sidewalk will be implemented along the north side of Seventh Standard Road, with planting areas along both sides of the sidewalk. Medium canopy trees may be planted along the planting area adjacent to Seventh Standard Road within drought tolerant ground covers and low flowering shrubs (less than 3 feet). The landscaping treatment shall create a relatively natural feel to the project frontage, with varying elements and pleasant aesthetics.

Jewetta Avenue North will have a median that may receive medium canopy evergreen multi-trunk tree species, such as olive trees. A 6-foot wide meandering multi-use trail, with planting areas along both sides, will follow the eastern side of Jewetta Avenue North within the Specific Plan area. A sidewalk and landscaping will follow the entire western side of Jewetta Avenue North. Medium canopy evergreen trees and groupings of large shrub hedges may be implemented along this side of the street to counterbalance the landscape treatment along the eastern site of the roadway. Landscaping will separate the pedestrian walkway from the roadway.

C. TRANSPORTATION

GOAL: *To achieve and maintain a well-balanced transportation system that maximizes freedom of movement; provides for the efficient and safe transportation of goods within and through the City of Shafter; and which balances concerns for mobility with concerns for safety and the quality of life in Shafter.*

Findings: The Marcona Preserve Specific Plan will contribute to facilitate meeting the City’s roadway performance objective through implementation of a portion of the circulation plan set forth in the General Plan.

The Specific Plan roadway design will contribute to improve circulation within residential areas. The Specific Plan includes appropriate measures to mitigate speeding and other traffic impacts in residential areas. Roadway patterns that limit through traffic on local residential streets will also be implemented. The Specific Plan locates commercial uses adjacent to Seventh Standard Road, since this land use is expected to generate heavier traffic than residential areas.

The Specific Plan establishes guidelines for implementation of landscaping along right-of-way of arterials and major collectors. Landscaping along Seventh Standard Road shall be compatible with the landscaping along the Mission Lakes and Gossamer Specific Plan frontages.

As recommended by the General Plan, parking will be permitted along collector streets, with restrictions as needed to accommodate transit stops, pedestrian crosswalks, added lanes at intersections, or other operational requirements. On-street parking along arterials and principal arterials will be prohibited.

The Marcona Preserve Specific Plan supports and encourages the transit of pedestrians and bicyclists, which provide an alternative to travel by private automobile for short distances. A multi-use path will be integrated along Jewetta Avenue North, connecting the different land uses within the Specific Plan area. The design guidelines contained in the Specific Plan will contribute to create a pedestrian-friendly community that allows for safe and convenient pedestrian and bicycle access to residential, commercial, and recreation areas.

C. PUBLIC SERVICES AND FACILITIES

GOAL: *To provide for the ongoing provision and timely expansion of high quality public services and infrastructure for existing and future residents and businesses.*

Findings: The developer will provide for infrastructure improvements, including streets, utilities, water, sewer, and storm drain facilities, as well as sidewalks and the multi-purpose path. All facilities shall be constructed and maintained in accordance with applicable standards.

The school will be developed in coordination with the School District. Recreational facilities in the Specific Plan include the multi-use trail and a public park. These amenities will adequately address the recreational needs of the Marcona Preserve community.

C. HOUSING

GOAL: *To provide adequate affordable housing for existing and future Shafter residents, regardless of their economic level or special housing needs.*

Findings: The Marcona Preserve Specific Plan will provide different residential products that will address the needs of first time home buyers and provide move-up opportunities for area residents. The Marcona Preserve community, in conjunction with the Mission Lakes and Gossamer communities, will contribute to develop a wide range of housing products in southeast Shafter.

D. ENVIRONMENTAL MANAGEMENT

GOAL: *To identify limits on the natural resources needed to support existing and future development within the City and its study area, and ensure that these resources are managed and protected.*

Findings:

Open Space: The Specific Plan's multi-use trail and public park will form a system of recreation and open space within the Marcona Preserve community that will be linked to the park and recreation systems of the Mission Lakes and Gossamer Specific Plan areas. These recreation areas are available to the public, and will support active informal play; passive recreation; and enjoyment of the natural environment.

Water Conservation: The Specific Plan will promote water conservation through application of appropriate landscaping and site planning techniques which include the use of drought-tolerant vegetation in the streetscape. Other techniques that may be employed are the use of reclaimed water for large-scale irrigation and for dust control during grading where such water can be economically delivered; and installation of computerized irrigation controllers and drip irrigation systems. Oildale Mutual Water Company will provide water services to the Specific Plan area with a dual water supply system. This system includes a domestic water supply and a landscape irrigation water supply.

In addition, all development will comply with discharge permit requirements established by the Regional Water Quality Control Board (RWQCB). The drainage plan will ensure that surface waters be protected from the potentially adverse impacts associated with urban runoff.

Biological Habitats and Wildlife Resources: The southern half of the Specific Plan property is within the Metropolitan Bakersfield Habitat Conservation Plan (HCP). The Specific Plan will also be within the Kern County Valley Floor HCP, when the latter is finalized and approved. A Biota Report will be prepared for the subject property and the proposed project will be analyzed for short- and long-term impacts to biological resources.

Mineral Resources: The Marcona Preserve Specific Plan will provide for the proper management of mineral resources within the proposed project area.

Cultural Resources: If cultural or paleontological resources are unearthed during grading, alteration of earth materials in the vicinity of the find will be halted until a qualified expert has evaluated the find and recorded identified cultural resources.

Air Quality: The Marcona Preserve Specific Plan will provide bicycle and pedestrian facilities, including the multi-use path along Jewetta Avenue, which will connect residential areas with neighborhood commercial centers, recreational facilities, the elementary school, and surrounding areas. This will encourage a reduction in the number of vehicle trips. In addition, development of the Marcona Preserve Specific Plan will comply with all applicable construction dust abatement requirements.

Energy Resources: The Specific Plan encourages the use of energy-efficient design and implementation of the California Code of Regulations, Title 24 (California Building Standards Code).

E. ENVIRONMENTAL HAZARDS

GOAL: *Minimize the potential for loss of life, injury, property damage, and economic disruption resulting from natural and man-made hazards, and ensure the ability of emergency services to respond rapidly and effectively following a disaster.*

Findings: The City of Shafter General Plan states the need to minimize the potential for loss of life, physical injury, property damage, and economic or social disruption resulting from an earthquake and other geologic events or from a 100-year flood.

The closest known faults to the subject site are subsurface faults located at the Fruitvale Oil Field. These faults are not thought to be active for the last two million years. The proposed project will comply with the most recent Uniform Building Code's seismic design standards.

The Specific Plan area has been studied by the Federal Emergency Management Agency (FEMA). The Specific Plan area is contained within Flood Insurance Rate Map (FIRM) Panel 060075 0750 B (Kern County, CA, effective September 29, 1986). The FIRM Map depicts the Specific Plan site as Zone C (areas of minimal flooding, outside the 100-year flood zone). Prior to approval of any final map associated with the Marcona Preserve Specific Plan, detailed drainage/hydrological studies shall be required to address on-site drainage conditions and increased runoff flows associated with proposed land uses on a subdivision-level basis.

APPENDIX C

CONCEPTUAL RENDERINGS RESIDENTIAL

SOLANA SERIES

ARROYO (2012)

A

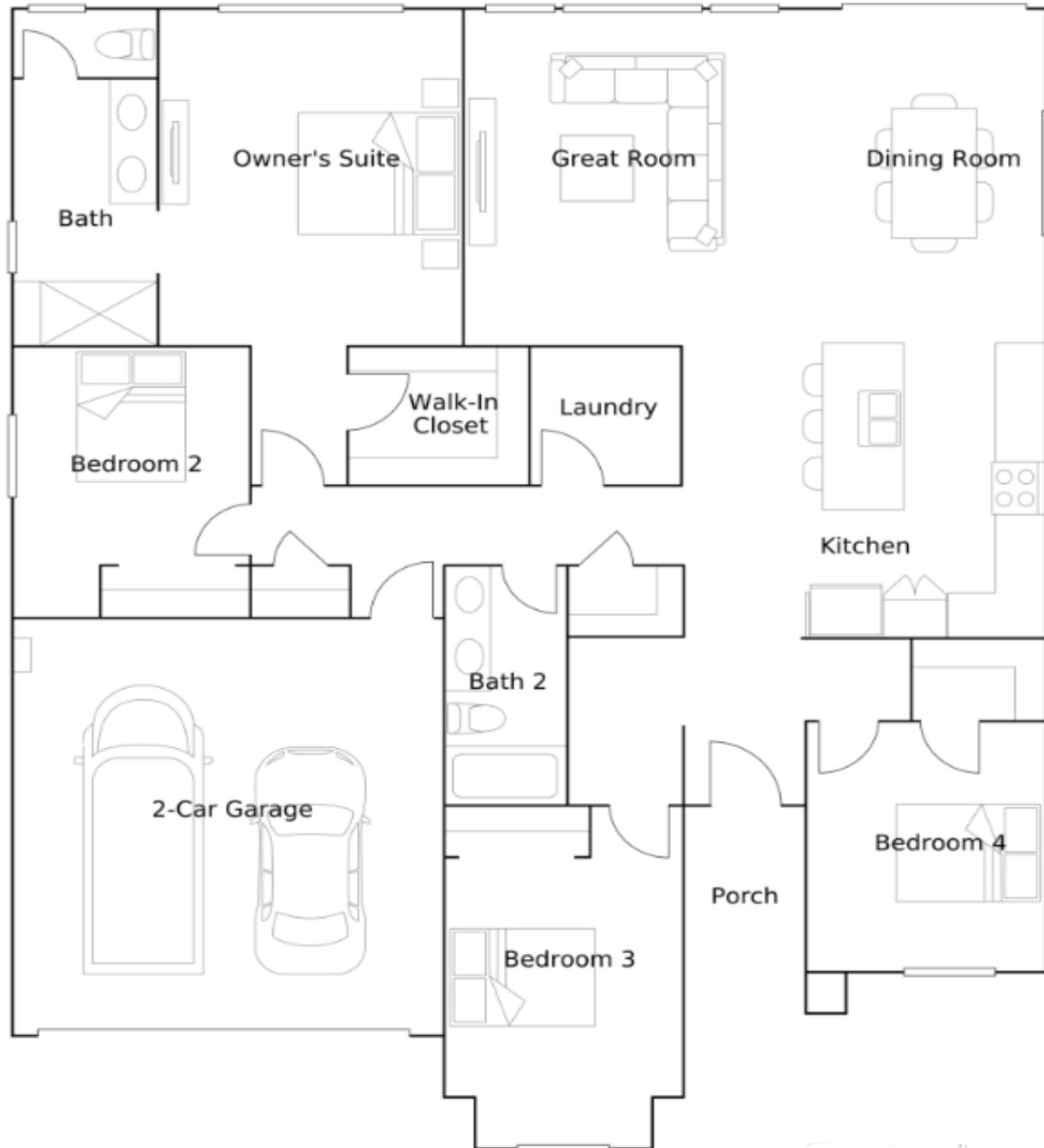


B



SOLANA SERIES

ARROYO (2012)



LENNAR

SOLANA SERIES

BODEGA (2014)

A



B



SOLANA SERIES

BODEGA (2014)



LENNAR

SOLANA SERIES

CABRILLO (2015)

A

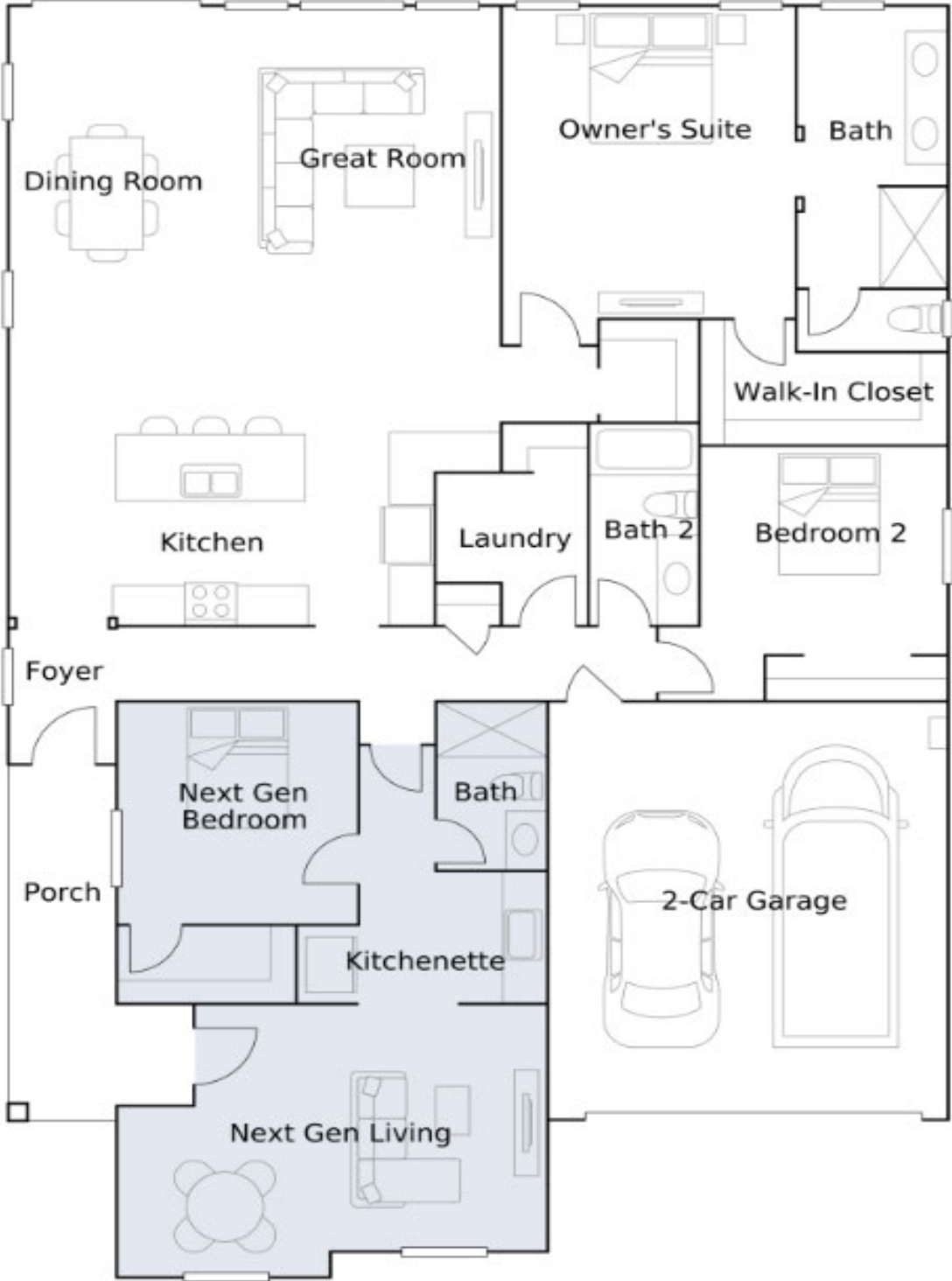


B



SOLANA SERIES

CABRILLO (2015)



LENNAR

SOLANA SERIES

ESPLANADE (2006)

A

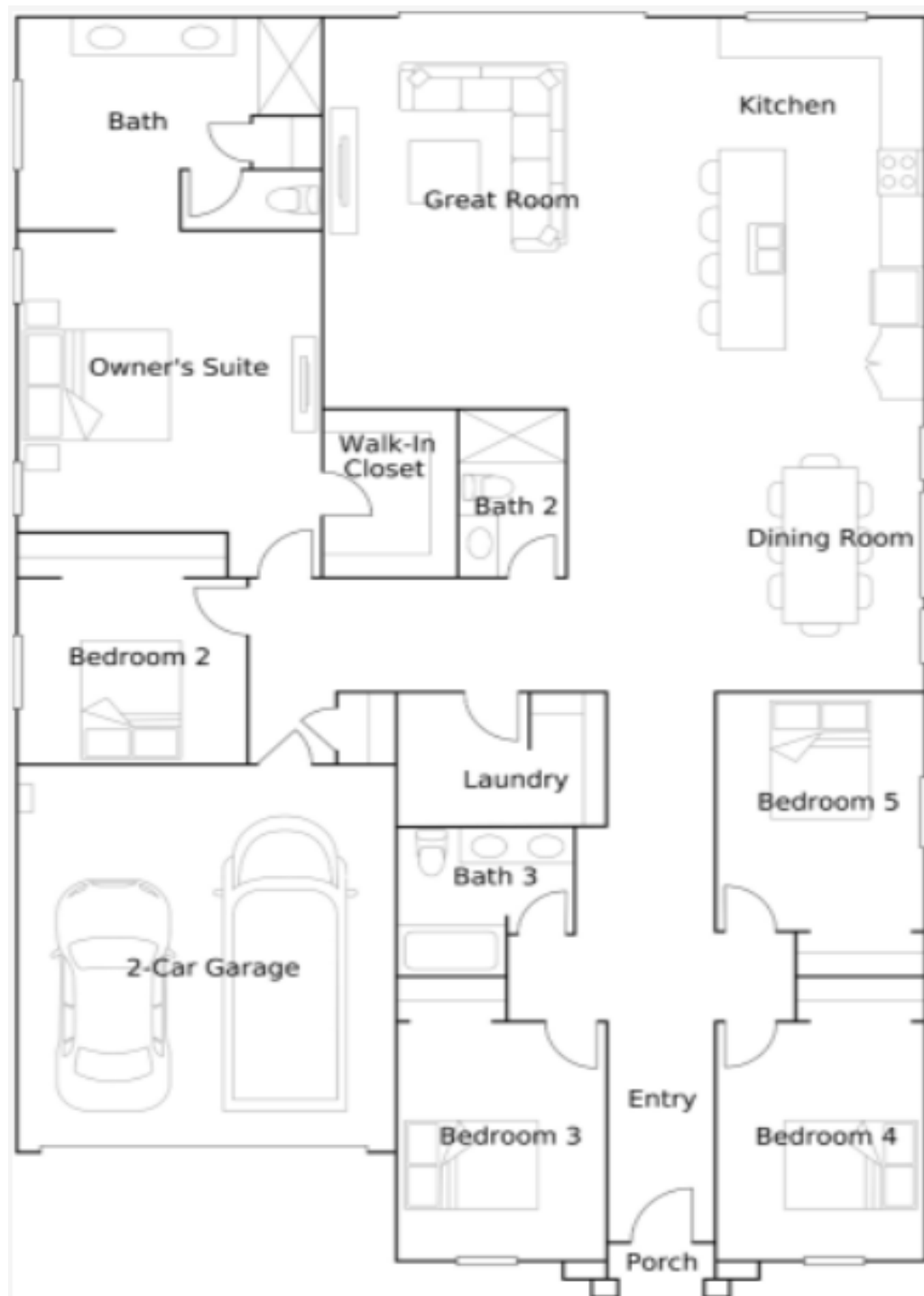


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SOLANA SERIES

ESPLANADE (2006)



LENNAR

CORONET SERIES

ARIA (4031)

A

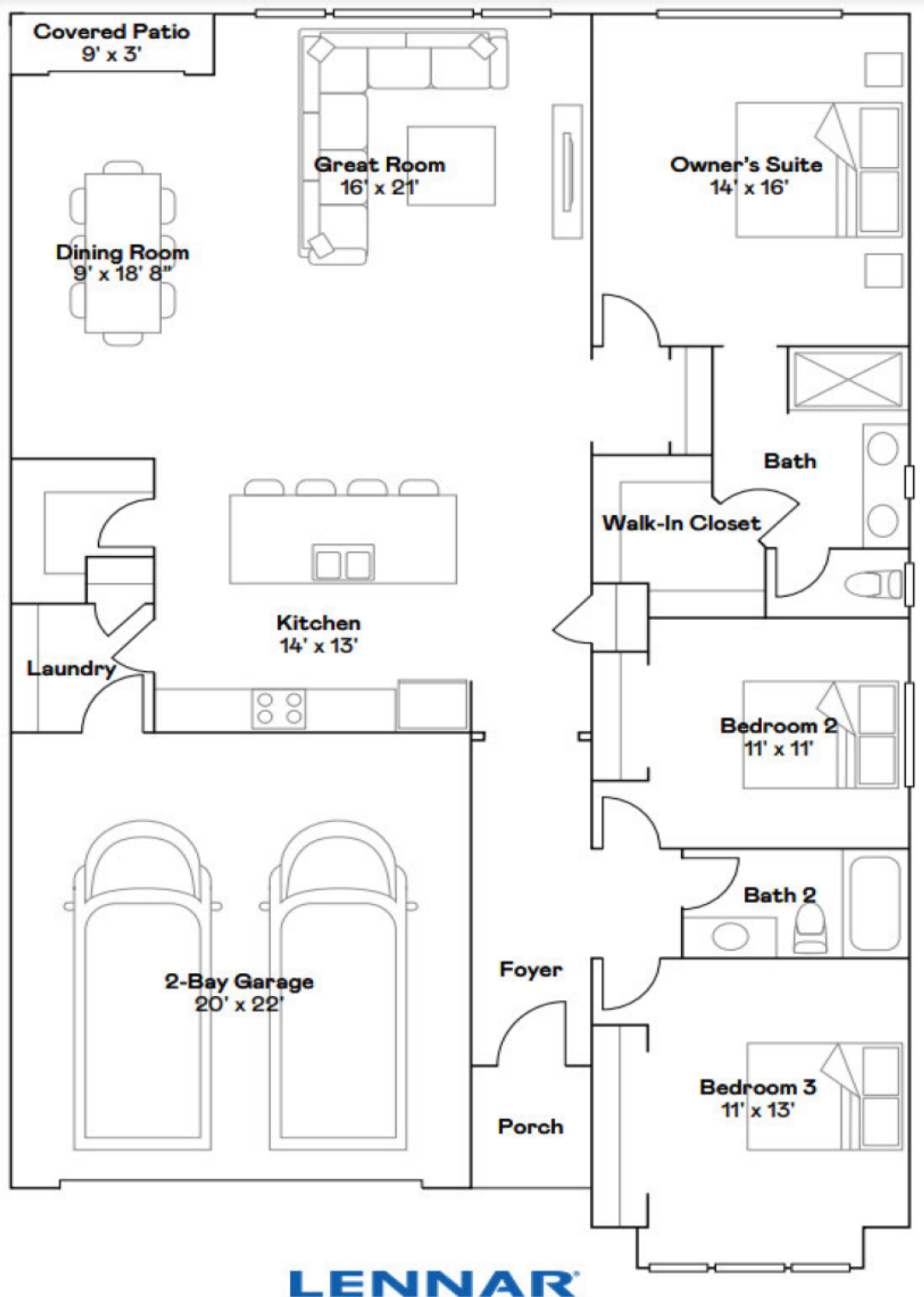


B



CORONET

ARIA (4031)



CORONET SERIES

OPUS (4023)

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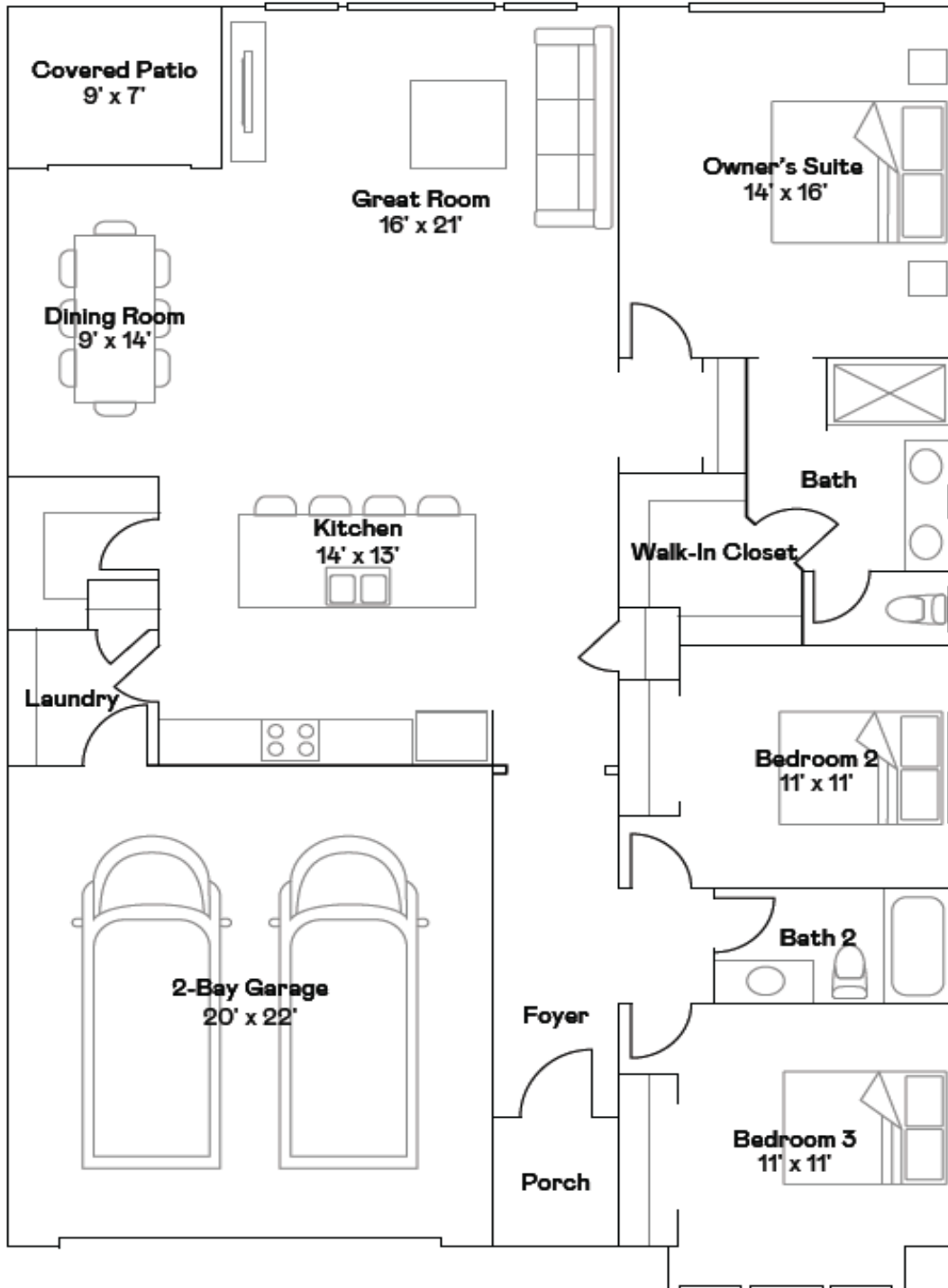


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CORONET

OPUS (4023)



LENNAR

CORONET SERIES

HARMONY (4034)

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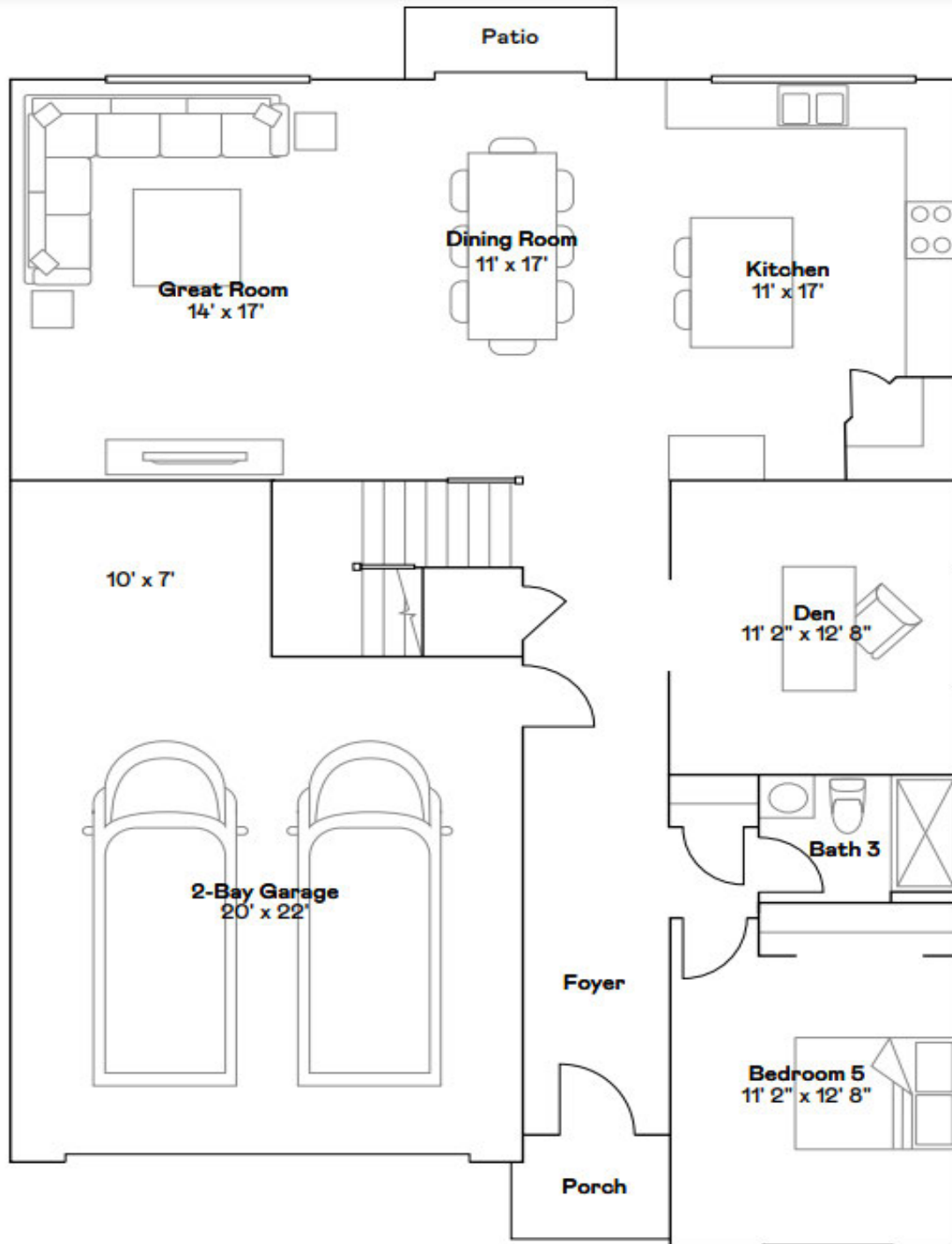


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CORONET

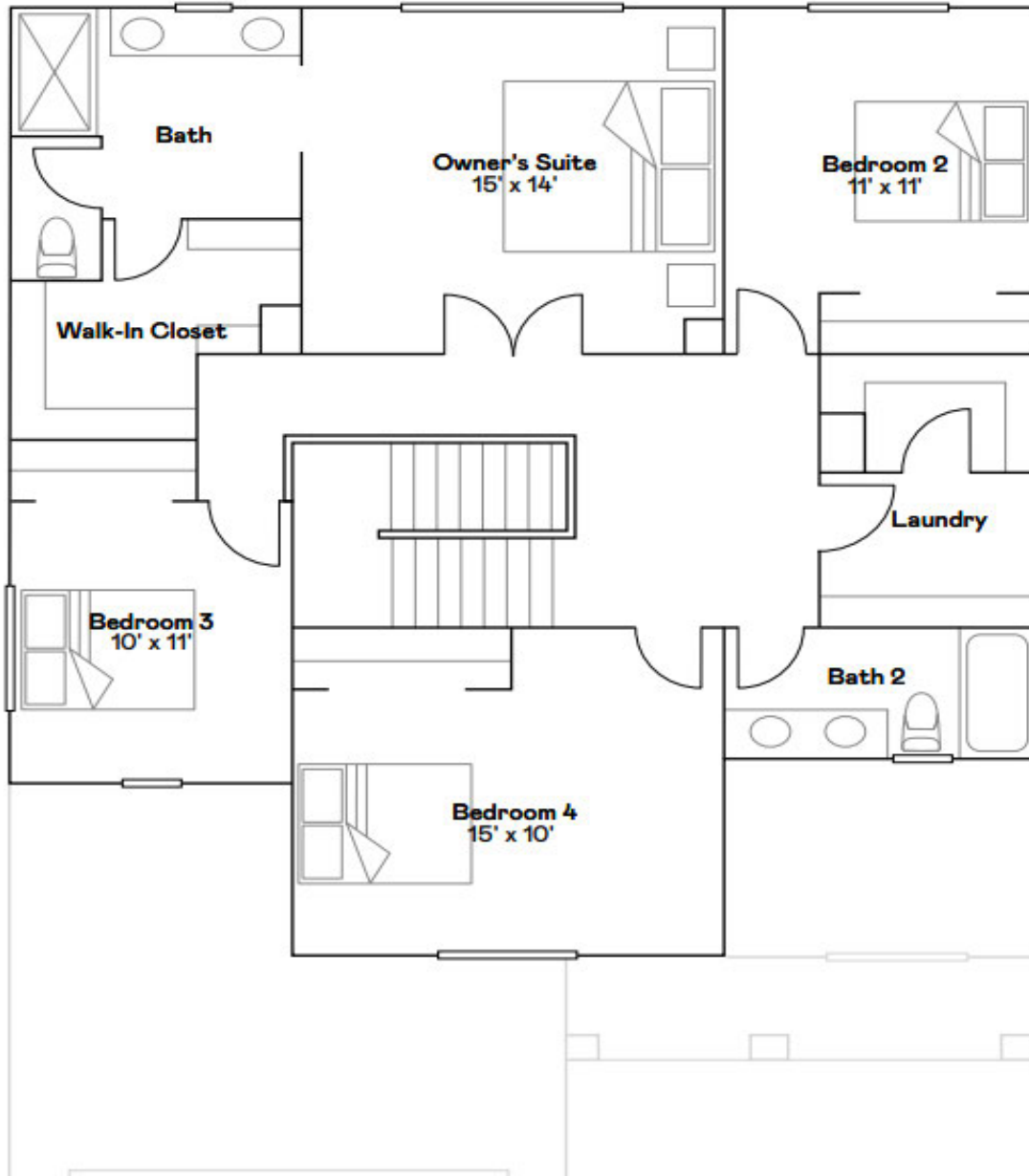
HARMONY (4034)



LENNAR

CORONET

HARMONY (4034)



LENNAR

CORONET SERIES

OVERTURE (4035)

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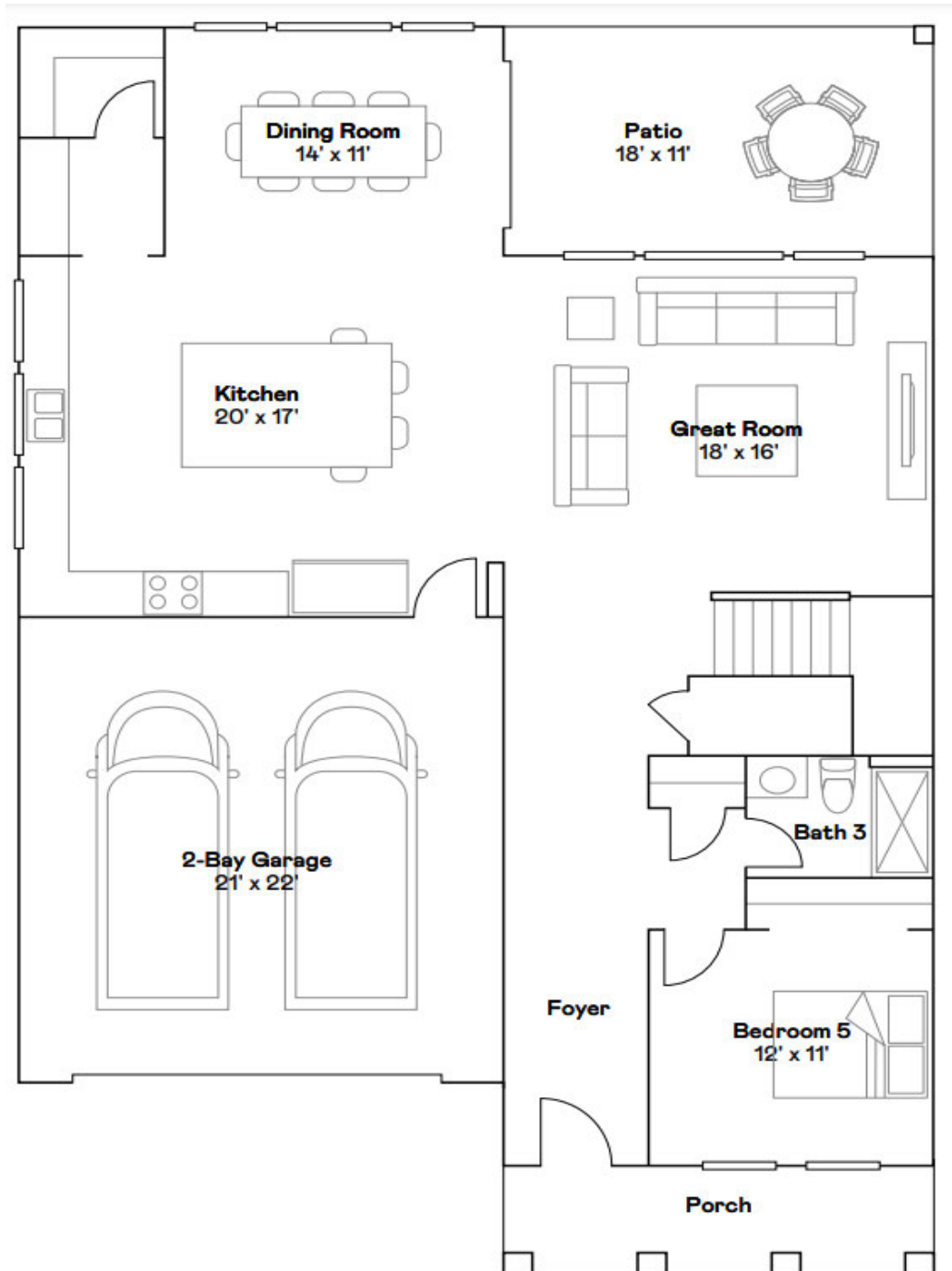


B



CORONET SERIES

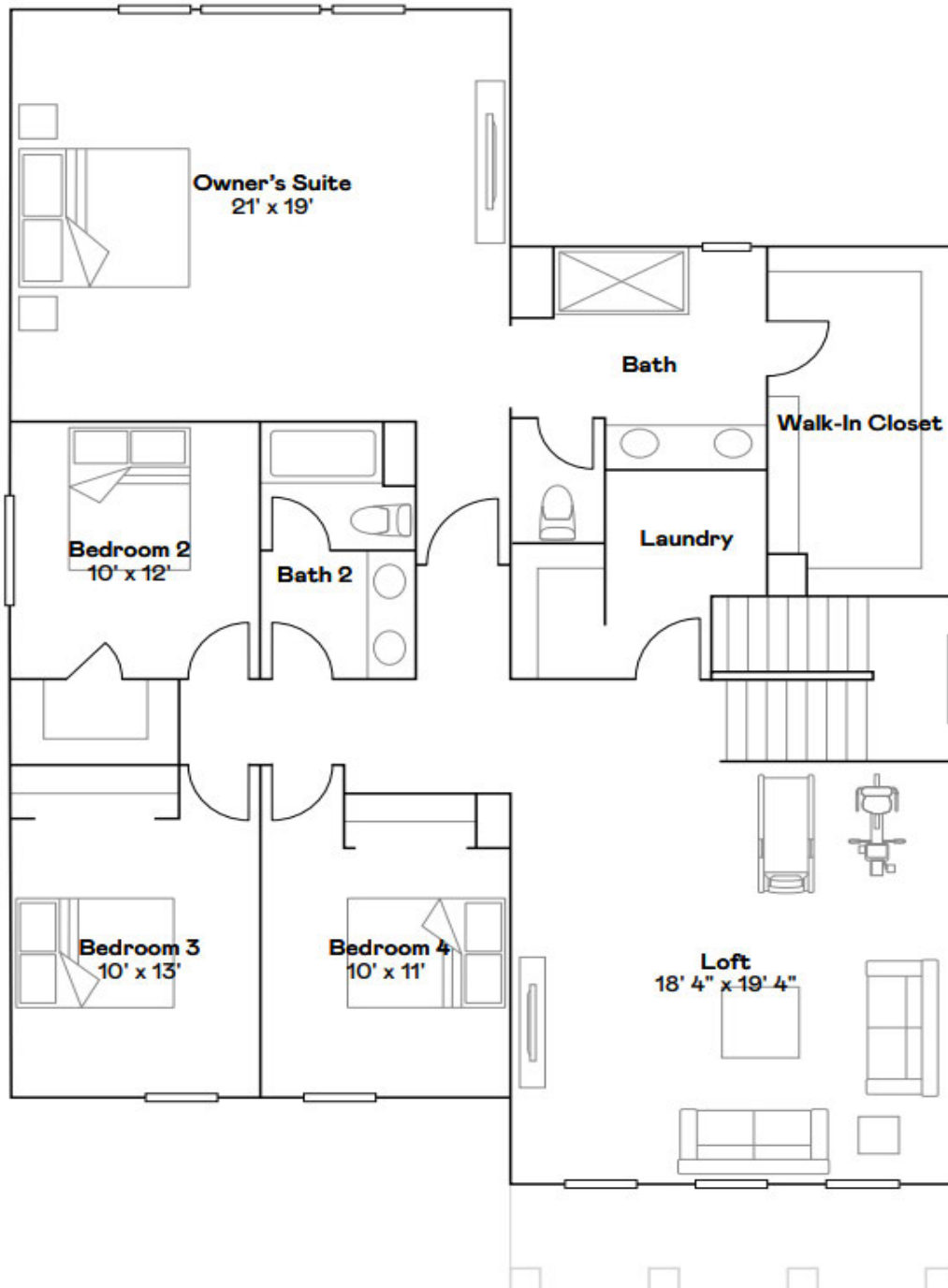
OVERTURE (4035)



LENNAR

CORONET SERIES

OVERTURE (4035)



LENNAR

CORONET SERIES

RHAPSODY (4037)

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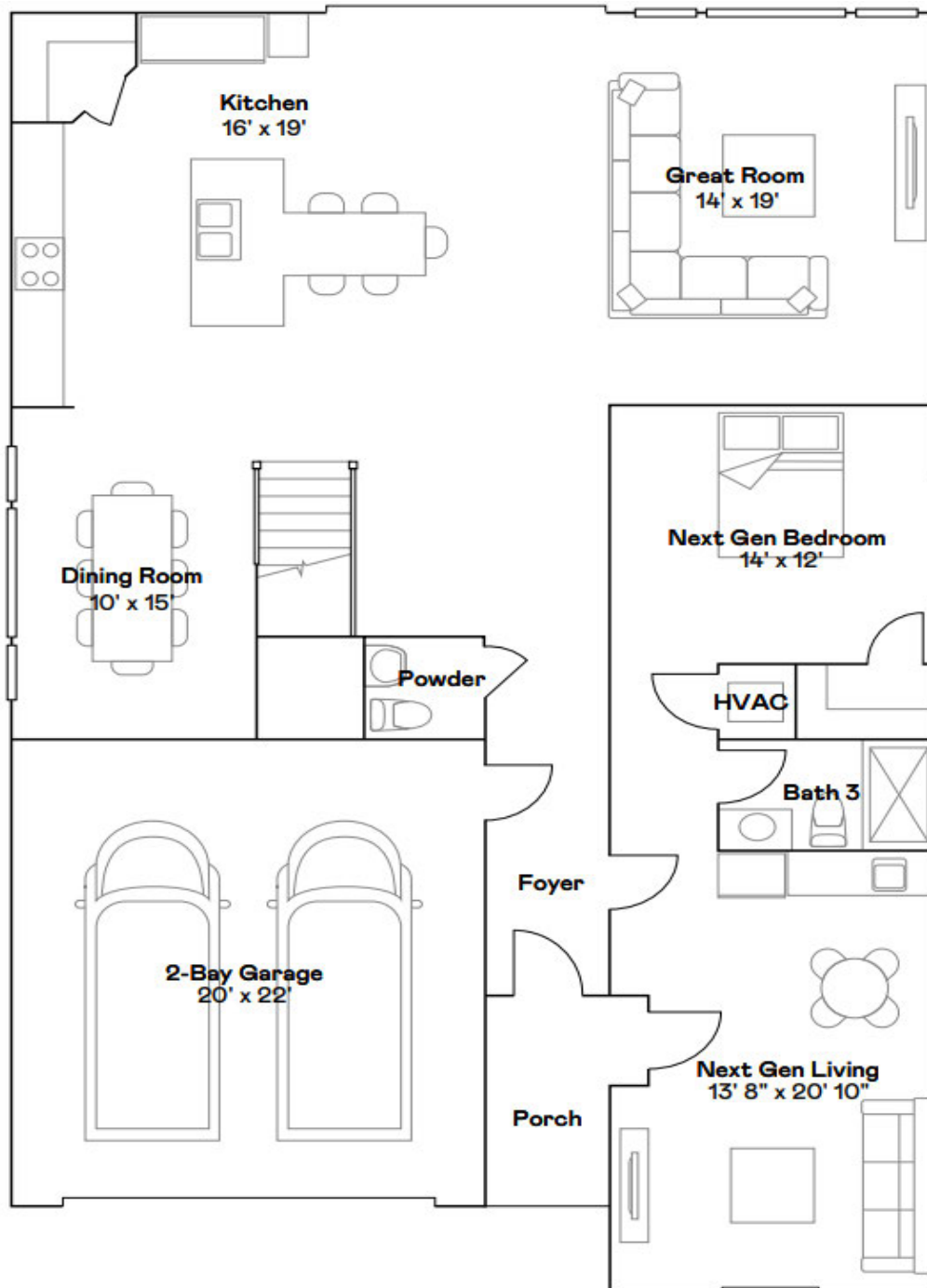


B



CORONET SERIES

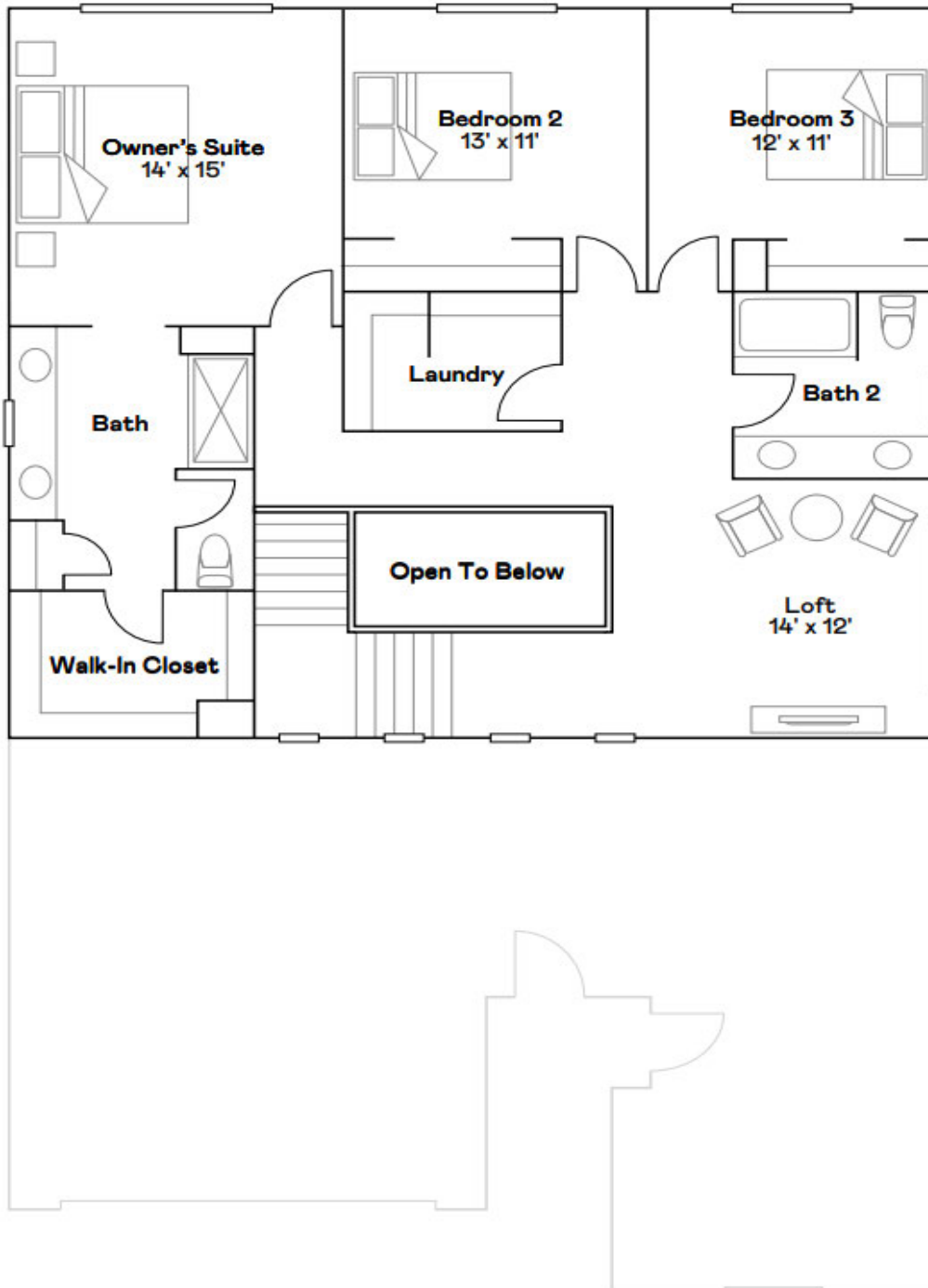
RHAPSODY (4037)



LENNAR

CORONET SERIES

RHAPSODY (4037)



LENNAR

SKYE SERIES

ALPENGLOW (5013)

