



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

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, AUGUST 12, 2025**

NOTICE TO THE PUBLIC:

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

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Vice Chairman Piuser

INVOCATION: Commissioner Simmons

ROLL CALL: Chairman Joshan
Vice Chairman Piuser
Commissioner Camacho
Commissioner Sanchez
Commissioner Simmons

APPROVAL OF AGENDA:

PUBLIC COMMENT:

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

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: July 8, 2025

PUBLIC HEARING:

Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person challenging any action taken after the public hearing may be limited to raising only those issues addressed at the public hearing described

in this notice, or in written correspondence delivered to the Planning Commission at or prior to this public hearing.

- 1. Tentative Tract Map No. 7207 Extension of Time:** Planning Commission to conduct a public hearing; and adopt Resolution No. 25-468, a Resolution of the Planning Commission of the City of Shafter, recommending that the City Council approve a two (2) year extension of time for Tentative Tract Map No. 7207 located between Elizabeth Avenue and West Riverside Street, approximately 1/3 west of South Shafter Avenue, in the City of Shafter. (Planning Director Esselman)

ROLL CALL

- 2. Tentative Tract Map No. 6398 Extension of Time:** Planning Commission to conduct a public hearing and adopt Resolution No. 25-469, a Resolution of the Planning Commission of the City of Shafter, recommending that the City Council approve a two (2) year extension of time for Tentative Tract Map No. 6398 located on the southwest corner of East Tulare Avenue and North Beech Avenue, in the City of Shafter. (Planning Director Esselman)

ROLL CALL

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

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

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

ROLL CALL

COMMISSIONER REPORTS:

ADJOURNMENT:

Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in a City Council Meeting, please contact the City Clerk at (661) 746-5000 at least three (3) days prior to the meeting or time the special services are needed to allow

City staff in making reasonable arrangements to provide you with access to the meeting. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the City Clerk's Office at Shafter City Hall, 336 Pacific Ave., Shafter, CA 93263. This is to certify that

this Agenda notice was posted at City Hall and Police Dept. by 5:00 p.m., August 7, 2025. Yazmina Pallares, S/S, City Clerk

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

1. You are strongly encouraged to observe the Planning Commission meetings live via YouTube <https://www.youtube.com/user/CityofShafter/>
2. If you wish to make a comment on a specific agenda item or public comment, please submit your comment via email by **6:00 PM on August 12, 2025** to the City Clerk at CityClerk@shafter.com
3. If you wish to make a written comment to the City Clerk, 336 Pacific Avenue, Shafter, CA 93263.
4. If you wish to make a comment during the live meeting, callers must first register with the City Clerk at 661-746-5012 before the meeting begins to receive instructions and the call- in number and code. Please call by 5:00pm on the Monday prior to the Planning Commission meeting to allow ample time for sign up. You will need to provide your name, phone number and the item number you wish to address.
5. All public comments are provided to the Planning Commission and applicable Staff, for review and consideration by the Board prior to taking action on any matters listed on the agenda and are incorporated into the official record of the Planning Commission meeting.

**MINUTES OF THE REGULAR MEETING OF THE
SHAFTER PLANNING COMMISSION
COUNCIL CHAMBER, 336 PACIFIC AVENUE
MEETING HELD IN-PERSON AND VIA ZOOM AND LIVESTREAM TO YOUTUBE
TUESDAY, JULY 8, 2025**

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Chairman Joshan

INVOCATION: Commissioner Camacho

ROLL CALL:

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

APPROVAL OF AGENDA:

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

AYES: CAMACHO, JOSHAN, PIUSER, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

PUBLIC COMMENT:

There were no members of the public wishing to speak.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: June 10, 2025.

MOVED (SIMMONS) AND SECONDED (SANCHEZ) COMMISSIONERS APPROVED THE MINUTES OF THE REGULAR MEETING OF JUNE 10, 2025, AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, JOSHAN, PIUSER, SANCHEZ, AND SIMMONS.

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 Planning Commission at or prior to this public hearing.