A



B

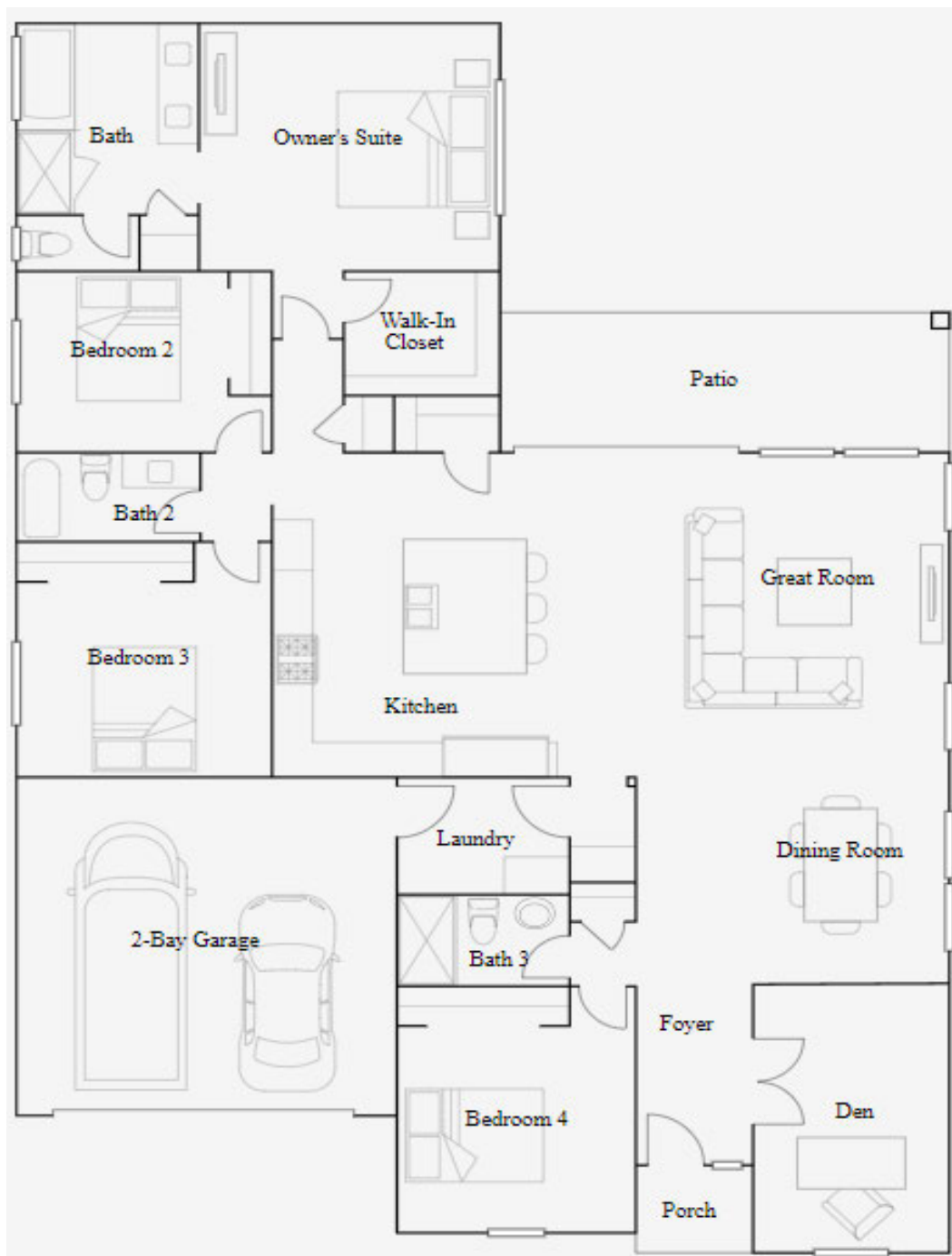


C



SKYE SERIES

ALPENGLOW (5013)



LENNAR

SKYE SERIES

BOREALES (5155)

A



B

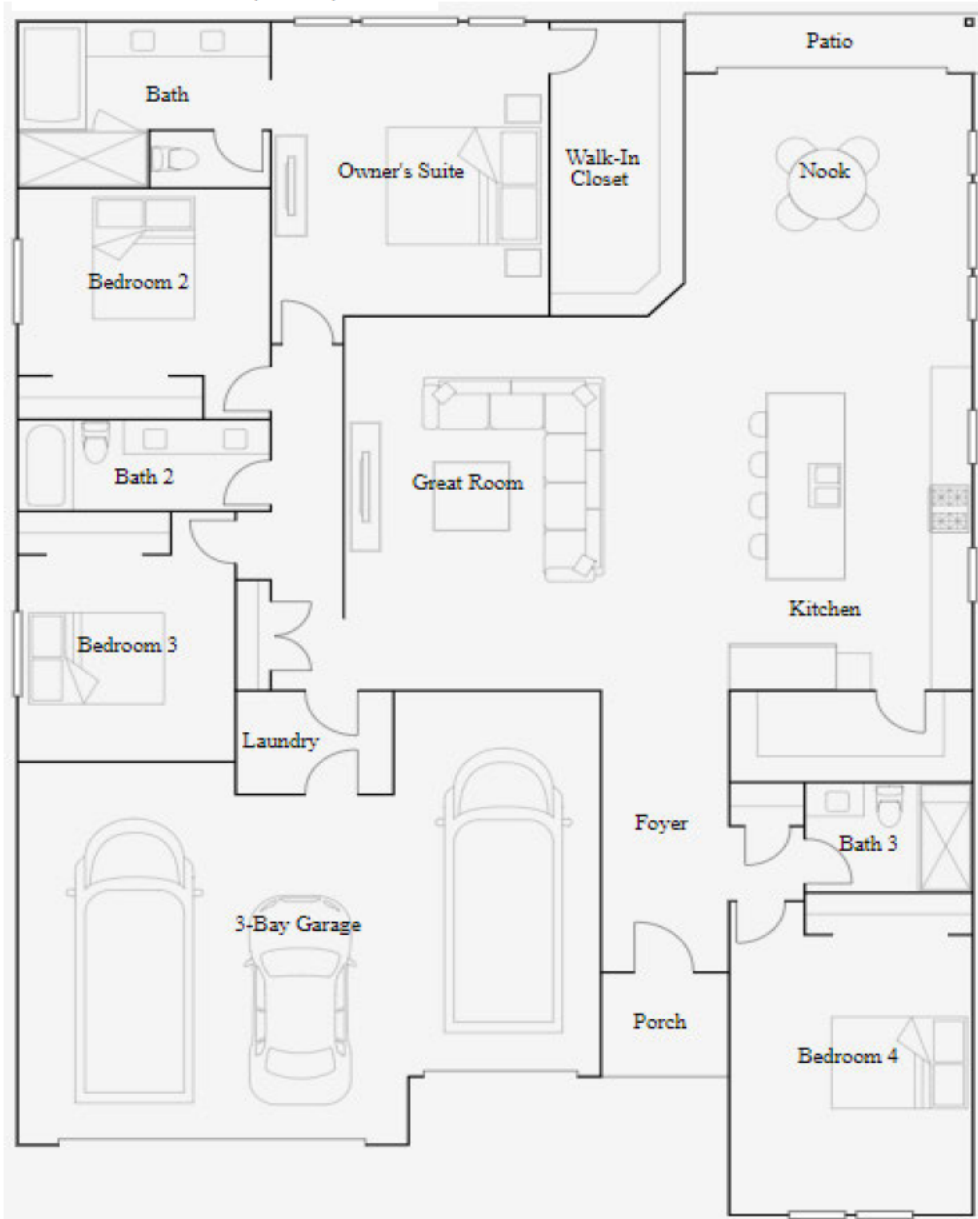


C



SKYE SERIES

BOREALES (5155)



LENNAR

SKYE SERIES

MOONLIGHT (5012)

A



B

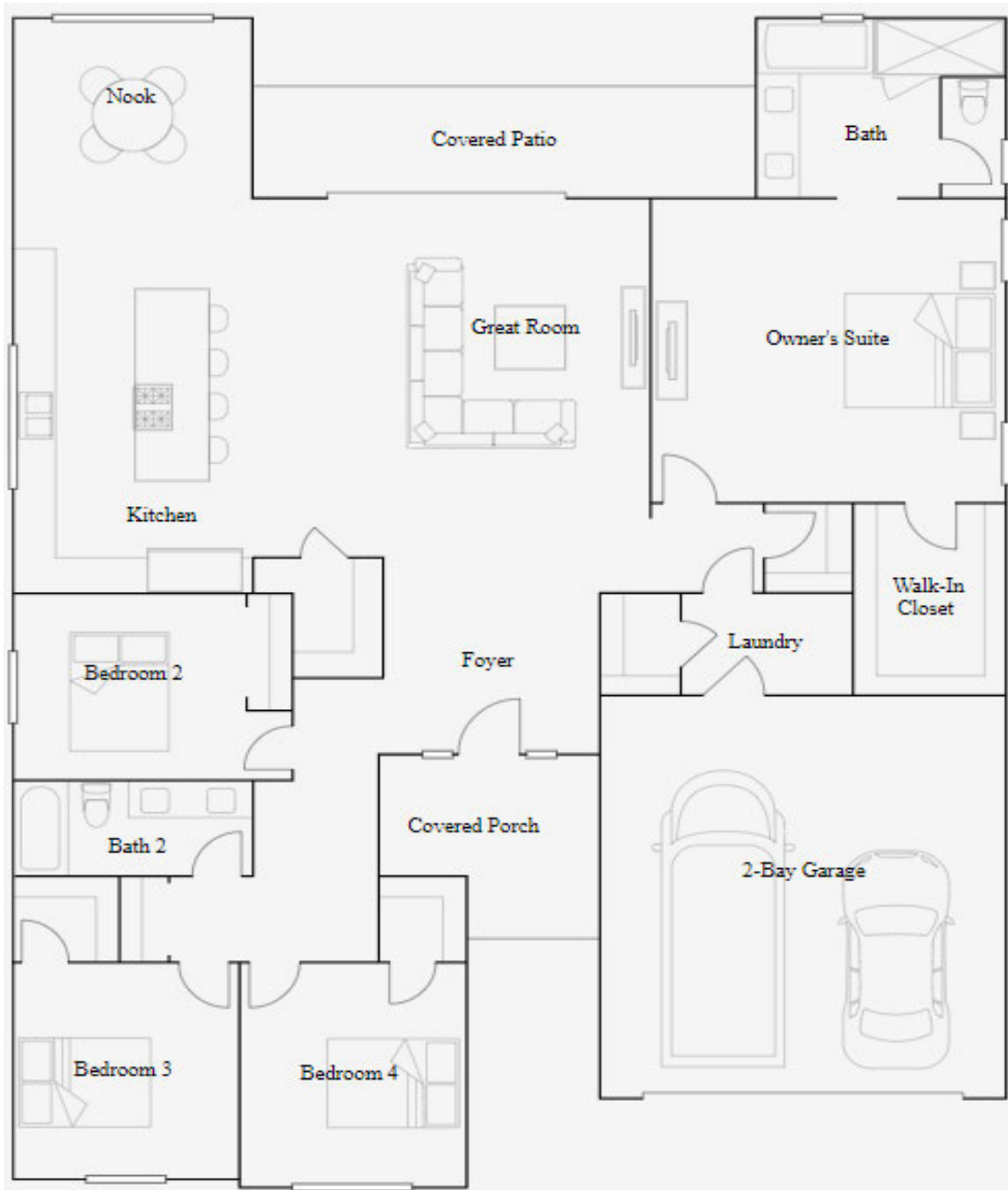


C



SKYE SERIES

MOONLIGHT (5012)



LENNAR

SKYE SERIES

SOLSTICE (5014)

A



B

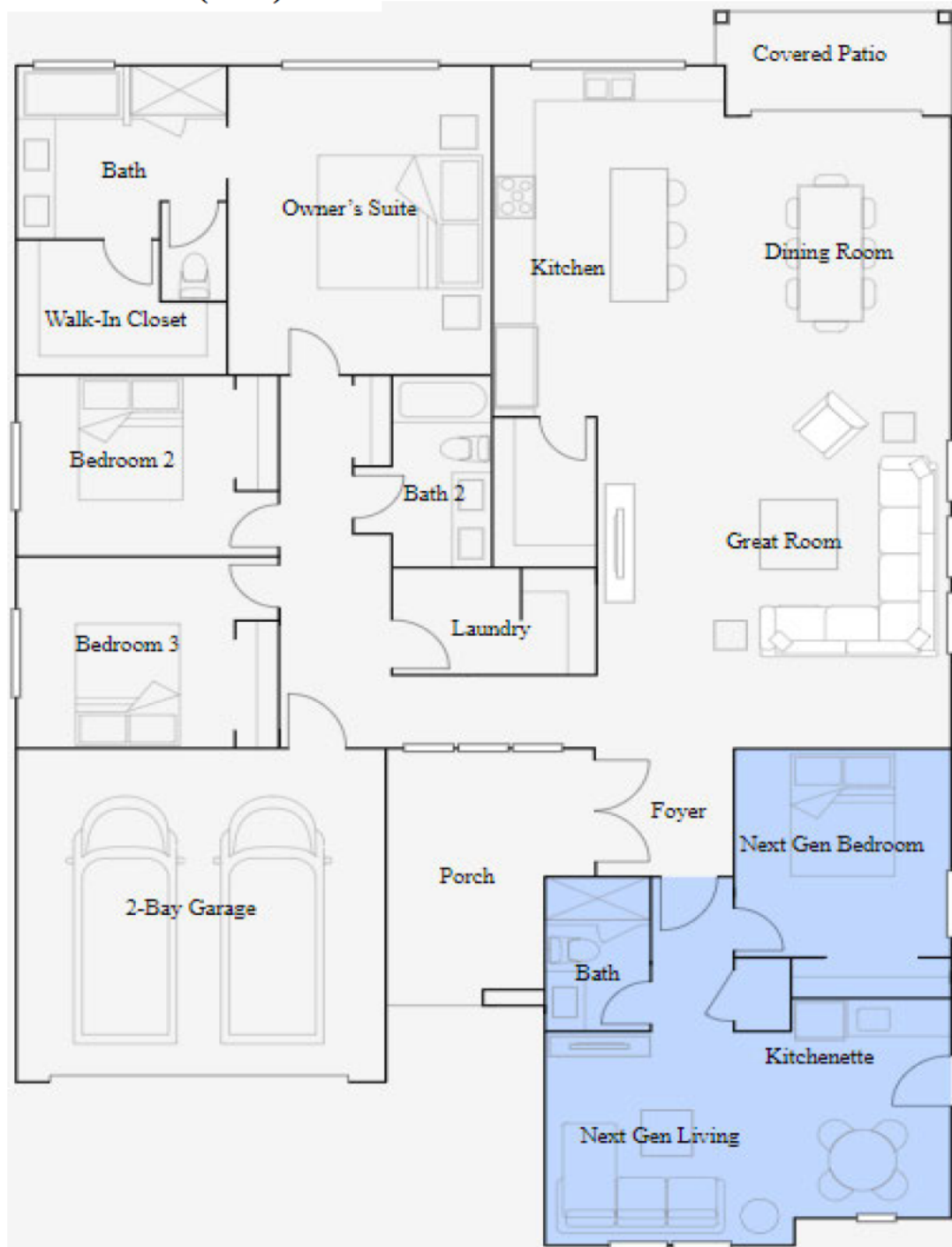


C



SKYE SERIES

SOLSTICE (5014)



LENNAR

SKYE SERIES

MOONLIGHT (5012+ ADD ON GARAGE)

A



B

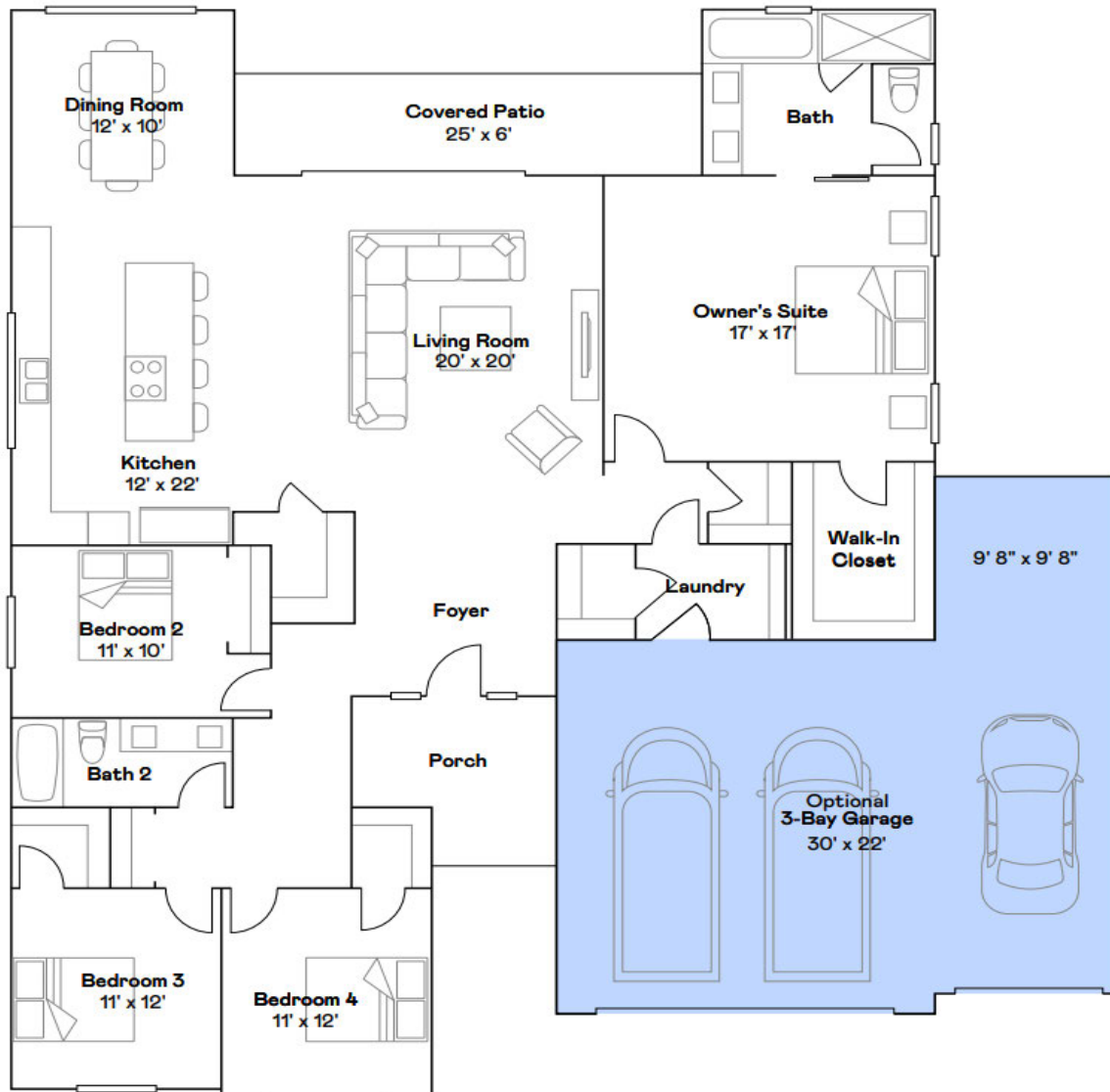


C



SKYE SERIES

MOONLIGHT (5012)



LENNAR

SKYE SERIES

ALPENGLOW (5013 + ADD ON GARAGE)

A



B

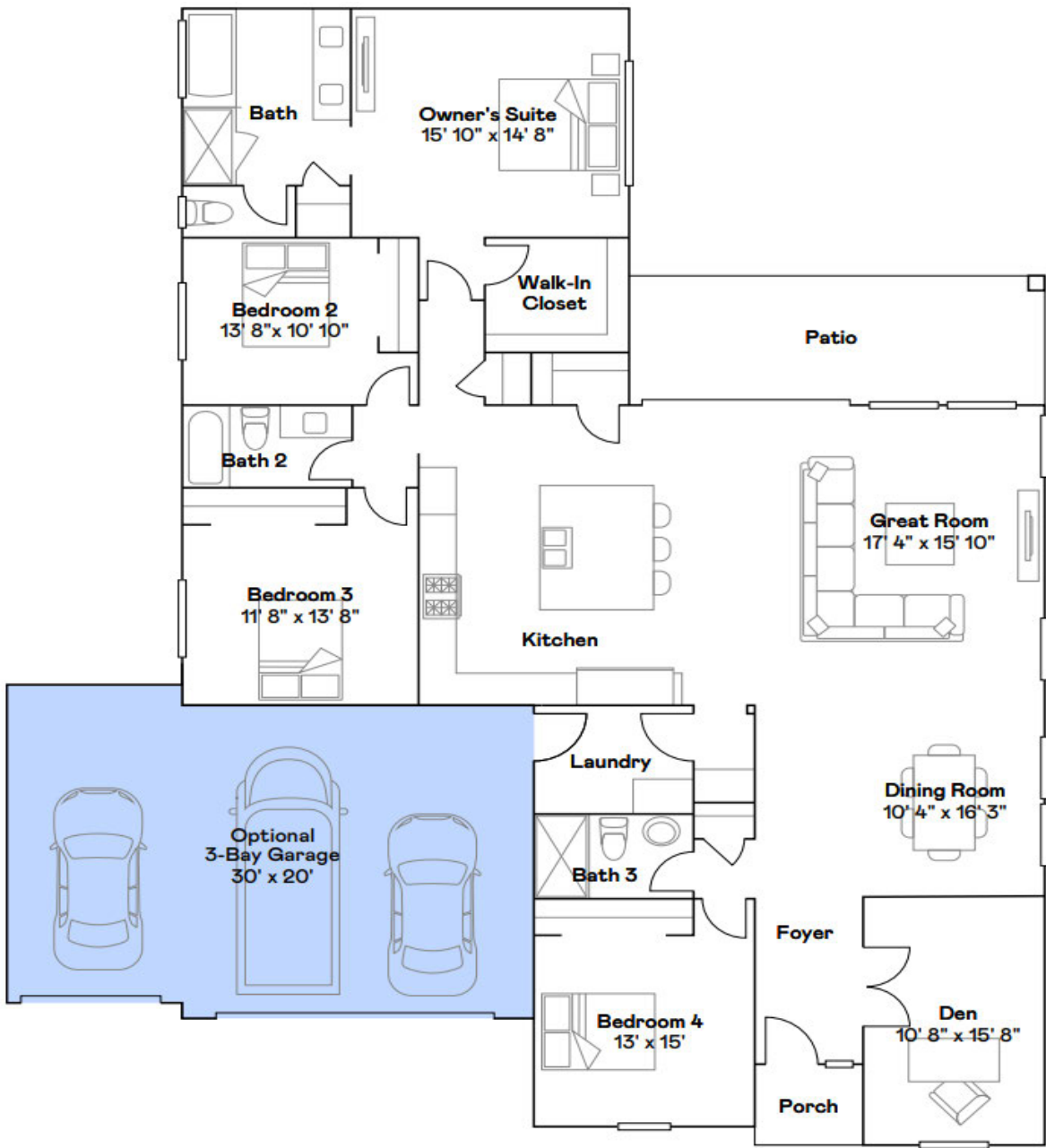


C



SKYE SERIES

ALPENGLOW (5013)



LENNAR

SKYE SERIES

BOREALES (5155 + ADD ON GARAGE)

A



B

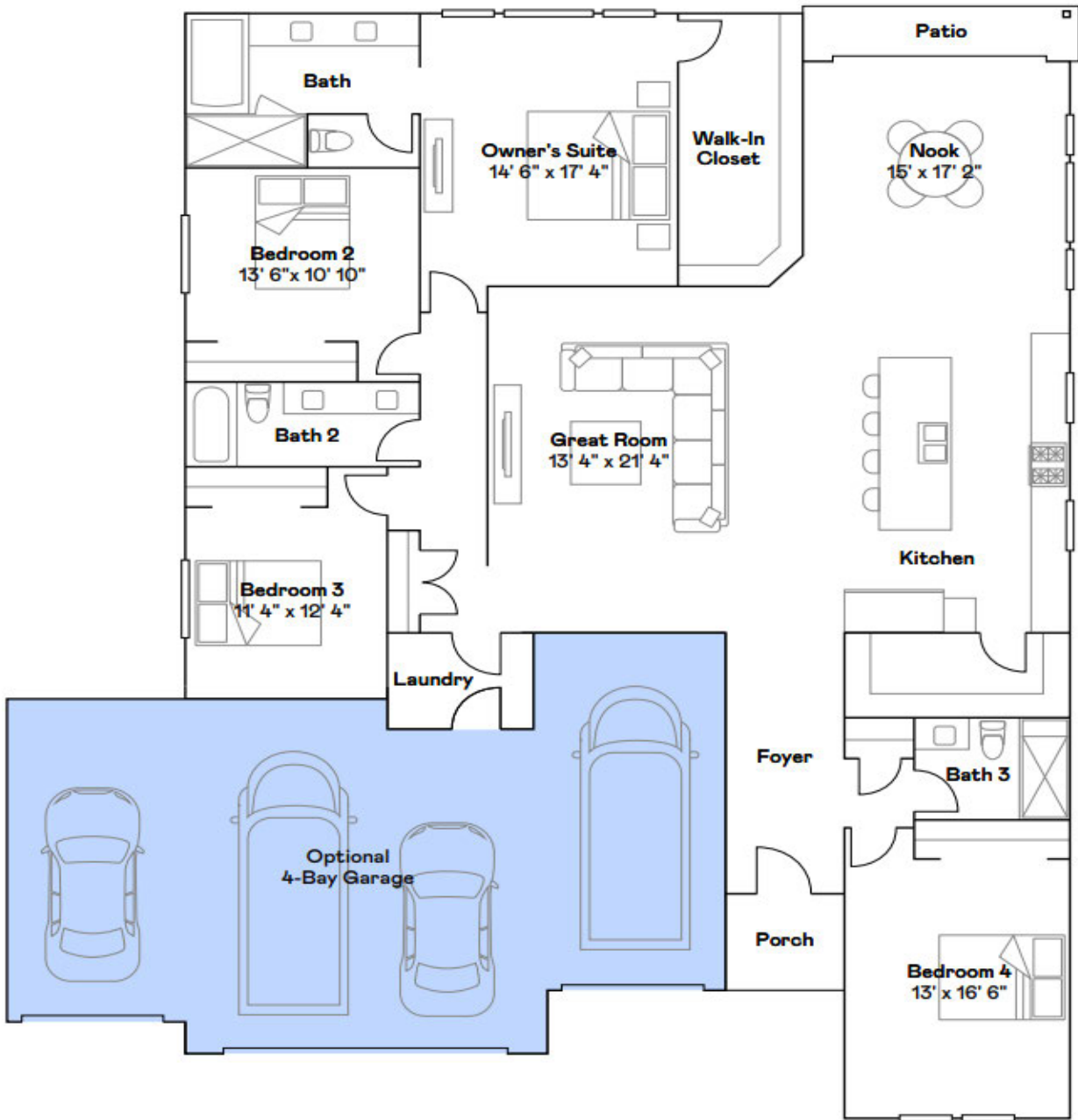


C



SKYE SERIES

BOREALES (5155)



LENNAR

SKYE SERIES

SOLSTICE (5014)

A



B

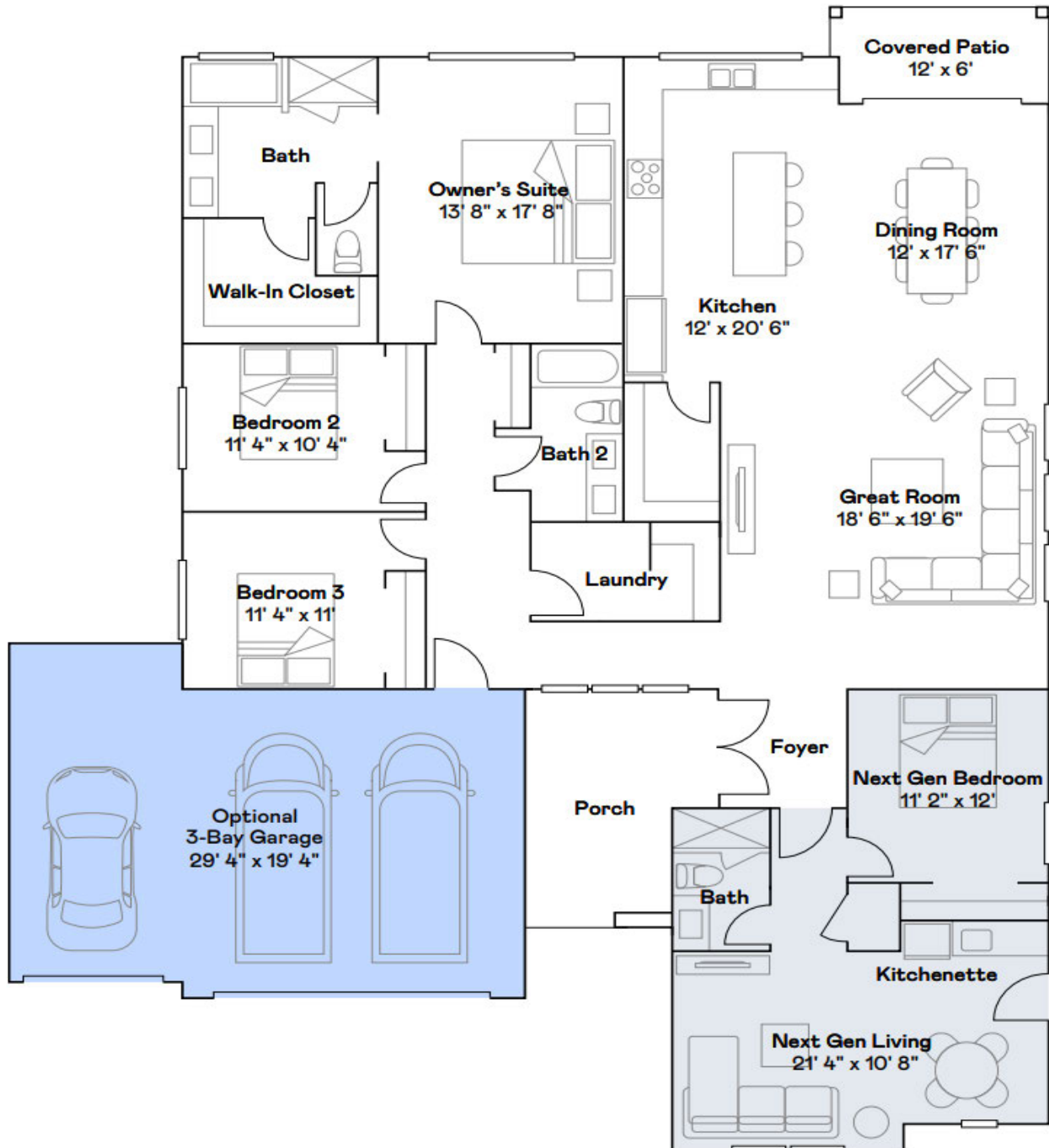


C



SKYE SERIES

SOLSTICE (5014)



LENNAR

EXHIBIT B

FINDINGS OF FACT FOR THE CITY OF SHAFTER 2005 GENERAL PLAN UPDATE AND RELATED ACTIONS ENVIRONMENTAL IMPACT REPORT

1.0 INTRODUCTION

Section 15091 of the Guidelines for the California Environmental Quality Act (CEQA) provides that:

“No public agency shall approve or carry out a project for which an Environmental Impact Report has been completed and which identified one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.”

The Shafter General Plan Environmental Impact Report (State Clearinghouse No. 2004101029) identified significant or potential significant environmental impacts which, prior to mitigation, may occur as the result of the proposed project. Thus, in accordance with the provisions of CEQA Guidelines, findings are enumerated in Section 3.0, below.

1.1 Project Description

The Shafter General Plan study area encompasses all of the City of Shafter, its sphere of influence, and additional lands that the City has determined are integral to the planning of Shafter's future. The total Planning Area covers approximately 46,583 acres. Of this area, approximately 11,401 acres are currently within the City limits. State law permits the inclusion of sphere of influence and other lands within a community's General Plan. However, the Shafter General Plan asserts land use control only over lands actually within the corporate limits of the City. Until such time, if ever, that land currently outside of the City of Shafter is incorporated into the City, the Kern County General Plan will remain the lead land use planning document for unincorporated territories.

The primary goal of the City of Shafter General Plan Update is to provide the residents of the City with a “blueprint” for public and private development. The General Plan will function as Shafter's “Constitution” for development and environmental management, and serve as the foundation upon which City leaders make all land use and new development-related decisions. The proposed General Plan is an attempt to promote a more focused and balanced pattern of growth that accommodates the demand for housing, employment opportunities, and public facilities and services while minimizing the potential adverse impacts that may result from increased urban development. The proposed

project is a comprehensive revision and update of the 1993 Shafter General Plan. The proposed General Plan update encompasses several changes in the existing General Plan. The primary changes set forth in the General Plan Update include:

- Update of existing conditions, with 2002/2003 serving as base year.
- Update of development projections to the year 2030, corresponding to the anticipated build out year of the updated General Plan. These projections include population, employment, residential development, and non-residential development.
- Expansion of the General Plan study area to reflect an expanded sphere of influence and areas of interest.
- Amendment of the General Plan Elements to reflect update of conditions, projections, and land use changes.
- Modifications to the Land Use Element, including:
 - Establishment of building intensities for all land use categories including commercial, industrial, and residential.
 - Creation of a new Land Use Map reflecting expansion of urban development at the periphery of the City's original townsite, proposed expansion of Minter field, and development along the north side of 7th Standard Road, west of State Route 99.
- Amendment of the Circulation Element, including:
 - Creation of a new Circulation Map to better manage local and regional traffic flow, including potential routes for the proposed relocation of State Route 58 and the "West Beltway."
 - Inclusion of a Bicycle Route Map.
- Amendment of the Noise Standards to reflect a 65 dBA standard for residential development.
- Revisions to the Housing Element to reflect current and projected housing needs and provide a detailed program to meet those needs.
- Incorporation of an explicit Statement of Community Vision.
- Modification to General Plan Elements to reflect Shafter's emergence as a major industrial employment center.
- Modifications of General Plan goals, objectives, policies, implementation programs, and other provisions to reflect current conditions and Shafter's vision for its future.

The General Plan addresses immediate and long-term issues including traffic, expansion of the local employment base, provision of public services, and environmental constraints. The goal of the General Plan is to provide a consistent policy guide, which incorporates public health, safety, environmental and "quality of life" considerations.

The DEIR also covers the adoption of two Specific Plans located along the 7th Standard Road Corridor (Coberly West and Mission Lakes), annexation of lands within the southeastern portion of the General Plan Study area, pre-zoning of the proposed annexation area, cancellation of certain Williamson Act contracts within lands proposed to be annexed to the City, and expansion of the North of the River Municipal Water District.

The Coberly West Specific Plan area encompasses approximately 830 acres, 764.8 of which are to be devoted to the development of 3,432 dwelling units. A total of 5,334 residential dwelling units is proposed in the Mission Lakes Specific Plan on 1,347 acres. The City of Shafter proposes to annex approximately 5,000 acres of land in the southeastern portion of the General Plan area. All of the acreage proposed to be annexed is currently within the City's sphere of influence, as adopted by the Kern County Local Agency Formation Commission (LAFCO). Concurrent with adoption of the City's General Plan update, Shafter proposes to pre-zone parcels within the proposed annexation area. Pre-zoning of lands is a prerequisite for LAFCO review and action on the proposed Annexation 77. The entire Annexation 77 area will be pre-zoned consistent with the proposed General Plan land use designations for the area. Two landowners have sent letters to the City of Shafter requesting cancellation of Williamson Act contracts pursuant to Section 51280 et seq. of the Government Code. Both of these applications affect lands within the proposed Annexation 77 area, which will be designated "Specific Plan" by the proposed General Plan and pre-zoning. In addition, the North of the River Municipal Water District is proposing to expand its service area to include the proposed Annexation 77 area.

2.0 BACKGROUND FINDINGS

2.1 Initial Study/Notice of Preparation

To further the basic purposes of CEQA, the environmental review process requires the preparation and public circulation of a Notice of Preparation (NOP) and an Initial Study (IS) in addition to the General Plan Program EIR. An NOP is a brief notice that the Lead Agency (in this case, City of Shafter) plans to prepare an EIR for a project. The purpose of the NOP is to solicit guidance from agencies and individuals as to the scope and content of the environmental information to be included in the EIR. The City of Shafter formally initiated the environmental process with circulation of an NOP, which was sent to responsible agencies and interested individuals for a 30-day review period from October 8 to November 8, 2004. An IS for the proposed General Plan was presented to the public on October 8, 2004, and was circulated with the NOP. If, as here, it is known that an EIR will be prepared, an IS, although not required, is helpful in identifying the likely potential environmental impacts that should be studied in the EIR. The full range of potential environmental effects associated with the implementation of the General Plan, as identified in the IS, is contained in Appendix A to the Final EIR for the Shafter General Plan.

The Initial Study prepared for the proposed Shafter General Plan addressed potential environmental impacts related to the General Plan and found that those indicated below would result in potentially significant impacts that needed to be evaluated in an EIR:

- Aesthetics;
- Air Quality;
- Biology;
- Cultural Resources;
- Flooding Hazards;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Water Resources;
- Land Use and Agriculture;
- Noise;
- Population and Housing;
- Public Services and Utilities;
- Transportation/Traffic; and
- Mineral and Energy Resources.

Based on the IS, it was determined that potential impacts associated with the aforementioned issues required further evaluation in the Program EIR for the proposed General Plan and Related Actions. Additionally, the IS determined that an evaluation of potential cumulative impacts resulting from implementation of the proposed General Plan and related actions be included in the EIR. In compliance with CEQA Guidelines, the City of Shafter has taken steps to optimize opportunities to participate in the environmental process. During the preparation of the Draft EIR, various Federal, State, regional and local government agencies, and other interested parties were contacted to solicit comments on potential environmental impacts and to inform the public of the proposed General Plan. Public meetings were held to solicit public comment on the General Plan and its EIR. Additionally, several individuals and agencies sent written comments in response to the NOP. Those comments are presented in Appendix A to the Draft EIR for the General Plan and Related Actions.

2.2 Draft EIR

A Notice of Completion for the Draft EIR was filed with the State Clearinghouse along with the required number of copies of the document for circulation to various State agencies. Copies of the Draft EIR were also mailed directly to local agencies, groups, and individuals for the required 45-day public review period (April 13 through May 27, 2005).

2.3 Final EIR

For the purposes of CEQA, and the findings herein set forth, the administrative record for the Final EIR Project includes but is not limited to the following documents:

- The Draft Environmental Impact Report for the Shafter General Plan and Technical Appendices (April 2005);
- All comments submitted by agencies or members of the public during the 45-day comment period on the Draft EIR (April 13 through May 27, 2005) and responses to those comments (June 2005);
- Draft General Plan (April 2005) as recommended by the Planning Commission and adopted by the City Council;
- Coberly West Specific Plan (March 2005) as recommended by the Planning Commission and adopted by the City Council;
- Mission Lakes Specific Plan as recommended by the Planning Commission and adopted by the City Council;
- All records related to Annexation 77 and the related proposed Pre-Zoning;
- All records related to cancellation of Williamson Act contracts within the Mission Lakes Specific Plan area;
- All records related to the Expansion of North of the River Municipal Water District;
- All records relating to the study sessions and public hearings of the Planning Commission from October 2004 through May 2005; and

- All records related to the study sessions and public hearings of the City Council from October 2004 through June 2005.

The official custodian of the Final EIR is the Shafter Community Development Department:

City of Shafter City Hall
Community Development Department
336 Pacific Avenue
Shafter, California 93263

2.4 Mitigation Monitoring and Reporting Program

According to CEQA Guidelines Section 15097(a), "...the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The Final EIR for the Shafter General Plan and Related Actions contains mitigations measures to avoid significant environmental effects. The mitigation measures contained in the Final EIR for the Shafter General Plan and Related Actions each require actions not covered in the policies contained in the General Plan. Therefore, the mitigation measures are included in a Mitigation Monitoring and Reporting Program included with the Final EIR. Pursuant to Public Resources Code Section 21081.6, the Shafter City Council hereby adopts the Mitigation Monitoring and Reporting Program for the Shafter General Plan, attached as Exhibit A. In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Plan, the Mitigation Monitoring and Reporting Plan shall control.

2.5 Program EIR

Program EIRs are typically prepared for an agency plan program, or series of actions that can be characterized as one large project, such as a general plan. Tiering refers to the concept of a multilevel approach to preparing environmental documents (CEQA Guidelines, § 15152).

A General Plan EIR, addressing the impacts of citywide policy decisions, can be thought of as a "first tier" document. It evaluates the large-scale impacts on the environment that can be expected to result from the adoption of the General Plan, but does not necessarily address the site-specific impacts that each of the individual development projects that will follow and implement the General Plan may have. CEQA requires each of those subsequent development projects be evaluated for their particular site-specific impacts. These site-specific analyses are typically encompassed in second-tier documents, such as Project EIRs, Focused EIRs, or Negative Declarations on individual development projects subject to the General Plan, which typically evaluate the impacts of a single activity undertaken to implement the overall plan.

According to the CEQA Guidelines, a State or local agency should prepare a "Program" EIR, rather than a "Project" EIR, when the lead agency proposes the following:

- Series of related actions that are linked geographically;

- Logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program; or
- Individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways (CEQA Guidelines, § 15168(a)).

In this case, the Program EIR addresses the General Plan and Related Actions. The Final EIR anticipates a series of actions that will be undertaken over time to implement the proposed General Plan and Related Actions. Further actions or procedures required to allow implementation of the proposed General Plan and Related Actions include the processing of zone changes, specific plans, tentative tract maps, development plans, building permits, and grading permits.

In a Program EIR, CEQA allows the general analysis of broad environmental effects of the program with the acknowledgment that subsequent site-specific environmental review may be required for particular aspects of portions of the program at the time of project implementation. The Program EIR serves a valuable purpose as a first-tier environmental analysis. The Program EIR can be incorporated by reference into subsequently prepared environmental documents to address issues, such as cumulative impacts and growth inducing impacts, allowing the subsequent documents to focus on new or site-specific impacts (CEQA Guidelines, § 151168(d)).

Although the legally required contents of a Program EIR are the same as those of a Project EIR, in practice there are considerable differences in level of detail. Program EIRs are typically more conceptual and abstract. They contain a more general discussion of impacts, alternatives, and mitigation measures. The analysis in the General Plan and Related Actions EIR is not intended to be a substitute for site-specific environmental analysis for future development projects (e.g., determining the level of service for intersections within the City or specific biological impacts for future development projects).¹ The EIR for the Shafter General Plan and Related Actions provides a macro-scale analysis that can be used to focus environmental review for future development projects on site-specific, project-related issues. The parameters by which a lead agency can determine the need for additional environmental documentation are contained in the CEQA Guidelines (§§ 15160 to 15170).

2.6 Growth Inducement

CEQA requires a discussion of the ways in which the proposed General Plan and Related Actions could be growth inducing. CEQA Guidelines Section 15126.2(d) identifies a project as growth inducing if it fosters economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. New employees from commercial and industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Examples of development that would indirectly facilitate growth include the installation of new roadways or the construction or expansion of water delivery/treatment facilities. Section 5.1 of the Draft EIR provides a discussion of growth inducing impacts of the General Plan and Related Actions. Based on the definition of growth inducement, a

¹ Where site-specific information is available that provides insight into cumulative citywide impacts, such information was incorporated into the General Plan EIR. An example of the incorporation of site-specific information is the land use plans for the Coberly West and Mission Lakes Specific Plans.

General Plan is inherently growth inducing, leading to certain significant unavoidable impacts; it is the indirect impacts of the growth that the General Plan will induce that are addressed in the detailed impacts sections of the Final EIR.

2.7 Cumulative Impacts

“Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time” (CEQA Guidelines, § 15355(b)). Section 15130 of the CEQA Guidelines requires that an EIR include a discussion of the potential cumulative impacts of a proposed project. Cumulative impacts are defined as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (CEQA Guidelines, § 15355). “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable or probable future projects” (CEQA Guidelines, § 15355(b)).

Due to the broad project objectives associated with the implementation of the proposed General Plan and Related Actions; the cumulative analysis presented in this Program EIR does not evaluate the site-specific impacts of individual projects. Project-level analysis will be prepared on a project-by-project basis. The proposed General Plan addresses cumulative growth anticipated to occur in Shafter and its General Plan study area resulting from build out of the proposed General Plan in combination with growth throughout Kern County. The cumulative impact analysis is based on the anticipated population growth within Kern County. Population growth is a major factor contributing to direct impacts on habitat, housing, job markets, transportation, and development. Additionally, these direct impacts can cause secondary impacts to biological resources, air quality, density, and the overall quality of life within Shafter. For this reason, using population growth as a measure to determine cumulative impacts is applicable when examining a large-scale policy action such as a General Plan.

2.8 Significant Irreversible Effects

Section 5.3 of the DEIR examined “significant irreversible environmental effects.” Approval and implementation of actions related to the proposed General Plan and Related Actions would result in an irretrievable commitment of nonrenewable resources such as energy supplies and other construction-related materials. The energy resource demands would be used for construction, heating and cooling of buildings, transportation of people and goods, heating and refrigeration, lighting, and other associated energy needs. Environmental changes with implementation of the proposed General Plan and Related Actions would occur as the physical environment is altered through continued commitments of land and construction materials to urban development. There would be an irretrievable commitment of labor, capital, and materials used in construction and a permanent loss of open space. Nonrenewable resources would be committed primarily in the form of fossil fuels and would include fuel, oil, natural gas, and gasoline used by vehicles and equipment associated with implementation of the proposed General Plan and Related Actions. The consumption of other non-renewable or slowly renewable resources would result from the development of the proposed General Plan and Related Actions, including, but not limited to, lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, and water. Because alternative energy sources such as solar, geothermal, or wind energy are not currently in widespread local use, it is unlikely that real savings in nonrenewable energy supplies (e.g., oil and gas) could be realized in the immediate future.

Development within Shafter, as envisioned by the proposed General Plan and Related Actions, would result in the construction of structures, facilities, and/or infrastructure on lands that are currently undeveloped, resulting in their future and permanent commitment to urban uses.

2.9 Consistency with Regional Plans

CEQA Guidelines Section 15125(d) requires that any inconsistencies between a regionally significant project (e.g., General Plan) and regional plans be discussed. Kern Council of Governments (Kern COG) and San Joaquin Valley Air Pollution Control District (SJVAPCD) regional plans cover the proposed General Plan study area. The proposed General Plan is consistent with the SJVAPCD's air quality management plan, as discussed in Section 4.3 of the General Plan EIR.

As shown in Table 4.12.G of the General Plan EIR, build out of the proposed General Plan in 2030 would result in a much larger population and a much larger employment base than KERN COG has projected. The population projections of KERN COG, as shown in Table 4.12.B of the General Plan EIR, show the City growing by approximately 215 persons annually or 1.2 percent through 2030. Between 1990 and 2000, the population of Shafter increased from 8,409 to 12,757, an average of 435 persons per year (5.1% annually), according to the California Department of Finance. The Kern COG data indicate that the area's population is going to grow at a rate that is slower than occurred between 1990 and 2000. Even without the proposed General Plan, however, the projected growth rate for 2003 and 2004 is higher than 215 persons annually as projected by KERN COG. Therefore, projections for 2030 may be exceeded whether or not the proposed General Plan is implemented. The General Plan and EIR both explicitly acknowledge that the General Plan would result in a substantially greater population base than KERN COG projects. Additionally, the KERN COG projections do not cover the newly adopted Shafter Sphere of Influence Area in the southeastern portion of the Planning Area.

One of the objectives of the Shafter General Plan is to create a larger local employment base, thereby providing a balance between local employment and housing opportunities. This balance is sought to reduce the long home-to-work commutes and traffic congestion along major commute routes, such as State Route 99, and resulting air quality impacts. Because KERN COG projections are based on an area smaller than the Shafter General Plan area, the proposed Shafter General Plan provides for considerably more local employment than is reflected in KERN COG projections. Increasing local the employment base in relation to the local population provides greater opportunities for residents to live closer to their places of employment and may lessen future impacts related to air quality and traffic within the region.

3.0 FINDINGS OF THE SHAFTER GENERAL PLAN AND RELATED ACTIONS ENVIRONMENTAL IMPACT REPORT

3.1 Aesthetics and Visual Resources

Potential Impacts. Implementation of the Shafter General Plan and Related Actions will increase development of urban and rural residential uses resulting in the conversion of open space areas and agricultural lands to urban and rural residential land uses, thus changing the visual character of the land within areas designated for urban development on the General Plan's land use map. The existing and future public views will be altered. Expansion of areas developed for urban and rural residential

use may also conflict with the City's existing small town visual character and qualities. In addition, new development within the General Plan study area will introduce new sources of light and glare.

Findings. While the City of Shafter has no officially designated scenic vista or views, the proposed General Plan policies recognize the importance of open space and public views and provide for the protection of land designated for agricultural use and open space. While the proposed General Plan policies address the aesthetic impact of new development, they do not reduce the impacts of converting open space and agricultural lands to urban land uses to a less than significant level and significant unavoidable impacts would remain. The Coberly West and Mission Lakes Specific Plans set forth landscaping plans and design guidelines aimed at ensuring the visual quality of new development. These provisions will not reduce the loss of views of open space and agriculture that will result from the development of the two Specific Plans. It is anticipated that future development within Annexation 77 outside of the Coberly West and Mission Lakes Specific Plans will include provisions for landscaping plans and design guidelines. While such provisions will address the visual quality of the built environment, they will not mitigate loss of views of existing open space and agricultural land.

The General Plan retains a large permanent agricultural buffer around Shafter's central core area, maintaining the small town size and character of that area. In addition, development policies in the proposed General Plan are specifically directed toward maintaining and enhancing the downtown's visual environment and character. With the implementation of the General Plan policies, the visual impacts of new development would be less than significant. Both the proposed Coberly West and Mission Lakes Specific Plans propose large-scale urban development; however, the proposed General Plan preserves a large buffer between these Specific Plan areas and Shafter's core area. Thus, development of these Specific Plan areas will not affect the small town visual character of Shafter's existing core area. It is anticipated that future development within Annexation 77 outside of the Coberly West and Mission Lakes Specific Plans will also encompass large-scale urban development; however, the proposed General Plan preserves a large buffer between the area of Annexation 77 and Shafter's core area. Thus, development within the area of Annexation 77 will not affect the small town visual character of Shafter's existing core area.

The proposed General Plan recognizes the impact of light and glare on sensitive receptors and provides guidance to reduce impacts of light and glare; however, it does not provide development design standards which would ensure that aesthetic impacts related to light and glare would be less than significant. Because these policies do not provide performance standards to address light and glare, Mitigation Measures 4.2.3A, 4.2.3B, 4.2.3C, 4.2.3D, and 4.2.3E were proposed to provide performance standards to reduce the impacts of light and glare. Therefore, the Council hereby directs that these mitigation measures be adopted. Both the proposed Coberly West and Mission Lakes Specific Plans propose large-scale urban development which will create light and glare sources. It is also anticipated that future development within Annexation 77 outside of Coberly West and Mission Lakes Specific Plans will create lightning sources. The performance standards found in the above mitigation measures will be applied to all development within Coberly West and Mission Lakes Specific Plans and within Annexation 77. The Council finds that changes or alterations have been required in or incorporated into the project which mitigate or avoid the significant effects of light and glare on the environment will reduce this impact to a less than significant level.

Facts in Support of Findings. New development can alter surrounding visual qualities through increased densities and intensities and loss of open vistas and views of agricultural activities within portions of the Planning Area. Any new development that may cause the loss of natural resources, agricultural, and open space areas would alter the existing quality and sense of open space that the Planning Area now exhibits as the result of large expanses of agricultural land use. No feasible mitigation measures exist to address the loss of open vistas that will result from conversion of open space and agricultural lands to urban and rural residential uses, other than those that are included in the General Plan. The Council therefore finds that changes or alterations which mitigate or avoid the significant effects on the environment have been required in or incorporated into the project; however, the loss of open space remains significant and unavoidable. The Council further finds that there are no additional feasible mitigation measures or alternatives that the Council could adopt at this time which would reduce this impact of the loss of open space to a less than significant level. To the extent that this adverse impact will not be eliminated or lessened to a less than significant level, the Council finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations support approval of the project as modified, despite unavoidable residual impacts. For additional discussion regarding the project's impacts to open space and aesthetics, see DEIR, Section 4.2.

The General Plan impacts to small town visual character and qualities have been substantially reduced to a less than significant level by virtue of General Plan policies addressing a buffer around Shafter's central core area and policies providing development guidance to the downtown area (Policies 2.3.1-3, 2.3.5, 2.3.9-10, 2.5.1, 2.5.4-5, 2.6.1, 2.8.7, 2.8.10, 2.8.19, 2.9.8, 4.6.6, 4.7.6, 4.7.6-7, and 6.6.7). In addition, all of the development in both the Coberly West and Mission Lakes Specific Plans and the development outside these plans within Annexation 77 is separated from the downtown core by not only agricultural buffers but also by distance so as not to affect the small town visual character. Therefore, the General Plan policies provide guidance to reduce impacts to small town visual character and qualities, particularly with regard to agricultural buffers and compatible new development in the downtown core, including development design standards that would ensure that aesthetic impacts relating to small town visual character and qualities would be less than significant. Specifically, the General Plan states in Policy 6.2.3 that the City will maintain a permanent agricultural/open space buffer around central Shafter, including a broad buffer between central Shafter and lands within the southeastern portion of the Planning Area. In Policy 2.8.20, the City will develop an attractive, but natural-appearing landscape at community entries and along arterials and collector roadways planted with groves of trees, earth tone walls, and drifts of flowering shrub materials.

General Plan Policy 2.7.3 related to mitigation of light and glare impacts was found in the Draft EIR to not provide development design standards that would ensure that aesthetic impacts relating to light and glare would be less than significant. Therefore, Mitigation Measures 4.2.3A through E were proposed to further reduce this impact. These measures provide additional performance standards related to mitigation of light and glare impacts to be incorporated into the proposed General Plan. The mitigation measures required that the City provide the minimum lighting required to ensure safe circulation and visibility; limit street lighting to intersections and other locations that are needed to maintain safe access; limit exterior lighting of buildings to low-profile intensity; and require that lighting in new development be confined to the areas to be lighted with no spillover lighting. The Council hereby directs that these mitigation measures be adopted. The implementation of General

Plan policies and the mitigation measures identified above will reduce this impact to a less than significant level.

For further discussion of the impacts to Aesthetics and Visual Resources, see DEIR Section 4.2 beginning on page 4.2.1.

3.2 Air Quality

Potential Impacts. Air pollutant emissions including fugitive dust and gases which could affect air quality would occur during construction-related activities associated with individual projects permitted by the General Plan and Related Actions. Fugitive dust emissions are generally associated with demolition, land clearing, exposure of soils to the air and wind, and cut and fill grading operations. Dust generated during construction varies substantially on a project-by-project basis, depending on the level of activity, the specific operations, and weather conditions at the time of construction. Because the number, sizes, and locations of individual construction projects that might be undertaken concurrently at any given time following implementation of the General Plan and Related Actions cannot be known, it is not feasible to quantify accurately the proposed daily fugitive dust emissions that will result from the proposed project; however, there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM₁₀ emissions from construction. The SJVAPCD approach to CEQA analyses of construction PM₁₀ impacts is to require implementation of effective and comprehensive control measures rather than to require detailed quantification of emissions. These control measures are generally grouped together under Regulation VIII of the SJVAPCD. Therefore, as determined by the SJVAPCD, compliance with Regulation VIII for all sites and implementation of related control measures (as appropriate, depending on the size and location of the project site) will constitute sufficient mitigation to reduce PM₁₀ impacts to a level considered less than significant. The proposed General Plan provides Policy 6.7.1, which is directly related to mitigation of particulate emissions and, through this policy, all development projects are required to minimize the generation of particulate emissions during construction by implementing appropriate dust abatement actions.

As the result of new development that will occur consistent with the Shafter General Plan, stationary and mobile source air pollutant emissions associated with land uses within the City will occur. Although some of the future pollutant emissions will occur as the result of previously approved development projects, there will also be pollutant emissions occurring as the result of additional development allowed by the General Plan and Related Actions beyond those which currently exist or are approved. The use of electricity by new homes, businesses, institutions, and other uses within the Shafter Planning Area will result in area source emissions from increased demand for electrical energy that will be generated at power plants utilizing fossil fuels. Industrial water heaters, fireplaces, wood heaters, lawn maintenance equipment, and application of paints at individual sites within the Shafter Planning Area will each emit small quantities of air emissions, which, depending upon the number of industrial users and residences, are generally the main stationary pollution sources in Shafter. Based on the latest URBEMIS 2002 model, emission factors for future build out year (2030) were determined. The proposed General Plan and Related Actions would generate ROG and NO_x emissions that would exceed the project level operations threshold established by the SJVAPCD.

Additionally, the rate of increase in VMT and annual growth percentages resulting from the implementation of the proposed General Plan would result in significant impacts. It is anticipated that

the total new vehicular trips and associated VMT of the General Plan and Related Actions would result in criteria pollutant emissions which exceed the daily emissions thresholds established by the SJVAPCD. Implementation of the proposed General Plan policies would reduce long-term increase in air pollutants due to vehicle emissions; however, significant unavoidable impacts would remain.

Findings. During construction of the projects permitted under the General Plan and Related Actions, fugitive dust (PM_{10}) will occur. The proposed daily fugitive dust emissions that will result from the proposed project cannot be quantified; however, the SJVAPCD has determined that compliance with Regulation VIII for all sites and implementation of all other control measures indicated in Tables 4.3.F and 4.3.G (as appropriate, depending on the size and location of the project site) will constitute sufficient mitigation to reduce PM_{10} impacts to a level considered less than significant.

Implementation of the proposed General Plan and Related Actions would generate ROG and NO_x emissions that would exceed the project level operations threshold established by the SJVAOCD. Additionally, the rate of increase in VMT and annual growth percentages resulting from the implementation of the proposed General Plan would result in significant impacts. Implementation of the proposed General Plan policies would reduce impacts associated with the proposed General Plan; however, significant unavoidable impacts would remain.

An analysis has been conducted of the consistency of the proposed Shafter General Plan and Related Actions with the San Joaquin Valley Air Pollution Control Plan (SJVACP) and has concluded that the General Plan and Related Actions would not conflict or obstruct the SJVACP. With the addition of a mitigation measure requiring the City's support of the revised SJVAPCD Plan, implementation of the General Plan and Related Actions would have a less than significant impact on the SJVACP.

Facts in Support of Findings. The proposed General Plan covers the City, its sphere of influence and an area extending beyond these boundaries, encompassing a total of approximately 46,583 acres. The impacts of build out of the General Plan are thus actually a summary of the individual actions and development permits that will be undertaken throughout the Shafter Planning Area, as opposed to an individual project with project-specific construction information occurring in a single location. PM_{10} emitted during construction can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors, making quantification difficult. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM_{10} emissions from construction. The SJVAPCD has determined that compliance with Regulation VIII (as detailed in the DEIR on page 4.3-15) for all sites and implementation of all other control measures indicated in Tables 4.3.F and 4.3.G (as appropriate, depending on the size and location of the project site and as presented on page 4.3-16 of the DEIR) will constitute sufficient mitigation to reduce PM_{10} impacts to a level considered less than significant. As an example, Regulation VIII includes watering before and during grading. The PM_{10} emission generation of a 50 acres of graded area, with a six-month grading cycle and an estimated two-year construction period would result in an average estimate of 184 pounds of PM_{10} per day and a daily peak estimate of 735 pounds of PM_{10} which would double without watering before and during grading. Compliance with these rules would also reduce impacts on nearby sensitive receptors to below a level of significance as all appropriate mitigation would be applied and, under the SJVAPCD,

compliance with these regulations mitigates the impacts to a less than significant level. For additional discussion regarding the short-term construction impacts to air quality, see DEIR, Section 4.3. As discussed in this section, the impacts to air quality during short-term construction, with the control measures included in Regulation VIII, and as determined by the SJVAPCD, would reduce short-term construction impacts to less than significant.

Long-term air emission impacts are those associated with stationary sources and mobile sources involving any growth-related change. The proposed General Plan would result in both stationary and mobile source increases. The stationary source emissions from the various uses would come from the consumption of natural gas. Table 4.3.H in the DEIR shows that build out of the General Plan and Related Actions would produce 2,423 tons/year of ROG and 830 tons/year of NO_x. These emissions would significantly exceed the operational 10 tons/year threshold for ROG and NO_x established by SJVAPCD. An estimate of the increase in vehicle usage within the Shafter Planning Area was undertaken by comparing average daily traffic volumes at General Plan and Related Actions build out, as modeled, with the existing average daily traffic volumes contained in the Kern COG model. Based on a comparison of future traffic volumes, it is estimated that existing land uses account for 27.5 percent of the emissions in Table 4.3.H, and that future land uses will account for 72.5 percent of total emissions, exceeding SVACPD thresholds for ROG and NO_x (the only two criteria air pollutants with operational thresholds). Thus, air quality impacts of the proposed General Plan are considered to be significant. The proposed General Plan provides policies to reduce the effects of vehicle emissions in General Plan Policies 6.7.1-7, 6.8.6, 2.3.1-4, 2.5.7, 2.8.11, 2.8.14d, 3.2.1, 3.2.7-9., 3.3.3-4, 3.4.1-4, 3.3.6-13, 3.5.2-7, and 3.6.1-3. Implementation of the policies provided in the proposed General Plan will reduce the projected long-term increase in mobile air pollutants; however, significant impacts would remain. The proposed General Plan does not contain policies which would reduce stationary air quality impacts caused by residential uses or other possible stationary sources. Therefore, Mitigation Measures 4.3.4.3A-E were proposed to reduce this impact. In addition, general approaches from SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts*, January 10, 2002, Sections 6.5.2 and 6.5.3 were recommended. However, even with implementation of the best available mitigation measures, stationary and vehicular emissions would remain significant and unavoidable.

The Council further finds that there are no additional feasible mitigation measures or feasible alternatives that the Council could adopt at this time which would reduce this impact to a less than significant level. To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Council finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations support approval of the Project as modified, despite unavoidable residual impacts. For additional discussion regarding the project's impacts to air quality resulting from stationary sources and increased vehicular emissions, see DEIR, Section 4.3.

3.3 Biological Resources

Potential Impacts. Future development consistent with the Shafter General Plan will result in the alteration of existing biological habitats and, in some portions of the study area, the loss of some natural habitat areas. As a result, there could be a decrease in biological diversity, including loss of species identified as a candidate, sensitive, or special status species, as well as riparian, wetland or other sensitive natural communities. Implementation of the proposed General Plan could also

constrict, inhibit, or eliminate wildlife movement within portions of the Planning Area. Implementation of the General Plan and Related Actions could affect existing and proposed Habitat Conservation Plans. Implementation of the General Plan would not result in the direct loss of oak trees as oak trees are not found in the Planning Area.

Findings. Implementation of the proposed General Plan and Related Actions will expand urban and rural development into lands that are currently natural or in agricultural production. Listed species known to occur within the Planning Area could be impacted by the development into rural and agricultural areas. Currently, biological impacts and applicable mitigation measures are determined on a project-by-project basis in consultation with natural resource agencies. General Plan policies focus on avoidance or minimization of impacts to biological resources and habitats. Additionally, the policies ensure that when biological surveys are undertaken, established USFWS and CDFG protocols, specific to the species in question, are followed. To further reduce the impacts to biological resources, additional mitigation measures are proposed. With the implementation of the General Plan policies and compliance with the mitigation measures and applicable State and Federal laws, impacts related to the loss of candidate or listed species would be less than significant.

According to the DEIR on page 4.4-15, implementation of the proposed General Plan may result in the direct loss of sensitive habitat. The potential for such impacts to be significant would depend upon various factors including, but not limited to, site conditions at the time of project evaluation, the extent of the area potentially affected, quality of the habitat being affected, and the value of the affected habitat at local and regional scales. The General Plan policies focus on avoidance, preservation, and minimization of impacts to biological resources and habitats. Additionally, the policies ensure that when biological surveys are undertaken, established protocols, specific to the species in question, are observed. However, the policies do not specify parameters for compensating for the loss of habitats when avoidance or minimization of impacts is considered to be infeasible. Therefore, the policies do not fully mitigate for the loss of sensitive habitat. In conjunction with the proposed General Plan policies, additional mitigation measures are recommended which when combined with the implementation of the General Plan policies reduce the impacts related to the loss of plant and wildlife habitat to a less than significant level.

There are no natural corridors in which wildlife can move freely through the Planning Area, although common and listed wildlife is known to utilize and move through agricultural lands and cross highways within the Planning Area. Within the eastern half of the Planning Area, east-west wildlife movement is restricted by the BNSF rail line, Calloway and Friant-Kern Canals, UP rail line, and State Route 99. The substantial development planned north of 7th Standard Road within the Shafter Planning Area and also south of 7th Standard Road within the Metropolitan Bakersfield General Plan will further restrict wildlife movement. However, broad areas will remain in open space and agricultural use to the west of Shafter's core area, providing for regional wildlife movement. Because there are no natural corridors in which wildlife can freely move through the Planning Area, there are no specific policies regarding natural corridors. Also, because sensitive wildlife is known to move through agricultural lands and cross highways within the Planning Area and the proposed Land Use Program proposes a permanent agricultural/open space buffer around central Shafter, the proposed policies will reduce impacts to a less than significant level.

The Shafter Planning Area covers the portion of the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) located north of 7th Standard Road. The portion of the MBHCP within the Planning Area is generally in existing agricultural use and will be converted to urban use under the Coberly West and Mission Lakes Specific Plans. This future urban area is not designated as an area to be preserved within the MBHCP. The City of Shafter is not a signatory to the MBHCP and, therefore, is not technically bound by the MBHCP. Implementation of the proposed project could, however, impact the MBHCP. Development in the Planning Area does not affect the ability of the Kern Water Bank Authority to sell mitigation credits for its conservation bank. The Valley Floor Habitat Conservation Plan (VFHCP) is in the planning process and the City would participate in the VFHCP when it is adopted. The General Plan policies are directed toward establishing a comprehensive system of open space and thereby creating areas for habitat conservation. However, the policies do not address existing Conservation Plans within the City's Planning Area. Therefore, a mitigation measure covering existing Conservation Plans is recommended. With the implementation of the proposed General Plan policies and the mitigation measure, the General Plan will have a less than significant impact on Conservation Plans.

Facts in Support of Findings. According to the DEIR on page 4.4-13, build out of the proposed General Plan will result in the conversion of approximately 35 percent (14,024 acres of development) of the existing open space and agricultural land within the Shafter Planning Area to urban and rural use. Five species which are listed, proposed, or candidates for listing under the California and/or the Federal Endangered Species Act were identified as having a moderate to high likelihood of being present within the Planning Area. Because each potential habitat type identified within the Planning Area would be impacted to some degree by implementation of the proposed General Plan, its implementation could result in the direct mortality of listed, proposed, or candidate species or loss of habitat occupied by such species. Currently, undisturbed habitat remains due to habitat loss as a result of agricultural operations and petroleum production uses. The Environmental Management Program of the proposed General Plan includes Policies 6.4.1-4, which address effects of prospective development on biological resources. These General Plan policies will directly or indirectly address the listed, proposed, or candidate species or the loss of habitat occupied by such species. Additionally Mitigation Measures 4.4.4.1A and B are recommended to further reduce impacts to sensitive species and their habitats. The Council hereby directs that these mitigation measures be adopted. The implementation of General Plan policies and the mitigation measures identified above will reduce this impact to a less than significant level.

Development permitted under the proposed General Plan and Related Actions may result in the direct loss of sensitive habitat. Determining if the impact to sensitive habitat is significant at the current level of planning would require site-specific surveys and analysis that would normally be undertaken as part of the subsequent evaluation of such specific development projects as would be proposed to implement the General Plan. In the absence of such on-site analysis, impacts of the proposed project are considered to be significant, subject to the implementation of any measures contained in the General Plan, Coberly West Specific Plan, and Mission Lakes Specific Plan that would require avoidance or provide mitigation of impacts. The Rio Bravo North Oil Field is designated as resource management zone in the Proposed General Plan Land Use. The salt scrub habitat may be impacted by construction of new facilities in the oilfield, but the land would most likely remain undisturbed as it has been in the past. Policies 6.4.1-4 related to loss of habitat are located in the Environmental Management Program of the proposed General Plan and ensure that when biological surveys are

undertaken, established protocols, specific to the species in question, are observed. However, the policies do not specify parameters for compensating for the loss of habitats when avoidance or minimization of impacts is considered to be infeasible. Therefore, the policies do not fully mitigate for the loss of sensitive habitat. In conjunction with the proposed General Plan policies, an additional mitigation measure, 4.4.4.2.A, is recommended which establishes baseline ratios for the loss of habitat. The Council hereby directs that this mitigation measure be adopted. The implementation of General Plan policies and the mitigation measure identified above will reduce this impact to a less than significant level.

As stated in the DEIR on page 4.4-16, certain species, including many plants and birds, are able to pass over, around, or through urban barriers, and may be somewhat less restricted by habitat fragmentation. Other species, such as deer, small mammals, and larger carnivores are more restricted by urban barriers, and require corridors of usable habitat between habitat patches in order to thrive. There are no natural corridors which wildlife can use to move freely through the Planning Area, although common and listed wildlife is known to utilize and move through agricultural lands and cross highways within the Planning Area. Wildlife known to traverse agricultural lands includes the burrowing owl (*Athene cunicularia hypugea*), San Joaquin kit fox (*Vulpes macrotis*), badger (*Taxidea taxus*), and spadefoot toad (*Spea hammondi*). As land use development proceeds under the proposed General Plan, wildlife movement would be increasingly inhibited and funneled through the remaining agricultural and open space lands. As proposed, there is a band of agricultural land that will be preserved around the City of Shafter which will allow for wildlife movement. Within the area east of State Route 43, wildlife movement would be restricted south and east of Shafter's core area. However, broad areas will remain in open space and agricultural use to the west of Shafter's core area, providing for regional wildlife movement. General Plan Policies 6.2.3 and 6.4.1-4 indirectly address impacts to wildlife movement. Because there are no natural corridors in which wildlife can freely move through the Planning Area, there are no specific policies regarding natural corridors. Also, because sensitive wildlife is known to move through agricultural lands and cross highways within the Planning Area and the proposed Land Use Program proposes a permanent agricultural/open space buffer around central Shafter, the proposed policies will reduce impacts to a less than significant level.

Based on a review of available documents (MBHCP, August 29, 1994), lands that are now within the Shafter Planning Area were never contemplated as preserve lands, but were identified as available for continued agricultural use or for development and subject to the payment of mitigation fees. There are two permittees under the MBHCP, the City of Bakersfield and Kern County. Since the City of Shafter is not a permittee under the MBHCP, Shafter could not collect the required mitigation fees under the MBHCP. As developers' needs to compensate for the loss of certain species and their habitats increase with the implementation of the General Plan and Related Actions, the ability of the Kern Water Bank Authority to sell mitigation credits may increase. The DEIR policies related to preservation of open space areas are 6.2.1 and 6.2.3-4. The policies are directed toward establishing a comprehensive system of open space and thereby creating areas for habitat conservation. As there is no existing approved Countywide Conservation Plan, the City has shown through policies its willingness to participate in such plans, should they be created. However, the policies do not address existing Conservation Plans within the City's Planning Area. Therefore, a mitigation measure, 4.4.4.4.A, covering existing Conservation Plans is recommended. Under this mitigation, if an agreement is reached with the City of Bakersfield and Kern County, the City would collect fees and pass them on to the appropriate agency for the Planning Area within the MBHCP. If no agreement is

reached, then the area within the MBHCP would follow the City's adopted habitat preservation replacement ratio of 1:1. With this mitigation measure, compensation would be made for the loss of biological species and habitats. The Council hereby directs that this mitigation measure be adopted. The implementation of General Plan policies and the mitigation measure identified above will reduce this impact to a less than significant level.

Further discussion of impacts to Biological Resources is located in the DEIR beginning on page 4.4-1.

3.4 Cultural Resources

Potential Impacts. As determined in the DEIR on page 4.5-9, build out on vacant or open areas permitted by the General Plan and Related Actions would require disturbance of vacant lands and open lands and could cause the destruction or loss of significant paleontological resources, disturbance to buried human remains, buried archaeological resources, and the possible conversion of existing structures to new uses (e.g., historic homes into office space). Development allowed by implementation of the proposed General Plan could cause the destruction of or loss of an historical resource, as defined in CEQA Guidelines, Section 15064.5.

Findings. The proposed General Plan would allow development of structures within areas that contain high sensitivity for paleontological resources and this includes the area within Annexation 77 and Pre-Zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties within the proposed Williamson Act contract cancellations. Although no reports of fossils from within Planning Area were identified during a records search conducted through the LACM and the University of California, Berkeley (see Appendix A of the Paleontological Resources Technical Study), significant vertebrate fossils have been found in the same sediments outside of the Planning Area and are, therefore, likely to occur within the Planning Area when exposed by excavation. The proposed General Plan includes Policy 6.6.3 that requires, as a standard condition of development, that if paleontological resources are encountered during site grading that grading is to be halted until a qualified paleontologist evaluates and records the find. This policy applies to development within the Planning Area which includes the Annexation 77 and Pre-Zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties in the Williamson Act contract cancellations. With adherence to the proposed General Plan policies, impacts to paleontological resources would be reduced to a less than significant level.

While only two prehistoric resources have been discovered within the Planning Area, less than one-fifth of the Planning Area has been surveyed for cultural resources (LSA Associates, Inc. 2005). Due to the small percentage of the Planning Area which has been surveyed for prehistoric resources, pending a cultural resources survey of the balance, the majority of the Planning Area should be considered sensitive for the presence of prehistoric resources. The proposed General Plan includes policies which require developments to analyze archaeological resources in accordance to CEQA guidelines. However, the policies do not determine what should be done should human remains be encountered and Mitigation Measure 4.5.4.2A was recommended to cover that situation. Mitigation Measure 4.5.4.2A requires that if human remains are found, no further disturbance shall occur until the Kern County Coroner has been notified and has made a determination of origin and disposition of the human remains. If the coroner determines that the burial is not historic, but prehistoric, the Native

American Heritage Commission must be contacted to determine the most likely descendant for the area. This process establishes a procedure to handle human remains and document any historic significance. With the proposed General Plan policies and mitigation measure, impacts to archaeological resources and disturbance to buried human remains would be less than significant.

Implementation of the proposed General Plan may disturb or destroy existing historic structures and resources through the construction of new residential, commercial, institutional or industrial buildings, and/or new infrastructure such as roadways and utilities. Research conducted as part of the Cultural Resource Assessment (LSA Associates, Inc. 2005) indicates more than 100 residences and other buildings were constructed prior to 1954 within the Planning Area (USGS 1953, 1954). The City of Shafter has had a long-term interest in historical preservation and is committed to historical preservation as evidenced by the inclusion of historical preservation policies in the proposed General Plan which reduce the impacts of implementation of the General Plan and Related Actions to less than significant.

Facts in Support of Findings. Significant paleontological resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon, diagnostically or stratigraphically important, and those that add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally. Two fossil mammoths have been located in Pleistocene sediments similar to those within the Planning Area at six feet of depth. The concept of reducing impacts to levels below significant involves removal of nonrenewable paleontological resources from the field of excavation as they are exposed and, if possible, prior to damage by excavation. Although not all fossils present will be recovered by the program of excavation monitoring and salvage, it is important to recover a significant fossil assemblage that would not have been recovered if the monitoring and recovery program had not been in place. The proposed General Plan Policies 6.6.1-3 require new development to provide a paleontological monitoring and recovery program thus reducing the impacts of implementation of the General Plan and Related Actions to a less than significant level.

As determined in the DEIR on page 4.5-11, the two recorded isolated prehistoric artifacts mentioned above are not considered representative samples of prehistoric resources. Given the amount of undisturbed land or agricultural land that remains available for development, there remains the possibility that cultural resources may be disturbed through grading activities. General Plan Policies 6.6.1-3 provide guidance regarding archaeological resources and, as a standard condition of development, indicate that if archaeological resources are encountered during site grading, that grading is to be halted until a qualified archaeologist evaluates and records the find. In accordance with State law regarding the discovery of human remains, Mitigation Measure 4.5.4.2A is recommended. The Council hereby directs that this mitigation measure be adopted. The implementation of General Plan policies and the mitigation measure identified above will reduce this impact to a less than significant level.

While many of the historic buildings and structures identified from research have likely been removed, some remaining historical structures may still exist within the Planning Area. The proposed General Plan provides policies which protect historic resources in Policies 6.6.4-7. Implementation of the proposed General Plan policies will require evaluation of new development in relationship to existing historical structures as well as the identification and preservation of existing significant historical structures with various alternatives to demolition of these structures considered, including

adaptive reuse of historic buildings for contemporary uses. With new development required to adhere to these policies and the focus on preservation of existing historical structures, future development in the Planning Area, the City, the Annexation 77 and Pre-Zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the area in the Williamson Act contract cancellations will have a less than significant impact on historical structures or resources.

For additional discussion regarding the project's impact to cultural and paleontological resources, see DEIR, Section 4.5.

3.5 Geology and Soils

Potential Impacts. The City of Shafter has and will continue to be subject to ground shaking resulting from activity on local and regional faults. As stated in the DEIR page 4.6-12, future development permitted by the proposed General Plan may increase the potential for property loss, injury, or death resulting from this ground shaking hazard. Soils susceptible to subsidence may be affected by a variety of natural or human activities, including earthquakes and the withdrawal of subsurface fluids. Future proposed General Plan development within the City would increase the potential for the placement of structures and facilities in areas susceptible to subsidence. Areas exposed during development activities would be prone to erosion and/or the loss of topsoil. Future development within the Planning Area would increase potential placement of residential and non-residential structures within areas susceptible to damage resulting from collapsible and expansive soils. Impacts to these issues are potentially significant with the implementation of the General Plan and Related Actions.

Although the Planning Area is located within a seismically active region of the State, it does not contain any active faults. Some older, inactive faults run through the western and southwestern portions of the Planning Area; however, because these faults are inactive (they have not moved within the last 3 million years), they are not considered a source of potential hazard for rupturing. Future development permitted by the General Plan will not result in the exposure of people or structures to fault rupture hazards. Likewise, development permitted within the Annexation 77 and Pre-Zoning Area—which includes the Coberly West and Mission Lakes Specific Plans and the Williamson Act contract cancellation properties—will not result in the exposure of people or structures to fault rupture hazards as no known active faults are located within the boundaries of the Annexation Area 77. Therefore, impacts associated with the rupture of a known earthquake fault in the Planning Area, which includes the Annexation Area, are less than significant.

Liquefaction is a destructive secondary effect of strong seismic shaking, which occurs primarily in saturated, loose, fine-to-medium-grained soils in areas where the groundwater table is within 50 feet of the surface. Shaking suddenly increases pore water pressure, causing the soils to lose strength and behave as a liquid. Liquefaction-related effects include loss of bearing strength, ground oscillations, lateral spreading, and flow failures or slumping. Although soil conditions exist that might be conducive to liquefaction, groundwater is deep enough that liquefaction potential does not occur in the Planning Area, which includes the Annexation 77 and Pre-Zoning Area of which Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties considered for Williamson Act cancellation are a part. Therefore, impacts associated with this issue are less than significant.

Landslides and slope stability are a relatively minor hazard within the Planning Area, which includes the Annexation 77 and Pre-Zoning Area boundaries of which Coberly West and Mission Lakes Specific Plans and the proposed Williamson Act contract cancellation properties are a part. The slope hazards are minor since there are only minor changes in topography and no steep slopes. Future proposed General Plan development within the Planning Area would not increase the potential for the placement of structures and facilities in areas susceptible to slope failure. Therefore, impacts associated with this issue are less than significant.

Findings. As stated in the DEIR on page 4.6-12, the Shafter General Plan Area will be subject to moderate to severe ground shaking associated with earthquakes on the nearby regional fault system throughout the study area. This ground shaking can be expected to result in substantial damage to individual buildings within Shafter, even though earthquake epicenters may be located outside of the study area. The City of Shafter has identified minimizing the risk of property damage and personal injury resulting from seismic and geologic hazards as one of its guiding policies in the Environmental Hazards Program of the proposed General Plan. With the implementation of the proposed General Plan policies, the impacts related to ground shaking will be reduced to less than significant.

Due to the thick sedimentary deposits, the Planning Area—which includes the Annexation 77 and Pre-Zoning Area where Coberly West and Mission Lakes Specific Plans plus the properties under consideration for removal from Williamson Act contract—is susceptible to ground subsidence. Additionally, the area is susceptible to subsidence due to the pumping out of water and oil. The Environmental Hazards Program of the proposed General Plan includes Policies 7.2.1 through 7.2.8 to reduce the potential impacts associated with development in areas where soils susceptible to subsidence are present to a less than significant level.

Soil erosion and loss of topsoil can be associated with groundbreaking excavation activities, such as grading or cut and fill for new development and plowing of agricultural fields. An increase in population anticipated by the City's proposed General Plan would cause an increase in residential and non-residential structures, and allow new and continued agricultural activities resulting in alteration to and loss of existing topsoil. Proposed General Plan Policy 7.2.4 covers the strength, expansion, and settlement of soil; however, it does not specifically address soil erosion or topsoil. Additional mitigation measures covering soil erosion are recommended. With implementation of the proposed General Plan policy, the California Building Code, and the mitigation measures, the impacts from soil erosion will be reduced to a less than significant level in the General Plan Planning Area which includes Annexation 77 and Pre-Zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties covered by the proposed Williamson Act contract cancellations.

Implementation of the proposed General Plan may result in the construction and occupation of structures within areas underlain by expansive soils. Expansive soil conditions (as defined in Table 18-1-B of the UBC, 1994), if not properly mitigated by site preparation and/or foundation design, can cause substantial damage to structures and other improvements over time. Most of the Planning Area is made up of soils that have a low shrink-swell potential, with the exception of an area in the western portion of the Planning Area. Build out of proposed General Plan will increase the number of persons, residential units, and non-residential development that would occur on these soils; therefore, policies are identified in the General Plan to ensure that potentially significant impacts associated with future development within the Planning Area remain less than significant.

Facts in Support of Findings. The City of Shafter Planning Area—which encompasses the Annexation 77 and Pre-Zoning Area along with the Coberly West Specific Plan, Mission Lakes Specific Plan, and proposed Williamson Act contract cancellation properties—is located in Seismic Zone Classification 4, an area that is subject to moderate to severe ground shaking as a result of its proximity to several active faults and the alluvial soils that underlie the Planning Area. Development within the Planning Area must conform to design and construction requirements set forth in the Uniform Building Code (UBC) for development within Seismic Zone 4 and City or State seismic safety requirements. The General Plan includes Policies 7.2.1 through 7.2.8 which reduce or minimize the effects associated with ground shaking and on residences and habitable structures. The policies minimize the effects of ground shaking by requiring all new development to comply with the most recent Uniform Building Code's seismic design standards, encouraging retrofitting of high-occupancy structures to meet existing code requirements, and requiring geologic and soils reports with appropriate project development standards for all development. The General Plan policies listed above ensure that new developments adhere to the UBC, ensure that the proper studies take place prior to development, and encourage safeguards from fault hazards. With the implementation of the proposed General Plan policies, the impacts related to ground shaking will be reduced to less than significant.

The Planning Area is located in the San Joaquin Valley where water users have been pumping large amounts of groundwater for irrigation at much greater rates than the water is replaced by rainfall and percolation according to the DEIR on page 4.6-14. With the construction of irrigation canals for farming use and the creation of the water spreading grounds to replenish the aquifer, the rate of subsidence appears to have slowed. The San Joaquin Valley is also a large producer of oil and the Planning Area contains an oilfield. Although most of the oilfields extract oil from fields too deep to cause subsidence, pumping out oil from shallow reservoirs can also cause subsidence. Proposed General Plan Policies 7.2.1 through 7.2.8 provide requirements to identify, evaluate, and mitigate potential impacts associated with ground subsidence within the Planning Area, which includes Annexation 77 and Pre-Zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties under consideration for Williamson Act contract cancellation. Therefore, implementation of the aforementioned policies would reduce significant adverse impacts resulting from this issue to a less than significant level.

As stated in the DEIR on page 4.6-15, an increase in population anticipated by the City's proposed General Plan would cause an increase in residential and non-residential structures, and allow new and continued agricultural activities resulting in alteration to and loss of existing topsoil. In addition, exposure of underlying soils during landform modifications substantially increases the potential for soil erosion. The General Plan includes Policy 7.2.4 which covers the strength, expansion, and settlement of soil; however, it does not specifically address soil erosion or topsoil. Additional mitigation measures are necessary with regard to soil erosion and are recommended and provided in Mitigation Measures 4.6.4.3.A and B. These mitigation measures provide that new development follow erosion and sedimentation control measures to maintain the capacity of area storm drains, reduce erosion and the loss of topsoil, and protect water quality. The control measures used to minimize erosion and sedimentation are the BMPs. The Council hereby directs that these mitigation measures be adopted. The implementation of these mitigation measures and the General Plan policy will reduce impacts to a less than significant level. The Council therefore finds that changes or

alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant effects on the environment.

Expansive soils are those soils with a significant amount of clay particles that have the ability to give up water (shrink) or take on water (swell). When these soils shrink or swell, the change in volume exerts significant pressures on loads (such as buildings) that are placed on them. Implementation of the proposed General Plan may result in the construction and occupation of structures within areas underlain by expansive soils. The proposed General Plan requires, in Policy 7.2.4, soil reports within areas suspected of having problems with collapsible and expansive soil conditions. The findings of these reports will be incorporated into the project development standards to ensure that structures designed for human occupancy will not be in danger of collapse or significant structural damage. In addition to the requirement for a soil report, project development requirements of the UBC will be enforced as stated in General Plan Policy 7.2.1. With implementation of the proposed General Plan policies, the impacts related to collapsible and expansive soils will be reduced to a less than significant level.

Additional information on geology and soils is located in the DEIR beginning on page 4.6-1.

3.6 Hazardous and Hazardous Materials

Potential Impacts. As was analyzed in the DEIR for the General Plan on page 4.7-11, implementation of the proposed General Plan may result in uncovering previously unknown hazardous materials contaminated from historical use of property and exposure of persons to agricultural chemicals. As new commercial and industrial uses locate within Shafter and as new residential uses are constructed pursuant to the General Plan, the potential for storage, use, generation, and transportation of hazardous materials will increase, with associated increases in health and safety hazards. Build out of the proposed General Plan may also impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. In addition, implementation of the proposed General Plan may be incompatible with the Shafter/Minter Field Airport Safety Zones and thereby expose persons to unsafe conditions.

Findings. Many properties in the Planning Area were developed prior to the existing hazardous materials standards. As these properties are redeveloped, there is the likelihood that hazardous materials such as asbestos-containing materials and/or lead-based paint could be encountered, particularly in buildings constructed prior to 1978. The improper handling and disposal of asbestos and/or lead-based paint associated with demolition could pose a potential health risk to people, as stated in the DEIR on page 4.7-12. There are many vacant parcels within the Planning Area which could be sites of earlier development or unknown dumping of potentially hazardous materials. Many acres in the Planning Area which are designated for development in the General Plan—including Annexation 77 and Pre-zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties proposed for Williamson Act contract cancellations—are currently or were previously used for agriculture and, as a result, have the potential to contain concentrations of agricultural chemicals due to long-term application of pesticides. These agricultural chemicals may contaminate the soils; however, it is unlikely that any such contamination or disturbance would be extensive beyond the capabilities of typical remediation measures which are covered in the Kern County and Incorporated Cities Hazardous Waste Management Plan or the City's Source Reduction and

Recycling Element. The potential risks to human health due to urban development near agricultural uses have been reduced by the requirement for buffers between the uses in the General Plan policies. In addition, mitigation measures have been identified to reduce potential impacts to a less than significant level.

As stated in the DEIR on page 4.1-14, generally, the largest users and generators of hazardous wastes are industrial businesses. Also, industrial uses are commonly the largest transporters of hazardous materials. Therefore, the greatest risk of exposure to hazardous materials, wastes, or emissions is in the industrial areas and the areas immediately adjacent to them. The proposed land uses in the General Plan generally separate the industrial uses from the sensitive land uses, such as residences and schools, with a street, railroad tracks, or intervening land use. The sensitive land uses (residential and schools) within Annexation 77 and Pre-zoning Area, Coberly West Specific Plan, and Mission Lakes Specific Plan are separated from proposed industrial uses by intervening land uses and/or streets. These buffers lessen the risks of exposure to hazardous materials by increasing the distance from the possible sources. Recognizing the importance of protecting public safety relating to the handling and exposure of the community to hazardous materials, the proposed General Plan policies address this issue through monitoring compliance with local, State, and Federal regulations. The policies also seek a reduction in hazardous materials users and generators through the encouragement and assistance in the reduction of hazardous waste from businesses and homes in the City. With the implementation of the proposed General Plan policies, the impacts to the community of new hazardous users would be reduced to less than significant levels.

The new residential and non-residential structures which would be constructed with the implementation of the General Plan—which includes Annexation 77 and Pre-zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties within in the proposed Williamson Act contract cancellation area—are not currently included in adopted emergency response plans. The increase in population and resulting potential traffic congestion could cause emergency response delays. As stated in the DEIR on page 4.7-17, as the new structures and roadways are constructed in the area covered by Kern County, the County emergency plans would be updated to reflect the new developments. Adopted emergency response plans and emergency evacuation procedures within the Shafter City limits are also regularly updated to reflect new and existing development. The proposed General Plan policies ensure that emergency preparedness programs are maintained and properly coordinated throughout the Planning Area. With the implementation of these policies, the impact of new development on emergency plans would be less than significant.

As stated in the DEIR on page 4.7-19, the Shafter Airport/Minter Field Master Plan Update provides compatibility zones for the one-mile radius around the airfield. Uses within the various zones are limited by the Airport Plan to developments compatible with airport operations. The Shafter General Plan proposes industrial, commercial, or agricultural land uses within these compatibility zones, which are land uses compatible with the Airport Master Plan. The proposed General Plan policies ensure that airport compatibility is managed to ensure the safety of both the airport and surrounding area. With the implementation of the General Plan land uses and these policies, the impact of development on airport safety would be less than significant in the Planning Area, which includes the Annexation and Pre-zoning Area, Coberly West and Mission Lakes Specific Plans, and the properties within the proposed Williamson Act contract cancellations.

Facts in Support of Findings. General Plan Policies 2.4.2, 2.4.5, 2.4.6, 2.4.10, 7.5.1, and 7.5.13 cover the monitoring of hazardous materials in existing development which would assist in the discovery of hazardous materials should redevelopment or new developments occur. In addition, should contamination be found or disturbed, existing Federal, State, and local regulations and procedures would require the delineation and remediation of sites containing hazardous substances to the satisfaction of the designated local enforcement agency. Moreover, it is unlikely that any such contamination or disturbance would be extensive beyond the capabilities of typical remediation measures which are covered in the Kern County and Incorporated Cities Hazardous Waste Management Plan or the City's Source Reduction and Recycling Element. The reason that extensive contamination is unlikely is because agriculture is generally the existing and former use of the areas to be developed under the General Plan and agriculturally induced contamination responds to typical remediation measures. In addition, Mitigation Measures 4.7.4.1A through C will further reduce the impacts of potential hazardous materials associated with development. In these mitigation measures, all new discretionary projects are subject to site assessments for hazardous materials as required by the County Department of Environmental Services; soils will be tested for concentrations of agricultural chemicals and treated according to local, State and Federal standards; and fugitive dust will be controlled as set forth by the SJVAPCP. These measures further ensure that potential hazardous materials contamination is identified and remediated before it creates a health risk. The Council hereby directs that these mitigation measures be adopted. The implementation of General Plan policies and the mitigation measures identified above will reduce this impact to a less than significant level.

Hazardous materials are commonly used by all segments of society including manufacturing and service industries, commercial enterprises, agriculture, military bases, hospitals, schools, and households. If improperly handled, stored, or disposed of, these materials can have substantial health and environmental consequences. While the risk of exposure to hazardous materials cannot be eliminated, adherence to General Plan Policies 7.5.2 through 7.5.13 plus compliance with regulations, standards, and guidelines relating to storage, use, and disposal of hazardous materials established by the Environmental Protection Agency, State, County, and local agencies will reduce the potential risk of hazardous materials exposure to a less than significant level within the Planning Area, which includes Annexation 77 and Pre-zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties under consideration for Williamson Act contract cancellations.

Proposed General Plan Policies 7.6.1 through 7.6.5 ensure that emergency preparedness programs are maintained and properly coordinated throughout the Planning Area. The policies also address the regular review of these programs to further ensure the safety of the City and areas within the General Plan Planning Area—which includes Annexation 77 and Pre-zoning Area, Coberly West Specific Plan, Mission Lakes Specific Plan, and properties within the Williamson Act contract cancellation area—during and after disasters. With the implementation of these policies, the impact of new development on emergency plans would be less than significant.

The safety of people and property near an airport is the fundamental objective of airport/land use compatibility. Proposed General Plan Policies 7.4.1 through 7.4.3 ensure that airport compatibility is managed to ensure the safety of both the airport and surrounding area. The policies require the City to manage the uses surrounding airport facilities at Shafter Airport/Minter Field and Meadows Field/Kern County consistent with the airport compatibility zones surrounding the airports. The

policies also address the regular notification of area businesses and residents regarding aircraft activities in overflight areas and adherence to State regulations regarding airport land issues. With the implementation of the General Plan land uses and these policies, the impact of development on airport safety would be less than significant in the Planning Area, which includes the Annexation and Pre-zoning Area, Coberly West and Mission Lakes Specific Plans, and the properties within the proposed Williamson Act contract cancellations.

Additional discussion of hazards and hazardous materials is located in the DEIR beginning on page 4.7-1.

3.7 Water Resources

Potential Impacts. Implementation of the Shafter General Plan may increase the demand for water and may contribute to the depletion of groundwater supplies. New development permitted pursuant to the General Plan will increase the amount of impervious surfaces and result in the loss of water recharge areas. Build out of the proposed General Plan may increase the demand for water services such that it exceeds the existing and planned facilities. During future construction activities and post-construction uses associated with build out of the General Plan, water quality or waste discharge requirements may be violated. The increase in demand for water due to General Plan permitted uses may affect water availability for emergency fire flow.

Findings. Urban water services will be provided within the Planning Area by two water purveyors: the City of Shafter and Oildale Mutual Water Company. The City of Shafter will be the water purveyor for the area within the existing 1993 General Plan Study area. Water uses and sources are not anticipated to change substantially within the City of Shafter Water Purveyor area over those provided in the 1993 General Plan. Shafter's proposed General Plan land uses will result in a 59 percent reduction in groundwater demand. This positive change is made possible through the reuse of 70 percent of all wastewater and the reduced demand that industrial uses have over agricultural uses. A dual water system will be used in the Oildale Mutual Water Company Service Area. One system will provide irrigation water while the other will provide water for all potable uses attached to each building unit (residential, industrial, commercial, etc.). The total demand for groundwater in the Oildale Mutual Water Company Service Area will be less than current demands for agricultural purposes. The potable water supply to be delivered to structures within the Oildale Mutual Water Company Service Area will come from naturally recharged sources and replenished groundwater within the service area of Oildale Mutual Water Company. The existing capacity of both the City of Shafter Water Service and Oildale Mutual Water Company, including Oildale Mutual's use of a dual water system, ensures a sufficient water supply for the land use proposed under the General Plan Update. The impacts to water resources from development within the Shafter sphere of influence will be less than significant with implementation of the General Plan Update. Because availability of water for urban areas outside of the Shafter sphere of influence—but within the Shafter Planning Area—has not been demonstrated, urban development outside of the City's sphere of influence would result in a significant unavoidable impact on water resources.

The groundwater pumped by the City comes from the Kern County Water Basin, which is replenished mainly from outside surface supplies and rainfall. Efficient groundwater recharge depends on a variety of conditions including permeable surfaces. Increased development reduces the amount of

permeable surfaces suitable for recharge, increases the rate and volume of runoff and the subsequent flow of water in streams, and increases the amount of oil and grease and other non-point source pollutants that enter streambeds and recharge areas. The proposed General Plan policies protect existing water recharge and promote the use of surface water resources, thereby reducing the potential impacts of the proposed General Plan below a level of significance.

New development within the Planning Area pursuant to implementation of the proposed General Plan will require the installation of additional water transmission and distribution lines. Much of the proposed new development is located outside of existing public water service areas and, therefore, water transmission and distribution lines have not been installed. New pipelines required for new development will be installed and/or financed by the developer which includes the developers of the Coberly West and Mission Lakes Specific Plans. The City may also levy impact fees in accordance with Government Code Section 66000 for the development of water facilities. With the General Plan policies in place, the impacts associated with the distribution of water would be reduced to less than a significant level.

Future construction, grading, and excavation would cause temporary disturbance of surface soils which would likely produce silt and debris during runoff, resulting in a short-term increase in the sediment load of the storm drain system serving the City. Federal law requires the City of Shafter to implement the provisions of the National Pollutant Discharge Elimination System (NPDES) for municipal and private projects to protect groundwater recharge areas from construction runoff and other potential sources of pollutant runoff. Therefore, adherence to the General Plan policies and implementation of Federal law will reduce impacts related to water quality to less than significant.

The volume of water allocated for emergency uses is typically determined based on the historical record of emergencies experienced and on the amount of time expected to lapse before an anticipated emergency can be corrected. The City of Shafter recognizes the importance of maintaining adequate fire flow in a General Plan policy. With the General Plan policy in place, the impacts on fire flow from the implementation of the proposed General Plan would be reduced to a less than significant level.

Facts in Support of Findings. As stated in the DEIR on page 4.8-15, the City of Shafter will be the water purveyor for the area within the existing 1993 General Plan Study Area. This is a large area comprising 17,468 acres, of which a major portion is currently in agricultural use and is proposed to remain so. Of the 17,468 total acres, over 6,000 acres will remain in agricultural use and 5,598 acres are proposed for industrial uses. Well over 50 percent of the total water demand in the area will remain agricultural. According to the DEIR on page 4.8-11, the total demand for groundwater in the Oildale Mutual Water Company Service Area will be less than current demands for agricultural purposes. Currently, total agricultural demand is estimated at 15,678 acre-feet of which approximately 10,269 acre-feet are provided by North Kern Water Storage District through replenished groundwater. Total demand for proposed land uses in this portion of the Shafter Planning Area is estimated at 12,329 acre-feet of which 8,840 acre-feet are for irrigation purposes and 3,489 are for potable domestic purposes. Approximately 4,799 acre-feet of replenished groundwater will be pumped from within the North Kern Water Storage District area to meet irrigation needs, which is substantially less than the estimated 10,269 acre-feet of replenished groundwater currently being pumped for agriculture. The above analysis demonstrates that Oildale Mutual Water Company, with

its dual water system, will adequately provide water service to the entire southeast Plan Area or proposed North of the River Municipal Water District expansion area. The City of Shafter has existing capacity for its service area. The General Plan policies identified provide provisions that will adequately protect water resources throughout the Planning Area. Based on the above analysis, the General Plan Update as proposed with Policies 4.2.1 through 4.2.3, 4.2.5, 4.2.6, 6.3.1-5, 6.3.7, and 6.3.9 would not have a significant impact on water resources. Because availability of water for urban areas outside of the Shafter sphere of influence—but within the Shafter Planning Area—has not been demonstrated, urban development outside of the City's sphere would result in a significant unavoidable impact on water resources. The Council further finds that there are no additional feasible mitigation measures or alternatives that the Council could adopt at this time which would reduce this impact to a less than significant level. To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Council finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations support approval of the project as modified, despite unavoidable residual impacts.

The groundwater pumped by the City comes from the Kern County Water Basin, which is replenished mainly from outside surface supplies and rainfall. Typical groundwater recharge programs artificially replenish groundwater in wet years with surplus imported water. Water is withdrawn from groundwater reserves during periods of drought or during emergency situations. Proposed General Plan Policies 6.3.8 and 6.3.11 protect existing water recharge and promote the use of surface water resources, thereby reducing the potential impacts of the proposed General Plan below a level of significance.

The sphere of influence is generally currently served by agricultural water services which use canals for distribution. Therefore, the current water users do not require water transmission or distribution lines. New pipelines required for new development will be installed and/or financed by the developer which includes the developers of the Coberly West and Mission Lakes Specific Plans. Policies 2.10.6, 2.10.7, and 4.2.1 through 4.2.6 in the proposed General Plan address the issue of Shafter's water distribution in the Planning Area. With these policies in place, the impacts associated with the distribution of water would be reduced to less than a significant level.

Pursuant to Kern County requirements, new development would be required to provide for its own on-site retention or show that existing facilities have sufficient capacity to carry the additional runoff. In addition, source-control Best Management Practices are required by the Regional Water Quality Control Board in its water discharge permits. All new development, including the development proposed in the Coberly West and Mission Lakes Specific Plans, would be required to comply with these legal/regulatory requirements. Adherence to General Plan Policies 4.5.4, 6.3.6, and 6.3.10 and implementation of Federal law will reduce impacts related to water quality to less than significant.