1. **Conditional Use Permit No. 25-152:** Associate Planner Olaguez made introductory comments. A notice of public hearing was properly advertised.

Chairman Joshan opened the public hearing.

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

MOVED (CAMACHO) AND SECONDED (PIUSER) COMMISSIONERS CONDUCTED A PUBLIC HEARING; AND ADOPTED RESOLUTION NO. 25-467, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER, APPROVING CONDITIONAL USE PERMIT NO. 25-152 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF A GROUND-MOUNTED SOLAR ARRAY AT 3601 E. RIVERSIDE STREET (PORTION OF APN 091-172-01). MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, JOSHAN, PIUSER, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

2. **Tentative Tract Map No. 7464:** Senior Planner Cazares made introductory comments. A notice of public hearing was properly advertised.

Chairman Joshan opened the public hearing.

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

MOVED (SIMMONS) AND SECONDED (PIUSER) COMMISSIONERS CONDUCTED THE PUBLIC HEARING; AND ADOPTED RESOLUTION NO. 25-466, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER RECOMMENDING APPROVAL OF TENTATIVE TRACT NO. 7464, AS DEPICTED IN EXHIBIT "A", WITH CONDITIONS OF APPROVAL AS SHOWN IN EXHIBIT "B", TO THE CITY COUNCIL OF THE CITY OF SHAFTER. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, JOSHAN, PIUSER, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

3. **General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family):** Planning Director Esselman made introductory comments and recommended the Commission adopt Resolution No. 25-465, a Resolution of the Planning Commission of the City of Shafter, recommending that the Shafter City Council:

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

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

Chairman Joshan opened the public hearing

Pedro Lopez, 709 Dana Street, voiced his concerns about the project, the Housing Accountability Act (HAA), and the planned transition from low-density residential to medium-to high-density areas, as well as traffic concerns. He requested that the project be denied or that more time be given to determine the best location for the proposed project.

Everardo Rodriguez, 710 Dana Street, voiced his concerns about the project, the saturation of low-income apartments in the area, and how those apartments are not well-maintained, with overgrown grass at existing apartments around the area. He questioned the school's possible overcapacity with the proposed project.

Steven Hernandez, Business Development Director with the Cesar Chavez Foundation, provided information on the project and answered questions from the Commission.

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

MOVED (SIMMONS) AND SECONDED (PIUSER) COMMISSIONERS CONDUCTED THE PUBLIC HEARING; AND CONTINUED THE PUBLIC HEARING TO MEETING DATE NOT CERTAIN. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, JOSHAN, PIUSER, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

COMMISSIONER REPORTS:

ADJOURNMENT:

MOVED (PIUSER) AND SECONDED (SANCHEZ) COMMISSIONERS ADJOURNED THE MEETING AT 7:17 P.M. MOTION CARRIED WITH NO OPPOSITION.

Lovedeep Joshan, Chairman

ATTEST:

Hermila Aleman, Deputy City Clerk

DATE: August 12, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: Tentative Tract Map No. 7207 Extension of Time

RECOMMENDATION:

Planning Commission to conduct a public hearing; and adopt Resolution No. 25-468, a Resolution of the Planning Commission of the City of Shafter, recommending that the City Council approve a two (2) year extension of time for Tentative Tract Map No. 7207 located between Elizabeth Avenue and West Riverside Street, approximately 1/3 west of South Shafter Avenue, in the City of Shafter.

APPLICANT
Gregory Black, RCE, PLS
KS Industries LP
6205 District Boulevard
Bakersfield, CA 93313

OWNER
Mehdi Davary
1501 East 19th Street
Bakersfield, CA 93305

LOCATION: Between Elizabeth Avenue and West Riverside Street, approximately 1/3 mile west of South Shafter Avenue (Exhibit 1).