Because the occurrence and magnitude of an emergency situation is not subject to accurate evaluation, the volume of emergency storage is generally based upon engineering judgment and/or utility policy. Through implementation of General Plan Policy 4.8.5, adequate fire flow will be ensured for all new and existing developments which include the Coberly West and Mission Lakes Specific Plans. Under General Plan Policy 4.8.5, provisions to provide for adequate fire flow must be demonstrated in the development review process. With the General Plan policy in place, the impacts on fire flow from the implementation of the proposed General Plan would be reduced to a less than significant level.

Further discussion of the impacts to Water Resources can be found in the DEIR beginning on page 4.8-1.

3.8 Land Use and Agricultural Resources

Potential Impacts. According to the DEIR for the General Plan on page 4.9-10, implementation of the proposed General Plan would result in changes to existing land use designations in certain areas which could negatively affect the existing pattern of development as well as the surrounding uses. These land use designations would result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses, as stated in the DEIR on page 4.9-17. Implementation of the proposed General Plan could conflict with existing zoning for agricultural use, or a Williamson Act contract.

Findings. One of the primary purposes of land use planning in the General Plan is the generation of a land use plan which represents the City's vision of its future. The City is proposing to expand the urban core with mainly residential land uses in the western section of the City limits and create two large industrial areas: one in the southeast section and one around the Shafter/Minter Field. The character of the sphere of influence will also change. The predominant pattern in the sphere of influence north of 7th Standard Road will be residential communities with commercial services created through the implementation of Specific Plans. These proposed land uses are shown in Figure 4.9.4 in the DEIR. Currently, that area is predominantly agricultural and, with General Plan build out, the existing agricultural pattern would change to a large residential community. Agricultural land use patterns will still predominate in the remaining Planning Area of the General Plan. The proposed General Plan policies provide for growth while protecting the existing land uses. In addition, the General Plan policies further the vision of the City as the location of diverse employment and housing opportunities through the expansion of the industrial areas and through the designation of Specific Plan areas for new residential communities. The proposed General Plan recognizes the City's unique economy through designation of large areas for agricultural and industrial land uses. The proposed policies in the General Plan cover possible land use conflicts while addressing standards for new development. With the implementation of the General Plan policies, the impacts to land use changes will be reduced to less than significant.

The majority of the land within the Planning Area is either Prime Farmland or Farmland of Statewide Importance. The lands that are planned to be converted to urban uses in the proposed General Plan are directly adjacent to developed areas. Additionally, there are lands in the southeast section of the Planning Area that were recently annexed to the City of Shafter and under the jurisdiction of Kern County were approved by the County for residential development. The proposed General Plan designates approximately 25,916 acres for agricultural use by build out; a reduction of 14,024 acres. The Planning Area's land use designations are anticipated to result in the direct removal of a substantial amount of prime agricultural land from production. The proposed General Plan includes policies that will encourage the conservation of productive agricultural lands and maintain the viability of commercial agricultural operations. However, these policies do not set specific requirements that will limit the conversion of agricultural lands to non-agricultural uses. Impacts resulting from the conversion of agricultural land to urban land uses would remain significant and unavoidable after implementation of the proposed General Plan policies.

The majority of the farmlands in the Planning Area are under either a Williamson Act or Farmland Security contract. Implementation of the proposed General Plan would convert both agricultural land under a Williamson Act contract and agricultural land under a Farmland Security contract to urban uses. The designation of new areas for development within the Planning Area almost could not occur without the conversion of Williamson Act land. Although the policies in the General Plan specifically prohibit the conversion of agricultural land subject to a Williamson Act contract, the designation of such land for uses other than agricultural encourages the non-renewal of Williamson Act contracts. Even with the implementation of a right-to-farm ordinance and the policies in the General Plan, the impact to farmland under a Williamson Act contract or a Farmland Security contract would remain significant and unavoidable.

Facts in Support of Findings. As stated in the DEIR on page 4.9-12, the proposed General Plan land uses change noticeably from the existing land uses in three categories. Land designated for agricultural uses decreases by about 30 percent from existing uses although agriculture remains the largest land use in the proposed General Plan with over half of the Planning Area designated agriculture/open space. The proposed General Plan increases by 12 percent the land designated for industrial uses. A new land designation, Specific Plan, accounts for an increase of 10 percent and is not one of the existing land uses. The percentage of change in the remaining land uses is very small with the existing land use categories basically continuing in the proposed General Plan. Policies 2.3.1 through 2.3.9, 2.3.11, 2.3.12, 2.5.1 through 2.4.4, 2.6.1 through 2.6.4, 2.7.1, 2.7.3, 2.8.1, 2.8.2, 2.8.5, 2.8.12 through 2.8.14, and 2.10.1 of the proposed General Plan support the vision of the City to retain its small rural community roots with agriculture as the main land use. The policies provide for growth while protecting the existing land uses. In addition, the General Plan policies further the vision of the City as the location of diverse employment and housing opportunities through the expansion of the industrial areas and through the designation of Specific Plan areas for new residential communities. The proposed General Plan recognizes the City's unique economy through designation of large areas for agricultural and industrial land uses. The proposed policies in the General Plan cover possible land use conflicts while addressing standards for new development. With the implementation of the General Plan policies, the impacts to land use changes will be reduced to less than significant.

As a mitigation for the loss of agricultural land, the City could require developers to purchase agricultural easements and/or replacement agricultural land either within (on-site) or outside (off-site) the Planning Area; however both of these options are infeasible for several reasons. First of all, on-site agricultural land use designations within the Planning Area are already protected under General Plan Policy 2.4.1, which states that the General Plan land use map is a plan for the ultimate build out of the City and the agricultural land use designation is not a temporary "holding zone." Therefore, "replacement" agricultural land is not available within the Planning Area as the ultimate acreage of agriculture has already been determined. In addition, purchasing land presently designated for uses other than agriculture within the Planning Area and converting it to agricultural uses is not economically viable as reducing the Planning Area's ability to develop would impede the City's General Plan goals of providing an appropriate range of housing opportunities and expanding local employment. Furthermore, the loss of residentially designated land to agriculture would limit the City's ability to meet its fair-share housing needs. In addition, the designated land uses in the General Plan were determined to achieve "fiscal balance" as the City builds out. Changing these land uses would affect the ability of the City to provide infrastructure and services to achieve and maintain the

General Plan goal of a vibrant community in which all residents enjoy a wide range of employment, shopping and recreational opportunities. Off-site mitigation is infeasible in the long run because of increasing land prices due to growing urbanization. Also, the City does not have any control over the land use designations outside its corporate limits or sphere of influence. Therefore, agricultural land purchased outside the City's jurisdictional area could be at some date be changed to another land use without input from the City.

Assuming all land designated for agricultural use under the proposed General Plan was actively farmed at build out and all lands proposed for conversion to other uses were converted, the loss of 14,024 acres represents a 35 percent reduction in agricultural lands. Because most of the Planning Area consists of Prime Farmland or Farmland of Statewide Importance, it is apparent that implementation of the proposed General Plan would result in significant loss of this farmland; however, Policies 2.3.3, 2.4.1 through 2.4.11, 2.5.6, 2.8.2, 6.2.2, and 6.2.3 included in the proposed General Plan help reduce impacts related to implementation of the Plan. Impacts resulting from the conversion of agricultural land to urban land uses would remain significant and unavoidable after implementation of the proposed General Plan policies. The Council further finds that there are no additional feasible mitigation measures or alternatives that the Council could adopt at this time which would reduce this impact to a less than significant level. To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Council finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations support approval of the project as modified, despite unavoidable residual impacts.

Approximately 9,246 acres of farmland presently under a Williamson Act of Farmland Security contract will be converted to urban uses at build out of the General Plan as shown in Table 4.9.F on page 4.9-21 of the DEIR. Property may be converted to urban uses either at the conclusion and non-renewal of a Williamson Act contract or upon early cancellation of a contract. Removal of land from either Williamson or Farmland Security contracts lifts the restrictions specifically aimed at avoiding the conversion of agricultural lands to other uses. With this barrier removed, the pressure to develop placed upon neighboring farmland contract lands is further increased. An example of this pressure is evident in the southeast area of the Planning Area, where farmland under contract is adjacent to farmland not under contract and the farmland under contract has applied for non-renewal of the contracts. Although Policies 2.4.5, 2.4.6, 2.4.8, 2.4.10, and 2.8.2 in the General Plan specifically prohibit the conversion of agricultural land subject to a Williamson Act contract, the designation of such land for uses other than agricultural encourages the non-renewal of a Williamson Act contract. With adherence to the General Plan policies, impacts to land zoned for agricultural uses and land under a Williamson Act contract would remain significant and unavoidable. The Council further finds that there are no additional feasible mitigation measures or alternatives that the Council could adopt at this time which would reduce this impact to a less than significant level. To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Council finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations support approval of the project as modified, despite unavoidable residual impacts.

Further discussion of the impacts to Land Uses and Agricultural Resources is located in the DEIR beginning on page 4.9-1.

3.9 Flood Hazards

Potential Impacts. As stated in the DEIR on page 4.10-4, implementation of the proposed General Plan may result in exposure of people or structures to the impacts of flooding through the placement of structures in the 100-500 year floodplain. Future development under the proposed General Plan would likely result in a net increase in impervious surfaces (i.e., roads, parking lots, buildings). An increase in impervious surfaces reduces the amount of rainfall that can infiltrate into the subsurface. Increases in runoff can amplify drainage volumes and velocities causing storm drainage facilities that are at or near capacity to fail during peak events. This excess runoff may result in localized ponding and/or flooding. Therefore, the implementation of development in accordance with the proposed General Plan may result in significant impacts related to existing drainage facilities.

Findings. Flooding represents a potential hazard within the Planning Area. The majority of the area potentially subject to flood hazards is located along Santa Fe Way both in downtown and in the south of the Planning Area, as shown in Figure 4.10.1 in the DEIR. Implementation of the proposed General Plan would increase the City's population and total acreage of development. While the potential for flood hazards is minimal, new development in the flood zones could be affected by flood hazards during storm events. The implementation of the proposed General Plan policies would require new projects to not only evaluate stormwater runoff from their project sites but also require construction of needed drainage and flood control facilities. Implementation of the proposed General Plan policies will reduce potential flooding impacts that may result from the build out of the Planning Area (as envisioned in the proposed General Plan) to less than significant levels.

Build out of the proposed General Plan will increase the number of impervious surfaces throughout the Planning Area. Currently, the majority of the Planning Area is covered with permeable surfaces. Therefore, new development would increase the volume and rate of stormwater entering the current drainage system, which may exceed the capacity of the system. Development will increase and concentrate runoff, which, if not controlled, may accelerate the rates of erosion of unprotected surfaces. The implementation of the proposed General Plan policies would require new projects to not only evaluate stormwater runoff from their project sites, but also to control the surface waste runoff created by the project. With the implementation of the proposed General Plan policies, the impacts related to flood hazards would be reduced to a less than significant level.

Facts in Support of Findings. Flood hazards are limited within the Planning Area due to the absence of streams, creeks, and lakes. The Annexation 77 and Pre-Zoning Area, which includes Coberly West and Mission Lakes Specific Plans, is not located within a flood hazard zone as it is located in the southeastern portion of the Planning Area. General Plan Policies 4.5.1 and 7.3.1 through 7.3.4 require evaluation of human-habitable structures within the 100-year floodplain to ensure their safety as well as construction and dedication of needed drainage and flood control facilities and the construction and maintenance of necessary retention basins. With the implementation of the proposed General Plan policies, the impacts related to flood hazards would be reduced to a less than significant level.

The natural materials in the Planning Area are relatively susceptible to erosion. Development within the Planning Area will increase the potential for soil erosion. Increased rates of erosion will likely accelerate sedimentation of drainage channels and flood control features, which may impact the

effectiveness of these features. Development which encompasses 1.0 acre or more is required to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES), which regulates the pollutant discharges from developed sites. The City will continue to require existing and new development to adhere to the applicable provisions required by existing permits. With implementation of General Plan Policy 4.5.1—which requires dedication and improvement of stormwater detention, retention, and conveyance facilities as a condition of approval for new development where needed to protect on-site and downstream development from flooding—and General Plan Policies 7.3.2 through 7.3.4—which require construction, dedication, and maintenance of drainage and flood control facilities and existing stormwater discharge requirements, potential stormwater drainage impacts resulting from build out of the Planning Area (including Annexation 77 and the Pre-Zoning Area along with the Coberly West and Mission Lakes Specific Plans, and the Suburban Williamson Act contract cancellation property)—will be reduced to a less than significant level.

3.10 Noise

Potential Impacts. As stated on page 4.11-14 in the DEIR, noise levels from grading and other construction activities would potentially result in noise levels reaching 91 dBA L_{max} at off-site locations 50 feet from the site boundary, potentially impacting off-site sensitive receptors adjacent to individual construction sites. Implementation of the proposed General Plan would result in potential long-term vehicular noise that would affect sensitive land uses along the roads. New development, particularly residential uses along and adjacent to major transit corridors, could be exposed to excessive traffic-related noise levels. New development associated with the proposed General Plan and Related Actions could expose existing and/or new sensitive uses to stationary noise sources, such as those generated by industrial and/or commercial uses. Noise generated by existing and proposed operations at Shafter Airport/Minter Field Airport could create noise impacts to the new development proposed by the General Plan. This is a potentially significant impact.

Findings. As stated on page 4.11-14 in the DEIR, implementation of projects allowed by the proposed General Plan and Related Actions would result in construction at various sites throughout the Shafter Planning Area. The transport of workers and construction equipment and materials to these project sites would incrementally increase noise levels on access roads leading to these sites. Noise generated during excavation, grading, and building construction on development sites would result in potential noise impacts to off-site uses while construction occurs. While the proposed General Plan policies provide guidance and standards for reducing noise impacts due to construction, additional measures are necessary to further ensure that the impacts are reduced to less than significant levels. The impacts of noise during construction would be short-term in duration and the policies in the proposed General Plan and the mitigation measures would reduce the impacts from construction noise to less than significant level.

As stated on page 4.11-17 of the DEIR for the General Plan, new developments within the Shafter Planning Area and regional growth will result in an increase in traffic in the Planning Area. Existing sensitive receptors in the Planning Area would be potentially affected by noise associated with these new traffic trips. The projected future build out traffic noise in the City ranges from moderate to high, with the 70 dBA CNEL confined within the roadway right-of-way for about half of the surface street

segments analyzed. Implementation of the proposed General Plan policies and the stated mitigation will reduce potential traffic-related noise impacts to a less than significant level.

The development of new industrial and commercial uses pursuant to the proposed General Plan and related actions may increase noise levels in their vicinity due to the establishment of new stationary noise sources. Although vehicular noise is exempt from local regulation when operating on public streets, cities can regulate vehicular noise while operating on private property. New projects developed under the proposed General Plan would be subject to the City's noise ordinance and the provisions of the proposed General Plan. Implementation of the proposed General Plan policies will reduce potential stationary impacts to a less than significant level.

As stated on page 4.11-26 of the DEIR, historically, the isolated location of the Shafter Airport/Minter Field has protected it from concerns regarding noise incompatibility. The mixture of agricultural and industrial uses in the airport's vicinity has provided a high level of noise compatibility. The principal concern in regard to airport noise is generally created outside the typical noise contours in the overflight area of the airport environs. The ideal strategy for limiting overflight noise impacts is to avoid residential or other noise-sensitive development in the affected locations. The policies in the proposed General Plan guarantee that the proposed General Plan land uses and the Airport land uses will be compatible, thus ensuring noise impacts that are less than significant.

Facts in Support of Findings. Short-term noise impacts would be associated with excavation, grading, and erecting buildings during construction of individual projects allowed through the implementation of the proposed General Plan. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area today, but would cease once construction of the project is completed. While the proposed General Plan policies provide guidance and standards for reducing noise impacts due to construction, additional measures are necessary to further ensure that the impacts are reduced to less than significant levels. Construction impacts associated with the implementation of the proposed General Plan would still occur with the implementation of the General Plan policies and proposed mitigation measures. However, the impacts would be short-term in duration and General Plan Policies 7.7.3 through 7.7.5 and 7.7.10 and Mitigation Measures 4.11.3.1A through E would reduce the impacts from construction noise to less than significant level. The proposed mitigation measures provide performance standards related to noise which must be followed at all construction sites. These performance standards regulate the hours of construction, the timing of pile-driving, the location of stationary noise sources, the use of best available noise control techniques for equipment and trucks, and a method of tracking and responding to noise complaints. The Council hereby directs that these mitigation measures be adopted.

Long-term noise impacts would be associated with mobile and vehicular noise sources, as well as stationary industrial and commercial noise sources. The 65 dBA CNEL contour is confined within the roadway rights-of-way along Tulare Avenue, Poplar Avenue, Shafter Avenue, and portions of Riverside Street, Snow Road, and Zerker Road. The 60 dBA CNEL contour is confined within the roadway rights-of-way along portions of Poplar Avenue, Snow Road, and Shafter Avenue. State Route 99 generates higher traffic noise due to higher traffic volumes and higher truck percentages than the surface streets. The 70 dBA CNEL contour extends to 311 to 355 feet from the freeway centerline. The 65 dBA CNEL contour extends to 666 to 762 feet from the freeway centerline. Proposed General Plan Policies 7.7.1 through 7.7.9 provide guidance and standards for reducing

traffic-related noise impacts, Mitigation Measures 4.11.3.2A through C are necessary to further reduce noise impacts. These mitigation measures require buildings associated with noise-sensitive uses and exposed to significant traffic noises be equipped with air conditioning and incorporate upgraded building facades. Additionally, outdoor active use areas would need to be protected by sound walls. The Council hereby directs that these mitigation measures be adopted. Implementation of the proposed General Plan policies and the stated mitigation measures will reduce potential traffic-related noise impacts to a less than significant level.

The use of heavy trucks on private properties (e.g., making deliveries to commercial and industrial uses) will result in noise levels of 73 dBA at 50 feet from the source of the noise (e.g., truck's engine). The use of multiple trucks on a site, such as might occur at a warehouse, could generate noise levels of about 80 dBA L_{eq} as measured at a distance of 50 feet. Industrial processing equipment and conducting outdoor industrial activities could also generate increased noise levels. New projects developed under the proposed General Plan would be subject to the City's noise ordinance and Policies 2.8.12, 2.8.13, and 7.7.2 through 7.7.9 of the proposed General Plan. Implementation of the proposed General Plan policies will reduce potential stationary noise impacts to a less than significant level.

Aircraft overflight impacts are potentially a concern anywhere along the standard aircraft traffic pattern tracks. The proposed land uses identified in the Shafter General Plan for the area surrounding the airport includes agricultural, industrial, business park, and commercial uses. No sensitive noise receptors, such as residences or schools, are proposed to be located in that area. Even with the proposed future configuration of the airport runway system, sensitive noise receptors will not be in the overflight pathway. Policies 2.9.5 and 7.4.1 through 7.4.3 in the proposed General Plan guarantee that the proposed General Plan land uses and the Airport land uses will be compatible, thus ensuring noise impacts that are less than significant.

3.11 Population and Housing

Potential Impacts. Build out of the Shafter General Plan will increase the study area's population, both directly as the result of residential development, and indirectly through commercial/industrial development. This growth will exceed the housing and population projections for the Planning Area, as shown in Table 4.12F on page 4.12-5 of the DEIR.

As stated on page 4.12-4 of the DEIR, implementation of the proposed General Plan would not result in the displacement of a substantial number of residential units and persons. Upon build out of the proposed General Plan, approximately 28,548 residential units are projected to exist within the Planning Area. Development will occur on vacant or agricultural land and would not displace residential units or persons; therefore, no impact would occur.

As stated on page 4.12-5 of the DEIR, implementation of the proposed General Plan will result in an increase in employment growth within the City exacerbating the jobs-to-housing balance. Even though the City of Shafter is expected to have many more jobs than households by 2030, other cities within Kern County are expected to have a much lower jobs-to-household ratio. Because Shafter's numerous jobs will help to balance the numerous households in surrounding cities, a balance between the number of jobs and households will exist within the region by 2030, and the jobs within Shafter will have a beneficial effect on the region. Therefore, the implementation of the proposed General

Plan will help to balance land uses regionally and no adverse impact associated with this issue would occur.

Findings. Projections for population, employment, and residential dwellings were identified to reflect the *theoretical* build out of the Shafter General Plan Planning Area, utilizing land use designations and assumptions detailed in the proposed General Plan. A General Plan is, by definition, growth inducing in that it provides a plan for accommodating future increases in population, housing, and employment. The proposed General Plan includes areas outside the Shafter City limits and the land uses proposed permit extensive development within the southeast portion of Shafter's sphere of influence. The General Plan policies limit the number of units and, therefore, the potential population growth within the Specific Plan areas in the Annexation 77 and Pre-Zoning Area, which includes the Coberly West and Mission Lakes Specific Plans and the Specific Plan designated area south of Lerdo Highway; however, no limitations are placed on dwelling units other than the general land use categories in the remainder of the Planning Area. Because the proposed General Plan assumes build out in 2030 that exceeds the currently adopted regional projections for 2030 and there are no feasible mitigation measures to reduce the General Plan population build out, exceeding the regional population and housing projections would be considered a significant unavoidable impact.

Facts in Support of Findings. The proposed General Plan includes areas outside the Shafter City limits and the land uses proposed permit extensive development within the southeast portion of Shafter's sphere of influence. This southeast area includes Annexation 77 and Pre-Zoning Area, the Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties included in the Williamson Act cancellation. Kern COG's projections do not include this area in Shafter's projections or anticipate the cancellation of Williamson Act contracts and the development of this area. Therefore, Kern COG's projections do not anticipate this growth and show much lower numbers at 2030 than the General Plan build out estimates. The proposed General Plan and the EIR use the build out year of 2030 as an assumption for analysis purposes. Build out of the proposed General Plan by 2030 would be a worst-case scenario. Regional economics and the marketplace will dictate the build out of the General Plan and dictate how accurate projections are. Because the proposed General Plan assumes build out in 2030 that exceeds the currently adopted regional projections for 2030 and there are no feasible mitigation measures to reduce the General Plan population build out, exceeding the regional population and housing projections would be considered a significant unavoidable impact. The Council further finds that there are no additional feasible mitigation measures or alternatives that the Council could adopt at this time which would reduce this impact to a less than significant level. To the extent that this adverse impact will not be eliminated or lessened to an acceptable (less than significant) level, the Council finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations support approval of the project as modified, despite unavoidable residual impacts.

3.12 Public Services and Utilities

Potential Impacts. The future development envisioned by the Shafter Planning Area will increase the demand for public services and facilities. Demands on fire and police protection will increase as the result of residential, commercial, business park, and industrial development proposed in the General Plan and Related Actions. In locations where new development occurs, additional fire protection services would be needed.

At build out, there could be an increase in student enrollment within the Richland Union School District, Norris School District, and Rosedale Union School District, Rio Bravo-Greeley Union Elementary School District, Maple School District, Kern High School District, and Wasco Union High School District.

Implementation of the proposed General Plan would result in increased demand for sewer services within the Planning Area. The increase in development would result in increased demand for solid waste services and an increase in the demand for landfill capacity.

Build out of the proposed Shafter General Plan will result in a substantial increase in population, requiring additional parkland and recreational facilities. The increased demand for recreational facilities may result in the need for increased park maintenance and recreational programs and services.

Findings. According to the DEIR on page 4.13-4, based on increased population figures and current staffing levels, development associated with the proposed General Plan would require additional on-duty firefighters and a new fire station facility. The Kern County Fire District's ability to provide fire protection services to support the needs of future growth is dependent upon its ability to construct, staff, and equip this new fire station as the need for fire protection services increases with development. Implementation of the proposed General Plan policies and City requirements would reduce potential impacts related to the effects of future development on fire protection services by reducing the threat of fire, improving firefighting infrastructure, and ensuring that future growth does not exceed acceptable levels of service.

The Planning Area is served by the Shafter Police Department, Kern County Sheriff's Department, and the California Highway Patrol. With the increase in businesses and industries, the daytime population would also increase and require new police services. The use of community arterial roadways, including 7th Standard Road, Lerdo Highway, and Santa Fe Way would also increase, which would impact enforcement of traffic laws. The proposed General Plan includes goals that address the level of police services to be maintained to accommodate long-term growth and a requirement to continuously evaluate the provision of police services provided. With implementation of these policies, potential impacts to police protection services would be reduced to a less than significant impact.

For additional discussion of the impacts to police protection, see DEIR Section 4.13.2.

Implementation of the proposed General Plan would increase the number of dwelling units in the Planning Area and, therefore, the number of students attending local schools would also increase. The greatest residential growth in the Planning Area is projected to occur in the southeastern corner of the Planning Area, north of 7th Standard Road. The Richland Union School District, Norris Elementary School District, and Kern High School District would all need to build new schools with build out of the General Plan. The General Plan is not anticipated to affect the Maple School District, Rio-Bravo-Greeley School District, Wasco Union High School District, or Rosedale Union School District. The proposed General Plan includes policies to address the need for school facilities and provide the maximum mitigation allowable under State law. The maximum mitigation is a development fee based

on the particular school district's need and this fee will be imposed on all new development. Because the Government Code states that compliance with Senate Bill 50 will provide full and complete mitigation, no significant impacts will occur.

Future wastewater flows are based on ultimate build out of the City based on land uses identified in the General Plan. The City of Shafter's capacity is based upon yearly contracts with North of the River Sanitation District and Shafter's capacity will increase as demand increases and as the wastewater treatment plant expands. The City is a co-owner of the NORSD and thereby is guaranteed a share of the facility and future capacity. The proposed General Plan policies ensure that new development provides adequate infrastructure for average and peak wastewater conditions through Policy 4.3.1 which states that the City will ensure that adequate infrastructure is in place and operational prior to occupancy of new development, such that new development will not negatively impact the performance of sewer facilities serving existing developed areas. Implementation of these policies and the continual updating of the Master Plan for sewer facilities would ensure that adequate wastewater facilities are in place to accommodate existing and future development, thereby reducing effects associated with future development to a less than significant level.

Implementation of the proposed General Plan will increase the number of commercial, industrial, and residential land uses within the City and, therefore, the demand for solid waste services will increase. The ability to dispose of solid waste in Shafter is tied to available landfill capacity and compliance with the California Integrated Waste Management Board (CIWMB) diversion rate of 50 percent. The General Plan policies recognize both the need to reduce solid waste and the need to limit the locations of solid waste transfer stations. Implementation of the proposed General Plan policies, in addition to continued compliance with the State-mandated 50 percent reduction in solid waste, would reduce solid waste impacts to less than significant.

As stated in the DEIR on page 4.13-26, implementation of the General Plan is forecast to generate a population of 89,173 at General Plan build out. Based on the City's parkland ratio of 2.5 acres per 1,000 people, the population increase would create a total demand of approximately 222.93 acres of parkland within the Planning Area. As specified in the General Plan policies, new development shall be required to meet the City standard of 2.5 acres of parkland per 1,000 population. Implementation of the performance standards contained within the proposed General Plan policies related to parks and recreational facilities would minimize the impact of growth and development on parkland.

The City of Shafter currently provides only park maintenance services and no recreational programs are offered. As the City population grows with the implementation of the General Plan, the demand for recreational services would increase. Also, as more parks are constructed, the demand for park maintenance will also increase. The proposed General Plan policies anticipate and address the need for increased park maintenance and recreational services in the future. General Plan Policy 4.7.6 requires the City to recognize that high quality maintenance and upkeep of park facilities is necessary for the economic health of the community and to place appropriate priority on park maintenance. General Plan Policy 4.7.4 requires the City to develop athletic fields and specialized recreation areas to accommodate the growing community needs for such facilities. With the policies covering recreational services and the maintenance of parklands and facilities, the impact to these recreational resources will be reduced to less than significant.

Facts in Support of Findings. The Kern County Fire Department is planning for a new fire station (Station 68) near the intersection of 7th Standard Road and Allen Road. The KCFD's ability to provide fire protection services to support the needs of future growth is dependent upon its ability to construct, staff, and equip this new fire station as the need for fire protection services increases with development. The Coberly West Specific Plan allocates 9.8 acres for police and/or fire facilities. The funding for the construction of the necessary facilities, as specified in the policies of the General Plan, will be provided by development served by the facilities which include the Coberly West and Mission Lakes projects in the short term and potentially projects in the Annexation 77 and Pre-Zoning area in the long term, including properties under consideration for Williamson Act contract cancellation. Implementation of proposed General Plan Policies 2.8.16, 2.10.3, 4.8.1 through 4.8.8, 4.10.1 through 4.10.6, 4.11.1, 4.11.2, and City requirements would reduce potential impacts related to the effects of future development on fire protection services by reducing the threat of fire, improving firefighting infrastructure, and ensuring that future growth does not exceed acceptable levels of service. The aforementioned General Plan policies also provide for timely assessment of emergency services to ensure the levels of service are being met and provide for funding of the necessary services by requiring new development to pay its fair share. Therefore, potential impacts related to fire protection services will be reduced to a less than significant level.

The City of Shafter's Police Department's desired police officer to population ratio is 1.5 sworn officers per 1,000 residents. The population within the City limits at build out is anticipated to be 33,781. Based on this population, the City would need a total of 51 sworn officers to service the City at build out. Currently, the City employs 19 sworn officers. The Kern County Sheriff's Department and California Highway Patrol would also need new sworn officers and equipment to serve growth occurring in areas under their jurisdictions. The City of Shafter has identified protection from crime as one of its goals. The proposed General Plan includes Policies 2.8.16, 2.10.3, 4.9.1 through 4.9.4, 4.10.1, 4.10.2, 4.10.4, 4.10.5, 4.11.1, and 4.11.2 that address the level of police services to be maintained to accommodate long-term growth and a requirement to continuously evaluate the provision of police services provided. These policies also require new development to fund the facilities and services necessary to maintain General Plan goals pertaining to level of service which includes Annexation 77 and Pre-Zoning Area within which the Coberly West and Mission Lakes Specific Plans are located. With implementation of these policies, potential impacts to police protection services would be reduced to a less than significant level.

Implementation of the proposed General Plan would increase the number of dwelling units in the Planning Area and, therefore, the number of students attending local schools would also increase. The greatest residential growth in the Planning Area is projected to occur in the southeastern corner of the Planning Area, north of 7th Standard Road. This area, which is generally designated as Specific Plan in the General Plan, is projected to contain 11,410 new residential homes at General Plan build out. Both the Norris School District and the Richland School District serve this area for elementary and middle schools. The Kern High School District provides high school education. The dwelling units forecast at General Plan build out in the remaining Planning Area (outside the proposed Annexation area) total approximately 15,510. This total includes both existing and proposed housing units. The growth in dwelling units will occur mainly in the Richland School District service area and the Kern High School Service Area.

State law limits the power of the City to impose mitigation for development impacts on schools. The proposed General Plan includes Policies 2.8.17, 2.10.3, 2.10.4, 4.6.1 through 4.6.7, 4.10.5, 4.11.1,

and 4.11.2 to address the need for school facilities and provide the maximum mitigation allowable under State law. The proposed General Plan policies require mitigation of impacts on school facilities and services be provided as development occurs. Because Government Code 65996(a) and (b) state that compliance with payment of maximum school fees provides full and complete mitigation, no significant impacts will occur.

For additional discussion regarding the project's impacts to schools, see DEIR Section 4.13.3 and revisions to DEIR provided on page 3-4 of the FEIR.

The projected wastewater flow at build out of the proposed General Plan is 14.41 mgd. With a current treatment capacity of 6.2 mgd and plans for build out of the NORSD wastewater treatment facility capacity at 12.9 mgd, General Plan projected build out wastewater demand would be greater than NORSD capacity by 1.51 mgd. However, NORSD is considering expansion beyond the 12.9 mgd, according to the City of Shafter, and further expansion to a maximum of 24 mgd can be implemented. The City of Shafter's capacity is based upon yearly contracts with NORSD and Shafter's capacity will increase as demand increases and as the wastewater treatment plant expands. As the Annexation 77 and Pre-Zoning Area—which includes Coberly West and Mission Lakes Specific Plans—is included in the General Plan Planning Area, the projected demand for wastewater services at build out of the Annexation 77 Area can be met. Proposed General Plan Policies 2.7.9, 2.8.16, 2.8.18, 2.9.1, 2.10.2, 4.3.1 through 4.3.8, 4.10.1 through 4.10.6, and 4.11.1 through 4.11.2 ensure that new development provides adequate infrastructure for average and peak wastewater conditions. Implementation of these policies and the continual updating of the Master Plan for sewer facilities would ensure that adequate wastewater facilities are in place to accommodate existing and future development, thereby reducing effects associated with future development to a less than significant level.

The ability to dispose of solid waste in Shafter is tied to available landfill capacity and compliance with the CIWMB diversion rate of 50 percent. As stated previously, the Shafter/Wasco Landfill is planned to accept a 3 to 4 percent increase per year of solid waste. As shown, the Shafter Wasco Landfill will remain open until 2030, which includes the yearly increases in solid waste. The Bena Landfill's phases 1 and 2 are planned to remain open until 2039, and additional phases of this landfill are planned. Therefore, the capacity of the Bena Landfill will be able to accommodate solid waste disposal needs for the Planning Area through build out of the General Plan. General Plan Policies 2.8.16, 2.10.2, 4.4.1 through 4.4.5, 4.10.1 through 4.10.4, 4.11.1, and 4.11.2 recognize both the need to reduce solid waste and the need to limit the locations of solid waste transfer stations. Implementation of the proposed General Plan policies, in addition to continued compliance with the State-mandated 50 percent reduction in solid waste, would reduce solid waste impacts to less than significant.

With approximately 18 acres of parkland, the City of Shafter has an existing park ratio of 1.41 acres per 1,000 residents (based on 2000 Census population of 12,757). This is less than the standard of 2.5 acres of parkland per 1,000 residents set forth in current City ordinance and contained in the proposed General Plan. Currently, the City is in the process of designing a 20-acre park, as indicated in previously referenced Table 4.13.L, which will increase the park ratio within the City limits to above 2.5 acres per 1,000 residents. Implementation of the General Plan is forecast to generate a population of 89,173 at General Plan build out. Based on the City's parkland ratio of 2.5 acres per 1,000 people,

the population increase would create a total demand of approximately 222.93 acres of parkland within the Planning Area.

Developers will be required to comply with the City's parkland acreage requirement (2.5 acres per 1,000 residents), pursuant to Section 10.200 of the Municipal Code, by one of following three methods: (1) dedication of 2.5 acres of parkland per 1,000 persons; (2) payment of in-lieu fees if the amount of land to be dedicated is less than the amount required to be dedicated; or (3) obtaining credit for privately maintained parkland that is open to the public up to a maximum of 50 percent of the required land dedication.

The Mission Lakes Specific Plan proposes a public park consisting of 24.1 acres constructed to City standards that will provide multi-use courts, ball fields, and a children's play area among other amenities. The proposed Mission Lakes Specific Plan also provides a total of 43.1 acres of privately maintained recreation areas. With an anticipated population at build out of 16,224, the Specific Plan would need to provide approximately 40 acres of parkland to meet the City of Shafter required parkland ratio. With 24.1 acres of public parkland provided, the Mission Lakes Specific Plan has a shortfall of 15.9 acres of parkland to meet the City's park standard. By ordinance, the 15.9-acre shortfall of public parkland must be made up by either designing privately maintained parks within the Specific Plan to be accessible to the general public, payment of in-lieu fees, or a combination of the two. With the neighborhood parks and the small pocket parks, the Coberly West Specific Plan provides 13.1 acres of public parkland. At build out, Coberly West Specific Plan is anticipated to generate a population of 10,432 persons which would require 26 acres of parkland. Existing City ordinance requires that the proposed Coberly West Specific Plan make up for this shortfall of 12.9 acres of parkland by designing private recreational facilities to provide for public access, payment of in-lieu fees, or a combination of the two. Thus, compliance by Mission Lakes Specific Plan and Coberly West Specific Plan with existing City ordinance will avoid significant impacts with regard to the provision of parkland.

As more parks are constructed, the demand for park maintenance will also increase. North Bakersfield Recreation and Park District and the County of Kern also provide park maintenance and recreational programs to portions of the Planning Area. The Mission Lakes and Coberly West Specific Plans will be providing privately maintained parks as well as publicly maintained parks within their respective boundaries. Proposed General Plan Policies 4.7.1 through 4.7.6, 4.7.8, 4.10.2, 4.10.4, 4.10.5, 4.11.1, and 4.11.2 anticipate and address the need for increased park maintenance and recreational services in the future. Ways to fund these necessary programs are also covered. The performance standards for maintenance of the parkland and facilities are established within the proposed policies. With the policies covering recreational services and the maintenance of parklands and facilities, the impact to these recreational resources will be reduced to less than significant.

For additional discussion regarding impacts to parks and recreational resources, see DEIR Section 4.13.6.

3.13 Transportation/Traffic

Potential Impacts. Implementation of the proposed General Plan will facilitate the development of residential, commercial, industrial, institutional, and other types of projects that will result in

increased traffic volumes. This increase in traffic volumes could, in turn, result in congestion along area roadways and highways.

As stated in the DEIR on page 4.14-6, the General Plan and related actions are not expected to result in an inadequate parking supply because the General Plan and related actions do not modify current parking standards. Future developments will continue to supply parking according to City code requirements.

The General Plan and related actions are not expected to result in inadequate emergency vehicle access. The General Plan Circulation map (Figure 4.14.4) provides for alternative access, and the existing City requirements for the provision of emergency access to development projects will continue to be implemented. In addition to the Circulation Program map, implementation of the following Circulation Program policies would avoid impacts to the emergency access system: Streets and Highways Policies 3.2.5 and 3.2.6 would require the management and development of the area's local roadway system to support the Land Use Program; Streets and Highways Policies 3.2.10, 3.2.11, as well as Commodities Movement Policy 3.2.3 would minimize local cut-through traffic in residential neighborhoods; Streets and Highways Policies 3.2.1 through 3.2.3 would maintain adequate levels of service for all areas of the City. Implementation of these policies will maintain the City's level of service standard throughout the City, ensuring the adequacy of access routes for emergency vehicles. It is not expected that future congestion will significantly affect emergency vehicle access due to the availability of alternate routes and improvements to key roadways to maintain standards. Also, the City will implement traffic signal system upgrades that help to facilitate more efficient emergency vehicle access and give priority to emergency vehicles.

As stated on page 4.14-6 of the DEIR, the General Plan and related actions are not expected to result in unsafe conditions for pedestrians and bicyclists. Implementation of existing City requirements and the provisions of Section 3.4 (Alternative Modes of Transportation) of the proposed General Plan would avoid significant impacts to pedestrian and bicycle travel by providing for a bicycle and trails network and supporting the safe and convenient movement of pedestrians. The City will continue to require development projects to provide bicycle and pedestrian facilities and amenities according to City codes, and as a result of the development review process.

The General Plan and related actions are not expected to result in conflicts with regional transportation policies on alternative transportation, since Section 3.4 of the proposed General Plan objectives and policies support alternative transportation and increased use of transit services.

Findings. Future growth associated with the implementation of the proposed General Plan and related actions will result in a substantial increase in the traffic that is generated throughout the Shafter Planning Area. This traffic will affect not only Shafter, but also surrounding lands within unincorporated areas. Future traffic conditions at the anticipated maximum build out of the City of Shafter, including a cumulative analysis of future development throughout Kern County, were analyzed by through traffic model runs undertaken by Kern COG, who maintains a regional traffic model. The analysis of cumulative future traffic that will be generated at build out of the General Plan and following implementation of related actions indicates that level of service standards will be met. Thus, the General Plan will reduce traffic impacts to a less than significant level.

Facts in Support of Findings. The analysis conducted by Kern COG evaluates the impacts of the proposed Shafter General Plan, including the Coberly West and Mission Lakes Specific Plans and build out of lands within Annexation 77 and lands subject to proposed Williamson Act contract cancellations. Land use input to the traffic model for the Shafter Planning Area was consistent with the proposed General Plan Land Use Program, as well as the proposed Coberly West and Mission Lakes Specific Plans. The roadway network within the Shafter Planning Area that was ultimately used for the traffic analysis encompasses build out of the City's planned roadway network as shown in the proposed General Plan Circulation Map. The results of the technical traffic modeling showed that roadways and highways in Shafter will operate at acceptable levels of service at General Plan build out with the exception of State Route 99. The roadway network included a variety of roadway infrastructure improvements in the City to enable the network to accommodate travel demand produced by the City's land use plans. Improvements to State Route 99 are planned and controlled by the State. The analysis of cumulative future traffic impacts that will be generated at build out of the General Plan demonstrated that, following implementation of General Plan Policies 3.2.1 through 3.2.19, 3.5.1, 3.5.2, 3.5.6, and 3.5.7, the General Plan will reduce traffic impacts to a less than significant level. The policies in the Transportation Program set City roadway performance standards to implement the Circulation Plan shown in Figure 4.14.4. This planned roadway network was used in the Traffic Analysis conducted by Kern COG. The roadway network included a variety of roadway infrastructure improvements in the City to enable the network to accommodate travel demand produced by the City's General Plan land use plan build out. The results of the technical traffic modeling of the Circulation Plan showed that the roadways and highways will operate at an acceptable level of service at General Plan build out with the exception of State Route 99, which is under State control, as stated on page 4.14-8 of the DEIR. With the implementation of the Circulation Plan through the performance policies in the General Plan, the necessary infrastructure improvements for General Plan build out will be provided and, thus, impacts to traffic will be less than significant.

For additional discussion of the project's impacts to transportation and circulation, see DEIR Section 4.14.

3.14 Mineral and Energy Resources

Potential Impacts. Build out of the General Plan may result in the loss of petroleum, natural gas, sand, or gravel resources that would be of value to the residents of the Planning Area and the residents of the State. Build out of the General Plan will increase the population in the area and this growth increase would result in an expanded need for electricity and gas.

Findings. The proposed General Plan designates about 710 acres within the Planning Area as Resource Management. Other oilfields within the Planning Area are protected through proposed General Plan policies which provide for their continued operation and the operation of any other mineral resources which may be discovered. As stated on page 4.15-1 of the DEIR, there are no known sand and gravel resources within the Planning Area. With the implementation of the General Plan policies and the mitigation measures, the impacts to mineral resources are reduced to less than significant. PG&E provides both electrical and gas services to the Planning Area. A small substation facility is located within the Planning Area. According to the DEIR on page 4.15-6, the additional growth anticipated with the proposed General Plan will require that natural gas and electrical services

expand existing facilities or increase supply. According to a comment letter received from PG&E, (see Comment Letter I in the FEIR), service to the southwestern portion of the Planning Area will require a new substation.

Facts in Support of Findings. The designation of 710 acres as Resource Management provides for the continued extraction of oil at the Rio Bravo North Oil Field, one of the largest oil reserves in the County. Designation of this area for Resource Management ensures that this large productive petroleum field, which is valuable both locally and Statewide, will continue to provide this resource. Oil resources are known to exist within the Annexation and Pre-Zoning Area, the Mission Lakes Specific Plan as detailed in each Specific Plan, and the Williamson Act contract cancellation properties. California Division of Oil Gas and Geothermal Resources records reveal the presence of nine abandoned exploratory oil wells and nine producing oil wells on the Mission Lakes property. The Coberly West property contains a small oilfield consisting of three wells and three small aboveground tanks located on the eastern side of the property approximately one-half mile north of 7th Standard Road. General Plan Policies 6.5.1 through 6.5.4 protect the mineral resources within the Planning Area and provide for the protection of the environment around these resources. The policies do not address the compatibility of new development around existing or abandoned oil well sites. To further reduce the impacts to mineral resources and nearby development, Mitigation Measures 4.15.5.1A through C are proposed. These mitigation measures provide performance standards for development located near abandoned wells by requiring well access, requiring leak tests with repairs according to California Division of Oil and Gas and Geothermal Resources standards, and a well vent in any building constructed over a well site. The Council hereby directs that these mitigation measures be adopted. With these policies in place, the mineral resources can continue to be produced and impacts would be less than significant.

In response to the comment letter received from PG&E, a new policy (Policy 6.8.7) was added to the General Plan which states the City will facilitate the installation of new utility infrastructure as needed to serve the Planning Area and ensure that an electrical substation is located in the vicinity of 7th Standard Road. Furthermore, the City in the FEIR on pages 2-64 through 2-72 determined that construction of the necessary new substation will be less than significant with the standard protection and avoidance measures as detailed on the aforementioned pages. Furthermore, the DEIR on page 4.15-9 determined that implementation of General Plan Policies 5.1.3 and 6.8.1 through 6 would assist in reducing the effects of new development on energy resources. However, additional mitigation measures were recommended to minimize the additional demand for and consumption of energy resources. Mitigation Measures 4.15.6.1A and B require the City to review all development proposals prior to the approval of development plans to guarantee that sufficient energy resources and facilities are available to supply adequate energy to the proposed project and associated uses. In addition, the measures require review of all development proposals by the City to guarantee that energy conservation and efficiency standards of Title 24 are met and are incorporated into the design of future development. With the General Plan policies, which, among other requirements, encourage the installation of energy-efficient lighting, facilitate the installation of environmentally acceptable forms of small-scale electrical generation, provide incentives to new development to exceed its energy efficiency standards, and facilitate the installation of new utility infrastructure including an electrical substation plus the aforementioned mitigation measures, impacts to energy supplies and facilities would be less than significant.

3.1.5 Summary of Environmental Impact Findings

Table A (following page) presents a summary of the environmental impact findings of the Shafter General Plan and Related Actions. The table displays the impacts according to three categories: less than significant impacts, less than significant impacts with mitigation, and significant unavoidable impacts after mitigation.

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Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
4.2 AESTHETICS AND VISUAL RESOURCES		
<u>Visual Character</u> Impact 4.2.3.2. Expansion of areas developed for urban and rural residential use, increased residential densities, and industrial and business park development may conflict with the City's existing small town visual character and qualities. Land Use Program Policies 2.3.1, 2.3.2, 2.3.3 2.3.5, 2.3.9, 2.3.10, 2.5.1, 2.5.4, 2.5.5, 2.6.1, 2.8.7, 2.8.10, 2.8.19, 2.9.8 Environmental Management Program Policies: 6.6.7 Public Services Program Policies: 4.6.6, 4.7.6, 4.7.7	<u>Light and Glare</u> Impact 4.2.3.3. Implementation of the proposed General Plan would increase the effects of light and glare upon existing residential uses and upon wildlife (especially nocturnal species) within the Planning Area. New light and glare would be created by the addition of residences, commercial establishments, industrial uses, and public facilities within the proposed General Plan Planning Area. Land Use Program Policy: 2.7.3 <u>Mitigation Measures</u> 4.2.3A. The City shall require that sources of lighting provide the minimum lighting required to ensure safe circulation and visibility. 4.2.3B. The City shall require street lighting to be limited to intersections and other locations that are needed to maintain safe access (e.g., sharp curves). 4.2.3C. The City shall require exterior lighting for buildings to be of a low profile and intensity. 4.2.3D. Require that lighting provided for new development be designed so as to be confined to the areas that are intended to be lit. 4.2.3E. Require that access to non-residential uses adjacent to residential neighborhoods be designed so as to provide adequate separation and prevent spillover of night lighting from the non-residential use into the adjacent residential neighborhood.	<u>Affected Views to Scenic Vistas and Scenic Resources</u> Impact 4.2.3.1. Build out of the proposed General Plan would increase development of urban and rural residential uses within the Planning Area, resulting in the conversion of open space areas and agricultural lands within certain areas to urban and rural residential land uses. This would cause a substantial loss of open space and scenic resources within the City, substantially altering existing and future public views. Land Use Program Policies: 2.4.9, 2.8.20 Environmental Management Program Policies: 6.2.1, 6.2.2, 6.2.3 <u>Mitigation Measures</u> No feasible mitigation measures exist to address the loss of open vistas that will result from conversion of open space and agricultural lands to urban and rural residential uses, other than those that are included in the General Plan.
4.3 AIR QUALITY		
<u>Odors and Toxic Air Contaminants</u> The proposed General Plan, Specific Plans, annexation and pre-zoning, and agricultural preserved contract cancellations will not, in and of themselves, generate odor or toxic air contaminants; however, the specific uses and activities that may be	<u>Conflict with Regional Air Quality Plans</u> Impact 4.3.4.4 Implementation of the proposed General Plan may conflict or obstruct implementation of the San Joaquin Valley Air Pollution Control Plan (SJVACP) or the Regional Comprehensive Plan (RCP) of the Kern Council of Governments.	<u>Stationary Source and Vehicular Emissions</u> Impact 4.3.4.2. Development associated with implementation of the proposed General Plan will result in an overall increase in stationary and mobile source emissions within the City which may exceed SJVAPCD Air Quality Standards.