BACKGROUND:

On July 10, 2025, Gregory Black on behalf of the property owner, Mehdi Davary, submitted an application for a two-year extension of time request to extend the time to record a final map for Tentative Tract No. 7207 (Exhibit 2). The City Council approved Tentative Tract Map No. 7207 on August 18, 2009, by Resolution No. 09-2056. The Tentative Tract Map is located approximately 1/3 west of South Shafter Avenue between Elizabeth Avenue and West Riverside Street and proposes to subdivide 20 acres into a total of 23 single-family residential lots, 7 lots ranging in size from 10,948 square feet to 10,948 square feet and 16 lots ranging in size from 41,033 square feet to 45,706 square feet. The property is zoned Estate, and the general plan designation is Very Low Density Residential.

The original expiration date for the tentative map was August 18, 2011. The tentative map has remained active due to multiple extensions of time approved by the State legislature and several discretionary extensions of time approved by the City Council. The most recent extension of time was approved on June 7, 2022, by City Council Resolution No. 2865, to comply with Government Code Section 66452.26. The tentative map is currently set to expire on August 18, 2025. Per the City’s Subdivision Ordinance and the Subdivision Map Act, two more two-year discretionary extension of time is allowed for this tract. Approval of the requested two-year extension would result in Tentative Tract Map 7207 expiring on August 18, 2027. If the map has still not been recorded by the new expiration date, the map approval will expire, and the map will be

PUBLIC HEARING

Tentative Tract Map No. 7207 Extension of Time

considered null and void. The applicant would thereafter need to submit a new tentative map application for any undeveloped and unrecorded phases of the tract.

Staff believes the eventual recordation of the approved subdivision would be beneficial to the City and recommends the Planning Commission approve for recommendation to the City Council, the requested two-year extension of time to file a final map for Tentative Tract Map 7207, subject to the conditions approved by the City Council on August 18, 2009.

CEQA:

The City of Shafter adopted a Negative Declaration for Tentative Tract No. 7207 on August 18, 2009 (Resolution 09-2056); therefore, no additional California Environmental Quality Act analysis or documentation is required for the extension of time.

ATTACHMENTS



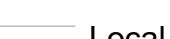

EXHIBIT

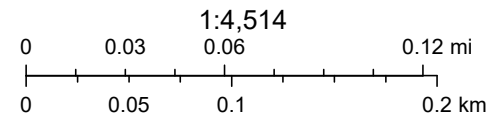
Vicinity Map	1
Tentative Tract Map No. 7207	2
Resolution 25-468	3