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
permitted pursuant to these actions can result in air emissions that would raise odor concerns on the part of nearby uses. Major potential sources of odors include restaurants, manufacturing plants, and agricultural operations. While sources that generate objectionable odors must comply with applicable air quality regulations, the public's sensitivity to locally produced odors can exceed regulatory thresholds. Though offensive odors from stationary sources rarely cause any physical harm, they remain unpleasant and can lead to public distress, generating citizen complaints to local governments. The occurrence and severity of odor impacts depends on the nature, frequency and intensity of the source; wind speed and direction; and the sensitivity of receptors. Individual developments that have the potential to generate odors or air contaminants will be evaluated when project-specific information is available. Impacts to sensitive receptors are considered for any proposed new odor source located near existing receptors, as well as any new sensitive receptors located near existing odor sources. Generally, increasing the distance between a receptor and the source to an acceptable level will mitigate odor impacts. Implementation of the proposed General Plan would ensure that sensitive receptors (e.g., residences, schools, and hospitals) were adequately buffered from industries that generate toxic emissions by not allowing the construction of residences near heavy industrial uses or, conversely, the construction near sensitive receptors of heavy industries that may emit toxins. Implementation of these policies would reduce potential impacts associated with odors and toxic emissions to a less than significant level and ensure consistency with the regional air quality plan. <u>Construction-Related Particulate (PM₁₀) Emissions</u> Impact 4.3.4.1. Air pollutant emissions, including fugitive dust and gases, could occur during	The proposed General Plan contains policies in the Land Use Program, the Transportation and Circulation Program, and the Environmental Management Program and these policies have been listed under Impact 4.3.4.2. Mitigation Measures 4.3.4.4A. The City of Shafter shall cooperate in the preparation of a revised SJVAPCD Plan and support regional, State, and Federal agencies to improve air quality throughout the San Joaquin Valley Basin.	Land Use Program Policies: 2.3.1, 2.3.2, 2.3.4, 2.5.7, 2.8.11, 2.8.14d Environmental Management Program Policies: 6.7.1, 6.7.2, 6.7.3, 6.7.4, 6.7.5, 6.7.6, 6.7.7, 6.8.6 Transportation/Traffic Program Policies: 3.2.1, 3.2.7, 3.2.8, 3.2.9, 3.3.3, 3.3.4, 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.6, 3.4.7, 3.4.8, 3.4.9, 3.4.10, 3.4.11, 3.4.12, 3.4.13, 3.5.2, 3.5.3, 3.5.4, 3.5.5, 3.5.6, 3.5.7, 3.6.1, 3.6.2, 3.6.3 Mitigation Measures 4.3.4.3A. Encourage the use of building materials/methods, which reduce emissions. 4.3.4.3B. Encourage the use of efficient heating equipment and other appliances, such as water heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units. 4.3.4.3C. Encourage centrally heated facilities to utilize automated time clocks or occupant sensors to control heating. 4.3.4.3D. Require residential building construction to comply with energy use guidelines detailed in Title 24 of the California Administrative Code. 4.3.4.3E. Adopt incentives and/or regulations to enact energy conservation requirements for private and public developments. The following general approaches from SJVAPCD (see <i>Guide for Assessing and Mitigating Air Quality Impacts</i>, January 10, 2002, Section 6.5.2 for the details), as appropriate, are necessary: • Reduce vehicle trips. These measures reduce air pollution emissions by entirely eliminating some of the vehicle trips associated with a project. An example is the provision of bicycle facilities to encourage bicycle use instead of driving. • Reduce vehicle miles traveled. These measures reduce emissions by reducing the length of vehicle trips associated with a project. An example is

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>construction-related activities associated with individual projects permitted by the General Plan, Coberly West Specific Plan, and Mission Lakes Specific Plan, as well as by future development within Annexation Area 77. Impacts from fugitive dust and emissions generated by construction vehicles and equipment traveling over exposed surfaces, as well as by disturbances from grading could affect air quality.</i> Environmental Management Program Policy: 6.7.1 <u>Mitigation Measures</u> No mitigation measures beyond the policy identified in the proposed General Plan and implementation of SJVAPCD Regulation VIII are necessary.		satellite offices/telecommuting centers provided to reduce the length of employee commute trips. • Use of low emission vehicles. These measures do not aim to reduce trips or VMT, but rather promote the use of fuels that are less polluting than gasoline or diesel. Examples are the conversion of a vehicle fleet to operate on compressed natural gas and the purchase of an electric vehicle. • Improve traffic flows/reduce congestion. These measures reduce emissions by reducing traffic congestion and/or reducing stops and starts. This allows vehicles to operate at steady and moderate speeds, and thus lowers pollution per mile traveled. An example is timing the traffic signals on an arterial to facilitate uninterrupted travel. Support measures. These measures may not directly reduce emissions, but rather support and facilitate other emission reduction strategies. An example is a guaranteed ride home program implemented at a worksite in order to encourage employees to use commute alternatives by allaying concerns over being without a vehicle in case of emergency.
4.4 BIOLOGICAL RESOURCES		
<u>Direct Loss of Oak Trees</u> Implementation of the proposed General Plan would not result in the direct loss of oak trees. This is considered a less than significant impact. <u>Wildlife Movement</u> Impact 4.4.4.3. <i>Implementation of the proposed General Plan would cause fragmentation of habitat that constricts, inhibits, or eliminates wildlife movement within portions of the Planning Area, but would not impact a regional natural corridor.</i> Environmental Management Program Policies: 6.2.3, 6.4.1, 6.4.2, 6.4.3, 6.4.4	<u>Impacts to Sensitive Species and Sensitive Natural Communities</u> Impact 4.4.4.1. <i>Implementation of the proposed General Plan could have an adverse impact on listed, proposed, or candidate species and other sensitive or special status species or the loss of habitat occupied by such species.</i> Environmental Management Program Policies: 6.4.1, 6.4.2, 6.4.3, 6.4.4 <u>Mitigation Measures</u> 4.4.4.1A. At a minimum, a wildlife/plant habitat suitability assessment shall be part of the impact analysis for any development project located within the Planning Area. If a covered species has been observed in the vicinity of the	

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.	project area or the site has suitable habitat conditions, then a focused species survey shall be completed. If a covered species is found to be present, then appropriate mitigation measures will be determined by the applicable lead agency. A “covered” species is any plant or animal listed as threatened or endangered by CDFG or USFWS, a non-listed species that requires mitigation under Migratory Bird Treaty Act, or a species that is protected under local ordinances. 4.4.4.1B. In the event that the Valley Floor Habitat Conservation Plan (VFHCP) is adopted, then any project within the Planning Area will be a VFHCP participant and would comply with FESA Section 10A permit conditions and mitigation measures adopted in the Plan. <u>Loss of Critical Habitat</u> Impact 4.4.4.2. <i>Implementation of the proposed General Plan may cause direct loss of sensitive plant communities, but no loss of federally designated critical habitat. Direct loss of sensitive habitat and open space occupied by covered species is considered a significant impact.</i> Environmental Management Program Policies: 6.4.1, 6.4.2, 6.4.3, 6.4.4 <i>Mitigation Measures</i> 4.4.4.2.A. The City establishes baseline ratios for mitigating the impacts of development related uses to rare, threatened and endangered species and their associated habitats as the following: Preserve habitat occupied by covered species at minimum of 1:1 replacement ratio in locations that provide long-term conservation value for impacted resources. Habitat is defined as where a plant or animal completes its life cycle. Habitat in the Planning Area can include native plant communities, annual grasslands, oilfields, and agricultural land. Habitat mitigation could involve dedication of conservation easement on the occupied on-site habitat, acquisition of off-site habitat occupied by the affected species, acquiring a key parcel that fills in a missing link or gap in an HCP reserve that provides conservation for the	

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
	species, or acquisition of credits in a mitigation bank (endorsed by the USFWS and/or CDFG) that has been established to provide conservation value for the species. Implementation of the mitigation measure shall include provisions for the preservation of such areas in perpetuity. <u>Conflict with Adopted Habitat Conservation Plan</u> Impact 4.4.4.4. <i>Implementation of the General Plan could affect existing Habitat Conservation Plans and the proposed Kern County VFHCP, which is in the initial planning stage.</i> Environmental Management Program Policies 6.2.1, 6.2.3, 6.4.4 <i>Mitigation Measures</i> 4.4.4.4.A. The City of Shafter shall collect the mitigation fees upon the development of the area within the MBHCP which is located north of 7th Standard Road and within the sphere of influence of the City of Shafter. The City shall forward the MBHCP fees to the County of Kern. Alternatively, development within the MBHCP shall provide equivalent mitigation in the form of habitat acquisition or payment of fees into an established mitigation bank.	
4.5 CULTURAL RESOURCES AND PALEONTOLOGY		
<u>Destruction of a Unique Paleontological Resource or Site</u> Impact 4.5.4.1. <i>Development associated with the proposed General Plan would require disturbance of vacant lands. Therefore, development as a result of implementation of the proposed General Plan could potentially destroy directly or indirectly a unique paleontological resource or site.</i> Environmental Management Program Policies: 6.6.1, 6.6.2, 6.6.3 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.	<u>Unknown Buried Human Remains</u> Impact 4.5.4.2. <i>Development allowed by implementation of the proposed General Plan could have the potential to disturb buried human remains, including those interred outside of formal cemeteries, and buried archaeological resources.</i> Environmental Management Program Policies: 6.6.1, 6.6.2, 6.6.3 <i>Mitigation Measures</i> 4.5.4.2A. If human remains are encountered during a public or private construction activity, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Kern County Coroner has made a determination of	

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<u>Adverse Change in the Significance of an Historical Resource</u> Impact 4.5.4.3. Development associated with the proposed General Plan would require disturbance of vacant lands and possible conversion of existing structures into various land uses (e.g., historic homes into office space). Development allowed by implementation of the proposed General Plan could cause the destruction of or loss of a historical resource, as defined in CEQA Guidelines, Section 15064.5. Environmental Management Program Policies: 6.6.4, 6.6.5, 6.6.6, 6.6.7 Mitigation Measures No mitigation required beyond the policies included in the General Plan.	origin and disposition pursuant to Public Resources Code Section 5097.98. The Kern County Coroner must be notified within 24 hours. If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descent (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.	
4.6 GEOLOGY AND SOILS		
<u>Rupture of a Known Earthquake Fault</u> Although the Planning Area is located within a seismically active region of the State, it does not contain any active faults. Some older, inactive faults run through the western and southwestern portions of the Planning Area; however, because these faults are inactive (they have not moved within the last 3 million years) they are not considered a source of potential hazard for rupturing. Future development permitted by the General Plan will not result in the exposure of people or structures to fault rupture hazards. Likewise, development permitted within the Annexation 77 and Pre-Zoning Area—which includes the Coberly West and Mission Lakes Specific Plans and the Williamson Act contract cancellation properties—will not result in the exposure of people or structures to fault rupture hazards as no known active faults are located within the boundaries of the Annexation Area 77. Therefore, impacts associated	<u>Soil Erosion/Loss of Topsoil</u> Impact 4.6.4.3: Soil Erosion/Loss of Topsoil. Implementation of the General Plan may result in impacts related to soil erosion or the loss of topsoil. Areas exposed during development activities would be prone to soil erosion and loss of topsoil. Environmental Hazards Program Policy: 7.2.4 Mitigation Measures 4.6.4.3.A. New developments shall provide erosion and sedimentation control measures to maintain the capacity of area storm drains, protect water quality, and to reduce erosion and the loss of topsoil. 4.6.4.3.B. New development shall use BMPs to minimize erosion and sedimentation.	

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>with the rupture of a known earthquake fault in the Planning Area, which includes the Annexation Area, are less than significant.</i> <u>Liquefaction</u> <i>Liquefaction is a destructive secondary effect of strong seismic shaking, which occurs primarily in saturated, loose, fine-to-medium-grained soils in areas where the groundwater table is within 50 feet of the surface. Shaking suddenly increases pore water pressure, causing the soils to lose strength and behave as a liquid. Liquefaction-related effects include loss of bearing strength, ground oscillations, lateral spreading, and flow failures or slumping. Although soil conditions exist that might be conducive to liquefaction, groundwater is deep enough that liquefaction potential does not occur in the Planning Area, which includes the Annexation 77 and Pre-Zoning Area of which Coberly West Specific Plan, Mission Lakes Specific Plan, and the properties considered for Williamson Act cancellation are a part. Therefore, impacts associated with this issue are less than significant.</i> <u>Landslides/Slope Failure</u> <i>Landslides and slope stability are a relatively minor hazard within the Planning Area, which includes the Annexation 77 and Pre-Zoning Area boundaries of which Coberly West and Mission Lakes Specific Plans and the proposed Williamson Act contract cancellation properties are a part. The slope hazards are minor since there are only minor changes in topography and no steep slopes. Future proposed General Plan development within the Planning Area would not increase the potential for the placement of structures and facilities in areas susceptible to slope failure. Therefore, impacts associated with this issue are less than significant.</i>		

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<u>Ground Shaking</u> Impact 4.6.4.1: Ground Shaking. <i>The City of Shafter has and will continue to be subject to ground shaking resulting from activity on local and regional faults. Future development permitted by the proposed General Plan may increase the potential for property loss, injury, or death resulting from this ground shaking hazard.</i> Environmental Hazards Program Policies: 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.2.8 Mitigation Measures No mitigation required beyond the policies included in the General Plan. <u>Ground Subsidence</u> Impact 4.6.4.2: Ground Subsidence. <i>Soils susceptible to subsidence may be affected by a variety of natural or human activities, including earthquakes and the withdrawal of subsurface fluids. Future proposed General Plan development within the Planning Area would increase the potential for the placement of structures and facilities in areas susceptible to subsidence.</i> Environmental Hazards Program Policies: 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.2.8 Mitigation Measures No mitigation required beyond the policies included in the General Plan. <u>Collapse and Expansive Soils</u> Impact 4.6.4.4 Collapse and Expansive Soils. <i>Future development within the Planning Area would increase potential placement of residential and non-residential structures within areas susceptible to damage resulting from collapse and expansive soils. This is a potentially significant impact.</i> Environmental Hazards Program Policies: 7.2.1, 7.2.4		

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.		
4.7 HAZARDS AND HAZARDOUS MATERIALS		
<u>Hazardous Materials Exposure</u> Impact 4.7.4.2. Implementation of the proposed General Plan would introduce new land uses to the Planning Area that may result in additional sources of hazardous materials and potentially increase exposure of residents and employees to hazardous materials and hazardous waste. Environmental Hazards Program Policies: 7.5.1, 7.5.2, 7.5.3, 7.5.4, 7.5.5, 7.5.6, 7.5.7, 7.5.8, 7.5.9, 7.5.10, 7.5.11, 7.5.12, 7.5.13 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan. <u>Impair an Emergency Response Plan</u> Impact 4.7.4.3. Implementation of the proposed General Plan could interfere with an adopted emergency response plan or emergency evacuation plan. Environmental Hazards Program Policies: 7.6.1, 7.6.2, 7.6.3, 7.6.4, 7.6.5 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan. <u>Airport Safety Zones</u> Impact 4.7.4.4 Implementation of the proposed General Plan may be incompatible with the Shafter/Minter Field Airport Safety Zones and thereby expose persons to unsafe condition. Environmental Hazards Program Policies: 7.4.1, 7.4.2, 7.4.3	<u>Unknown Hazardous Materials</u> Impact 4.7.4.1. Implementation of the proposed General Plan could result, during the development process, in uncovering previously unknown hazardous materials contamination from historical use of property and exposure of persons to agricultural chemicals. Land Use Program Policies: 2.4.2, 2.4.5, 2.4.6, 2.4.10 Environmental Hazards Program Policies: 7.5.1, 7.5.13 <i>Mitigation Measures</i> 4.7.4.1.A. On a site-specific, project-by-project basis, all new discretionary development projects shall be subject to an assessment to determine whether hazardous materials are present as required by the County Department of Environmental Services. 4.7.4.1.B. Soils shall be tested for concentrations of agricultural chemicals prior to grading permit approval where appropriate, as determined by local, State, or Federal agencies. Contaminated soils shall be treated and/or excavated and disposed of at certified hazardous waste facility. 4.7.4.1.C. Fugitive dust on construction sites shall be controlled by irrigation, paving of construction roads, limiting grading activities during periods of high winds, and other applicable methods as set forth by the San Joaquin Valley Unified Air Pollution Control District.	

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.		
4.8 WATER RESOURCES		
<u><i>Groundwater Recharge</i></u> Impact 4.8.4.2. <i>Implementation of the proposed General Plan may result in the loss of water recharge areas due to increased impervious surfaces caused by new development.</i> Environmental Management Program Policies: 6.3.8, 6.3.11 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan. <u><i>Demand for Water Services</i></u> Impact 4.8.4.3: <i>Implementation of the proposed General Plan will increase the demand for water services such that it exceeds the existing and planned facilities.</i> Land Use Program Policies: 2.10.6, 2.10.7 Public Services and Facilities Program Policies: 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.2.6 <i>Mitigation Measure</i> No mitigation required beyond the policies included in the General Plan. <u><i>Impacts to Water Quality</i></u> Impact 4.8.4.4: <i>Implementation of the proposed General Plan may, during future construction activities and post-construction uses, violate water quality standards or waste discharge requirements.</i> Environmental Management Program Policy: 4.5.4. Public Services and Facilities Program Policy: 6.3.6, 6.3.10		<u><i>Impacts to Groundwater Supplies</i></u> Impact 4.8.4.1. <i>Build out of the General Plan may increase the existing demand for water and may contribute to the depletion of groundwater supplies.</i> Public Services and Facilities Program Policies: 4.2.1, 4.2.2, 4.2.3, 4.2.5, 4.2.6 Environmental Management Program Policies: 6.3.1, 6.3.2, 6.3.3, 6.3.4, 6.3.5, 6.3.7, 6.3.9 <i>Mitigation Measures</i> No mitigation measures are proposed.

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan. <u>Water Availability for Fire Flow</u> Impact 4.8.4.5: <i>The new demand for water may affect the water available for emergency fire flow. This is a potentially significant impact.</i> Public Services and Facilities Program Policy: 4.8.5 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.		
4.9 LAND USE		
<u>Changes in the Pattern of Land Use</u> Impact 4.9.4.1. <i>Implementation of the proposed General Plan would result in changes to the existing land use designations in certain areas which could negatively affect the existing pattern of development as well as the surrounding uses.</i> Land Use Program Policies: 2.3.1, 2.3.2, 2.3.3, 2.3.4, 2.3.5, 2.3.6, 2.3.7, 2.3.8, 2.3.9, 2.3.11, 2.3.12, 2.5.1, 2.5.2, 2.5.3, 2.5.4, 2.6.1, 2.6.2, 2.6.3, 2.6.4, 2.7.1, 2.7.3, 2.8.1, 2.8.2, 2.8.5, 2.8.12, 2.8.13, 2.8.14, 2.10.1 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.		<u>Affect Existing Farmland</u> Impact 4.9.4.2. <i>Implementation of the proposed General Plan would result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses.</i> Land Use Program Policies: 2.3.3, 2.4.1, 2.4.2, 2.4.3, 2.4.4, 2.4.5, 2.4.6, 2.4.7, 2.4.8, 2.4.9, 2.4.10, 2.4.11, 2.5.6, 2.8.2 Environmental Management Program Policies: 6.2.2, 6.2.3 <i>Mitigation Measures</i> No feasible mitigation measures have been identified. <u>Affect Williamson Act Contracts</u> Impact 4.9.4.3. <i>Implementation of the proposed General Plan would conflict with existing zoning for agricultural use, or a Williamson Act contract.</i> Land Use Program Policies: 2.4.5, 2.4.6, 2.4.8, 2.4.10, 2.8.2. <i>Mitigation Measures</i> No feasible mitigation measures have been identified.

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
4.10 FLOOD HAZARDS		
<u>Exposure of Structures to Flood Hazards</u> Impact 4.10.4.1. Implementation of the proposed General Plan may result in exposure of people or structures to the impacts of flooding through the placement of structures in the 100-500 year floodplain. Public Services and Facilities Program Policy: 4.5.1 Environmental Hazards Program Policies: 7.3.1, 7.3.2, 7.3.3, 7.3.4 <u>Mitigation Measures</u> No mitigation is required beyond the policies included in the General Plan. <u>Increased Stormwater Runoff</u> Impact 4.10.4.2. Future development under the proposed General Plan would likely result in a net increase in impervious surfaces (i.e., roads, parking lots, buildings). An increase in impervious surfaces reduces the amount of rainfall that can infiltrate into the subsurface. Increases in runoff can amplify drainage volumes and velocities causing storm drainage facilities that are at or near capacity to fail during peak events. This excess runoff may result in localized ponding and/or flooding. Public Services and Facilities Program Policy: 4.5.1 Environmental Hazards Program Policies: 7.3.2, 7.3.3, 7.3.4 <u>Mitigation Measures</u> No mitigation required beyond the policies included in the General Plan.		
4.11 NOISE		
<u>Long-Term Stationary Noise Impacts</u> Impact 4.11.3.3: Long-Term Stationary Noise Impacts. New development associated with	<u>Short-Term Construction Noise Impacts</u> Impact 4.11.3.1: Noise levels from grading and other construction activities would potentially result in noise	

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>implementation of the proposed General Plan could expose existing and/or new sensitive uses to stationary noise sources, such as those generated by industrial and/or commercial uses.</i> Land Use Program Policies: 2.8.12, 2.8.13. Environmental Hazards Program Policies: 7.7.2, 7.7.3, 7.7.4, 7.7.5, 7.7.6, 7.7.7, 7.7.8, 7.7.9 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan. <u>Long-Term Airport Noise Impacts</u> Impact 4.11.3.4: <i>Noise generated by existing and proposed operations at the Shafter Airport/Minter Field Airport could create noise impacts to the new development proposed by the General Plan.</i> Land Use Program Policy: 2.9.5 Environmental Hazards Program Policies: 7.4.1, 7.4.2, 7.4.3 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.	<i>levels reaching 91 dBA at site locations 50 feet from an active construction area. This would result in potentially significant noise impacts to off-site sensitive receptors adjacent to the individual construction sites.</i> Environmental Hazards Program Policies: 7.7.3, 7.7.4, 7.7.5, 7.7.10 <i>Mitigation Measures</i> 4.11.3.1A. Standard construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction activities shall be allowed on weekends and holidays until after the buildings are enclosed without prior authorization of the City. 4.11.3.1B. To reduce daytime noise impacts due to construction, to the maximum feasible extent, the City shall ask all project applicants to develop a site-specific noise reduction program, subject to the City's approval, which includes the following measures: • Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems. • An on-site complaint and enforcement manager shall be posted to respond to and track complaints. • A pre-construction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices are completed prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.). • Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).	

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
	- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels from pneumatic tools where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. - Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible. 4.11.3.1C. If pile-driving occurs as part of the project, it shall be limited to between 8:00 a.m. and 4:00 p.m., Monday through Friday, with no pile driving permitted between 12:30 and 1:30 p.m. No pile driving shall be allowed on Saturdays, Sundays, or holidays. 4.11.3.1D. To further mitigate potential pile-driving and/or other extreme noise generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This plan shall be submitted for review and approval by the City to ensure that maximum feasible noise attenuation is achieved. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities: - Implement “quiet” pile-driving technology, where feasible, in consideration of geotechnical and structural requirements and conditions; - Erect temporary plywood noise barriers around the entire construction site;	

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Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
	- Utilize noise control blankets on the building structure as it is erected to reduce noise emission from the site; - Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and - Monitor the effectiveness of noise attenuation measures by taking noise measurements. 4.11.3.1E. A process with the following components shall be established for responding to and tracking complaints pertaining to pile-driving construction noise: - A procedure for notifying City staff and Police Department; - A list of telephone numbers (during regular construction hours and off-hours); - A plan for posting signs on-site pertaining to complaint procedures and who to notify in the event of a problem; - Designation of a construction complaint manager for the project; and - A requirement to notify of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving activities. <u>Long-Term Vehicular Noise Impacts</u> Impact 4.11.3.2. <i>Implementation of the proposed General Plan would result in potential long-term vehicular noise that would affect sensitive land uses along the roads. New development, particularly residential uses along and adjacent to major transit corridors, could be exposed to excessive traffic-related noise levels.</i> Environmental Hazards Program Policies: 7.7.1, 7.7.2, 7.7.3, 7.7.4, 7.7.5, 7.7.6, 7.7.7, 7.7.8, 7.7.9 <i>Mitigation Measures</i> 4.11.8.2A. Buildings associated with noise-sensitive uses and directly exposed to traffic noise levels exceeding 57	

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
	dBA CNEL should be equipped with air conditioning or mechanical ventilation to allow the windows and doors to remain closed for prolonged periods of time, thus reducing noise levels below the level of significance (45 dBA CNEL). 4.11.8.2B. Buildings associated with noise-sensitive uses and directly exposed to traffic noise levels exceeding 69 dBA CNEL should incorporate mitigation measures such as building façade upgrades. 4.11.8.2C. Outdoor active use areas, such as backyards and school playgrounds, would need to be protected by freestanding sound walls along the property boundaries where exposed to noise levels above 70 dBA.	
4.12 POPULATION AND HOUSING		
<u>Displacement of Residential Units or Persons</u> Implementation of the proposed General Plan would not result in the displacement of a substantial number of residential units and persons. Upon build out of the proposed General Plan, approximately 28,548 residential units are projected to exist within the Planning Area. Development will occur on vacant or agricultural land and would not displace residential units or persons; therefore, no impact would occur. <u>Jobs to Housing Balance</u> Implementation of the proposed General Plan will result in an increase in employment growth within the City exacerbating the jobs-to-housing balance. Even though the City of Shafter is expected to have many more jobs than households by 2030, other cities within Kern County are expected to have a much lower jobs-to-household ratio. Because Shafter's numerous jobs will help to balance the numerous households in surrounding cities, a balance between the number of jobs and households will exist within the region by 2030, and the jobs within Shafter will have a beneficial effect on the region. Therefore, the		<u>Exceed Housing and Population Projections</u> Impact 4.12.4.1 Build out of the City of Shafter due to implementation of the proposed General Plan will result in a substantial increase in population and residential and non-residential which will exceed the housing and population projections for the Planning Area. Land Use Program Policies: 2.8.4, 2.8.5, 2.9.4 <u>Mitigation Measures</u> There are no additional mitigation measures that would reduce the build out estimates below the currently adopted projections for the City.

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
implementation of the proposed General Plan will help to balance land uses regionally and no adverse impact associated with this issue would occur.		
4.13 PUBLIC SERVICES AND UTILITIES		
<u>Potentially Significant Impacts</u>		
<u>Fire Protection</u> Impact 4.13.1.1. <i>Build out of the proposed City of Shafter General Plan will result in a substantial increase in population and the development of residential and non-residential structures, thereby increasing the need for fire emergency services and facilities.</i> Land Use Program Policies: 2.8.16, 2.10.3 Public Services and Facilities Program Policies: 4.8.1, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.8.6, 4.8.7, 4.8.8, 4.10.1, 4.10.2, 4.10.3, 4.10.4, 4.10.5, 4.10.6, 4.11.1, 4.11.2 Mitigation Measures No mitigation required beyond the policies included in the General Plan. <u>Police Protection</u> Impact 4.13.2.1. <i>Increases in population and employment resulting from implementation of the General Plan would increase the need for police personnel, facilities, and/or support services.</i> Land Use Program Policies: 2.8.16, 2.10.3 Public Services and Facilities Program Policies: 4.9.1, 4.9.2, 4.9.3, 4.9.4, 4.10.1, 4.10.2, 4.10.4, 4.10.5, 4.11.1, 4.11.2 Mitigation Measures No mitigation required beyond the policies included in the General Plan. <u>Public Educational Facilities</u> Impact 4.13.3.1. <i>Implementation of the proposed</i>		

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<i>General Plan Update would result in the need for additional school facilities.</i> Land Use Program Policies: 2.8.17, 2.10.3, 2.10.4 Public Services and Facilities Program Policies: 4.6.1, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.6.6, 4.6.7, 4.10.1, 4.10.2, 4.10.3, 4.10.4, 4.10.5, 4.11.1, 4.11.2 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan. <u>Wastewater</u> Impact 4.13.4.1. <i>Implementation of the proposed General Plan would result in increased demand for sewer service within the City.</i> Land Use Program Policies: 2.7.9, 2.8.16, 2.8.18, 2.9.1, 2.10.2 Public Services and Facilities Program Policies: 4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.3.8, 4.10.1, 4.10.2, 4.10.3, 4.10.4, 4.10.5, 4.10.6, 4.11.1, 4.11.2 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan. <u>Solid Waste</u> Impact 4.13.5.1. <i>Implementation of the General Plan would result in increased demand for solid waste services and landfill capacity.</i> Land Use Program Policies: 2.8.16, 2.10.2 Public Services and Facilities Program Policies: 4.4.1, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.10.1, 4.10.2, 4.10.3, 4.10.4, 4.11.1, 4.11.2 <i>Mitigation Measures</i> No mitigation required beyond the policies included in the General Plan.		

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
<u>Parks and Recreation</u> Impact 4.13.6.1. <i>Implementation of the proposed General Plan may result in significant impacts to the availability of adequate parkland and/or recreational facilities within the City.</i> Land Use Program Policies: 2.10.2, 2.10.3, 2.10.4 Public Services and Facilities Program Policies: 4.5.3, 4.7.1, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.7.6, 4.7.7, 4.7.8, 4.7.9, 4.10.1, 4.10.2, 4.10.3, 4.10.4, 4.10.5, 4.11.1, 4.11.2 Mitigation Measures No mitigation required beyond the policies included in the General Plan.		
<u>Park Maintenance and Recreation Programs and Services</u> Impact 4.13.6.2. <i>Implementation of the General Plan may result in the need for increased park maintenance and recreational programs and services.</i> Public Services and Facilities Program Policies: 4.7.1, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.7.7, 4.7.8, 4.10.2, 4.10.4, 4.10.5, 4.11.1, 4.11.2 Mitigation Measures No mitigation required beyond the policies included in the General Plan.		
4.14 TRANSPORTATION/TRAFFIC		
<u>Parking</u> <i>The General Plan and related actions are not expected to result in an inadequate parking supply because the General Plan and related actions do not modify current parking standards. Future developments will continue to supply parking according to City Code requirements.</i>		
<u>Emergency Access</u> <i>The General Plan and related actions are not</i>		

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
expected to result in inadequate emergency vehicle access. The General Plan Circulation map provides for alternative access, and the existing City requirements for the provision of emergency access to development projects will continue to be implemented. In addition to the Circulation Program map, implementation of the following Circulation Program policies would avoid impacts to the emergency access system: Streets and Highways Policies 3.2.5 and 3.2.6 would require the management and development of the area's local roadway system to support the Land Use Program; Streets and Highways Policies 3.2.10 and 3.2.11, as well as Commodities Movement Policy 3.5.2 would minimize local cut-through traffic in residential neighborhoods; Streets and Highways Policies 3.2.1 through 3.2.3 would maintain adequate levels of service for all areas of the City. Implementation of these policies will maintain the City's level of service standard throughout the City, ensuring the adequacy of access routes for emergency vehicles. It is not expected that future congestion will significantly affect emergency vehicle access due to the availability of alternate routes and improvements to key roadways to maintain standards. Also, the City will implement traffic signal system upgrades that help to facilitate more efficient emergency vehicle access and give priority to emergency vehicles. <u>Pedestrian and Bicyclist Travel</u> The General Plan and related actions are not expected to result in unsafe conditions for pedestrians and bicyclists. Implementation of existing City requirements and the provisions of Section 3.4 (Alternative Modes of Transportation) of the proposed General Plan would avoid significant impacts to pedestrian and bicycle travel by providing for a bicycle and trails network and supporting the safe and convenient movement of pedestrians. The City will continue to require development projects to provide		

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
bicycle and pedestrian facilities and amenities according to City codes, and as a result of the development review process. <u>Regional Transportation Policies on Alternative Transportation</u> The General Plan and related actions are not expected to result in conflicts with regional transportation policies on alternative transportation since the Section 3.4 of the proposed General Plan objectives and policies that support alternative transportation and increased use of transit services. <u>Increased Traffic Volumes</u> Impact 4.14.4.1. Implementation of the proposed General Plan will facilitate the development of residential, commercial, industrial, institutional, and other types of projects that will result in increased traffic volumes. This increase in traffic volumes could, in turn, result in congestion along area roadways and State Routes 43 and 99. Land Use Program Policy: 2.8.15 Transportation Program Policies: 3.2.1, 3.2.2, 3.2.3, 3.2.4, 3.2.5, 3.2.6, 3.2.7, 3.2.8, 3.2.9, 3.2.10, 3.2.11, 3.2.12, 3.2.13, 3.2.14, 3.2.15, 3.2.16, 3.2.17, 3.2.18, 3.2.19, 3.5.1, 3.5.2, 3.5.6, 3.5.7 <u>Mitigation Measures</u> No mitigation required beyond the policies included in the General Plan.		
4.15 MINERAL AND ENERGY RESOURCES		
	<u>Mineral Resources</u> Impact 4.15.5.1. Build out of the General Plan may result in the loss of petroleum, natural gas, sand, or gravel resources that would be of value to the residents of the Planning Area and the residents of the State. Environmental Management Policies: 6.5.1, 6.5.2, 6.5.3, 6.5.4	

Table A – Summary of Environmental Findings

Less than Significant Impacts	Less than Significant Impacts With Mitigation	Significant and Unavoidable Impacts After Mitigation
	<i>Mitigation Measures</i> 4.15.5.1A. Prior to the construction of any structure within ten feet of an abandoned well, a leak test shall be performed in accordance with the standards of the California Division of Oil Gas and Geothermal Resources (CDOGGR) standards. Should a leak be detected, it shall be repaired according to CDOGGR guidelines. 4.15.5.1B. Well access must be provided for all abandoned wells according to CDOGGR standards. 4.15.5.1C. The construction of any structure over an abandoned well site is not recommended; however, should a building be allowed over a well site, a vent system must be constructed as per CDOGGR guidelines. <u><i>Energy Resources</i></u> Impact 4.15.6.1. <i>Build out of the General Plan will result in an increase in population, and residential and non-residential structures, potentially increasing the use of and need for electricity and/or natural gas. Due to the growth resulting from implementation of the proposed General Plan, this increase would result in impacts on existing electrical or natural gas generation/transmission facilities</i> Population and Housing Program Policy: 5.1.3 Environmental Management Program Policies: 6.8.1, 6.8.2, 6.8.3, 6.8.4, 6.8.5, 6.8.6 <i>Mitigation Measures</i> 4.15.6.1A. The City shall review all development proposals prior to the approval of development plans to guarantee that sufficient energy resources and facilities are available to supply adequate energy to the proposed project and associated uses. 4.15.6.1B. The City shall review all development proposals prior to approval to guarantee that energy conservation and efficiency standards of Title 24 are met and are incorporated into the design of future development.	

4.0 ALTERNATIVES

CEQA requires that an EIR evaluate a reasonable range of alternatives to a project, or to the location of the project, which: (1) offer substantial environmental advantages over the project proposal, and (2) may be feasibly accomplished in a successful manner within a reasonable period of time considering the economic, environmental, social and technological factors involved. An EIR must only evaluate reasonable alternatives to a project which could feasibly attain most of the project objectives, and evaluate the comparative merits of the alternatives. In all cases, the consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the project and (1) through the imposition of mitigation measures the environmental effects of a project can be reduced to an acceptable level, or (2) there are social economic, technological or other considerations which make the alternative infeasible.

Nearly every significant effect identified in the FEIR has been at least substantially lessened, if not fully avoided, by the provisions of the proposed General Plan and the adoption of feasible mitigation measures. There remain six impacts, however, that were identified as significant and unavoidable and which cannot be substantially lessened. Specifically, the proposed General Plan had significant unavoidable adverse impacts on scenic vistas, stationary and mobile source air pollutant emissions, water resources, farmland, Williamson Act contracts, and housing and population projections. The DEIR examined the project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the proposed General Plan in Section 6.0. As the following discussion demonstrates, however, although some of the alternatives are environmentally superior with respect to certain impacts, none of the alternatives is feasible in light of project objectives and other considerations.

The objectives of the proposed General Plan are to be a city that meets the needs of new families who move into the community, a city attractive to industrial and commercial businesses, a community achieving reasonable growth with intelligent planning to meet the future, a city that retains desirable qualities of a small town while expanding housing stock and employment base, and a city that is a responsible steward of the area's environment. These objectives are set forth in greater detail in each Section of the General Plan EIR and are listed below:

- Organize Shafter's physical environment into a logical, functional, and visually pleasing pattern, defining the amount, location, and distribution of various types of land uses within the City and its General Plan study area.
- Recognize and retain commercial agriculture as a desirable land use and as a major segment of the community's identity and economic base.
- 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.
- Provide conveniently located, efficient, and attractive commercial areas to serve regional, community, and neighborhood functions and meet the retail and commercial service needs of Shafter residents and businesses, as well as those of highway travelers in a manner compatible with Shafter's rural, small town character.

- Expand employment opportunities, increase the personal income of local residents, and strengthen Shafter's economic base through a well-defined pattern of industrial development, including rail-served facilities.
- To provide an amenity-rich, master-planned urban enclave with a broad range of housing opportunities, including move-up housing, south and east of Shafter's existing industrial areas whose visual character is defined principally by suburban density residential and low-rise commercial uses, along with industrial uses which provide a transition between the Specific Plan area's residential neighborhoods and industrial areas to the north and west.
- To provide a master-planned residential community east of Shafter's core area in close proximity to large-scale industrial areas.
- Provide ample area for the conduct of public business and the operation of individual institutions within the community, reinforcing Shafter's vision of a community that values civic involvement.
- Maintain a roadway and highway system that:
 - Operates at Level of Service C on a daily and peak hour basis, except in the vicinity of freeway interchanges where Level of Service D is acceptable; and
 - Balances the need to move vehicles with the need to protect environmental and aesthetic resources, and the City's quality of life.
- Provide a balance between the supply and demand for parking, while recognizing the desirability and availability of alternatives to the use of automobiles.
- Support and encourage the use of transportation modes which provide an alternative to travel by private automobile.
- Accommodate the safe movement of commodities within and through the City of Shafter in such a way as to minimize impacts to adjacent land uses, environmental resources, and quality of life.
- Promote the expansion of air transportation services for both cargo and passengers.
- Maintain a water system capable of providing the daily and peak water needs of existing and future residences, businesses, and other uses, including the provision of adequate fire flows, maintenance of adequate service pressures, and storage for drought and emergency conditions.
- Provide a wastewater collection, treatment, and disposal system capable of meeting the daily and peak sewer service needs of existing and future residences, businesses, and other uses during peak use conditions without exhibiting restricted flow (except for force mains) or exceeding the rated capacity of the Shafter-North of the River Regional Wastewater Treatment Facility.
- Reduce the amount of solid waste requiring disposal at landfills, enhancing the potential for recycling of the City's solid wastes.
- Protect structures for human occupancy and roadways identified as evacuation routes from inundation during the 100-year flood event.
- Provision of schools in locations that are readily accessible to student populations, along with sufficient facilities to provide educational services without overcrowding.
- Maintain a system of parks, specialized recreational facilities, and natural open spaces of sufficient size and variety, and in the appropriate locations, to serve the needs of Shafter residents of all ages, encompassing 2.5 acres of improved public parkland per 1,000 population.

- Maintain competent and efficient fire prevention and emergency fire, medical, and hazardous materials response services with first responder capability in order to minimize risks to life and property by responding to 80 percent of all emergency fire, medical, and hazardous materials calls within five minutes on a citywide basis.
- Reduce the risk of crime and provide security to Shafter residents and businesses through maintenance of an active police force of 1.2 to 1.5 officers per 1,000 population, physical planning strategies, and a high level of public awareness and support for crime prevention.
- To ensure the expansion of public facilities occurs in an equitable manner, and that new development pays for the facilities required to support the development without impacting services provided to existing residents and businesses.
- To maintain coordinated implementation of Shafter's planning and development review programs with the expansion of services and facilities provided by outside agencies within the City.
- Provide a diversity of housing opportunities to enhance the City's living environment and to satisfy the shelter needs of Shafter residents.
- Provide housing that is affordable to all economic segments of the community.
- Provide equal housing opportunities for all residents of Shafter.
- Maintain and preserve a comprehensive open space system and its associated natural resources by protecting agricultural and oil production lands where appropriate; providing parks for active and passive recreation; and by preserving natural, scenic, and other open space resources.
- Provide adequate water supplies to meet present and future needs for domestic consumption and emergencies, while obtaining maximum benefit from limited water resources.
- Protection of remaining important biological resources within the General Plan study area.
- Provide for the proper management of mineral resources within the General Plan study area.
- Preserve archaeological, paleontological, and historic resources within the Shafter Planning Area for the benefit and education of future residents.
- Minimize air pollutant emissions so as to assist in achieving State and Federal air quality standards.
- Reduce reliance on nonrenewable energy sources in existing and new commercial, industrial, and public structures.
- Minimize the potential for loss of life, physical injury, property damage, and economic disruption resulting from an earthquake and other geologic events.
- Minimize the potential for loss of life, physical injury, property damage, and social disruption resulting from a 100-year flood.
- Ensure that the land uses surrounding Shafter Airport/Minter Field are compatible with airport operations, and do not pose a safety hazard.
- Minimize the negative impacts associated with the storage, use, generation, transport, and disposal of hazardous materials.
- Maintain a level of preparedness to respond adequately to emergency situations to save lives, protect property, and facilitate recovery with minimal disruption.

- Achieve and maintain exterior noise levels appropriate to planned land uses throughout Shafter, as described below.
 - Residential
 - Single-Family: 60-65 dBA CNEL within rear yards
 - Multifamily: 60-65 dBA CNEL within interior open space areas
 - Schools
 - Classrooms: 60 dBA CNEL
 - Play and sports areas: 70 dBA CNEL
 - Hospitals, Libraries: 60 dBA CNEL
 - Commercial/Industrial: 65-70 dBA CNEL at the front setback.

Where a significant impact can be substantially lessened (i.e., mitigated to an “acceptable level”) solely by the adoption of the project and mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the proposed project (Public Resources Code, § 21002; *Laurel Hills Homeowners Association, supra*, 83 Cal.App.3d at p. 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 691, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403).

The Draft EIR and the Final EIR examined a reasonable range of alternatives to the project to determine whether any of these alternatives could meet most or all of the project’s objectives, while avoiding or substantially lessening its significant, unavoidable impacts (DEIR, p. 6-1).

Four alternatives that could potentially meet the project objectives were considered as part of the environmental review for the project:

- **No Project, No Build Alternative.** With this alternative, the proposed General Plan would not be adopted and no further building would occur within the City of Shafter. This prohibition would compel any subsequent development to occur in the unincorporated areas of the County or in adjacent cities, resulting in any incremental growth in population, housing, or employment opportunities to occur in these areas. The No Build alternative represents a baseline against which the impacts of the proposed General Plan can be measured.
- **No Project, Existing General Plan Alternative.** As required by Section 15126.6(e) of the CEQA Guidelines, Existing General Plan Alternative describes build out of Shafter in accordance with existing zoning and General Plan land use designations under the policies and implementing strategies of the current General Plan. Implementation of this Alternative assumes that ultimate build out of the existing General Plan would occur.
- **No Specific Plan.** Under the No Specific Plan Alternative, the General Plan would be adopted; however, the two areas designated as “Specific Plan” would instead be designated “Agricultural Open Space.” The Coberly West and Mission Lakes Specific Plans, Annexation 77, and cancellation of agricultural preserve contracts would not be approved. Implementation of this Alternative assumes the ultimate build out of the proposed General Plan would occur with the exceptions noted above.

- **Reduced Specific Plan Build Out.** Under this alternative, the proposed General Plan would be adopted; however, the residential build out of the two areas designated as "Specific Plan" would be reduced by 50 percent, as would industrial development within the Specific Plan area along 7th Standard Road. The Coberly West and Mission Lakes Specific Plans would be adopted at lower densities; however, cancellation of agricultural preserve contracts would not occur and the contracts would be permitted to expire pursuant to existing notices of non-renewal. Thus, land use designations under the Reduced Specific Plan Build Out alternative would be the same as for the proposed General Plan.

Of the four project alternatives evaluated, one would result in no physical changes to the environment on the project site (No Build Alternative); one would allow the development according to the density established in existing plans (No Project Alternative); and two would lower the General Plan's density patterns (No Specific Plan and Reduced Specific Plan Build Out). Relocating the proposed project to an alternative site is not feasible, as the proposed General Plan addresses the City of Shafter and its planning area, and is not transferable to another location. Therefore, no alternative site was considered. Each of the four alternatives would result in a combination of similar, avoided or decreased, and increased environmental impacts as compared to the proposed General Plan, as summarized in Draft EIR Tables 6.A, 6.B, and 6.C.

4.1 No Project, Existing General Plan Alternative

The alternative with the least environmental impact is the No Project, Existing General Plan Alternative, which has fewer or reduced environmental impacts compared to the other alternatives, and, thus, is the Environmentally Superior Alternative. Under the No Project/Existing General Plan Alternative, land uses in the Shafter Planning Area would change consistent with the City's existing General Plan. The existing General Plan land use designations do not reflect the current goals of the City to provide more very low density residential areas for executive and "move-up housing" in addition to a mix of employment-generating uses. The existing General Plan does not provide land use designations for all areas within the City's sphere of influence. Although the existing General Plan would retain more agriculturally designated land, it does not provide a mix of uses necessary to help maintain City services. The existing General Plan provides less direction for new development and the General Plan policies are less clear than the policies in the proposed General Plan. Therefore, impacts created by development design would be greater under this alternative because the existing General Plan does not provide as much direction as the proposed General Plan. The proposed General Plan build out would convert more open space/agricultural land to urban development than the existing General Plan, thus eliminating more of the wide-open viewsheds. Because this alternative would not allow urban development on large areas of land located in the southern portion of the Planning Area, impacts associated with aesthetics, biological resources, and cultural resources would be less than the other alternatives.

The proposed General Plan and related actions will result in a total of 3,488,080 daily trips with 41,323,056 vehicle miles traveled at build out. By comparison, the existing No Project, Existing General Plan Alternative would result in a total of 1,160,350 daily trips with 16,995,190 vehicle miles traveled at build out. Thus, vehicle air emissions resulting from the No Project, Existing General Plan Alternative would be approximately 39 percent of the emissions resulting from the proposed General Plan and Related Actions. However, air quality impacts under this alternative would remain significant and unavoidable since the emissions would exceed SJVAPCD thresholds and the

emissions would be emitted into an air basin which is currently designated as “non-attainment” or worse for ozone and particulate matter, constituting a cumulative impact to air quality.

The build out demand for water associated with this alternative would exceed current contracted water supplies; however, the City has identified and planned for future water sources. Although the magnitude of impacts under this alternative would be expected to require fewer water resources than those associated with the proposed General Plan, an adequate water supply has been identified for both plans that would satisfy the projected demands in the urban areas and the sphere of influence of the Planning Areas. Therefore, water supply impacts under this alternative would be the same as the proposed General Plan. Population growth that would occur as part of the No Project, Existing General Plan Alternative would be consistent with existing population patterns in the City and Kern COG projections and would not qualify as unanticipated population growth.

The No Project, Existing General Plan Alternative would not meet the General Plan objectives. The No Project, Existing General Plan Alternative assumes that development would occur as established in the City’s existing General Plan. The existing General Plan does not meet project objectives in that it does not provide clear policy direction for future development within the southern portion of the City’s sphere of influence and proposed Annexation 77 area. The objectives of the proposed General Plan include a broad range of housing that will enable the City to meet its “fair share” of the housing need as determined by Kern COG. Implementation of the No Project, Existing General Plan would result in substantially fewer dwelling units at build out than what would be developed as part of the proposed project. Although development that would occur as part of the No Project, Existing General Plan Alternative could enable the City to meet its “fair share” housing allocation in the near-term (next 5-15 years), the long-term provision of sufficient housing would be less likely due to the lower number of housing units constructed at build out. Another objective of the City is to promote economic vitality, provide local employment and entrepreneurial opportunities, and diverse shopping and commercial services. With the reduction of upper end housing opportunities, an important part of the City’s economic development strategy would be eliminated. Thus, the No Project, Existing General Plan could constrain the City’s ability to achieve the objective of a better balance of housing close to expanding job opportunities.

In rejecting this alternative as infeasible and failing to meet project objectives, the City Council makes the following findings:

- The proposed General Plan provides for a comprehensive and updated plan with policies which are internally consistent and cover the City’s entire sphere of influence. The No Project, Existing General Plan has been amended several times since 1993 and, as a result, there are inconsistencies among the General Plan policies. Furthermore, the General Plan does not cover or provide policies for all of the City’s sphere of influence area.
- The proposed General Plan incorporates a Housing Program which conforms to State Law and is consistent with the remainder of the General Plan. The No Project, Existing General Plan may not be in compliance with State Law.
- The proposed General Plan is based on the most recent data available to the City and reflects the current policy of the City Council. The No Project, Existing General Plan is out of date, is based on old information, and does not reflect current policies of the City Council.

- The No Project alternative will not substantially reduce any remaining significant impacts associated with the Proposed General Plan and will constrain the City's ability to achieve housing and economic objectives.

4.2 No Build Alternative

Because the No Build Alternative would prohibit the construction or expansion of structures and facilities within the City, no new additions to the City's housing would occur and the City would not be able to meet Kern COG housing requirements or provide a fair share of housing for all economic segments of the community. The alternative would not meet the goal of providing housing for new families and attract commercial and industrial businesses as no new development would occur. Additionally, no improvements to City, public, or private facilities, including roadways, flood control features, public safety and service facilities, or utility systems would be permitted. Thus, the No Build Alternative would not accomplish the objectives of the City, which include providing a fair share of housing for all economic segments of the community, promoting economic vitality, providing local employment and entrepreneurial opportunities, and providing diverse shopping and commercial services.

In rejecting this alternative as infeasible and failing to meet project objectives, the City Council makes the following findings:

- The proposed General Plan increases the amount of land designated for residential, commercial, and industrial development, providing additional tax revenues and substantially more housing and employment opportunities than the No Build Alternative.
- The proposed General Plan allows the City to satisfy regional goals for the provision of a fair share of housing to residents of all economic levels which would not be satisfied under the No Build Alternative.
- The proposed General Plan allows the City to improve and maintain public services such as roadways and public safety. The No Build Alternative would not permit the construction of new roadways or public service facilities.

4.3 No Specific Plan Alternative

Under the No Specific Plan Alternative, land uses in the Shafter would change consistent with the City's proposed General Plan, except that the areas designated Specific Plan would remain in agricultural open space. Comparing the No Specific Plan Alternative land uses with the proposed General Plan land uses, the percentage of change is notable in that the No Specific Plan Alternative preserves a larger amount of agricultural land than does the proposed project, cutting the loss of agricultural land in half. This alternative would also avoid cancellations of existing agricultural preserve contracts. Under the No Specific Plan Alternative, land uses in the Shafter would change consistent with the City's proposed General Plan, except that the areas designated Specific Plan would remain in agricultural open space. Development under the No Specific Plan Alternative would not reflect the current goals of the City to provide more low density residential areas for executive and "move-up housing" in close proximity to expanding employment-generating uses. Although the No Specific Plan Alternative would retain more agricultural land, it would not improve economies of

scale for infrastructure and services being provided to urban development in the southern portion of the Shafter's Planning Area. Overall, the No Specific Plan Alternative is considered to be neither environmentally superior nor inferior to the proposed General Plan.

The No Specific Plan Alternative would provide equivalent direction for the protection of visual resources as would be proposed General Plan. Impacts created by development design would be less under this alternative because the proposed General Plan would convert more open space/agricultural land to urban development, thus eliminating more of the wide-open viewsheds. The No Specific Plan Alternative would be environmentally superior to the proposed General Plan as there would be less development and loss of open viewsheds. The No Specific Plan Alternative would result in a total of 1,848,680 daily trips with 21,901,220 vehicle miles traveled at build out. Vehicle air emissions resulting from the No Specific Plan Alternative would be approximately 53 percent of the emissions resulting from the proposed General Plan and related actions. However, air quality impacts under this alternative would remain significant and unavoidable since the emissions would exceed SJVAPCD thresholds and the emissions would be emitted into an air basin which is currently designated as "non-attainment" or worse for ozone and particulate matter, constituting a cumulative impact to air quality.

The build out demand for water associated with the No Specific Plan Alternative would exceed current contracted water supplies. Although the magnitude of impacts under this alternative would be expected to require fewer water resources than those associated with the proposed General Plan, an adequate water supply has been identified for the proposed General Plan that would satisfy the projected demands in the urban areas and the sphere of influence which would exceed the water needs of this alternative. Therefore, water supply impacts under this alternative would be less than the proposed General Plan; however, they would remain significant and unavoidable because availability of water for urban areas outside of the Shafter sphere of influence—but within the Shafter Planning Area—has not been demonstrated, urban development outside of the City's sphere. Both the proposed General Plan and the No Specific Plan Alternative exceed Kern COG projections for growth and provide greater opportunity to meet "fair share" housing requirements, although the No Specific Plan alternative is closer to Kern COG projections. Overall, the No Specific Plan Alternative is considered to be neither superior nor inferior to the proposed General Plan.

In rejecting this alternative as infeasible and failing to meet project objectives, the City Council makes the following findings:

- The proposed General Plan provides for a large Specific Plan area which will assist in the regional need for a more balanced ratio between jobs and housing. Under the No Specific Plan Alternative, the number of housing and employment opportunities would be reduced and the ability of the City to provide housing for all economic levels near employment opportunities would be reduced.
- The proposed General Plan provides for new development in a cohesive manner through Specific Plans (Mission Lakes and Coberly West) which plan for an entire community rather than small individual projects. The No Specific Plan Alternative would allow previously approved projects (Kern County) and would not provide for necessary services.

- The proposed General Plan allows the City to satisfy regional goals for the provision of a fair share of housing to residents of all economic levels. The No Specific Plan Alternative would reduce the potential for residential development in the City and in the region.

4.4 Reduced Specific Plan Alternative

The Reduced Specific Plan Alternative land uses would change consistent with the proposed General Plan except that the areas designated Specific Plan would be developed at a lower intensity, ultimately resulting in the loss of agriculture lands and Williamson Act contracts equivalent to that of the proposed General Plan. Development under the Reduced Specific Plan Alternative would reflect the current goals of the City to provide more low density residential areas for executive and “move-up housing” in close proximity to expanding employment-generating uses, only to a lesser degree than the proposed General Plan. This alternative would provide equivalent direction for the protection of visual resources as the proposed General Plan, and would result in an equivalent loss of open vistas. The Reduced Specific Plan Alternative would result in a total of 2,662,570 daily trips with 31,543,265 vehicle miles traveled at build out. Thus, vehicle air emissions resulting from the Reduced Specific Plan Alternative would be approximately 76 percent of the emissions resulting from the proposed General Plan and Related Actions. However, air quality impacts under this alternative would remain significant and unavoidable since the emissions would exceed SJVAPCD thresholds and the emissions would be emitted into an air basin which is currently designated as “non-attainment” or worse for ozone and particulate matter, constituting a cumulative impact to air quality.

The build out demand for water associated with this alternative would exceed current contracted water supplies. Although the magnitude of impacts under this alternative would be expected to require fewer water resources than those associated with the proposed General Plan, an adequate water supply has been identified for the proposed General Plan that would satisfy the projected demands in the urban areas and the sphere of influence which would exceed the water needs of this alternative. Therefore, water supply impacts under this alternative would be less than the proposed General Plan; however, they would remain significant and unavoidable because availability of water for urban areas outside of the Shafter sphere of influence—but within the Shafter Planning Area—has not been demonstrated. Urban development outside of the City’s sphere would result in a significant unavoidable impact on water resources.

Population growth and employment would be approximately 30 percent less under the Reduced Specific Plan Alternative than under the proposed General Plan. Both the proposed General Plan and the Reduced Specific Plan Alternative exceed Kern COG projections for growth and provide greater opportunity to meet “fair share” housing requirements, although the Reduced Specific Plan Alternative is closer to Kern COG projections. The cost of housing is driven by supply and demand. Therefore, knowing that the demand is increasing and having less supply, the cost of housing will increase. Hence, it would be more difficult for the City of Shafter to meet the needs of all economic segments of the community.

In rejecting this alternative as infeasible and failing to meet project objectives, the City Council makes the following findings:

- The proposed General Plan provides greater opportunities to meet the City’s goal of providing housing for all economic levels close to employment opportunities. Under the Reduced Specific

Plan Alternative, the ability to have all levels of housing opportunities would be reduced, as a smaller number of housing units would lessen the supply and increase the costs to buyers. Furthermore, the Reduced Specific Plan Alternative would provide fewer housing units near employment opportunities.

- The proposed General Plan allows the City to satisfy regional goals for the provision of a fair share of housing to residents of all economic levels. The Reduced Specific Plan Alternative will reduce the potential for residential development in the City and the region.
- The proposed General Plan provides for Specific Plans that would support commercial development and public services. The Reduced Specific Plan Alternative could reduce the ability of the project to support nearby commercial development and public services, thus creating longer trips for necessary goods and services.

EXHIBIT C

STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE CITY OF SHAFTER 2005 GENERAL PLAN UPDATE AND RELATED ACTIONS ENVIRONMENTAL IMPACT REPORT

1.0 INTRODUCTION

The General Plan is the product of a thorough planning and public comment process that involved issues identification, interagency coordination, plan formulation, and multiple public hearings providing for public input and comment. As set forth in the preceding sections, the City Council's approval of the proposed General Plan will result in significant adverse environmental impacts that cannot be avoided even with the adoption of all feasible mitigation measures. All feasible mitigation has been proposed to reduce or avoid potentially significant impacts identified in the EIR, and no additional feasible mitigation is available to further reduce significant impacts without creating new significant adverse impacts. Despite the occurrence of these effects, however, the City Council chooses to approve the proposed General Plan (Project) because, in its view, the economic, social, and other benefits that the Project will produce will render the significant effects acceptable.

The following statement identifies why, in the Council's judgment, the benefits of the Project as approved outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the entire Project. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section.

2.0 SOCIAL, ECONOMIC AND OTHER CONSIDERATIONS

The Council finds that the General Plan would have the following economic, social, and environmental benefits:

2.1 Improving the Jobs-Housing Balance in the Region

A jobs-housing ratio is the relationship between the total number of jobs and the total number of employed residents in a region. The lower the jobs/housing ratio, the fewer local jobs available for residents, which results in workers being forced to commute out of the area for work. A higher jobs-housing ratio means a greater number of jobs would exist in the area. A balance of jobs and housing can benefit the environment of an area by reducing commute times and distances between residential areas and employment centers. Longer commutes result in increased vehicle trip length, which creates environmental effects associated with transportation, air quality, and noise. One of the objectives of

the Shafter General Plan is to improve the jobs-housing balance within the region, reducing the need for Kern County residents to travel long distances to work. The City of Shafter is considered a "jobs rich" community and under the existing General Plan, Kern COG projected Shafter's job-to-household ratio would be 5.30 by 2030. At build out, the jobs-housing ratio in the City of Shafter, with the Annexation 77 and Pre-zoning area, would be 2.43 jobs for every household. Even though the City of Shafter is expected to have many more jobs than households by 2030, other cities within Kern County are expected to have a much lower jobs-to-household ratio. For example, Bakersfield is expected to have a 1.05 jobs-to-housing ratio in 2030. Because Shafter's local employment base will help to balance the numerous households in surrounding cities, a closer balance between the number of jobs and households could exist within the region by 2030, and the jobs within Shafter would have a beneficial effect on the region. The land use designations and policies of the proposed General Plan have been tailored to improve the balance between local employment and housing opportunities, thereby reducing commute times and distances between residential developments and employment centers, and associated environmental effects such as noise, air quality, and traffic.

2.2 Diversification and Expansion of the City's Housing Stock

The proposed General Plan contains a number of policies which, when implemented, would serve to diversify and expand the City's housing stock. For example, within the Housing Program, there are policies that encourage both housing affordable to lower income households, seniors, and other special needs groups who often have difficulty obtaining and keeping housing, and housing for moderate and above moderate-income households. A General Plan Land Use Program Policy addresses a special needs group through requiring the City to facilitate the development of adequate housing for farm workers. Shafter is an impacted area with 59 percent of the housing within the Planning Area in the very low- and low-income categories. Thus, over half of Shafter's new housing needs were determined by Kern COG to be needed for moderate- and above moderate-income households. Additional provisions of the Housing Program provide specific action programs to facilitate the provision of housing for all economic segments of the community, aimed at meeting Shafter's fair share of regional housing needs. (See Section 5.5 of the Housing Program for the City's five-year action plan for housing). The General Plan also provides for large-scale planned communities in the Land Use Program which will provide high level amenities and move-up housing (Mission Lakes and Coberly West) in close proximity to jobs in the City and the region. The planned communities will thus assist in reducing travel time which will lower vehicle emissions that cause air pollution.

2.3 Improvement to Roadways

While the region as a whole is expected to grow significantly over the life of the planning period, improving the jobs-housing balance within the City, will improve projected traffic within the City and along the region's roadway system, even as the number of vehicles on the road increases with population growth. Without the policies of the proposed General Plan promoting these benefits, the condition of roadways within the Planning Area could be expected to become much worse as the inevitable population growth occurs. Circulation Program policies, for example, aim to reduce reliance on automobiles, thereby reducing the burden on area roadways, while Land Use policies seek to improve the area's jobs/housing balance. The adoption of a Bicycle Plan is one example of the General Plan policies aimed at reducing reliance on the automobile. Other examples include the

establishment of an inter-modal rail facility which would reduce long-distance truck travel and the City's active participation in regional traffic solutions including the West Beltway and improvements to 7th Standard Road.

2.4 Protection of Significant Environmental Features

The proposed General Plan contains several policies that focus on preserving agriculture as a significant environmental feature. The General Plan identifies the permanent nature of the agricultural land use designation and further emphasizes that agriculture is not a temporary "holding zone." Ensuring these benefits now, before population pressures become even greater, and the political will to avoid developing these areas perhaps weakens, is especially important. The General Plan sets forth policies that will function as environmental performance standards to ensure the protection of significant environmental features, such as open space, biological resources and mineral resources. These policies also address certain specific environmental features such as the need to maintain a permanent agricultural/open space buffer around central Shafter, including a broad buffer between central Shafter and the lands within the southeastern portion of the Planning Area. The General Plan also requires the development projects be directed away from lands with sensitive biological resources to the extent feasible. Additionally, the General Plan provides for the proper management of mineral resources by protecting the environment around mineral processing operations.

2.5 Provision for Public Services and Facilities

The General Plan ensures that the expansion of public facilities will occur in an equitable manner, and that new development provides the on- and off-site facilities needed to support the development in a manner that avoids increased costs for and reductions in the level of public services provided to existing residents and businesses.

2.6 Fiscal and Economic Considerations

The General Plan supports the retention and development of agriculturally related industries and support services to assist in maintaining the long-term economic viability of agriculturally designated land. Additionally, the General Plan promotes regulations that allow farmers to manage their operations in an efficient economic manner. The General Plan also provides for economic growth through encouraging new uses in the downtown by promoting professional office, mixed-use and residential projects, which contribute to the vitality of the area. Other areas where new uses are encouraged include the Shafter Airport, central Shafter, and the ITTC. By encouraging growth in these areas, municipal services can be efficiently provided. As a means of financing infrastructure for future development, the General Plan considers the use of a special assessment or participation in a land-based financing district; both programs are aimed at ensuring new development funds necessary for public infrastructure and public facilities.

3.0 ADDITIONAL OVERRIDING CONSIDERATIONS

Following is a summary of the significant unavoidable impacts of the Project and a description of the overriding considerations for each of the unavoidable, significant impacts.

3.1 Aesthetic and Visual Resources

Significant Unavoidable Adverse Impact. Conversion of open space and agricultural lands to urban uses.

Overriding Considerations. The Planning Area currently contains 39,940 acres of open space and agricultural lands. With the implementation of the proposed General Plan, 14,024 acres of open space and agricultural lands would be converted to various urban and rural residential uses representing a loss of 35 percent of the existing total. The City of Shafter is surrounded by open space/agricultural land and, in order for growth to occur, some of these lands will need to be converted to urban uses. While it is not possible to mitigate this impact to a level of insignificance, approval of the proposed General Plan would assist in protecting and preserving a large portion of the open space/agricultural land through maintaining a permanent agricultural/open space buffer around central Shafter, including a broad buffer between central Shafter and lands within the southeastern portion of the Planning Area. Other benefits of the proposed General Plan related to protecting open space/agricultural land include the following:

- Working with Kern County to protect lands designated for agricultural use, minimizing the influence of speculative land transactions on the price of farmland and providing incentives for long-term agricultural use;
- Developing attractive but natural-appearing landscape at community entries and along arterials and collector roadways, thus improving the visual resources of the community; and
- Establishing a comprehensive system of open space that is available to the public, including facilities for organized recreation; active informal play; passive recreation; and enjoyment of the natural environment.

Conclusion. Based upon the previously described social, economic, and other benefits or considerations of the Project and the additional overriding considerations described above, the benefits of the proposed General Plan outweigh the impact related to the loss of open space/agricultural land and any adverse environmental effects associated with this impact are considered to be acceptable.

3.2 Air Quality

Significant Unavoidable Adverse Impact. Exceeding local and regional air quality standards for stationary and mobile source emissions resulting in a worsening of air quality.

Overriding Considerations. The San Joaquin Valley Air Basin is the second largest basin in the State and has been designated by the Environmental Protection Agency as non-attainment for 8-hour ozone and PM_{2.5}. Thus, a significant air quality problem exists now in Kern County which will persist for a number of years whether or not there is significant growth in the Shafter Planning Area. Also, urban growth will likely occur in communities surrounding the Shafter Planning Area irrespective of

the adoption of the proposed General Plan. Air quality is a regional problem that does not respect jurisdictional or planning area boundaries. Continuing urban growth, whether it occurs in the Shafter Planning Area or in other areas, will contribute to the regional air quality problem in roughly the same manner.

The adoption of the proposed General Plan, which includes policies that provide positive actions toward a comprehensive strategy dealing with air quality and are provided below, will be beneficial to the regional air quality program. These policies incorporate the majority of the goals, policies, and programs identified by the San Joaquin Valley Air Pollution Control District. The beneficial General Plan policies include the following:

- Promoting land use patterns that provide close proximity between residential neighborhoods and employment/shopping areas to reduce vehicular trip lengths and facilitate walking and the use of bicycles;
- Encouraging developers of large residential and non-residential projects to participate in programs and to take measures to improve traffic flow and/or reduce vehicle trips resulting in decreased vehicular emissions;
- Supporting and facilitating employer-based trip reductions programs by recognizing such programs as mitigation for traffic and air quality impacts where their ongoing implementation can be ensured;
- Facilitating the development of an inter-modal rail yard serving both BNSF and UP rail lines as a means of reducing diesel emission from long-haul trucks;
- Cooperating with State and regional agencies to coordinate the provision of parking facilities with regional transportation needs (e.g., park-and-ride lots); and
- Promoting the use of fixed-schedule transit service within the City and encourage transit connections between Shafter and other parts of the region.

Conclusion. Based upon the previously described social, economic, and other benefits or considerations of the Project and the additional overriding considerations described above, the benefits of the of the proposed General Plan outweigh the impact related to air quality and any adverse environmental effects associated with this impact are considered to be acceptable.

3.3 Water Resources

Significant Unavoidable Adverse Impact. Lack of demonstrated availability of water resources for urban development in Planning Area outside city limits and sphere of influence.

Overriding Considerations. A large groundwater basin, covering over 1,500,000 acres underlies most of the southern San Joaquin Valley and has been providing water for the Planning Area since the early 1900s. Build out of the proposed General Plan will result in an increase in the demand for urban water supplies. The potable water supply necessary for build out of the General Plan within the City limits and the sphere of influence has been calculated and will be provided by either the City of

Shafter or Oildale Mutual Water Service Company. The proposed General Plan land use plan and water service by the Oildale Mutual Water Service Company and the City of Shafter will result in a net reduction of water for the City of Shafter and the sphere of influence through the use of reclaimed water for landscaped areas.

The groundwater basin from which Shafter and surrounding communities withdraw water is not adjudicated. Thus, even though it has been demonstrated that water supplies necessary to serve urban development within the Shafter Water service area and the revised Oildale Mutual Water Service area, it has not been demonstrated that water will be available to serve urban development in the remaining Planning Area. Adoption of the proposed General Plan would provide policies to protect the availability of water supplies and encourage water conservation. Even with these policies, which are listed below, the availability of water for the area outside the City limits and sphere of influence would still remain significant and unavoidable. Specific General Plan policies related to water resources include the following:

- Periodically evaluating local water consumption patterns, the adequacy of existing facilities, and the need for new facilities;
- Promoting water conservation through application of appropriate landscaping and site planning techniques;
- Ensuring that land use changes will not adversely affect the groundwater basin by requiring a factual statement from new developers related to water demand and water conservation;
- Requiring new development to be equipped with water conservation devices, including dual water systems where reclaimed wastewater can be economically provided; and
- Working with the North of the River Sanitation District to facilitate the use of reclaimed wastewater.

Conclusion. Based upon the previously described social, economic, and other benefits or considerations of the Project and the additional overriding considerations described above, the benefits of the of the proposed General Plan outweigh the impact related to the availability of water resources in the Planning Area outside of the City limits and the sphere of influence and any adverse environmental effects associated with this impact are considered to be acceptable.

3.4 Agricultural Resources

Significant Unavoidable Adverse Impact. Conversion of Prime Farmland to urban uses. Conversion of farmland under a Williamson Act contract to urban uses.

Overriding Considerations. Projected urban growth will result in the reduction of productive agricultural land. Conversion of agricultural land within the future growth areas will not occur immediately as the General Plan is intended to provide land for development over the next 25 years. Also the development of urban uses will depend on the supply and demand. Therefore, it is likely that a substantial amount of land within the future growth areas will remain in agricultural production for many years.

Williamson Act contracts are for 10 years and are annually automatically renewed for an additional one-year period. The Williamson Act contains limited provisions for cancellation of contracts and there are penalties for early cancellation. Therefore, the development of agricultural land under a Williamson Act contract requires special considerations which may not be attractive to the farmland property owner. Thus, not all development on farmland with Williamson Act contracts may occur in the proposed General Plan.

While it is not possible to mitigate the loss of agricultural land and/or farmland under a Williamson Act contract, adoption of the proposed General Plan provides positive local action in regard to this issue. Specific beneficial General Plan policies associated with retention of agricultural lands include the following:

- Protecting lands designated for agricultural use by providing a distinct boundary between lands intended for urban and rural use and those intended to be preserved in long-term agricultural use;
- Limiting the extension of urban services into or through areas that are designated for agricultural uses, and avoid their inclusion in assessment districts and other financing mechanisms intended for the provision of urban services and facilities;
- Pursuing an Agricultural Conservation Easement program pursuant to the California Farmland Conservancy Program (PRC § 10200 et seq.); and
- Supporting efficient management of local agricultural production activities by encouraging the provision of adequate farm worker and farm family housing within and adjacent to agricultural areas.

Conclusion. Based upon the previously described social, economic, and other benefits or considerations of the Project and the additional overriding considerations described above, the benefits of the of the proposed General Plan outweigh the impact related to the loss of agricultural land and farmland under a Williamson Act contract and any adverse environmental effects associated with this impact are considered to be acceptable.

3.5 Population and Housing

Significant Unavoidable Adverse Impact. Exceed regional housing and population projection.

Overriding Considerations. Projected growth in the Planning Area will exceed the Kern COG projections for housing and employment. Kern COG's projections are based on the existing General Plan and do not include all the land area in the proposed General Plan. In addition, the projections do not reflect the new boundaries of the City of Shafter sphere of influence. Projections for housing and employment in the build out of the proposed General Plan assume that all development that is allowed is built. Regional economics and the marketplace will dictate the build out of the General Plan and also determine the accuracy of the projections.

While it is not possible to mitigate incongruent housing and population projections, adoption of the proposed General Plan would provide policies that limit the number of dwelling units and, therefore, the potential population growth. The specific beneficial General Plan policies are provided below.

- Determining that the maximum allowable residential density for development within the 7th Standard Road Specific Plan area shall be 4.25 dwelling units per gross acre within each Specific Plan, excluding acreage within the rights-of-way for 7th Standard Road and the existing canals, thus limiting population growth; and
- Permitting a maximum of 13,954 dwelling units throughout the Specific Plan area (16.61 persons per acre), which further limits population growth.

Conclusion. Based upon the previously described social, economic, and other benefits or considerations of the Project and the additional overriding considerations described above, the benefits of the of the proposed General Plan outweigh the impact related to exceeding the regional population and housing projections and any adverse environmental effects associated with this impact are considered to be acceptable.

EXHIBIT D

CITY OF SHAFTER 2005 GENERAL PLAN UPDATE FINAL ENVIRONMENTAL IMPACT REPORT MITIGATION MONITORING AND COMPLIANCE PROGRAM

This mitigation monitoring and compliance program has been prepared for use in implementing the mitigation measures contained in the Environmental Impact Report (EIR) for the Shafter General Plan and Related Actions (State Clearinghouse No. 2004101029). The program has been prepared in compliance with State law by the City of Shafter.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program contains a separate Mitigation Monitoring and Compliance Record for each action. On each of these record sheets, the pertinent actions and dates will be logged, and copies of permits, correspondence or other relevant data will be attached. Copies of the records will be submitted to the Planning Division.
- 4) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

MITIGATION MONITORING PROGRAM CHECKLIST

Project File No./Name: City of Shafter General Plan
Date: June 21, 2005

Applicant: City of Shafter

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
AESTHETICS AND VISUAL RESOURCES						
4.2.3A. The City shall require that sources of lighting provide the minimum lighting required to ensure safe circulation and visibility.	BO/PO	A/B	The project proponent shall incorporate a lighting plan with the building construction plans for review and approval by the City.	A/C/D		2/3
4.2.3B. The City shall require street lightning to be limited to intersections and other locations that are needed to maintain safe access (e.g. sharp curves).	BO/CE	A/B	All roadway plans shall incorporate a lighting plan for review and approval by the City.	A/C/D		2/4
4.2.3C. The City shall require exterior lighting for building to be of a low profile and intensity.	CCD/BO	A/B/C	The project proponent shall incorporate a building lighting plan with the construction plans for review and approval by the City.	A/C/D		2/3
4.2.3D. Require that lighting provided for new development be designed so as to be confined to the areas that are intended to be lighted.	CDD/BO	A/B/D	Project proponent shall submit lighting plan with building construction plans for review and approval by City.	A/C/D		2/3

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
4.2.3E. Require that access to non-residential uses adjacent to residential neighborhoods be designed so as to provide adequate separation and prevent spillover of night lighting from the non-residential use into the adjacent residential neighborhood.	CDD/BO	A/B/D	Project proponent shall submit site plan and lighting plan with building construction plans for review and approval by City.	A/C/D		2/3
AIR QUALITY						
4.3.4.3A. Encourage the use of building materials/methods, which reduce emissions.	BO	A/B	Review of Building Plans	A/C		2/3
4.3.4.3B. Encourage the use of efficient heating equipment and other appliances, such as water heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units.	BO	A/B	Review of Building Plans	A/C		2/3
4.3.4.3C. Encourage centrally heated facilities to utilize automated time clocks or occupant sensors to control heating.	BO	A	Review of Building Plans	A/C		2/3
4.3.4.3D. Require residential building construction to comply with energy use guidelines detailed in Title 24 of the California Administrative Code.	BO	A	Review of Building Plans	A/C		2/3
4.3.4.3E. Adopt incentives and/or regulations to enact energy conservation requirements for private and public developments.	CDD	A	Within 5 years of certification of DEIR.	D		Non-compliance in annual General Plan implementation review.
SJVAPCD Measures • Reduce vehicle trips. These measures reduce air pollution emissions by entirely eliminating some of the vehicle trips associated with a project. An example is the provision of bicycle facilities to encourage bicycle use instead of driving. • Reduce vehicle miles traveled. These measures reduce emissions by reducing the length of vehicle trips associated with a project. An example is satellite offices/telecommuting	CDD/CE/BO	A/E	City review of new development traffic studies, and site plans.	B/D		3

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
centers provided to reduce the length of employee commute trips. <i>Use of low emission vehicles.</i> These measures do not aim to reduce trips or VMT, but rather promote the use of fuels that are less polluting than gasoline or diesel. Examples are the conversion of a vehicle fleet to operate on compressed natural gas and the purchase of an electric vehicle. <i>Improve traffic flows/reduce congestion.</i> These measures reduce emissions by reducing traffic congestion and/or reducing stops and starts. This allows vehicles to operate at steady and moderate speeds, and thus lowers pollution per mile traveled. An example is timing the traffic signals on an arterial to facilitate uninterrupted travel. <i>Support Measures.</i> These measures may not directly reduce emissions, but rather support and facilitate other emission reduction strategies. An example is a guaranteed ride home program implemented at a worksite in order to encourage employees to use commute alternatives by allaying concerns over being without a vehicle in case of emergency.						
BIOLOGICAL RESOURCES						
4.4.4.1A. At a minimum, a wildlife/plant habitat suitability assessment shall be part of the impact analysis for any development project located within the Planning Area. If a covered species has been observed in the vicinity of the project area or the site has suitable habitat conditions, then a focused species survey shall be completed. If a covered species is found to be present, then appropriate mitigation measures will be determined by the applicable lead agency. A "covered" species is any plant or animal listed as threatened or endangered by CDFG or USFWS, a non-listed species that requires mitigation under Migratory Bird Treaty Act, or a species that is protected under local ordinances.	CDD	A	Review of Plans	C/D/A		1/2/3

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
4.4.4.1B. In the event that the Valley Floor Habitat Conservation Plan (VFHCP) is adopted, then any project within the Planning Area will be a VFHCP participant and would comply with FESA Section 10A permit conditions and mitigation measures adopted in the Plan.	CDD	A	Review of Plans	C/D/A		1/2/3
4.4.4.2A. The City establishes baseline ratios for mitigating the impacts of development related uses to rare, threatened and endangered species and their associated habitats as the following: Preserve habitat by covered species at minimum of 1:1 replacement ratio in locations that provide long-term conservation value for impacted resource. Habitat is defined as where a plant or animal completes its life cycle. Habitat is the Planning Area can include native plant communities, annual grasslands, oilfields, and agricultural land. Habitat mitigation could involve dedication of conservation easement on the occupied on-site habitat, acquisition of off-site habitat occupied by the affected species, acquiring a key parcel that fills in a missing link or gap in an HCP reserve (endorsed by the USFWS and/or CDFG) that has been established to provide conservation value for the species. Implementation of the mitigation measure shall include provisions for the preservation of such areas in perpetuity.	CDD	A	Review of Plans	C/D/A		1/2/3/4/6
4.4.4.4.A. Should an agreement be reached with the signatories of the MBHCP for authorization to use this program, the City of Shafter shall collect the mitigation fees upon the development of the area within the MBHCP which is located north of 7 th Standard Road and within the sphere of influence of the City of Shafter. The City shall forward the MBHCP fees to the County of Kern and/or the City of Bakersfield. Alternatively, development within the MBHCP shall provide equivalent mitigation in the form of habitat acquisition or payment of fees into an established mitigation bank.	CDD	A/B	Review of Plans	B/D		1/2

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
CULTURAL RESOURCES AND PALEONTOLOGY						
4.5.4.2A. If human remains are encountered during a public or private construction activity, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Kern County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Kern County Coroner must be notified within 24 hours. If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descent (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.	BO	C	During Construction	A		4
GEOLOGY AND SOILS						
4.6.4.3.A. New developments shall provide erosion and sedimentation control measures to maintain the capacity of area storm drains, protect water quality, and to reduce erosion and the loss of topsoil.	CDD/CE/BO	A/B/C/D/E	Review of Plans, During Construction	A/B/C/D		2/3/4/6/7
4.6.4.3.B. New development shall use BMPs to minimize erosion and sedimentation.	CDD/CE/BO	A/B/C/D/E	Review of Plans, During Construction	A/B/C/D		2/3/4
HAZARDS AND HAZARDOUS MATERIALS						
4.7.4.1.A. On a site-specific, project-by-project basis, all new discretionary development projects shall be subject to an assessment to determine whether hazardous materials are present as required by the County Department of Environmental Services.	CDD/BO	D/E	Review of Plans	A/B		3/6/7
4.7.4.1.B. Soils shall be tested for concentrations of agricultural chemicals prior to grading permit approval where appropriate, as determined by local, State, or Federal agencies. Contaminated soils shall be treated and/or excavated and disposed of at certified hazardous waste facility.	BO	A/B	Review of Plans	A/B/D		2

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
4.9.4.1.C. Fugitive dust on construction sites shall be controlled by irrigation, paving of construction roads, limiting grading activities during periods of high winds, and other applicable methods as set forth by the San Joaquin Valley Unified Air Pollution Control District.	BO	C	Review of Plans	A		4/7
LAND USE AND AGRICULTURE RESOURCES						
4.9.4.1.A New development located within the vicinity of canals shall provide fencing to protect the public and the canals as required by the City of Shafter.	CDD	A	Review of Plans	A/C		3
4.9.4.1.B Grading plans as reviewed by the City for new development near canals shall take into account the prevention of canal failures by percolation and piping due to lowering of the adjacent ground surface.	CE, BO	A	Review of Grading Plans	C		2
4.9.4.1.C The developer shall notify new owners of homes located adjacent to canals of possible noise and odor created by the operation and maintenance of the canals.	CDD	A	Project proponent shall incorporate Mitigation Measure 4.9.4.1.C in disclosures to new homeowners.	D		2/3
NOISE						
4.11.3.1A. Standard construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction activities shall be allowed on weekends and holidays until after the buildings are enclosed without prior authorization of the City.	CDD/BO	C	Project proponent shall incorporate Mitigation Measure 4.11.3.1.A in grading and construction plans submitted for review and approval by City.	A/C		2/4/7
4.11.3.1B. To reduce daytime noise impacts due to construction, to the maximum feasible extent, the City shall ask all project applicants to develop a site-specific noise reduction	CDD/BO	C	Project proponent shall incorporate Mitigation Measure	A/C		2/4/7

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
program, subject to the City's approval, which includes the following measures: • Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems. • An on-site complaint and enforcement manager shall be posted to respond to and track complaints. • A pre-construction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices are completed prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.). • Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) wherever feasible. • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels from pneumatic tools where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. • Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and			4.11.3.1.B in grading and construction plans submitted for review and approval by City.			

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
enclosed within temporary sheds or insulation barriers, or other measures shall be incorporated to the extent feasible.						
4.11.3.1C. If pile-driving occurs as part of the project, it shall be limited to between 8:00 a.m. and 4:00 p.m., Monday through Friday, with no pile driving permitted between 12:30 and 1:30 p.m. No pile driving shall be allowed on Saturdays, Sundays, or holidays.	CDD/BO	C	Project proponent shall incorporate mitigation Measure 4.11.3.1.C on construction drawings for review and approval by City.	A		4
4.11.3.1D. To further mitigate potential pile-driving and/or other extreme noise generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This plan shall be submitted for review and approval by the City to ensure that maximum feasible noise attenuation is achieved. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities: - Implement "quiet" pile-driving technology, where feasible, in consideration of geotechnical and structural requirements and conditions; - Erect temporary plywood noise barriers around the entire construction site; - Utilize noise control blankets on the building structure as it is erected to reduce noise emission from the site; - Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and - Monitor the effectiveness of noise attenuation measures by taking noise measurements.	CDD/BO	B/C	Project proponent shall incorporate Mitigation Measure 4.11.3.1.D. on grading and construction drawings for review and approval by City.	A		2/4

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
4.11.3.1E. A process with the following components shall be established for responding to and tracking complaints pertaining to pile-driving construction noise: • A procedure for notifying City staff and Police Department; • A list of telephone numbers (during regular construction hours and off-hours); • A plan for posting signs on-site pertaining to complaint procedures and who to notify in the event of a problem; • Designation of a construction complaint manager for the project; and • A requirement to notify of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving activities.	CDD	B/C	Project proponent shall include procedure established under Mitigation Measure 4.11.3.1.E. with grading and constructions plans for approval by City.	A/C/D		2/4
4.11.8.2A. Buildings associated with noise-sensitive uses and that are directly exposed to traffic noise levels exceeding 57 dBA CNEL should be equipped with air conditioning or mechanical ventilation to allow the windows and doors to remain closed for prolonged periods of time, thus reducing noise levels below the level of significance (45 dBA CNEL).	CDD/BO	B	Review of Building Construction Plans.	C		2
4.11.8.2B. Buildings associated with noise-sensitive uses and that are directly exposed to traffic noise levels exceeding 69 dBA CNEL should incorporate mitigation measures such as building façade upgrades.	CDD/BO	B	Review of Building Construction Plans.	C		2
4.11.8.2C. Outdoor active use areas, such as backyards and school playgrounds, would need to be protected by freestanding sound walls along the property boundaries where exposed to noise levels above 70 dBA.	CDD/BO	B	Review of Building Construction Plans.	C		2
MINERAL AND ENERGY RESOURCES						
4.15.5.1A. Prior to the construction of any structure within ten feet of an abandoned well, a leak test shall be performed in accordance with the standards of the California Division of Oil	CDD/BO	B	Review of site and construction plans	A/B/C		2

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/Initials	Sanctions for Non-Compliance
Gas and Geothermal Resources (CDOGGR) standards. Should a leak be detected, it shall be repaired according to CDOGGR guidelines.						
4.15.5.1B. Well access must be provided for all abandoned wells according to CDOGGR standards.	CDD	A/B	Review of site and construction Plans.	A/B/C		2
4.15.5.1C. The construction of any structure over an abandoned well site is not recommended; however, should a building be allowed over a well site, a vent system must be constructed as per CDOGGR guidelines.	CDD/BO	A/B	Review of site and construction Plans.	A/B/C		2
4.15.6.1A. The City shall review all development proposals prior to the approval of development plans to guarantee that sufficient energy resources and facilities are available to supply adequate energy to the proposed project and associated uses.	CDD	A	Review of development plans.	B		2
4.15.6.1B. The City shall review all development proposals prior to approval to guarantee that energy conservation and efficiency standards of Title 24 are met and are incorporated into the design of future development.	BO	A/B	Review of building construction plans.	C		2

Key to Checklist Abbreviations

Responsible Person	Monitoring Frequency	Method of Verification	Sanctions
CDD Community Development Director or designee	A With Each New Development	A On-site Inspection	1 Withhold Recordation of Final Map
CE City Engineer or designee	B Prior To Construction	B Other Agency Permit / Approval	2 Withhold Grading or Building Permit
BO Building Official or designee	C Throughout Construction	C Plan Check	3 Withhold Certificate of Occupancy
PO Police Captain or designee	D On Completion	D Separate Submittal (Reports / Studies / Plans)	4 Stop Work Order
FC Fire Chief or designee	E Operating		5 Retain Deposit or Bonds
			6 Revoke CUP
			7 Citation



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Steve Esselman, Planning Director

SUBJECT: ACCEPT GRANT DEEDS FOR TWO PARCELS FROM LENNAR HOMES OF CALIFORNIA AND AUTHORIZE CITY MANAGER TO RECORD GRANT DEEDS

RECOMMENDATION

Council find the action is not subject to the California Environmental Quality Act; accept grant deeds for the two parcels from Lennar Homes of California; and, authorize the City Manager to record grant deeds.

BACKGROUND

On December 13, 2022, the Planning Commission of the City of Shafter made findings that the acquisition of real property within the Gossamer Grove Specific Plan area conforms with the City of Shafter General Plan in accordance with Government Code 65402 and the adoption of the Resolution is in compliance with CEQA requirements. Government Code Section 65402 requires a finding that the acquisition of property by a city conforms to the city's general plan.

ANALYSIS

The proposed acquisition of the two parcels is consistent with the following policy of the Gossamer Grove Specific Plan:

3.11.1 Police and Fire Protection

Acreage for police and/or fire protection facilities shall be provided within the public services land use designation in Planning Area 4 as required by the City of Shafter.

The "Public Services Parcel" and "Street Dedication in Fee" parcel are both found within the public services land use designation in Planning Area 4 of the Specific Plan. The "Public Services Parcel" is the acreage needed for police and/or fire protection facilities.

The "Street Dedication in Fee" parcel is a remnant of previous land divisions and is located completely within an existing right-of-way (Gossamer Grove Boulevard) and,

ACCEPT GRANT DEEDS FOR TWO PARCELS FROM LENNAR HOMES OF CALIFORNIA AND AUTHORIZE CITY MANAGER TO RECORD GRANT DEEDS

while this parcel does not directly add to the acreage for police and/or fire protection facilities, its acquisition is being considered because the property needs to change ownership prior to obtaining an updated title report showing the new boundaries of Tract 7388. Creating new boundaries for Tract 7388 and a revised title report is required so that a future substantial conformance process can move forward for Tract 7388. This substantial conformance process will provide the changes necessary to create the acreage needed for police and/or fire protection facilities.

As discussed above, the acquisition of the two parcels conforms to the City of Shafter General Plan by conforming to the policies found in the Gossamer Grove Specific Plan, namely the policy that requires acreage for police and/or fire protection facilities. The Planning Commission has already made a General Plan conformity finding dated December 13, 2022.

The City has requested, and Lennar has agreed to deed the parcels over to the City. With the Council's approval, the City Manager will accept the deeds and record them with the County Recorder's Office.

FISCAL IMPACT

None

CEQA ANALYSIS

The acceptance of the grant deeds allows the future development of a public services area as described in the adopted Gossamer Grove Specific Plan. The ultimate development of the public services area is within the scope and intensity of the original Gossamer Grove Specific Plan analyzed in the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update (SCH No. 2004101029). The certified Program EIR adequately describes the activity of the public services area as a mix of land uses that can include a police station, fire substation, and residential. Therefore, per Section 15061(b)(3) of the California Environmental Quality Act Guidelines (commonly referred to as the "Common Sense exemption"), it can be seen with certainty that the action will not cause a significant effect on the environment, and therefore, the action is not subject to CEQA.

APPROVED BY THE CITY ATTORNEY

Yes

ALTERNATIVES

The City Council could deny the proposed action and the two parcels would not be deeded over to the City and the police substation and fire station would not be realized. **STAFF DOES NOT RECOMMEND THIS OPTION**

NEXT STEPS

The next steps are to create new boundaries for Tract 7388, revise the title report, and consider a substantial conformance finding for Tract 7388.

**ACCEPT GRANT DEEDS FOR TWO PARCELS FROM LENNAR HOMES OF CALIFORNIA AND
AUTHORIZE CITY MANAGER TO RECORD GRANT DEEDS**

ATTACHMENTS

1. Grant Deed - Public Services Parcel
2. Grant Deed - Street Dedication in Fee Parcel

RECORDING REQUESTED BY
AND WHEN RECORDED
RETURN TO:

City of Shafter
336 Pacific Avenue
Shafter, CA 93263
Attn: City Clerk

No Recording Fee Pursuant to Gov't Code § 27383

No Documentary Transfer Tax Pursuant to
California Revenue & Taxation Code § 11922

GRANT DEED

THE UNDERSIGNED GRANTOR DECLARES:

Documentary Transfer Tax is: \$ -0-

☐ Unincorporated Area ☒ City of Shafter

☐ computed on full value of interest or property conveyed, or

☐ computed on full value of liens or encumbrances remaining at time of sale;

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, LENNAR HOMES OF CALIFORNIA INC., a California corporation as Successor in Interest to Lennar Bakersfield, Inc. a Delaware Corporation, ("Grantor") hereby GRANTS to CITY OF SHAFTER, a charter city formed in accordance with California law ("Grantee"), the following described real property in the City of Shafter, County of Kern, State of California:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO

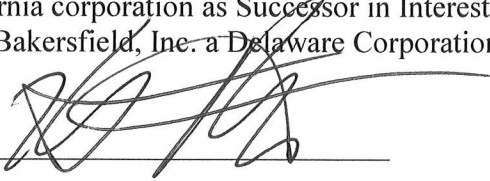
Subject to all matters of record and apparent,

Dated: November 26, 20 22

GRANTOR:

LENNAR HOMES OF CALIFORNIA INC.,

a California corporation as Successor in Interest to
Lennar Bakersfield, Inc. a Delaware Corporation

By: 

Print: MIKE MILLER

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

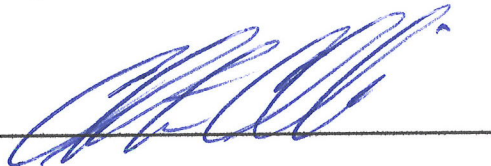
County of Fresno)

On November 28, 2022 before me, Christine Collins, Notary Public personally appeared Mike Miller, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



CITY OF SHAFTER
CERTIFICATE OF ACCEPTANCE OF GRANT DEED

This Certificate of Acceptance pertains to the interests in real property conveyed by the Grant Deed to which this Certificate of Acceptance is attached,

from: LENNAR HOMES OF CALIFORNIA INC., a California corporation as Successor in Interest to Lennar Bakersfield, Inc. a Delaware Corporation, ("Grantor")

to: CITY OF SHAFTER, a charter city formed in accordance with California law ("Grantee")

Said Grant Deed is hereby accepted by the undersigned officer on behalf of Grantee pursuant to authority conferred by the Grantee's governing body on _____, and Grantee hereby consents to recordation of said Grant Deed.

Dated: _____

CITY OF SHAFTER,
a charter city formed in accordance
with California law

By: _____
Gabriel Gonzalez
City Manager

ATTEST:

Yazmina Pallares, City Clerk

EXHIBIT "A"

PUBLIC SERVICES PARCEL

Being portions of Lots "A" and 5 of Tract No. 6761, recorded September 30, 2008 in Book 59 of Maps at Pages 42 through 45 in the Office of the Kern County Recorder, and a portion of Lot "B" of Lot Line Adjustment No. 18-67 as evidenced by that certain Certificate of Compliance, recorded June 19, 2018 as Document No. 218076247, Official Records, also being portions of the Southeast Quarter of Section 36, Township 28 South, Range 26 East, M.D.M., in the City of Shafter, County of Kern, State of California more particularly described as follows:

BEGINNING at the Northeast corner of the Temporary Storm Drainage Facilities described in Document No. 216047535, Official Records, recorded April 18, 2016;

Thence along the North line of said Temporary Storm Drainage Facilities North $89^{\circ}11'48''$ West, 72.69 feet;

Thence leaving said line North $00^{\circ}48'12''$ East, 375.75 feet;

Thence North $75^{\circ}48'12''$ East, 65.03 feet;

Thence Easterly, 71.73 feet along a curve concave Southerly with a radius of 274.00 feet and a central angle of $15^{\circ}00'00''$;

Thence South $89^{\circ}11'48''$ East, 232.65 feet;

Thence Northeasterly, 90.59 feet along a curve concave Northerly with a radius of 276.00 feet and a central angle of $18^{\circ}48'21''$;

Thence South $66^{\circ}08'54''$ East, 42.45 feet to the West Right-of-Way of Gossamer Grove Boulevard per Tract No. 7315, recorded February 13, 2018, in Book 62 of Maps at Pages 107 through 111, in the Office of the Kern County Recorder;

Thence South $21^{\circ}10'42''$ East along said Right-of-Way, 109.04 feet;

Thence Southerly along said Right-of-Way, 313.00 feet along a non-tangent curve concave Westerly with a radius of 1,440.00 feet, a central angle of $12^{\circ}27'14''$ and a beginning radial which bears South $67^{\circ}41'21''$ West;

Thence leaving said Right-of-Way, North $89^{\circ}11'48''$ West, 389.89 feet to the South line of Lot "B" of said Lot Line Adjustment No. 18-67;

Thence along said South line the following five courses;

South $64^{\circ}01'05''$ West, 21.28 feet;

Southwesterly, 73.80 feet along a curve concave Northerly with a radius of 158.00 feet and a central angle of $26^{\circ}45'44''$;

North $89^{\circ}13'11''$ West, 43.28 feet;

South $00^{\circ}46'49''$ West, 9.46 feet;

North $89^{\circ}09'36''$ West, 29.98 feet to the East line of said Temporary Storm Drainage Facilities;

Thence North $00^{\circ}46'49''$ East along said East line, 36.00 feet to the **POINT OF BEGINNING**.

Containing 5.31 acres, more or less.



NOTES:

ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

EASEMENTS:

- ① FIBER OPTIC UTILITY EASEMENT IN FAVOR OF THE CITY OF SHAFTER PER DOCUMENT NO. 0216042481, O.R.
- ② STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR TEMPORARY SUMP ACCESS FACILITIES ON LOTS A, 3 & 5 OF TRACT NO. 6761 PER DOCUMENT NO. 0216047534, O.R.
- ③ STORM DRAIN EASEMENT IN FAVOR OF CITY OF SHAFTER PER DOCUMENT NO. 218073372, O.R.
- ④ STREET AND PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF SHAFTER PER DOCUMENT NO. 216042486, O.R.
- ⑤ STREET AND PUBLIC UTILITIES EASEMENT PER TRACT NO. 6761, BOOK 59 OF MAPS, PAGES 42-45, O.R.

LEGEND:

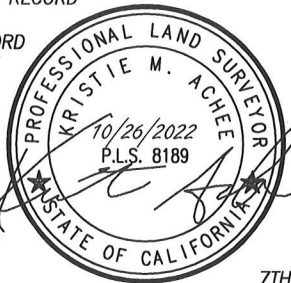
- ()R1 RECORD PER TEMPORARY STORM DRAINAGE FACILITIES PER DOCUMENT NO. 216047535, O.R., OR CALCULATED THEREFROM.
- ()R2 RECORD PER STREET AND PUBLIC UTILITY EASEMENT PER DOCUMENT NO. 216042486, O.R., OR CALCULATED THEREFROM.
- ()R3 RECORD PER TRACT NO. 7315 RECORDED IN BOOK 62 OF MAPS, PAGES 107-111, K.C.R., OR CALCULATED THEREFROM.
- ()R4 RECORD PER LOT LINE ADJUSTMENT NO. 18-67 RECORDED AS CERTIFICATE OF COMPLIANCE DOCUMENT NO. 218076247, O.R., OR CALCULATED THEREFROM.

K.C.R. KERN COUNTY RECORD

O.R. OFFICIAL RECORD



0' 300'
SCALE: 1" = 300'



7TH STANDARD PARALLEL
N LINE SEC. 6-29/27

N 1/4 COR. SEC. 6-29/27

POINT OF BEGINNING
NE COR. TEMPORARY
STORM DRAIN FACILITIES

FRIANT-KERN CANAL

PUBLIC SERVICES
PARCEL
5.31 AC
(SEE SHEET 2)

LOT 'A' OF TRACT 6761
BOOK 59 OF MAPS,
PAGES 42-45, K.C.R.

LOT 'A' OF LOT LINE
ADJUSTMENT NO. 18-67,
CERTIFICATE OF COMPLIANCE
DOC. NO. 218076247, O.R.

E LINE SEC. 36-28/26

TEMPORARY STORM DRAINAGE FACILITIES
DOC. NO. 216047535, O.R.

7TH STANDARD
ROAD

GOSSAMER
GROVE BLVD

TRACT 7315
BOOK 62 OF MAPS,
PAGES 107-111, K.C.R.

LOT 5 OF TRACT 6761
BOOK 59 OF MAPS,
PAGES 42-45, K.C.R.

SOARING HEIGHTS WAY

TRACT 7115
BOOK 61 OF MAPS,
PAGES 64-68, K.C.R.

TRACT 6773
BOOK 61 OF MAPS,
PAGES 55-59, K.C.R.

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PROJECT NO.: 210170.01

DRAWN BY: KM

QA/QC BY: PH/KMA

SCALE: AS SHOWN

SHEET NO.:

1 OF 2

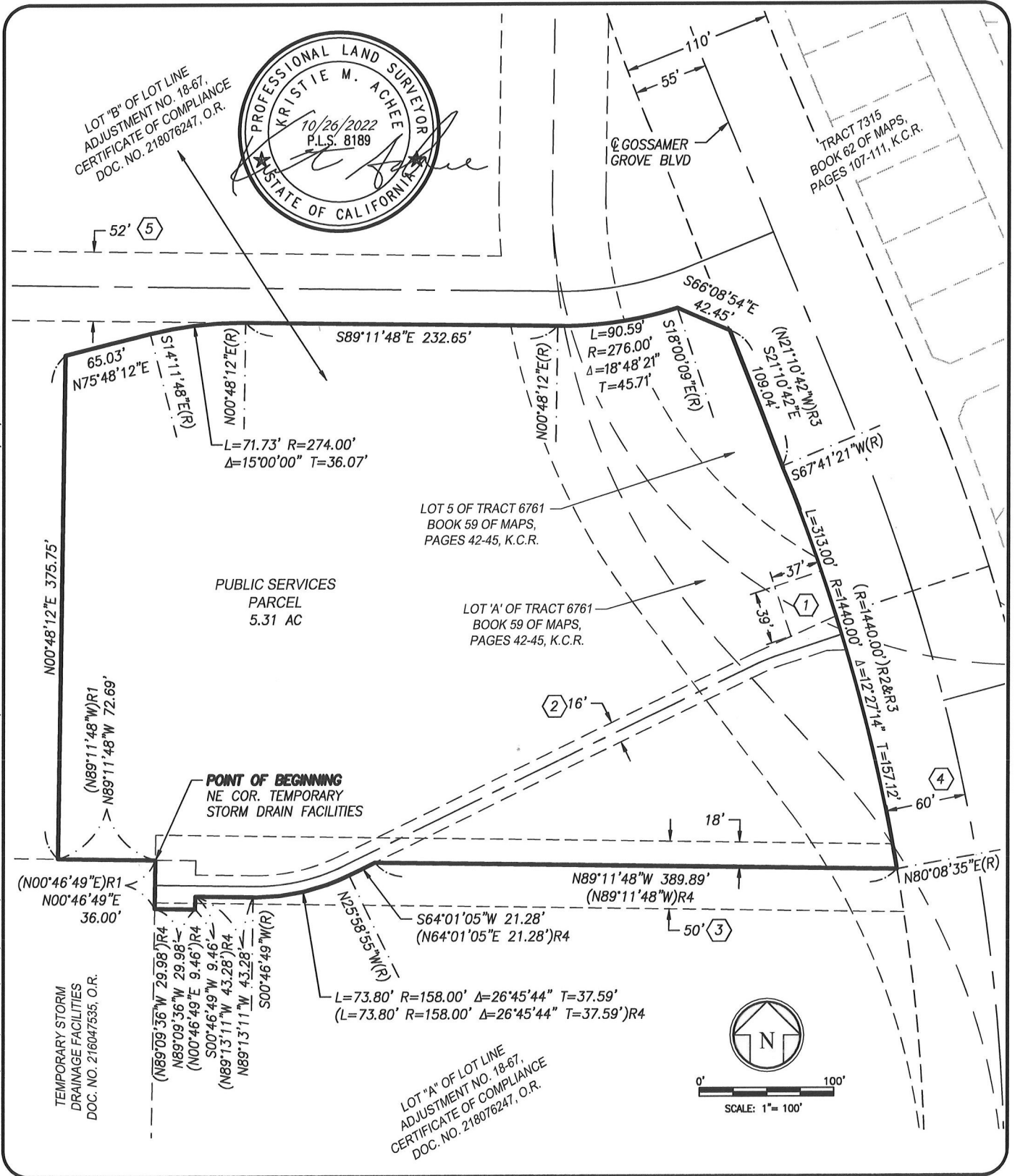
EXHIBIT "B"

**PUBLIC SERVICES PARCEL
GOSSAMER GROVE SPECIFIC PLAN**



5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
BAKERSFIELD, CA 93309 WWW.QKINC.COM
© COPYRIGHT BY QUAD KNOPF, INC. UNAUTHORIZED USE PROHIBITED.

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PROJECT NO.: 210170.01

DRAWN BY: KM

QA/QC BY: PH/KMA

SCALE: AS SHOWN

SHEET NO.:

2 OF 2

EXHIBIT "B"

PUBLIC SERVICES PARCEL
GOSSAMER GROVE SPECIFIC PLAN



5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
BAKERSFIELD, CA 93309 WWW.QKINC.COM
© COPYRIGHT BY QUAD KNOPF, INC. UNAUTHORIZED USE PROHIBITED.

RECORDING REQUESTED BY
AND WHEN RECORDED
RETURN TO:

City of Shafter
336 Pacific Avenue
Shafter, CA 93263
Attn: City Clerk

No Recording Fee Pursuant to Gov't Code § 27383

No Documentary Transfer Tax Pursuant to
California Revenue & Taxation Code § 11922

GRANT DEED

THE UNDERSIGNED GRANTOR DECLARES:

Documentary Transfer Tax is: \$ -0-

- ☐ Unincorporated Area ☒ City of Shafter
☐ computed on full value of interest or property conveyed, or
☐ computed on full value of liens or encumbrances remaining at time of sale;

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, LENNAR HOMES OF CALIFORNIA INC., a California corporation as Successor in Interest to Lennar Bakersfield, Inc. a Delaware Corporation, ("Grantor") hereby GRANTS to CITY OF SHAFTER, a charter city formed in accordance with California law ("Grantee"), the following described real property in the City of Shafter, County of Kern, State of California:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO

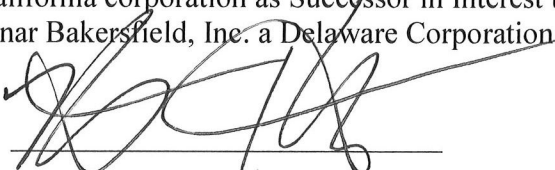
Subject to all matters of record and apparent,

Dated: NOVEMBER 28, 20 22

GRANTOR:

LENNAR HOMES OF CALIFORNIA INC.,

a California corporation as Successor in Interest to
Lennar Bakersfield, Inc. a Delaware Corporation

By: 

Print: Mike Muller

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

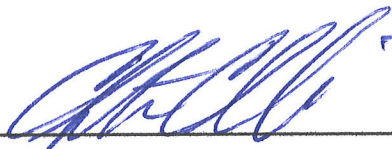
State of California

County of Fresno)

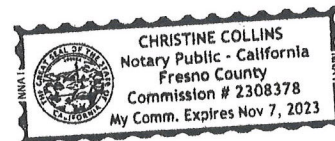
On November 28, 2022 before me, Christine Collins, Notary Public personally appeared Mike Miller, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)



CITY OF SHAFTER
CERTIFICATE OF ACCEPTANCE OF GRANT DEED

This Certificate of Acceptance pertains to the interests in real property conveyed by the Grant Deed to which this Certificate of Acceptance is attached,

from: LENNAR HOMES OF CALIFORNIA INC., a California corporation as Successor in Interest to Lennar Bakersfield, Inc. a Delaware Corporation, ("Grantor")

to: CITY OF SHAFTER, a charter city formed in accordance with California law ("Grantee")

Said Grant Deed is hereby accepted by the undersigned officer on behalf of Grantee pursuant to authority conferred by the Grantee's governing body on _____, and Grantee hereby consents to recordation of said Grant Deed.

Dated: _____

CITY OF SHAFTER,
a charter city formed in accordance
with California law

By: _____
Gabriel Gonzalez
City Manager

ATTEST:

Yazmina Pallares, City Clerk

EXHIBIT "A"

STREET DEDICATION IN FEE

A street dedication being a portion of Lot "A" of Tract No. 6761, recorded September 30, 2008 in Book 59 of Maps at Pages 42 through 45 in the Office of the Kern County Recorder, and a portion of Lot "B" of Lot Line Adjustment No. 18-67 as evidenced by that certain Certificate of Compliance, recorded June 19, 2018 as Document No. 218076247, Official Records, also being portions of the Southeast Quarter of Section 36, Township 28 South, Range 26 East, M.D.M. and the West Half of the Southwest Quarter of Section 31, Township 28 South, Range 27 East, M.D.M., in the City of Shafter, County of Kern, State of California more particularly described as follows:

BEGINNING at the Northeast corner of Lot "A" of said Lot Line Adjustment No. 18-67;

Thence along the North line of said Lot "A" North $89^{\circ}11'48''$ West, 7.98 feet to the West Right-of-Way of Gossamer Grove Boulevard as described in Document No. 216042486, Official Records, recorded April 7, 2016;

Thence Northerly along said Right-of-Way, 183.75 feet along a non-tangent curve concave Westerly with a radius of 1,440.00 feet, a central angle of $7^{\circ}18'40''$ and a beginning radial which bears South $80^{\circ}08'35''$ West to the South line of Tract No. 7315 recorded February 13, 2018, in Book 62 of Maps at Pages 107 through 111, in the Office of the Kern County Recorder;

Thence Easterly along said South line, 683.25 feet along a non-tangent curve concave Northerly with a radius of 350.00 feet, a central angle of $111^{\circ}50'56''$ and a beginning radial which bears North $22^{\circ}39'08''$ East;

Thence leaving said South line Southerly along both the West line of Tract No. 6982 recorded December 20, 2016, in Book 62 of Maps at Pages 5 through 8, in the Office of the Kern County Recorder and the West line of Tract No. 7115 recorded December 14, 2015, in Book 61 of Maps at Pages 64 through 68, in the Office of the Kern County Recorder, 319.52 feet along a non-tangent curve concave Westerly with a radius of 500.00 feet, a central angle of $36^{\circ}36'52''$ and a beginning radial which bears North $89^{\circ}11'48''$ West to the Southerly Right-of-Way of Soaring Heights Way described in Document No. 216042483, Official Records, recorded April 7, 2016;

Thence Southwesterly along said Right-or-Way, 168.77 feet along a non-tangent curve concave Northwesterly with a radius of 390.00 feet, a central angle of $24^{\circ}47'42''$ and a beginning radial which bears North $39^{\circ}19'15''$ West;

Thence continuing along said Right-of-Way South $75^{\circ}28'27''$ West, 70.61 feet;

Thence continuing along said Right-of-Way South $31^{\circ}28'47''$ West, 28.78 feet to the Easterly Right-of-Way of said Gossamer Grove Boulevard;

Thence Southerly along said Right-of-Way, 142.71 feet along a non-tangent curve concave Westerly with a radius of 1,560.00 feet, a central angle of $5^{\circ}14'30''$ and a beginning radial which bears South $77^{\circ}51'09''$ West;

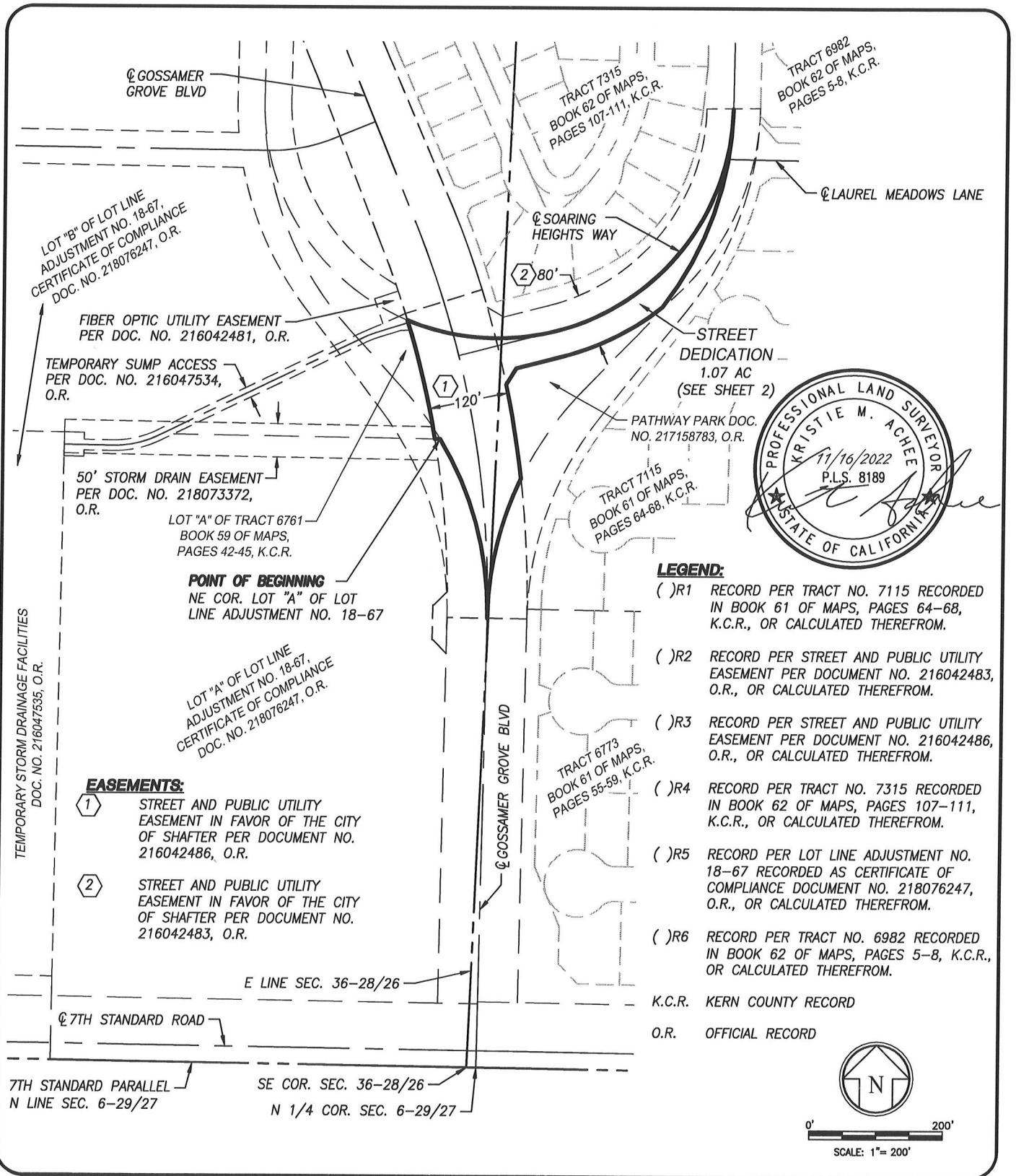
Thence leaving said Right-of-Way Southerly along the West line of said Tract No. 7115, a distance of 215.92 feet along a non-tangent curve concave Easterly with a radius of 500.00 feet, a central angle of $24^{\circ}44'32''$ and a beginning radial which bears South $64^{\circ}27'16''$ East;

Thence leaving said West line Northerly along the West line of Lot "A" of said Tract No. 6761 and the East line of Lot "A" of said Lot Line Adjustment No. 18-67, a distance of 280.93 feet along a non-tangent curve concave Westerly with a radius of 500.00 feet, a central angle of $32^{\circ}11'32''$ and a beginning radial which bears North $89^{\circ}11'48''$ West to the **POINT OF BEGINNING**.

Containing 1.07 acres, more or less.



L:\PROJECTS\2021\210170\ACAD\LEGALS\ROW - HOOK\210170-01 ROW.DWG 11/16/2022 12:03 PM



PROJECT NO.: **210170.01**
DRAWN BY: **KM**
QA/QC BY: **PH/KA**
SCALE: **AS SHOWN**
SHEET NO.:
1 of 2

EXHIBIT B

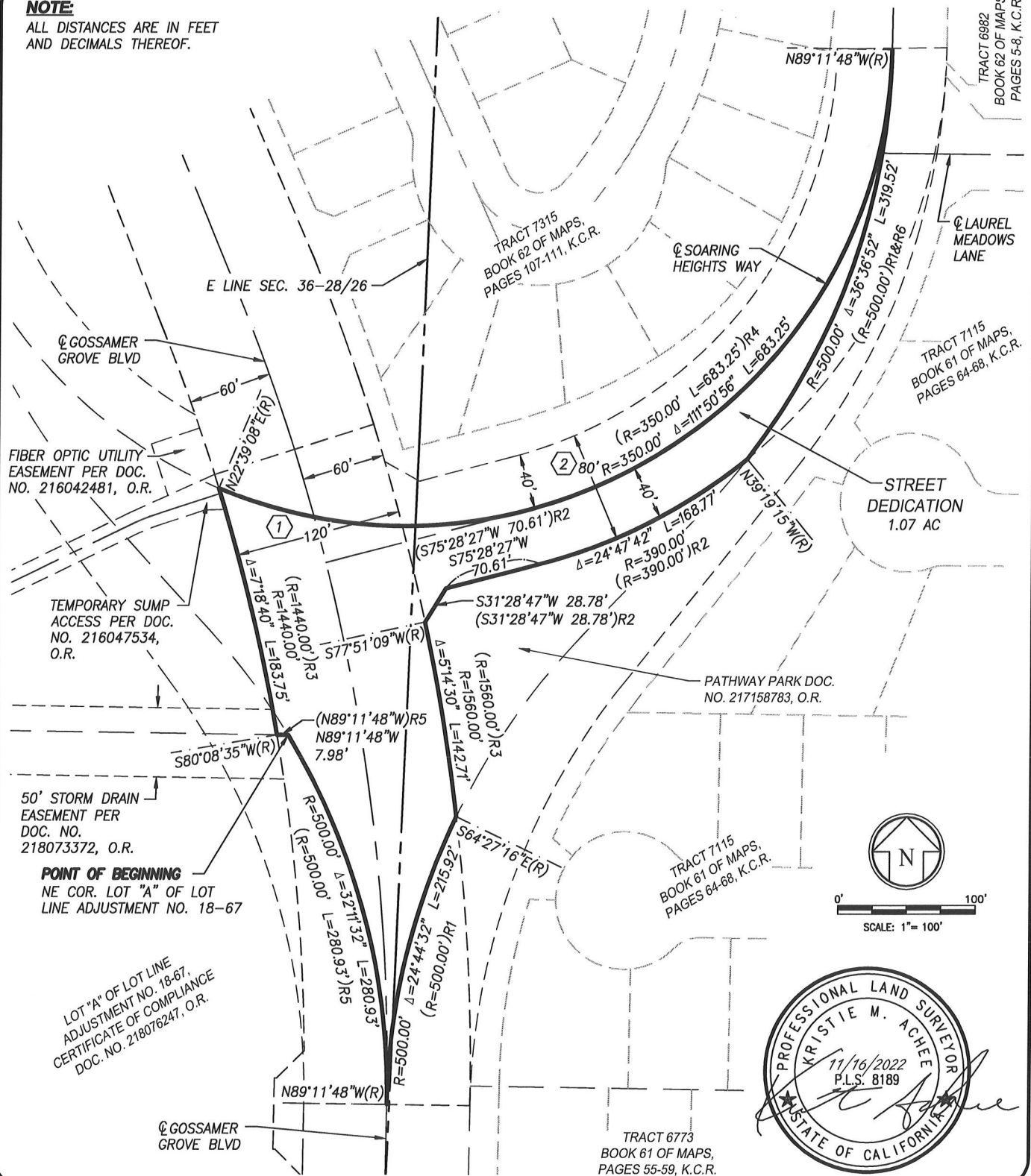
STREET DEDICATION IN FEE

QK
5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
BAKERSFIELD, CA 93309 WWW.QKINC.COM
© COPYRIGHT BY QUAD KNOPF, INC. UNAUTHORIZED USE PROHIBITED.

NOTE:

ALL DISTANCES ARE IN FEET
AND DECIMALS THEREOF.

L:\PROJECTS\2021\210170\ACAD\LEGALS\ROW - HOOK\210170-01 ROW.DWG 11/16/2022 12:03 PM



PROJECT NO.: 210170.01

DRAWN BY: KM

QA/QC BY: PH/KA

SCALE: AS SHOWN

SHEET NO.:

2 OF 2

EXHIBIT B

STREET DEDICATION IN FEE



5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
BAKERSFIELD, CA 93309 WWW.QKINC.COM

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CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Michael James, Public Works Director

SUBJECT: AWARD THE PURCHASE TWO (2) PORTABLE LIGHTING
TOWERS IN THE AMOUNT OF \$24,921 TO MULTIQUIP, INC.

RECOMMENDATION

Council find the action is not defined as a "project" per Section 15378(b)(4) and not subject to CEQA; accept two (2) quotes for furnishing two (2) portable light towers; award the purchase of said portable lighting towers to MULTIQUIP, INC. in the amount of \$24,921; and, authorize the Public Works Director to execute the purchase order and sales documentation on behalf of the City.

BACKGROUND

Public Works has continuously maintained a fleet of three portable light towers for several years for nighttime use by its utility and street crews. The towers are also periodically loaned to local schools, non-profit organizations, and service clubs for outdoor community events.

ANALYSIS

Two of the lights, which were originally donated to the City by Minter Field Airport District, are over 25 years old and have been inoperable in recent weeks and do not have replacement parts readily available for restoration. Although the purchase of portable light towers was not factored into the current fiscal year operating budget, their importance concerning public and employee safety, it was necessary to replace the two light towers now. To address the portable lighting shortage, staff informally requested proposals from vendors that can provide two replacement units. Two quotes were received:

1. MULTIQUIP, INC. for \$24,921
2. Statewide Traffic Safety and Signs for \$30,379.

Both distributors submitting quotes offer profile portable light towers that meet the City's needs and can be delivered within an acceptable period. However, MULTIQUIP, INC is the lowest responsive cost proposal.

FISCAL IMPACT

FY 2022-2023 Operating Budget - Machinery and Equipment line item has available funds for the purchase of the two (2) light towers.

CONSENT CALENDAR

AWARD THE PURCHASE TWO (2) PORTABLE LIGHTING TOWERS IN THE AMOUNT OF \$24,921 TO MULTIQUIP, INC.

CEQA ANALYSIS

The action is not defined as a “project” per Section 15378(b)(4) of the CEQA Guidelines because the action is the purchase of two portable light towers and therefore, it is governmental fiscal activity that does not involve any commitment to a specific project that can result in a potentially significant impact and not subject to CEQA.

APPROVED BY THE CITY ATTORNEY

Not Applicable

ALTERNATIVES

There is no viable alternative to using portable light towers, but the City can rent them as needed instead of purchasing them. However, portable lighting should be readily available for after-hours and emergency conditions. Rentals are always a good backup option for lighting, but availability is not always guaranteed. Additionally, the Council can direct staff to seek additional quotes to ensure the pricing offered by the current vendor is fair. In this case, the lack of two operable light towers has the potential to compromise the City's ability to respond to after-hours or emergency conditions, which makes purchasing replacements a top priority. Additionally, MULTIQUIP, INC. has a solid reputation with product sales and support. Therefore, staff does not recommend any alternative action.

NEXT STEPS

Upon Council approval, the Public Works Director would issue a purchase order to MULTIQUIP, INC. for the recommended purchase of two portable light towers. Declaring the existing lights as surplus property would occur at a future meeting.

ATTACHMENTS

1. Quote submitted by MULTIQUIP, INC.
2. Quote Submitted by Statewide Traffic Safety & Signs



MULTIQUIP INC.
6141 KATELLA AVE, SUITE 200
CYPRESS, CA 90630
PH: 800-421-1244 / 310-537-3700 FAX: 310-537-3927

Quotation

Sold-to (424780) City of Shafter 336 Pacific Ave Shafter CA 93263-2047	Document Information Quotation # 20840951 QT Date 11/02/2022 P.O. # Date Estimated Ship 12/01/2022 Requested Ship 11/02/2022 Carrier No 406369 MULTIQUIP LTL C/O EC Entered by DMARSH Order Reason P22 ORDR-Sourcewell Currency USD Delivery PPS Prepay/Chrg SPL Frt (Units) Payment Terms Net 30 Within 30 days without deduction ===== Availability is subject to stock on hand at the time purchase order is received. Quote is valid for 30 days from issue date.
Ship-to (424780) City of Shafter 336 Pacific Ave Shafter CA 93263-2047	

Item	Material	Plant	B/O	Order Qty	Gross Price EA	Net Price EA	Total Value
0010	GBX24BK GBug, Light Tower, Balloon, 2400W LED	A102	2	2.000	14,144.00	11,315.20	22,630.40
	Items total						22,630.40
	Freight (Units)						650.00
	Taxable amount						22,630.33
	State/GST Tax						1,357.82
	Local/PST Tax						56.58
	Local Tax						226.30
	Total amount						24,921.10
	Sourcewell member # 133243 Multiquip contract # 041719-MTQ ** Quote Valid for 90 Days **						



DATE	11/21/2022		
TO	CITY OF SHAFTER		
EMAIL	nwilson@statewidess.com		
FROM	Nicole Wilson	PHONE NUMBER	
	STATEWIDE TRAFFIC SAFETY & SIG	FAX NUMBER	
SUBJECT	QUOTE 12003601		

www.statewidesafety.com



STATEWIDE BAKERSFIELD
4400 STATE RD
BAKERSFIELD, CA 93308-4542

Sales Quotation

QUOTE #	12003601
LOCATION	12
DATE	11/21/22
PAGE	1 of 2

BILL TO

S1101101
CITY OF SHAFTER
336 PACIFIC AVE
SHAFTER, CA 93263

SHIP TO

CITY OF SHAFTER / YARD
336 PACIFIC AVE
SHAFTER, CA 93263-2047

QUOTE DATE 11/21/22	EXPIRE DATE 12/21/22	REQUIRED DATE	REFERENCE NUMBER	PAYMENT TERMS NET 30
WRITTEN BY Nicole Wilson	CONTACT		SHIP VIA CUSTOMER PICKUP	
FREIGHT TERMS PREPAID	JOB NUMBER 998		SALES REP Nicole Wilson	

PRODUCT/DESCRIPTION	QUANTITY	PRICE	U/M	EXTENSION
---------------------	----------	-------	-----	-----------

*SO WANCO STANDARD DIESEL LAYDOWN LIGHT TOWER WITH KUBOTA D1005 ENGINE & 6kW GENERATOR FOUR 1000 WATT METAL HALIDE LAMPS. FULLY ADJUSTABLE HIGH- EFFICIENCY LIGHT FIXTURES. 30 -FOOT TELESCOPING TOWER ROTATES 360 DEGREES. DUAL HAND-OPERATED WINCHES FOR RAISING AND LOWERING TOWER. 1800 RPM TIER 4 FINAL DIESELV ENGINE. MECC ALTE BRUSHLESS FOUR-POLE GENERATOR. 30-GALLON FUEL TANK. 120V AC DUPLEX GFCI. 12V GROUP 24 SPRING AXLE. GULL-WING DOORS AND HINGED "POP-UP" PANEL FOR ENGINE ACCESS. COMBINATION HITCH FOR 2.5 INCH PINTLE HOOK, AND 2 INCH BALL HITCH.	1	13571.420	EA	13,571.42
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*SO WANCO COMPACT DIESEL LIGHT TOWER WITH KUBOTA D1005 ENGINE & 6kW GENERATOR. FOUR 1000-WATT METAL HALIDE LAMPS.	1	13821.420	EA	13,821.42
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Continued

www.statewidesafety.com



STATEWIDE BAKERSFIELD
4400 STATE RD
BAKERSFIELD, CA 93308-4542

Sales Quotation

QUOTE #	12003601
LOCATION	12
DATE	11/21/22
PAGE	2 of 2

BILL TO

S1101101
CITY OF SHAFTER
336 PACIFIC AVE
SHAFTER, CA 93263

SHIP TO

CITY OF SHAFTER / YARD
336 PACIFIC AVE
SHAFTER, CA 93263-2047

QUOTE DATE 11/21/22	EXPIRE DATE 12/21/22	REQUIRED DATE	REFERENCE NUMBER	PAYMENT TERMS NET 30
WRITTEN BY Nicole Wilson			CONTACT	SHIP VIA CUSTOMER PICKUP
FREIGHT TERMS PREPAID			JOB NUMBER 998	SALES REP Nicole Wilson

PRODUCT/DESCRIPTION	QUANTITY	PRICE	U/M	EXTENSION
---------------------	----------	-------	-----	-----------

FULLY ADJUSTABLE HIGH-EFFICIENCY LIGHT FIXTURES.
24.5-FOOT TELESCOPING TOWER
ROTATES 360 DEGREES. SINGLE
HAND OPERATED WINCH FOR
RAISING AND LOWERING TOWER.
1800 RPM TIER 4 FINAL DIESEL
ENGINE. 60-GALLON FUEL TANK.
FOUR TOUCH POINT LEVEL SYTEM
WITH AGG-JACKS COUPLED WITH
OUTRIGGERS. 120V AC DUPLEX
COMPACT TRANSVERSE TRAILER
WITH LEAF SPRING AXLE. HINGED
BACK PANEL FOR ENGINE ACCESS.
STANDARD 2-INCH BALL HITCH OR
HITCH FOR 2.5 INCH PINTLE
HOOK. (NO COMBO HITCH)
THIS QUOTE IS VALID FOR 14
CALENDAR DAYS. FREIGHT IS
\$450.00 PER LIGHT TOWER. LEAD
TIME IS 4-6 WEEKS.

MERCHANDISE TOTAL	HANDLING	MISC CHARGE	TAX	FREIGHT	QUOTE TOTAL
27,392.84	0.00	0.00	1,985.98	1,000.00	30,378.82

Accepted:

By: _____

Date: _____



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Michael James, Public Works Director

SUBJECT: RATIFY A PURCHASE ORDER TO HAAKER EQUIPMENT COMPANY FOR HIGH-PRIORITY REPAIRS TO THE CITY STREET SWEEPER IN THE AMOUNT OF \$28,000.

RECOMMENDATION

Ratify a purchase order award to Haaker Equipment Company for repairs to the City street sweeper in the amount of \$28,000.

BACKGROUND

In 2015, the City terminated a contract with a vendor for citywide street sweeping services and purchased its own sweeper and switched to in-house service by Public Works crews. At the time, it was determined that in-house service would be more cost-effective and more efficient to meet the City's needs. While this transition has worked well and maintained a high level of service, the City's sweeper periodically requires repairs.

ANALYSIS

A recent inspection of the sweeper revealed cracks in a fan assembly. While it is still operational and in use, repairs should be pursued as quickly as possible to avoid a service shutdown. Non-routine expenditures exceeding \$10,000 require Council authorization before an award for contracted services is made. However, in this case, the repairs depend on parts that reportedly have a lead time of approximately 45 days. Therefore, it was imperative to have the repairs made immediately to maintain quality-of-life service continuity for residents and businesses,

Haaker Equipment Company, the vendor that originally sold the sweeper to the City and conducted the recent inspection, provided an estimate of \$27,400. Public Works issued a purchase order to Haaker Equipment Company to cover their repair estimate for the reasons stated above. Council ratification of the repairs in the amount of \$27,400 is now required.

FISCAL IMPACT

CONSENT CALENDAR

RATIFY A PURCHASE ORDER TO HAAKER EQUIPMENT COMPANY FOR HIGH-PRIORITY REPAIRS TO THE CITY STREET SWEEPER IN THE AMOUNT OF \$28,000.

FY 2022-2023 Operating Budget has sufficient funds for the repairs.

CEQA ANALYSIS

The action is not defined as a “project” per Section 15378(b)(4) of the CEQA Guidelines because the action is approval of funds for sweeper repairs and therefore, it is governmental fiscal activity that does not involve any commitment to a specific project that can result in a potentially significant impact and not subject to CEQA.

APPROVED BY THE CITY ATTORNEY

Not Applicable

ALTERNATIVES

There are no viable alternatives to the requested action, which is viewed as the most cost-effective strategy to ensure the City is able to maintain its citywide street sweeping service levels.

NEXT STEPS

Upon receipt of the necessary parts, Public Works will temporarily shut down street sweeping so the repairs with the fan assembly can be performed. Should the shutdown be longer than expected, a rented sweeper may be needed.

ATTACHMENTS

1. Street Sweeper Repair Purchase Order



City of Shafter
336 Pacific Ave.
Shafter, CA 93263
(661) 746-5001

Purchase Order

Page: 1 of: 1

BILL TO

N

720 COMMERCE WAY
SHAFTER, CA 93263
Email: brubio@SHAFTER.COM
Phone: 661-746-5002

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase
Order #

23000376 - 01

VENDOR

HAAKER EQUIPMENT COMPANY
2070 N WHITE AVENUE
LAVERNE, CA 91750
Fax: 909-598-1427

SHIP TO

720 COMMERCE WAY
SHAFTER, CA 93263
Email: brubio@SHAFTER.COM
Phone: 661-746-5002

Date Ordered		Vendor Number	Department/Location			
11/29/2022		12729	PUBLIC WORKS			
Item#	Description/PartNo	QTY	UOM	Unit Price	Extended Price	
	Street Sweeper Repairs The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading					
1	Street Sweeper Repairs - Fan & housing assembly.	1.0	EACH	\$28,000.00	\$28,000.00	

VENDOR COPY

Total Ext. Price	\$28,000.00
PO Total	\$28,000.00

Page 425 of 472

PURCHASE ORDER TERMS AND CONDITIONS FOR EQUIPMENT AND MATERIALS

1. Acceptance. This purchase order for equipment and materials issued by the City of Shafter ("CITY") to the Vendor designated in the purchase order must be promptly accepted and acceptance is expressly limited to the terms of this order. Any additions or different terms in the Vendor's forms are hereby deemed to be material alterations and notice of objection to them and rejection of them is hereby given. Vendor's shipment of goods in response to this order shall be considered acceptance by the Vendor.

2. Entire Agreement. Unless Vendor and CITY have entered into a separate written contract covering the purchase of the goods described herein, the entire contract between the parties consists of this order and the Vendor's acceptance as above stipulated, and said contract shall not be changed or added to except in writing signed by authorized representatives of each party.

3. Price. The price invoiced for the goods on this purchase order shall be no higher than the price stated on the front of this purchase order unless prior notification is received from Vendor prior to shipment and the change is accepted by CITY. If the Vendor's established price for any item upon the date of delivery shall be lower than the price shown on this purchase order, CITY shall have the benefit of such lower price. Vendor shall deliver to CITY all invoices within 30 days of shipping or service delivery.

4. Payment. Payments will be made net 30 days unless otherwise specified as per agreements regarding discount terms. The period of computation will commence on the date of receipt of a correctly completed invoice. Payment may be withheld, in whole or in part, due to deficiencies in Vendor's performance. Payment of an invoice by CITY shall be without prejudice to any and all claims CITY may have against Vendor in connection with such goods. Invoices are paid on a weekly basis and such practice may result in minor deviations from payment terms otherwise cited herein.

5. Time of the Essence. Time is of the essence on this order. If delivery is not made in the quantity or quantities and at the time or times specified, CITY shall have the right, at its option, to cancel the entire order or that part of same not so delivered. If CITY accepts delayed delivery the time of payment shall be extended accordingly.

6. Delivery and Acceptance. Vendor expressly warrants that any article, material or work is free and clear of all liens and encumbrances whatsoever, and that Vendor has good and marketable title to same. Unless otherwise specified, all goods are to be shipped prepaid, F.O.B. destination. No charge will be allowed for packing, crating, freight, express or other carrier's charges, or cartage, unless specifically agreed to by CITY. Title to equipment and materials purchased hereunder shall pass to Vendor at the designated F.O.B. point, subject to Vendor's right to inspect and reject or revoke acceptance.

7. Warranty. Vendor warrants for a period of 12 months following start of use or 18 months from receipt, whichever occurs first, that the goods described herein will be free of defects in workmanship, design, materials, and title, and notwithstanding anything herein to the contrary, will conform to all applicable proposals, specifications, instructions, drawings, data, descriptions, and samples, and will be of good and merchantable quality and fit and sufficient for the purpose intended. Vendor shall obtain and provide to CITY Material Safety Data Sheets (MSDS) for each product that contains hazardous substances as defined by CalOSHA.

8. Rejection of Goods. CITY shall have the right, at its option, to reject or revoke acceptance of any goods which do not conform to these warranties or to the specifications. In case of such rejection or revocation of acceptance, transportation of the rejected goods, both to and from CITY, shall be at the expense of Vendor, said rejected goods are not to be replaced except upon specific instruction from CITY, and CITY shall have the right at its option to cancel the remainder, if any, of the order, by notice to Vendor at the time notice is given of rejection or revocation of acceptance. Vendor shall be liable to CITY for all damages proximately caused by breach of any of the foregoing warranties, including incidental damages but excluding special or consequential damages.

9. Returns. CITY reserves the right to return for full credit any excess over quantity called for in any order or orders. Vendor to bear the cost of transportation both ways.

10. Force Majeure. Vendor shall not be held responsible for failure or delay in shipping nor CITY for failure or delay in accepting goods described herein if such failure or delay is due to act of God, war, federal or state legislation or any regulations or orders, fire, accident, or other causes, either similar or dissimilar to the foregoing, beyond their control. In the event of any such excused interference with shipments, CITY shall have the option either to reduce the quantity provided for in the order accordingly or to exercise its right of cancellation as set forth in these terms and conditions.

11. Additional Fees. Unless otherwise required by law or provided herein, Vendor assumes exclusive liability for, and shall pay before delinquency, all sales, use, excise and other taxes, charges or contributions of any kind now or hereafter imposed on or with respect to, or measured by the article sold or material or work furnished hereunder on the wages, salaries or other remunerations paid to persons employed in connection with performance of this order.

12. No Waiver. No exercise by CITY of its rights hereunder shall constitute a waiver of any rights it may have for breach of contract. CITY's waiver of or failure to enforce its rights on account of Vendor's failure or delay in performing any obligation of Vendor hereunder, or on account of Vendor's breach of contract in any respect, shall not constitute a waiver of any subsequent failure, delay or breach.

13. Compliance with Law. Vendor shall comply with all applicable laws and regulations of the federal, state and local government. CITY shall assist Vendor, as requested, in obtaining and maintaining all permits required of Vendor by Federal, State and local regulatory agencies. Vendor is responsible for all costs of clean up and/or removal of hazardous and toxic substances spilled as a result of his or her Work. Vendor is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq. ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. If the Work is being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Vendor agrees to fully comply with such Prevailing Wage Laws. Vendor shall defend, indemnify and hold CITY, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

Any stop orders issued by the Department of Industrial Relations against Vendor or any subcontractor that affect Vendor's performance of services, including any delay, shall be Vendor's sole responsibility and Vendor shall indemnify CITY from liability arising out of the same. It shall be mandatory upon the Vendor and all subcontractors to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815), contractor registration (Labor Code Sections 1725.5 and 1771.1) and debarment of contractors and subcontractors (Labor Code Sections 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 and to be registered with the Department of Industrial Relations shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1771.4, 1725.5 and 1771.1.

14. Insurance. Vendor shall take out and maintain: A. Commercial General Liability Insurance, of at least \$1,000,000 per occurrence/ \$2,000,000 aggregate for bodily injury, personal injury and property damage, at least as broad as Insurance Services Office Commercial General Liability most recent Occurrence Form CG 00 01, naming CITY as an additional insured; B. Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, of at least \$1,000,000 per accident for bodily injury and property damage, at least as broad as most recent Insurance Services Office Form Number CA 00 01 covering automobile liability, Code 1 (any auto); C. Workers' Compensation in compliance with applicable statutory requirements and Employer's Liability Coverage of at least \$1,000,000 per occurrence; and D. Pollution Liability Insurance of at least \$1,000,000 per occurrence and \$2,000,000 aggregate shall be provided by those Vendors transporting hazardous materials. Insurance carriers shall be licensed to do business in California and maintain an agent for process within the state. Such insurance carrier shall have not less than an "A:VII" rating according to the latest Best Key Rating unless otherwise approved by CITY. VENDOR SHALL ENSURE THAT THIRD PARTY SHIPPERS CONTRACTED BY VENDOR HAVE ADEQUATE INSURANCE COVERAGE.

15. Indemnification. The Vendor shall indemnify and hold harmless CITY, its officials, officers, agents and employees from and against any and all claims, liabilities, expenses or damages, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, or patent infringement or fees for use of patented items, or any claim of the Vendor or sub-contractors for wages or benefits which arise in connection with the sale, delivery and/or installation of equipment or materials, except to the extent caused or resulting from the negligence or willful misconduct of CITY. The foregoing indemnity includes, but is not limited to, the cost of prosecuting or defending such action with legal counsel acceptable to CITY and CITY's attorneys' fees incurred in such an action.

16. Substitutions, Changes and Cancellation. No substitutions are acceptable unless expressly accepted in writing by CITY. CITY may make changes in the general scope of this order by giving written notice to Vendor. If any such change affects the cost of or time to deliver or perform under this order, an adjustment in price, delivery or both will be made as CITY determines to be equitable. Vendor may request changes; however no such change shall be effective unless accepted in writing by CITY. CITY may cancel this order in whole or in part at any time before acceptance of the equipment and materials due to Vendor's breach or for CITY's convenience.

17. Laws, Venue, and Attorneys' Fees. This purchase order shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this purchase order, the action shall be brought in a state or federal court situated in the County of Kern, State of California. In the event of any such litigation between the parties, the prevailing party shall be entitled to recover all reasonable costs incurred, including reasonable attorney's fees, as determined by the court.

18. Contract Terms. Nothing herein shall be construed to give any rights or benefits to anyone other than CITY and the Vendor. The unenforceability, invalidity or illegality of any provision(s) of this purchase order shall not render the other provisions unenforceable, invalid or illegal. Notice may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to the parties to the addresses set forth in the purchase order. Vendor shall not assign, sublet, or transfer this purchase order or any rights under or interest in this purchase order without the written consent of CITY, which may be withheld for any reason. Vendor is retained as an independent contractor and is not an employee of CITY. No employee or agent of Vendor shall become an employee of CITY. This is an integrated agreement/purchase order representing the entire understanding of the parties as to those matters contained herein, and supersedes and cancels any prior oral or written understanding or representations with respect to matters covered hereunder. This Contract may not be modified or altered except in writing signed by both parties hereto.

19. Damage to City Facilities. Damage to CITY or public facilities or private property caused by the Vendor or by its subcontractors during delivery or installation shall be repaired and/or replaced in kind at no cost to the CITY.

20. Site Safety and Cleanup. The delivery and installation site shall be kept clean and free of hazards at all times during delivery and installation. After and installation is completed at the site, as applicable, Vendor shall clean the surrounding area to the condition prior to delivery and installation.

21. Installation. If the Vendor is responsible for providing installation services, finished installation work and/or equipment shall be subject to final inspection and acceptance or rejection by the CITY.

*OPTIONAL TERMS:

Custom Design: If the goods are produced by Vendor in accordance with designs, drawings or blueprints provided by CITY, Vendor shall return same to CITY upon completion or cancellation of this order. Any materials, equipment, tools, artwork, designs or other property furnished by or specifically paid for by CITY shall be CITY's property.



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Chris Schultz, GIS Coordinator

SUBJECT: APPROVE AN ANNUAL SERVICE CONTRACT TO NEARMAP, INC. IN THE AMOUNT OF \$25,000 FOR CITY AERIAL IMAGERY SERVICE

RECOMMENDATION

Find the requested action is exempt from the California Environmental Quality Act; approve the annual service contract payment for aerial imagery services invoiced by Nearmap US, Inc. ("Nearmap"), and authorize payment of \$25,000 for the second annual invoice payment listed.

BACKGROUND

City use of Geographic Information Systems (GIS) technology continues to expand mainly due to the implementation of its current aerial imagery service contract with Nearmap US, Inc. This essential service is used routinely by several City departments, including City Services, Finance, Public Works, Building, Planning and Police.

ANALYSIS

This service provides reliable high-resolution aerial imagery to all online dashboards and production mapping services. Additionally, this service provides staff using mobile devices with a reliable imagery service when working with software programs that require survey-grade accuracy or a visual tool for data collection.

The current contract with Nearmap includes two aerial flight plans per year, with this year's flyover covering the city's entire Sphere of Influence (SOI). The remainder of the three-year contract now includes the expanded service area for both flights, including the previously recommended addition of the city's water service area boundary that is located outside of the SOI.

FISCAL IMPACT

CONSENT CALENDAR

**APPROVE AN ANNUAL SERVICE CONTRACT TO NEARMAP, INC. IN THE AMOUNT OF \$25,000
FOR CITY AERIAL IMAGERY SERVICE**

FY 2022-2023 Operating Budget has funding available. The total cost of the three-year contract is \$74,998.50, paid annually, with that annual cost, including sales tax, totaling \$24,999.50. This authorization is the second contractual payment and covers the date range, December 26, 2022 to December 25, 2023.

CEQA ANALYSIS

The action is not defined as a “project” per Section 15378(b)(4) of the CEQA Guidelines because the action is the payment of an invoice for aerial imagery and therefore, it is governmental fiscal activity that does not involve any commitment to a specific project that can result in a potentially significant impact and not subject to CEQA.

APPROVED BY THE CITY ATTORNEY

Not Applicable

ALTERNATIVES

An alternative to the recommended action is to reject the second invoice payment on the three-year contract from Nearmap US, Inc. This action would disable the City’s ability to access the high-resolution aerial imagery service found within all online departmental dashboards, as well as all production (paper) maps created by the GIS Office. The loss of this essential service, replaced by the standard ESRI imagery product, would save the City the annual cost of the contract for the fiscal year 2022-23 budget, but the savings would likely diminish through loss of services, and the increased cost to obtain third-party aerial imagery for various city projects within this timeframe. Therefore, City staff does not recommend the alternative.

NEXT STEPS

Process payment in the amount of \$25,000 for continued services.

ATTACHMENTS

1. Nearmap US, Inc. - Invoice Oct 6 2021



PROFORMA

Nearmap US Inc.
 10897 South River Front Parkway, Suite 150,
 South Jordan, UT 84095, USA
 Phone: +1 (801) 609 7250
 EIN: 30-0834546
<https://us.nearmap.com>
accounts.us@nearmap.com

Billing Address

City of Shafter, CA
 336 Pacific Avenue
 Shafter, California 93263

Shipping Address

City of Shafter, CA
 336 Pacific Avenue
 Shafter, California 93263

Customer Number
Proforma Number
Created Date

A00008826
 P100521
 10/06/2021

NET 30 TERMS

Products Summary				
Quantity	Charge Description	Service Period	Annual Fee	Annual Total
1	Nearmap Now - Survey Fee	12/26/2021 - 12/25/2022	\$24,999.50	\$24,999.50
1	Nearmap Now - Survey Fee	12/26/2022 - 12/25/2023	\$24,999.50	
1	Nearmap Now - Survey Fee	12/26/2023 - 12/25/2024	\$24,999.50	

3 year financial commitment of \$74,998.50

Invoice Totals	
Gross Amount	\$24,999.50
Subtotal	\$24,999.50
Tax	\$ 0.00
	\$24,999.50
Total Year One Amount	\$24,999.50



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Carol Chavolla, HR Manager

SUBJECT: RATIFICATION OF NON-REPRESENTED EMPLOYEE BENEFITS

RECOMMENDATION

Adopt Resolution 2898, a Resolution of the City Council of the City of Shafter authorizing wage and related benefits for Non-Represented full-time employees for the period of January 1, 2023, through December 31, 2023; and authorize Non-Represented part-time and extra-help employees a 2% cost-of-living adjustment effective January 1, 2023, and a one-time off-schedule pro-rated net compensation based on hours worked in 2022 through November 25, 2022. Interns are excluded from the 2% cost-of-living adjustment and shall receive the California minimum wage of \$15.50 hourly effective January 1, 2023; and approve a budget amendment in the amount \$140,500 for the one-time payout and \$96,800 for the 2% COLA increase for the remainder of FY 2022/2023.

BACKGROUND

Wage and related benefits for non-represented full-time employees are established by a resolution of the City Council that is set to expire on December 31, 2022. Shafter City Council Resolution 2898 authorizes wages and related benefits for non-represented full-time employees from January 1, 2023, through December 31, 2023.

ANALYSIS

NON-REPRESENTED FULL-TIME EMPLOYEES

The updates to the resolution are consistent with Council direction as follows:

- Effective January 1, 2023, Non-Represented Full-time Employees shall receive a two percent (2%) cost-of-living adjustment.
- No later than December 22, 2022, Non-Represented Full-time Employees shall receive a one-time off-schedule net compensation payment of \$1,500. New employees shall receive a prorated amount covering the period worked through November 25, 2022.
- Remove Section 2.16 Performance Bonuses.
- Remove Section 2.17 Premium Pay.
- Update classification titles under Section 3.2 Uniform Allowance.
- All other benefits remain the same.

CONSENT CALENDAR

NON-REPRESENTED PART-TIME/EXTRA-HELP EMPLOYEES

Non-represented part-time and extra-help employees are excluded from City benefits and are only provided with the benefits that are required by law. The following non-required benefits are provided to non-represented part-time and extra-help employees for employee retention and are consistent with Council direction:

- Effective January 1, 2023, Part-time/Extra Help Employees shall receive a two percent (2%) cost-of-living adjustment. Interns are excluded from the 2% cost-of-living adjustment and shall receive the California minimum wage of \$15.50 hourly effective January 1, 2023.
- No later than December 22, 2022, Part-time/Extra Help Employees shall receive a one-time off-schedule pro-rated net compensation payment based on hours worked in 2022 through November 25, 2022.

Pro-ration is based on the total number of hours worked in the calendar year 2022, through the November 25, 2022 payroll, multiplied by the prorated factor of .07979 (\$1,500/1880), then rounding up to the next \$10, not to exceed \$1,500 net compensation. As an example, for an employee who worked 200 hours ($200 \times 0.7979 = \$159.58$), net compensation is \$160.

FISCAL IMPACT

The one-time payout amounts of approximately \$140,500 with about 90% relating to the general fund. The 2% COLA increase amounts to an approximately \$193,600 ongoing annual increase with about 90%, or \$174,240, to the general fund. A budget adjustment will be necessary if approved by the City Council.

CEQA ANALYSIS

The action is not defined as a “project” per Section 15378(b)(4) of the CEQA Guidelines because the action is the ratification of employee benefits and therefore, it is governmental fiscal activity that does not involve any commitment to a specific project that can result in a potentially significant impact and not subject to CEQA.

APPROVED BY THE CITY ATTORNEY

Not Applicable

ALTERNATIVES

None.

NEXT STEPS

Upon ratification, the following will occur:

RATIFICATION OF NON-REPRESENTED EMPLOYEE BENEFITS

1. Non-Represented Full-time and Part-time/Extra Help Employees will receive the off-schedule net compensation payments on December 22, 2022.
2. The employee bi-weekly pay schedule shall be updated to reflect the cost-of-living adjustments and minimum wage increase for Interns effective January 1, 2023. The revised pay schedule will go before the City Council for adoption at the first City Council Meeting in January 2023.

ATTACHMENTS

1. Resolution 2898 Non-Represented Full-Time Employees Resolution 2023

RESOLUTION NO. 2898

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER AUTHORIZING WAGE AND RELATED BENEFITS FOR NON-REPRESENTED FULL-TIME EMPLOYEES.

WHEREAS, the Charter of the City of Shafter, authorizes the City Council to provide wages and related benefits for employees of the City; and

WHEREAS, the City has established definitions of Full-time Employees and recognizes those employees not otherwise represented by the Shafter Police Officer Association (SPOA), or the Shafter Public Works Unit of the Service Employees International Union L521 (SEIU L521) bargaining units to be deemed as Non-Represented Full-Time Employees and covered within this Resolution (“employees” or “Covered Employees”).

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Shafter, California, that the wage and related benefit plan for Covered Employees described herein, shall be effective January 1, 2023 through December 31, 2023, upon adoption by the City Council as follows:

SECTION I - HOURS OF WORK AND OVERTIME

SECTION 1.1 HOURS OF WORK

a. Work Period

The normal work period shall be seven (7) days with a maximum non-overtime of forty hours (40). The Work Period shall commence at 0000-hour Saturday and end at 2400 hours Friday.

When mutually agreed upon, employees may be placed on alternative work schedules. Use of an alternative work schedule shall be on a trial basis not to exceed three (3) months. Extension may be granted at the sole discretion of the Department Head. The City reserves the right to terminate the alternative work schedule at any time if it is found unsatisfactory at the sole discretion of the Department Head. Employees may terminate the alternative work schedule if it is found unsatisfactory. Matters concerning work schedules are not subject to the grievance procedure.

The alternative work period shall be fourteen (14) consecutive days with a maximum non-overtime of eighty (80) hours. The work period shall commence at 0000 hours Saturday and end at 2400 hours Friday. Benefits such as vacation, holiday and sick leave accrue on an eight (8) hour day. Absences from a workday exceeding eight (8) hours require use of additional accrued leave. Only sworn employees are eligible for the 14-day work period in accordance with the 207(k) partial overtime exemption.

b. Rest Periods

Rest periods will normally be provided to employees at the rate of fifteen (15) minutes for each four (4) hours worked. Rest periods are paid time, therefore nothing in this section provides for or implies any additional compensation or benefits if a rest period is not received.

SECTION 1.2 OVERTIME

a. Rate

Employees shall be paid overtime at the rate of time and one-half his/her regular rate of pay. All overtime shall be recorded and paid based on fifteen (15) minute increments. For each full fifteen (15) minute period worked, the employee shall be compensated for one quarter (1/4) hour at their overtime rate.

b. Hours Paid

Overtime shall be paid after forty (40) hours worked in a Work Period. Vacation leave, sick leave, and compensating time off constitute hours worked.

Overtime for Alternate workweek schedules shall be paid for hours worked in excess of eighty (80) hours in an alternative 14-day work period. Vacation leave, sick leave, and compensating time off constitute hours worked.

c. Compensating Time Off (CTO)

Notwithstanding the provisions of this section, employees may be granted CTO for overtime credit computed at time and one-half at the discretion of the Department Head and with due regard for the wishes of the employee. Employees may accrue a maximum of one-hundred twenty (120) hours in their CTO account. Requests to use CTO shall be granted with due regard for operational necessity such as staffing levels.

SECTION 1.3 CALLBACK PAY

The City will compensate employees for a minimum of two (2) hours or actual time worked, whichever is greater, at the overtime rate when they are called back for active duty and have previously departed the work site. Overtime when adjacent to the employee's regularly scheduled work hours, either immediately before, during or immediately following, is not subject to call back pay.

SECTION 1.4 STANDBY PAY REGULAR DAYS OFF

Employees directed to remain on call and available on his/her normal day off, shall be compensated at the rate of two (2) hours pay per day. All standby assignments shall be authorized in advance by the City Manager. Employees shall be paid the standby pay or the employee's regular hourly rate for time actually worked to the nearest half hour, whichever is greater.

ARTICLE II - PAY PROVISIONS

SECTION 2.1 SALARY

- a. Effective January 1, 2023, Non-Represented Full-time Employees shall receive a two percent (2%) cost of living adjustment.

- b. No Later than December 22, 2022, Non-Represented Full-time Employees shall receive a one-time off schedule net compensation payment of \$1,500. New employees shall receive a prorated amount covering the period worked through November 25, 2022.
- c. Local Miscellaneous employees hired on or after January 1, 2013, and identified as a ANew Member@ by the California Public Employees Retirement System, as defined in Government Code Section 7522.04(e,f), shall receive ANew Member Premium Pay@ equal to 50% of the annual normal cost rate for CalPERS 2%@62 Miscellaneous formula. The actual percentage may vary slightly due to rounding.
- d. Local Safety employees hired on or after January 1, 2013, and identified as a ANew Member@ by the California Public Employees Retirement System, as defined in Government Code Section 7522.04(e,f), shall receive ANew Member Premium Pay@ equal to 50% of the annual normal cost rate for CalPERS 2.7%@57 Safety formula. The actual percentage may vary slightly due to rounding.
- e. Salary step increases to Steps B, C, D and E shall be considered merit increases. Employees shall be eligible for salary advancement to the next step upon completion of twelve (12) months (or other time period approved by the City Manager) of satisfactory job performance and normally increasing job productivity at the present step, and upon recommendation of the Department Head and approval of the City Manager.

SECTION 2.2 EDUCATION INCENTIVE PAY

Employees shall be reimbursed up to three-thousand dollars (\$3000) in a calendar year for expenses incurred for taking college courses and other certification courses under the following conditions:

- a. Prior Department Head and City Manager approval is obtained.
- b. The course furthers a job related major as approved by the City Manager or his/her designee.
- c. College courses require a minimum three (3) units completed with a grade of "C" or better.

SECTION 2.3 BILINGUAL SPANISH INCENTIVE PAY

Employees shall receive incentive pay at eighty (\$80.00) dollars per month, in addition to base salary for having bilingual ability in Spanish to the satisfaction of the Department Head or his/her designee.

SECTION 2.4 RETIREMENT

- a. The City agrees to contract with California Public Employees Retirement System and agrees to pay the 7%-member contribution for Covered Employees defined as Local Miscellaneous and hired on or before December 31, 2012. The plan benefits consist of the 2% at 55 Full Formula; Limit Prior Service to Members Employed as of Contract Date (GC 20938); Credit for Unused Sick Leave (GC 20965); Local System Service Credit included in the basic death benefit (GC 21536); and One Year Final Compensation GC 20042.

- b. The City agrees to contract with California Public Employees Retirement System and agrees to pay the 9%-member contribution for Covered Employees who are sworn officers pursuant to PC 830.1 and hired on or before December 31, 2012. The plan benefits consist of the 3% at 55 Full Formula; Limit Prior Service to Members Employed as of Contract Date (GC 20938); Credit for Unused Sick Leave (GC 20965); Local System Service Credit included in the basic death benefit (GC 21536); and One Year Final Compensation GC 20042.
- c. Employees hired on or after January 1, 2013, who qualify as a new member in the California Public Employees Retirement System as defined in GC Section 7522.04(e,f), shall be subject to the California Public Employees Retirement plan 2%@62 Miscellaneous formula (GC Section 7522.20 (a)) or 2.7%@57 Safety formula (GC Section 7522.25(a,b,c,d)); three year final compensation (GG 7522.32(a)). Members shall contribute 50% of the annual normal cost rate to the retirement formula (GC Section 7522.30(c)).
- d. Employees hired on or after January 1, 2013, who qualify as a classic member of the California Public Employees Retirement System as defined in GC Section 7522.04(e,f), shall be subject to the retirement formula available on December 31, 2012: Local Miscellaneous 2%@55 full formula or Local Safety 3%@55 full formula. The City agrees to pay the member contribution.

SECTION 2.5 SICK LEAVE

- a. Sick leave accrues at a rate of 3.6923 hours bi-weekly. There is no limit to the accumulation; however, the maximum shall revert back to one hundred twenty (120) days in the event of legislation requiring cities to provide conversion rights.
- b. Employees with at least 480 hours of accrued sick leave shall be eligible for the Stay Well Bonus. For purposes of sick leave accounting, the annual period shall be December 1 through November 30. All unused sick leave above 480 hours will be used for calculating the employee's stay well bonus paid on or around December 15. Net sick leave earned and not used during the annual period will be divided in half. One-half will be paid to the employee at the employee's current base hourly rate and the remaining one-half shall remain as regular sick leave.

Except in the case of retirement, employees leaving City service who have at least 480 hours of accrued sick leave shall be paid a Stay Well Bonus, at the same time as their final payroll check, using the formula described above and based upon their accrued and used sick leave from the end of the last annual period through their date of separation. Employees may elect to be paid by separate check. Employees may also increase their contribution to the ICMA 457 Deferred Compensation Plan contemporaneously with the payment for sick leave by turning in an election form.

- c. Upon service retirement, disability retirement, or death of active employees, such employees will be paid for all sick leave accrued in excess of 640 hours.
- d. Employees may use sick leave as defined in the City of Shafter Administrative Policy Sick Leave.

- e. Employees employed as of July 1 who do not use any sick leave during the period July 1 through June 30, shall be credited on July 1 of the following fiscal year, with one eight (8) hour floating holiday. Sick leave paid according to Section 2.5 (b) shall not be considered as sick leave used for the purposes of determining eligibility for Section 2.5 (e). The floating holiday cannot be carried over to the next fiscal year. Use of a floating holiday must have prior department approval and shall be consistent with the efficient operation of the department.

SECTION 2.6 VACATION LEAVE

- a. Employees having less than one (1) year continuous employment shall not be entitled to vacation with pay unless approved by the City Manager.
- b. Vacation days are based on an 8-hour day and shall be accrued on a pro-rated basis as follows:
1. Ten days (80 hours) of vacation after one (1) year of service. Accrual begins on date of hire.
 2. Fifteen days (120 hours) of vacation after five (5) years of service. New accrual rate begins at the completion of the 5th year of service.
 3. Seventeen days (136 hours) of vacation after ten (10) years of service. New accrual rate begins at the completion of the 10th year of service.
 4. Twenty days (160 hours) of vacation after fifteen (15) years of service. New accrual rate begins at the completion of the 15th year of service.
 5. Twenty-five days (200 hours) of vacation after twenty (20) years of service. New accrual rate begins at the completion of the 20th year of service.
- c. Additional vacation for management leave may be granted by the City Manager and will add to the maximum accrual levels as outlined in section 2.6 (d).
- d. Employees hired prior to July 1, 2000, may accrue no more than three times the annual accrual at their current accrual rate. Employees hired on or after July 1, 2000, may accrue no more than two times their annual accrual at their current accrual rate. Employees reaching their maximum accrual limit will stop accruing until the balance is below the maximum accrual limit. The table below is provided as an example of accrual rates and maximum accrual limits and may not be all inclusive. Additional accrual rates will be subject to the two- and three-year maximum accrual limits based on date of hire indicated above unless otherwise noted.

Date of Hire Prior to July 1, 2000		Date of Hire on or after July 1, 2000	
Bi-weekly Accrual Rate	Maximum Accrual	Bi-weekly Accrual Rate	Maximum Accrual
3.077	240 Hours	3.077	160
4.615	360 Hours	4.615	240
5.231	408 Hours	5.231	272
6.154	480 Hours	6.154	320
7.692	600 Hours	7.692	400

- e. The time during a year at which employees may take vacation shall be determined by the Department Head with regard for the wishes of the employee and particular regard for the needs of the City.
- f. Employees who terminate employment shall be paid in a lump sum for all accrued vacation earned up to the effective date of termination.
- g. In the event one or more holidays fall within vacation leave, such holidays shall not be charged as vacation leave, and the vacation leave shall be extended accordingly.
- h. Employees who have accrued at least one hundred and twenty (120) hours of vacation time shall be allowed to cash-out up to a maximum of forty (40) hours of vacation time annually.

Employees who have accrued at least two hundred and forty (240) hours of vacation time shall be allowed to cash-out up to a maximum of eighty (80) hours of vacation time annually.

Payments will be made twice a year; on or before May 31st and November 30th. Requests must be received by Human Resources no later than the first payday in May and/or November. Accrual balance on the first payday in May and/or November will be used to determine eligibility. Under no circumstances will the total number of hours eligible for cash-out exceed eighty (80) hours annually.

Employees may elect to be paid by separate check and/or contribute to the ICMA 457 Deferred Compensation Plan for all vacation cash-out hours eligible to be paid out.

SECTION 2.7 HOLIDAYS

- a. The following are city paid eight (8) hour holidays:

No. Holiday	Date	Hours
1 New Year's Day	January 1	8
2 Washington's Birthday	3 rd Monday in February	8
3 Memorial Day	Last Monday in May	8
4 Independence Day	July 4	8
5 Labor Day	1 st Monday in September	8
6 Thanksgiving Day	4 th Thursday in November	8
7 Day after Thanksgiving	4 th Friday in November	8
8 Christmas Eve	December 24	8
9 Christmas Day	December 25	8
10 New Year's Eve	December 31	8
11 Martin Luther King Jr	Floating Holiday	8
12 Veterans Day	Floating Holiday	8

- b. The two floating holidays listed above are earned on a fiscal year, July 1 to June 30, and do not carry over to the next fiscal year. Employees hired on or before November 11 shall receive the two (2) floating holidays. Employees hired after November 11 shall receive one (1) floating holiday. Floating holidays must be used by June 30 with the approval of the department head and shall be consistent with the efficient operation of the department.
- c. In addition, any day proclaimed by the Shafter City Council as a holiday.
- d. Employees shall normally take a holiday off on the day it falls, except that when a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed.
- e. Employees assigned to work on holidays shall be compensated in the pay period for which holidays are worked. Compensation shall be at time and one half.

SECTION 2.8 BEREAVEMENT LEAVE

- a. Employees shall be entitled to three (3) days bereavement leave in the case of death of his/her spouse, child, stepchild, parent, stepparent, grandparent, spouse's grandparent, grandchild, son-in-law, brother-in-law, sister-in-law, daughter-in-law, mother-in-law, father-in-law, brother, stepbrother, sister, stepsister and registered domestic partner.
- b. Employees may be granted five (5) days bereavement leave as approved by the City Manager in case of the death of an above covered individual when the funeral takes place out of State or over 200 miles from Shafter.

SECTION 2.9 MILITARY LEAVE

Military leave shall be granted according with the provisions of State law. Employees shall give the Department Head an opportunity within the limits of military regulations to determine when such leave shall be taken.

SECTION 2.10 OUT OF CLASS PAY

Employees assigned by the Department Head to a higher paying position for a period of more than ten (10) consecutive normal workdays, or as approved by the City Manager, shall be paid at the out of class rate for all days worked in that position.

The out of class rate shall provide a 5% increase above the employee's base wage except in no case shall the employee receive higher than the E step of the higher paid position.

SECTION 2.11 PROFESSIONAL FEES

The City agrees to pay 100% of the fees for certifications and license as may be required as a condition of employment.

SECTION 2.12 CERTIFICATION INCENTIVE PAY

The City may provide an incentive to obtain a level of specialized certification beyond what is required by the job, provided the certification is job-related and provides a clear, on-going benefit to the City. Interim certification is excluded. Specific Certifications or levels of Certifications eligible for Incentive Pay must be recommended by the Department Head and approved by the City Manager prior to inclusion in the Incentive Pay Program. Eligible specific Certifications must be directly related to an employee's job duties but NOT a qualifying requirement of the position. Incentives are cumulative; however, no combination of Incentive Pay certifications shall result in a total Incentive greater than 5% of Base Pay.

Employees working in a department with Memorandum of Understanding (MOU) representation, but not covered by the MOU shall receive certification incentive pay at the rate defined within their department MOU.

SECTION 2.13 CELL PHONE ALLOWANCE

Cell phone allowance is determined by separate policy and requires the approval of the department head and the City Manager.

SECTION 2.14 USE OF CITY OWNED AND PRIVATELY-OWNED VEHICLES

Use of City owned, and privately-owned vehicles is determined by separate policy and requires the approval of the City Manager.

SECTION 2.15 PAY SCHEDULE

- a. Employee pay shall operate on a bi-weekly pay schedule; including 80-hour work periods with 26 work periods per year.
- b. The payroll cut-off for both, overtime and regular time, shall be one week prior to payday.
- c. Employees shall be paid for actual hours worked (or paid time off used) during the pay period.
- d. Payday shall be on the Friday following the payroll cut-off date. If payday falls on a holiday, employees shall be paid on the business day before the holiday.
- e. Employees shall be subject to mandatory participation in the direct deposit of their City payroll checks to a bank account of their choice.

ARTICLE III - HEALTH AND WELFARE

SECTION 3.1 HEALTH, LIFE AND COBRA BENEFITS

- a. The City agrees to pay one hundred percent (100%) of the medical, dental, and vision premiums on the base plans for employees and eligible dependents from January 1, 2023

through December 31, 2023. Employees electing to buy-up to the PPO plans shall pay a monthly contribution to the buy-up plans.

- b. The City shall provide employees a life insurance plan equal to the employee's annual base salary plus \$17,000, spouse death benefit of \$5,000 and dependent death benefit of \$1,000-\$1,500.
- c. Subject to IRS Code 125 and insurance plan eligibility, the City shall pay \$353 monthly to employees who decline participation in the City's medical insurance plan. Proof of other insurance coverage is required. Retired employees are excluded.
- d. For all employees who retire under CalPERS, the City will pay one hundred percent (100%) of the City's group medical and dental premiums for eligible retired employees plus one eligible dependent for a period of up to twelve (12) months immediately following the effective date of retirement. For the purposes of this subsection, eligible employees are those employees who retire from active status on a normal service retirement or disability (excluding deferred retirement) with at least 10 years of continuous full-time city service. For the purposes of this subsection, continuous full-time city service shall mean uninterrupted employment as a full-time employee. Authorized leaves of absence shall not be considered as a break in service. This benefit shall not apply to employees who are terminated.
- e. For all employees who are eligible for 12 months of City paid COBRA benefits as defined in 3.1(c) paragraph 1 of this resolution and are eligible members of an established ICMA Retirement Health Savings (RHS) group so specifying, the City shall contribute to the employee's RHS account an amount equal to 12 months of the base medical, dental, and vision plans, plus any applicable COBRA administrative fees. Said payment shall be based on the City's cost of insurance for the "employee plus one dependent" rate as of the date of separation of employment. The base medical, dental, and vision plans are defined as those respective plans offered to employees with the highest cost to the City and that do not require an employee contribution.

SECTION 3.2 UNIFORM ALLOWANCE

- a. The City shall provide uniforms, allowances or reimbursement for uniforms, to those positions designated by the Department Head and approved by the City Manager, upon hire, and annually thereafter. At the recommendation of the Department Head and approval of the City Manager, the list of qualified positions, allowances and reimbursement may be modified as deemed necessary. The City reserves the right to determine the uniform and shoe style and color.

The positions listed below currently qualify for provided uniforms:

- All non-represented, full-time Public Works employees - work pants, work shirt, and city patches
 - Animal Shelter Workers – five (5) City shirts
- b. Employees who are required to furnish and maintain City uniforms shall be compensated annually as follows:
 - Chief of Police, Assistant Chief of Police, Police Lieutenant - \$900

- Police Property & Evidence Technician - \$850
 - Police Records Supervisor - \$475
- c. Police Department sworn officers shall be paid two hundred dollars (\$200) annually for standard uniform equipment.
- d. The City shall provide level IIIa bullet proof vests to Police Department sworn officers requiring such protection. The City shall also provide personal protective equipment in compliance with the Occupational Safety and Health Administration (OSHA) requirements.
- e. Police Department sworn officers shall seek restitution through the courts, with all practical diligence, to replace uniforms and standard uniform equipment damaged while on duty. If restitution is denied by the courts, the employee may submit a Damaged Equipment Claim Form to the Department Head or designee, for review and consideration of replacement by the City. Upon approval, the Department Head or designee shall determine the appropriate rate of reimbursement to replace the damaged uniform or standard uniform equipment.
- f. Uniform and safety equipment allowance shall be paid in an annual lump sum on or near July 1 of each year. When employees leave city service, the annual uniform and safety equipment allowance is prorated, and any unearned portion shall be deducted from the final paycheck.
- g. Employees who are provided uniforms, are required to wear these uniforms and report to work with them being clean and neat in appearance, unless this requirement is expressly waived by the City.
- h. All items as provided in Section 3.2(a) remain City property and are only to be used in accordance with City policy. Upon separation, all items must be returned by the employee. A prorated amount of the uniforms not returned will be deducted from the employee's final paycheck.
- i. The City will provide a voucher to a designated vendor or reimburse Department Head approved employees for expenses related to the purchase of work-related jacket and/or boots, insoles/boot support/inserts in the amount not to exceed \$300 per fiscal year. This benefit is pro-rated monthly for new employees. Employees who terminate employment are not eligible for payment of any unused portion of the benefit.

ARTICLE IV - CLOSING PROVISIONS

SECTION 4.1 TERM

This resolution shall commence on January 1, 2023 and expire on December 31, 2023.

PASSED, APPROVED AND ADOPTED THIS 20th DAY OF DECEMBER 2022.

Cathy L. Prout, Mayor Date

ATTEST:

Yazmina Pallares, City Clerk Date



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Steve Esselman, Planning Director

SUBJECT: APPROVE THE DONATION AGREEMENT FOR TWO PARCELS BETWEEN LENNAR HOMES OF CALIFORNIA AND THE CITY OF SHAFTER FOR FUTURE PUBLIC SAFETY FACILITIES AT GOSSAMER GROVE DEVELOPMENT

RECOMMENDATION

Council approve the donation agreement for two parcels between Lennar Homes of California and the City of Shafter; and, authorize the City Manager to execute the agreement subject to any conforming or clarifying changes subject to approval of the City Manager and City Attorney.

BACKGROUND

On December 13, 2022, the Planning Commission of the City of Shafter made findings that the acquisition of real property within the Gossamer Grove Specific Plan area conforms with the City of Shafter General Plan in accordance with Government Code 65402 and the adoption of the Resolution is in compliance with CEQA requirements. Government Code Section 65402 requires a finding that the acquisition of property by a city conforms to the city's general plan.

ANALYSIS

The proposed acquisition of the two parcels is consistent with the following policy of the Gossamer Grove Specific Plan:

3.11.1 Police and Fire Protection

Acreage for police and/or fire protection facilities shall be provided within the public services land use designation in Planning Area 4 as required by the City of Shafter.

The "Public Services Parcel" and "Street Dedication in Fee" parcel are both found within the public services land use designation in Planning Area 4 of the Specific Plan. The "Public Services Parcel" is the acreage needed for police and/or fire protection facilities.

APPROVE THE DONATION AGREEMENT FOR TWO PARCELS BETWEEN LENNAR HOMES OF CALIFORNIA AND THE CITY OF SHAFTER FOR FUTURE PUBLIC SAFETY FACILITIES AT GOSSAMER GROVE DEVELOPMENT

The “Street Dedication in Fee” parcel is a remnant of previous land divisions and is located completely within an existing street right-of-way (Gossamer Grove Boulevard) and, while this parcel does not directly add to the acreage for police and/or fire protection facilities, its acquisition is being considered because the property needs to change ownership prior to obtaining an updated title report showing the new boundaries of Tract 7388. Creating new boundaries for Tract 7388 and a revised title report is required so that a future substantial conformance process can move forward for Tract 7388. This substantial conformance process will provide the changes necessary to create the acreage needed for police and/or fire protection facilities.

Therefore, the acquisition of the two parcels conforms to the City of Shafter General Plan by conforming to the policies found in the Gossamer Grove Specific Plan, namely the policy that requires acreage for police and/or fire protection facilities. The Planning Commission has already made a General Plan conformity finding dated December 13, 2022.

The City has requested, and Lennar has agreed to deed the parcels over to the City. With the Council's approval, the City Manager will accept the deeds and record them with the County Recorder's Office.

Prior to accepting the deeds and authorizing the City Manager to record them, Lennar and the City desire to enter into a donation agreement that has been reviewed and agreed upon by the two parties. In essence, the agreement states that the City will approve Specific Plan Amendment (SPA) No. 22-05 and Lennar will deed over two parcels necessary to create a public services parcel for a future fire station and police substation.

FISCAL IMPACT

None.

CEQA ANALYSIS

The approval of the donation agreement allows the future development of a public services area as described in the adopted Gossamer Grove Specific Plan. The ultimate development of the public services area is within the scope and intensity of the original Gossamer Grove Specific Plan analyzed in the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update (SCH No. 2004101029). The certified Program EIR adequately describes the activity of the public services area as a mix of land uses that can include a police station, fire substation, and residential. Therefore, per Section 15061(b)(3) of the California Environmental Quality Act Guidelines (commonly referred to as the “Common Sense exemption”), it can be seen with certainty that the action will not cause a significant effect on the environment, and therefore, the action is not subject to CEQA.

APPROVED BY THE CITY ATTORNEY

APPROVE THE DONATION AGREEMENT FOR TWO PARCELS BETWEEN LENNAR HOMES OF CALIFORNIA AND THE CITY OF SHAFER FOR FUTURE PUBLIC SAFETY FACILITIES AT GOSSAMER GROVE DEVELOPMENT

ALTERNATIVES

None.

NEXT STEPS

Accept the two deeds and authorize the City Manager to record them, and approve the second reading of the Ordinance approving SPA No. 22-05.

ATTACHMENTS

1. Property Donation Agreement (Gossamer Grove)-Final 12-16-22-c1

DONATION AGREEMENT

THIS AGREEMENT ("Agreement") is made this _____ day of _____, 2022 by and between the City of Shafter herein called "RECIPIENT," and Lennar Homes of California, LLC, a California limited liability company, herein called "DONOR." The RECIPIENT and DONOR are sometimes individually referred to as "Party" and collectively as "Parties", as the context requires.

WHEREAS, DONOR is the owner of certain real property located in Kern County, and as more particularly described on Exhibit A attached hereto (the "Property");

WHEREAS, RECIPIENT desires to acquire the Property for purposes of constructing public safety facilities; and

NOW, THEREFORE, RECIPIENT and DONOR agree as follows:

1. Donation of Property. DONOR shall grant the Property to RECIPIENT and, in consideration of the donation to RECIPIENT, RECIPIENT shall accept the grant of the Property, or interest therein, upon the terms and conditions set forth in this Agreement. While no money shall change hands between the Parties, DONOR shall receive the benefits of a donation to RECIPIENT, as well as transferring the obligations associated with the Property to RECIPIENT, and RECIPIENT is willing to accept such obligations in exchange for the Property.

2. Obligations of Donor.

2.1 Fee Interest. Upon acceptance by RECIPIENT, DONOR shall convey, assign and transfer its fee interest in the Property to RECIPIENT, free and clear of all liens, encumbrances, easements, leases (recorded or unrecorded), bonds, assessments, and taxes except for (i) liens for non-delinquent property taxes and assessments, and (ii) those liens and encumbrances and easements which, in the sole discretion of RECIPIENT, are acceptable pursuant to Section 6.

2.2 Representations and Warranties of Donor. DONOR represents and warrants to RECIPIENT that as of the date of this Agreement and as of the Recordation Date as defined in Section 8.4 below:

2.2.1 Hazardous Substances. The Property is: (i) free from Hazardous Substances; (ii) contains no buried or partially buried storage tanks located on the Property; (iii) has not been used for the generation, storage or disposal of any Hazardous Substance and no Hazardous Substance has been spilled, disposed of, or stored on, under, or at the Property; and (iv) has never been used as a dump or landfill;

2.2.2 Compliance with Law. The Property is in material compliance with all applicable Laws and Environmental Laws;

2.2.3 Leases. No leases, licenses, or other agreements allowing any third party rights to use the Property are or will be in force as of the Closing;

2.2.4 Litigation and Investigations. There is no pending or threatened litigation, administrative proceeding, or other legal or governmental action with respect to the Property, and Donor has received no notice, warning, administrative complaint, judicial complaint, or other formal or informal notice alleging that conditions on the Property are or have been in violation of any Laws or Environmental Laws, or informing DONOR that the Property is subject to investigation or inquiry regarding the violation of any Laws or Environmental Laws.

2.2.5 Condition of Property. There are no natural or artificial conditions upon the Property or any part of the Property that could result in a material and adverse change in the condition of the Property;

2.2.6 Access to the Property. There is vehicular access to the Property either directly through a public right of way or through a recorded easement; and

2.2.7 No Insolvency Proceedings. DONOR has not (i) made a general assignment for the benefit of creditors; (ii) filed any voluntary petition in bankruptcy or suffered the filing of any involuntary petition by its creditors; (iii) suffered the appointment of a receiver to take possession of all or substantially all of its assets; (iv) suffered the attachment or other judicial seizure of substantially all of its assets; or (v) admitted in writing its inability to pay its debts as they come due.

2.2.8 No Other Agreements, Undertakings or Tenancies. DONOR will not enter into any agreements or undertake any new obligations prior to Recordation Date which will in any way burden, encumber or otherwise affect the Property without the prior written consent of the RECIPIENT.

2.2.9 Disclosure. DONOR has disclosed to RECIPIENT all information, records, and studies in DONOR's possession in connection with the Property, including any reports or studies concerning Hazardous Substances. All information that DONOR has delivered to RECIPIENT, either directly or through DONOR's agents, is accurate and DONOR has disclosed all material facts concerning the operation, development, or condition of the Property.

DONOR shall promptly notify RECIPIENT, in writing, of any facts that would cause any of the representations contained in this Agreement to be untrue as of the Recordation Date. If RECIPIENT reasonably concludes that a fact materially and adversely affects the Property, RECIPIENT shall have the option for a period of ten (10) days from the date of written notice from DONOR to terminate this Agreement by delivering written notice of cancellation to DONOR and Title Officer.

2.3 Indemnity. DONOR agrees to indemnify RECIPIENT and agrees to defend and hold RECIPIENT harmless from all loss, cost, liability, expense, damage, or other injury, including without limitation, reasonable attorneys' fees and expenses, to the fullest extent not prohibited by applicable law, and all other costs and expenses incurred by reason of, or in any manner resulting from (i) the breach of any warranties and representations in Section 2.2, and (ii)

all third-party claims for DONOR's intentional acts or willful misconduct related to the Property occurring prior to the Recordation Date.

2.4 Definitions.

2.4.1 "Environmental Laws" means all federal, state, local, or municipal laws, rules, orders, regulations, statutes, ordinances, codes, decrees, or requirements of any government authority regulating, relating to, or imposing liability or standards of conduct concerning any Hazardous Substance (as defined subsequently in this Agreement), or pertaining to occupational health or industrial hygiene (and only to the extent that the occupational health or industrial hygiene laws, ordinances, or regulations relate to Hazardous Substances on, under, or about the Property), occupational or environmental conditions on, under, or about the Property, as now in effect, including without limitation, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and the Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C.A. §§ 9601 et seq.]; the Resource Conservation and Recovery Act of 1976 (RCRA) and the Solid Waste Disposal Act [42 U.S.C.A. §§ 6901 et seq.]; the Clean Water Act, also known as the Federal Water Pollution Control Act (FWPCA) [33 U.S.C.A. §§ 1251 et seq.]; the Toxic Substances Control Act (TSCA) [15 U.S.C.A. §§ 2601 et seq.]; the Hazardous Materials Transportation Act (HMTA) [49 U.S.C.A. §§ 1801 et seq.]; the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) [7 U.S.C.A. §§ 136 et seq.]; the Clean Air Act (CAA) [42 U.S.C.A. §§ 7401 et seq.]; the Safe Drinking Water Act (SDWA) [42 U.S.C.A. §§ 300f et seq.]; the Surface Mining Control and Reclamation Act of 1977 (SMCRA) [30 U.S.C.A. §§ 1201 et seq.]; the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA or EPCRTKA) [42 U.S.C.A. §§ 11001 et seq.]; the Occupational Safety and Health Act of 1970 (OSHA) [29 U.S.C.A. §§ 655, 657]; the California laws regarding the underground storage of hazardous substances [H & S C §§ 25280 et seq.]; the Hazardous Substance Account Act [H & S C §§ 25300 et seq.]; the California laws regarding hazardous waste control [H & S C §§ 25100 et seq.]; the Safe Drinking Water and Toxic Enforcement Act of 1986 [H & S C §§ 25249.5 et seq.]; the Porter-Cologne Water Quality Control Act [Wat C §§ 13000 et seq.], and any amendments of or regulations promulgated under the statutes cited above and any other federal, state, or local law, statute, ordinance, or regulation now in effect that pertains to occupational health or industrial hygiene, and only to the extent that the occupational health or industrial hygiene laws, ordinances, or regulations relate to Hazardous Substances on, under, or about the Property, or the regulation or protection of the environment, including ambient air, soil, soil vapor, groundwater, surface water, or land use.

2.4.2 "Hazardous Substances" includes without limitation:

(i) Those substances included within the definitions of "hazardous substance," "hazardous waste," "hazardous material," "toxic substance," "solid waste," or "pollutant or contaminant" in CERCLA, RCRA, TSCA, HMTA, or under any other Environmental Law;

(ii) Those substances listed in the United States Department of Transportation (DOT) Table [49 CFR 172.101], or by the Environmental Protection Agency (EPA), or any successor agency, as hazardous substances [40 CFR Part 302];

(iii) Other substances, materials, and wastes that are or become regulated or classified as hazardous or toxic under federal, state, or local laws or regulations; and

(iv) Any material, waste, or substance that is: a petroleum or refined petroleum product, asbestos, polychlorinated biphenyl, designated as a hazardous substance pursuant to 33 U.S.C.A. § 1321 or listed pursuant to 33 U.S.C.A. § 1317, a flammable explosive, or a radioactive material.

2.4.3 “Title Officer” means Chicago Title, Bakersfield, CA, Attn: Julie Webb.

3. Escrow. INTENTIONALLY DELETED

4. Feasibility Period and Obligations of RECIPIENT.

4.1 During the period commencing on the date of this Agreement and terminating on a date which is sixty (60) days from the date of this Agreement (“Feasibility Period”), RECIPIENT may undertake at RECIPIENT’s sole expense an inspection of the Property. Said inspection may include: (i) a review of the physical condition of the Property, including but not limited to, inspection and examination of soils, environmental factors, Hazardous Substances, if any, and archeological information relating to the Property; and (ii) a review and investigation of the effect of any zoning, maps, permits, reports, engineering data, regulations, ordinances, and laws affecting the Property. Within ten (10) days following the full execution of this Agreement by both parties, DONOR shall deliver to RECIPIENT copies of all architectural plans, surveys, specifications, and other documents pertaining to the physical, soils, geological, or environmental condition of the Property that are owned by or in the possession of DONOR.

4.2 If RECIPIENT’s environmental consultant requires additional time to determine the existence and extent of any Hazardous Substances on the Property, RECIPIENT shall have the right, exercisable by delivering written notice to Donor at least fifteen (15) days prior to the expiration of the Feasibility Period, to extend the Feasibility Period for up to an additional sixty (60) days to complete the testing.

4.3 If RECIPIENT disapproves of the results of the inspection and review or the results of any Phase I Environmental Report, RECIPIENT may elect, prior to the last day of the Feasibility Period (or any extension thereof), to terminate this Agreement by giving DONOR written notification prior to the last day of the Feasibility Period (or any extension thereof). If RECIPIENT fails to properly notify DONOR of the intent to terminate this Agreement, RECIPIENT shall be deemed to be satisfied with the results of the inspection and shall be deemed to have waived the right to terminate this Agreement pursuant to this provision.

4.4 RECIPIENT shall undertake at its sole cost to process a specific plan amendment to revise the Gossamer Grove Specific Plan so as to allow 12 additional residential lots adjacent to the Property to be developed in the Specific Plan (the “SP Approval”). The DONOR shall be responsible for the compliance with the Subdivision Map Act for the 12 residential lots.

5. Access.

5.1 Access to the Property during the Feasibility Period shall be given to RECIPIENT, its agents, employees, or contractors during normal business hours upon at least one (1) Business Days' notice to DONOR, at RECIPIENT's own cost and risk, for the purposes described in section 4.1 above, including, but not limited to, inspecting the Property, taking samples of the soil, and conducting an environmental audit (including an investigation of past and current uses of the Property). RECIPIENT shall indemnify and defend DONOR against and hold DONOR harmless from all losses, costs, damages, liabilities, expenses, or other injury including, without limitation, reasonable attorney fees and expenses, to the fullest extent not prohibited by applicable law, and all other costs and expenses incurred by reason of, or in any manner arising out of RECIPIENT's entry onto the Property or any activity thereon by RECIPIENT or its agents, employees, or contractors prior to the Recordation Date except to the extent any such losses, costs, damages, liabilities, and expenses arise out of the gross negligence or willful acts of DONOR. Any entry onto the Property by RECIPIENT or its agents, employees, or contractors shall be at reasonable times. The provisions of this Section shall survive the Recordation Date. Notwithstanding anything herein to the contrary, RECIPIENT and DONOR agree that RECIPIENT shall not incur any liability hereunder merely by the discovery of an "Existing Adverse Condition" (as defined below) regardless of whether such Existing Adverse Condition, once revealed, negatively impacts the value of the Property or otherwise causes DONOR to incur liabilities, costs or expenses. The term "Existing Adverse Condition" shall mean an adverse condition existing on or with respect to the Property that is discovered or revealed by RECIPIENT in the course of its Property inspection hereunder.

5.2 In addition to the provisions of Section 4.1, RECIPIENT and its agents, employees, or contractors shall have the right, from the date of this Agreement until the Recordation Date, to contact any federal, state, or local governmental authority or agency to investigate any matters relating to the Property. DONOR agrees to cooperate reasonably with RECIPIENT and its agents, employees, or contractors in the inspection of the Property and agrees to deliver to RECIPIENT all information in DONOR's possession or control pertaining to the condition of the Property, including engineering and environmental reports, studies, tests, monitoring results, and related documentation.

6. Title.

6.1 Immediately following the execution of this Agreement by both Parties, RECIPIENT shall cause Title Officer to issue to RECIPIENT (with a copy to DONOR) a preliminary report for an ALTA Standard Policy of Title Insurance, setting forth all liens, encumbrances, easements, restrictions, conditions, pending litigation, judgments, administrative proceedings, and other matters affecting DONOR's title to the Property ("Preliminary Report"), together with copies of all documents relating to title exceptions referred to in the Preliminary Report.

6.2 Following the full execution of this Agreement by both Parties, and within 30 after receipt of the Preliminary Report, RECIPIENT may cause a survey and/or an ALTA Survey of the Property to be prepared by a registered surveyor or professional engineer ("Survey"). DONOR agrees to deliver to RECIPIENT, promptly following the full execution and delivery of this Agreement, copies of any survey of the Property in the possession of DONOR.

6.3 RECIPIENT shall approve or disapprove, in writing to DONOR with a copy to Title Officer, each exception shown on the Preliminary Report and each encroachment, overlap, or boundary line dispute, or any other matter that materially and adversely affects title to the Property or that violates any law, rule, or regulation reflected on the Survey (each an “Exception”) within twenty (20) Business Days following the receipt of the Preliminary Report or the Survey, whichever is later. RECIPIENT’s failure to object within the twenty (20) day period shall be deemed to be a disapproval of the Exceptions. The Exceptions approved by RECIPIENT hereunder shall be referred to as the “Approved Exceptions.”

6.4 If any Exception is disapproved or deemed disapproved (each a “Disapproved Exception”), DONOR shall have the right, but not the obligation, within thirty (30) days following expiration of the twenty (20) day period provided under Section 6.3 above, to cause each Disapproved Exception to be discharged, satisfied, released, or terminated, as the case may be, of record, and in a form that is reasonably satisfactory to RECIPIENT and Title Officer, all at DONOR’s sole cost and expense.

7. [INTENTIONALLY DELETED]

8. Closing and Recordation Date.

8.1 Title. Simultaneously with the Recordation Date, Title Officer shall issue an ALTA Standard Policy of Title Insurance (formerly referred to as a CLTA Title Policy) (“Title Policy”) in the amount of \$1,000,000, subject only to (i) liens for real property taxes, bonds, and assessments not then due, and (ii) the Approved Exceptions.

8.2 Donor’s Deposits. DONOR shall deposit with Title Officer on or prior to the Recordation Date a grant deed in the form attached hereto as Exhibit “B” executed and acknowledged by DONOR, conveying to RECIPIENT good and marketable fee simple title to the Property, subject only to the Approved Exceptions (“Deed”).

8.3 RECIPIENT’s Deposits. An executed Certificate of Acceptance for the Deed.

8.4 Recordation Date. The conveyance of the Property to RECIPIENT and the closing of this transaction (“Closing”) shall take place within one hundred twenty (120) days (“Recordation Date”) following the execution of this Agreement.

8.5 Closing Statements. Intentionally Deleted.

8.6 Closing Instructions. On the Recordation Date (or any extension thereof), Title Officer shall do the following:

- (i) record the Deed (marked for return to RECIPIENT) with the Kern County Recorder;
- (ii) issue the Title Policy;

(iii) If Title Officer is unable to simultaneously perform all of the instructions set forth above, Title Officer shall notify RECIPIENT and DONOR and retain all funds and documents pending receipt of further instructions jointly issued by RECIPIENT and DONOR.

8.7 Closing Costs and Prorations. RECIPIENT shall pay the following closing costs and prorations through the Recordation Date:

(i) All governmental conveyancing fees and taxes due upon transfer of the Property, except that no documentary transfer tax will be payable with respect to this transaction, pursuant to Revenue and Taxation Code Section 11922;

(ii) The recording charges in connection with recordation of the Deed;

(iii) All charges in connection with issuance of the Title Policy in the amount of \$350,000;

(iv) All costs associated by environmental reports, including the Phase I Environmental Site Assessment Report, and any further testing and reports which may be reasonably necessary as a result of such report;

(v) All charges related to any survey undertaken in connection with an ALTA Extended Policy of Title Insurance;

(vi) All charges in connection with removing any Disapproved Exceptions pursuant to Section 6.4 and to cure any defect in vesting in order to satisfy the condition set forth in Section 9(v).

(vii) All fees and charges levied by Title Officer.

8.8 Real Estate Taxes, Bonds, and Assessments. DONOR shall pay real property taxes to the Kern County Tax Assessor's office prior to the Recordation Date based on the most current real property tax bill available, including any additional property taxes that may be assessed after the Recordation Date, regardless of when notice of those taxes is received or who receives the notice. DONOR may seek reimbursement from the Kern County Tax Assessor's office for any property taxes that have been assessed for a period after the Recordation Date as RECIPIENT is a public agency exempt from payment of such taxes. RECIPIENT further agrees to cooperate with DONOR to provide any necessary information to the Assessor's office in connection with such request for refund. All installments of any bond or assessment that constitutes a lien on the Property at the Recordation Date shall be paid by DONOR.

8.9 Possession. Possession of the Property shall be delivered to RECIPIENT at the Recordation Date.

9. Acceptance. The acceptance of the Property by RECIPIENT and the Recordation Date (as defined in Section 8) are subject to the satisfaction of the following no later than the Recordation Date:

(i) RECIPIENT's approval of the condition of the Property and SP Approval as provided in Section 4 and title to the Property as provided in Section 6. In addition, DONOR shall remove any debris or trash from the Property prior to the Recordation Date;

(ii) The representations and warranties of DONOR set forth in Section 2.2 shall be true and accurate as of the Recordation Date;

(iii) DONOR's performance of all obligations under this Agreement;

(iv) No adverse material change shall have occurred with respect to the condition of the Property from the end of the Feasibility Period through the Recordation Date; and

(v) Title Officer being prepared to issue the Title Policy on the Recordation Date, subject only to the Approved Exceptions.

10. [INTENTIONALLY DELETED]

11. [INTENTIONALLY DELETED]

12. This Agreement may be terminated by RECIPIENT upon three (3) days written notice to DONOR and Title Officer if the conditions to closing set forth in Section 9 have not been fulfilled on or before the Recordation Date. Upon termination by RECIPIENT pursuant to this Section 12, DONOR shall be responsible for all costs and expenses of Title Officer.

13. As used in this Agreement, notice includes but is not limited to, the communication of any notice, request, demand, approval, statement, report, acceptance, consent, waiver and appointment. All notices must be in writing. Notice is given either (i) when delivered in person to the person or company intended named below, or (ii) when sent via reputable overnight courier (such as Federal Express), addressed by name and addressed to the party or persons intended, as follows:

To RECIPIENT:

City of Shafter
36 Pacific Avenue
Shafter, CA 93263
Attn: City Manager

To DONOR:

Lennar Homes of California, LLC
8080 N. Palm Avenue, Suite 110
Fresno, CA 93711
Attn: Mike Miller

until such time as a party gives notice of the change of address in accordance with the terms of this

section.

14. This Agreement shall not be changed, modified or amended except upon the written consent of the Parties hereto.

15. This Agreement is the result of negotiations between the Parties and is intended by the Parties to be a final expression of their understanding with respect to the matters herein contained. This Agreement supersedes any and all other prior agreements and understandings, oral or written, in connection therewith. The provisions of this Agreement and such other documents or certificates shall not be construed in favor of or against either Party, but shall be construed as if both Parties equally prepared this Agreement.

16. DONOR, their assigns and successors in interest, shall be bound by all the terms and conditions contained in this Agreement, and all the parties thereto shall be jointly and severally liable thereunder.

17. This Agreement is not binding until executed by the City Manager of the RECIPIENT.

18. Notwithstanding any other provision of this Agreement or any other agreement between any of the Parties hereto, once the Property is conveyed to and accepted by the RECIPIENT, the RECIPIENT shall have no obligation to return the Property to the DONOR under any circumstances, except in the sole and exclusive discretion of the RECIPIENT.

19. RECIPIENT agrees to cooperate with DONOR to acknowledge receipt of the donation of the Property by signing Internal Revenue Form 8283 (Non-Cash Charitable Contributions) before the Recordation Date and any other tax-related forms or documents reasonably requested by DONOR and to return any such forms to DONOR within thirty (30) Business Days after RECIPIENT's receipt of such forms from DONOR. Notwithstanding the foregoing, RECIPIENT makes no representation or warranty to DONOR regarding the tax attributes of this transaction, nor shall RECIPIENT endorse or otherwise acknowledge any valuation of the Property for tax purposes, it being understood that the DONOR has obtained its own appraisals and tax advice for such purposes.

20. Except as otherwise expressly provided herein, nothing in this Agreement is intended to confer any rights or remedies under or by reason of this Agreement on any person other than the Parties to it and their respective permitted successors and assigns, nor is anything in this Agreement intended to relieve or discharge any obligation of any third person to any Party to this Agreement or give any third person any right of subrogation or action over or against any Party to this Agreement.

21. Time is of the essence of each and every provision of this Agreement. Unless Business Days (whether or not capitalized) are expressly provided for, all references to "days" herein shall refer to consecutive calendar days. If the Closing Date, Feasibility Period, or any other date or time period provided for in this Agreement is or ends on a Saturday, Sunday or Federal, State or legal holiday, then such date shall automatically be extended to the next day which is not a Saturday, Sunday or Federal, State or legal holiday.

22. This Agreement may be executed in one or more counterparts. Each shall be deemed an original and all, taken together, shall constitute one and the same instrument.

[signature page follows]

EXHIBIT “A”

EXHIBIT "B"
FORM OF GRANT DEED

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO**

EXEMPT FROM RECORDING FEES PURSUANT
TO GOVERNMENT CODE SECTION 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APNs:

Grant Deed

The undersigned Grantor(s) declare(s): Town of Colma is exempt from property taxes. (Rev & Tax Code 11922)

Documentary transfer tax is \$ -0- .

- ☐ Computed on full value of property conveyed, or
☐ Computed on full value less value of liens and encumbrances remaining at time of sale.
☐ Unincorporated area ☒ City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

hereby GRANT(S) to

the following described real property in the _____, County of _____, State of California:

SEE ATTACHED EXHIBIT A.

Dated: _____, 20____

By: Exhibit Only – Do not Execute

(Name)

(Title)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____, Notary Public
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CERTIFICATE OF ACCEPTANCE

Pursuant to Section 27281 of the
California Government Code

This is to certify that the interest in real property conveyed by the Grant Deed dated _____, 2022, from _____, as Grantor thereunder, to _____, as Grantee thereunder, is hereby accepted by the undersigned officer on behalf of _____, a California municipal corporation, pursuant to the authority conferred by Resolution No. _____, adopted by _____ on _____, 20__, and the Grantee consents to recordation thereof by its duly authorized officer.

Dated: _____, 20__ _____

By Exhibit Only – Do not Execute

_____ (Name)

_____ (Title)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____, Notary Public
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT “A”
Property Description



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Yazmina Pallares, City Clerk

SUBJECT: CERTIFICATION OF ELECTION NOVEMBER 8, 2022

RECOMMENDATION

Council adopt Resolution 2899, a Resolution of the City Council of the City of Shafter, California, Reciting the Fact of the General Municipal Election held on November 8, 2020, Declaring the Result and Such Other Matters as Provided by Law.

BACKGROUND

The Kern County Elections Department has made available the Statement of Votes Cast during the General Election held November 8, 2022. Attached for Council consideration is a Resolution reciting the fact of the election held on November 8, 2022, declaring the result and such other matters as provided by law.

ANALYSIS

None.

FISCAL IMPACT

None.

CEQA ANALYSIS

None.

APPROVED BY THE CITY ATTORNEY

ALTERNATIVES

None.

NEXT STEPS

None.

ATTACHMENTS

1. Resolution 2899-22 Election Results 2022

RESOLUTION NO. 2899

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2022, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Shafter, California, on Tuesday, November 8, 2022, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in charter cities; and

WHEREAS, pursuant to Resolution No. 2872 dated June 7, 2022, the Kern County Election Department canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHAFTER, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the whole number of votes (ballots) cast in the City was 5,016.

SECTION 2. That the names of persons voted for at the election for Member of the City Council are as follows:

Gustavo Olvera Jr.
Cathy L. Prout
Rafael S. Zamudio
Cesar Lopez

SECTION 3. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates were as listed in Exhibit "A" attached.

SECTION 4. The City Council does declare and determine that Gustavo Olvera Jr. was elected as Member of the City Council for the full term of four years, and Cathy L. Prout was elected as Member of the City Council for the full term of four years.

SECTION 5. The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of votes (ballots) cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each precinct to each person, (5) The total number of votes given to each person.

SECTION 6. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED THIS 20th DAY OF DECEMBER, 2022.

Cathy L. Prout, Mayor

ATTEST:

Yazmina Pallares, City Clerk

APPROVED AS TO FORM:

Marco A. Martinez, City Attorney

EXHIBIT A

KERN COUNTY ELECTION RESULTS		
November 8, 2022 Consolidated General Election		
Official Final Results as of 12/7/2022 6:18:46 PM		
City of Shafter Councilmember - Vote For 2		
Completed Precincts: 13 of 13		
CATHY L. PROUT	1712	34.13%
GUSTAVO OLIVERA, JR	1221	24.34%
CESAR LOPEZ	1186	23.64%
RAFAEL S ZAMUDIO	897	17.88%



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022
FROM: Gabriel A. Gonzalez, City Manager
PREPARED BY: Yazmina Pallares, City Clerk
SUBJECT: COUNCIL MEMBER OATH OF OFFICE

RECOMMENDATION

Clerk Administer the Oath of Office to Council Member Gustavo Olvera, Jr. and Cathy L. Prout.

BACKGROUND

Clerk Administer the Oath of Office to Council Member Gustavo Olvera, Jr. and Cathy L. Prout.

ANALYSIS

None.

FISCAL IMPACT

None.

CEQA ANALYSIS

None.

APPROVED BY THE CITY ATTORNEY

Not Applicable

ALTERNATIVES

None.

NEXT STEPS

None.

ATTACHMENTS

None



CITY OF SHAFTER CITY COUNCIL REPORT

MEETING DATE: December 20, 2022

FROM: Gabriel A. Gonzalez, City Manager

PREPARED BY: Yazmina Pallares, City Clerk

SUBJECT: REORGANIZATION AND APPOINTMENTS TO VARIOUS
BOARDS

RECOMMENDATION

Each Board make nominations and appointments.

BACKGROUND

1. City Council

- a. Mayor (Nominations made to the City Manager)
- b. Mayor Pro Tem (Nominations made to the Mayor)

2. Kern Council of Governments(Mayor ask for volunteers and make appointment)

- a. Board Member (Appointment)
- b. First Alternate (Appointment)
- c. Second Alternate (Appointment)

3. San Joaquin Valley Air Pollution Control District City Selection Committee(Mayor ask for volunteers and make appointment)

- a. Board Member (Appointment)
- b. First Alternate (Appointment)
- c. Second Alternate (Appointment)

ANALYSIS

None.

FISCAL IMPACT

None.

CEQA ANALYSIS

MANAGEMENT REPORT

REORGANIZATION AND APPOINTMENTS TO VARIOUS BOARDS

None.

APPROVED BY THE CITY ATTORNEY

Not Applicable

ALTERNATIVES

None.

NEXT STEPS

None.

ATTACHMENTS

None