EXHIBIT 1: TTM 7207 VICINITY MAP



7/21/2025, 2:01:22 PM

 Override 1  Road Centerlines  Local
 Arterial

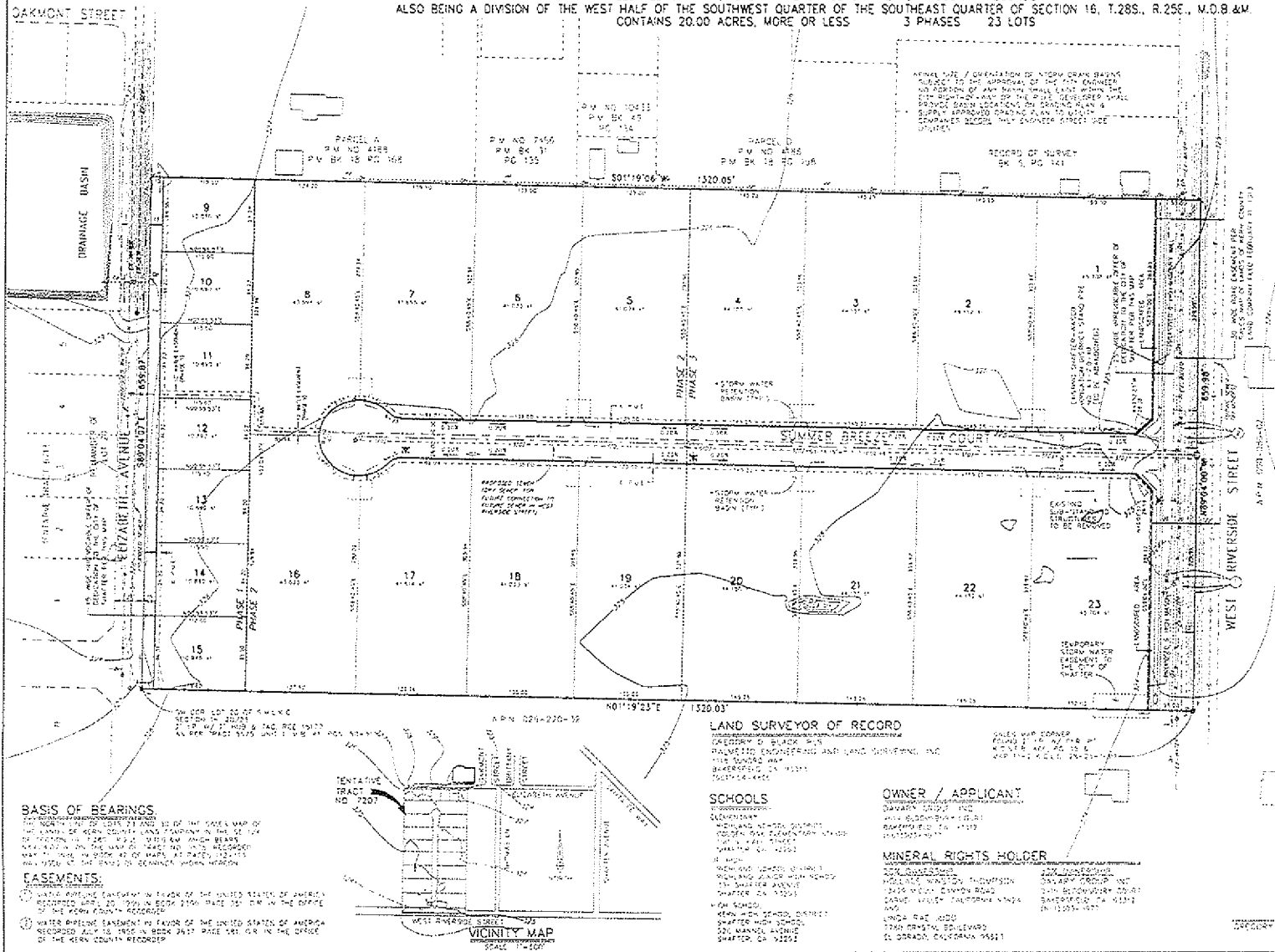
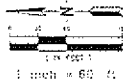


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TENTATIVE TRACT 7207

TENTATIVE TRACT NO. 7207

IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA
 CONSISTING OF ONE SHEET
 BEING A DIVISION OF LOT 29 OF THE SALES MAP OF LANDS OF THE KERN COUNTY LAND COMPANY IN SECTION 16, T.28S., R.25E., M.D.B.&M.,
 FILED FEBRUARY 11, 1913 IN THE OFFICE OF THE KERN COUNTY RECORDER
 ALSO BEING A DIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, T.28S., R.25E., M.D.B.&M.
 CONTAINS 20.00 ACRES, MORE OR LESS 3 PHASES 23 LOTS



GENERAL NOTES
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENGINEERING REGULATIONS AND THE KERN COUNTY ENGINEERING REGULATIONS.
 2. THE ENGINEER HAS CONDUCTED A VISUAL SURVEY OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED INTERESTS.
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 23. THE ENGINEER HAS CONDUCTED A VISUAL SURVEY OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED INTERESTS.

EXISTING STREET NAMES:
 OAKMONT STREET
 WEST RIVERSIDE STREET
 SUMMER PRECIPITATION FIRE COURT

PROPOSED STREET NAME:
 SUMMER PRECIPITATION FIRE COURT

ALTERNATE STREET NAME:
 NEW FOREST COURT

LEGEND
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 [Symbol] SET CONCRETE MONUMENT IN LUMP SUM
 [Symbol] OFFICIAL RECORD
 [Symbol] EXISTING FENCE
 [Symbol] EXISTING PAVEMENT
 [Symbol] EXISTING ROADSIDE POLE
 [Symbol] EXISTING UNDERGROUND UTILITY LINE
 [Symbol] PROPOSED WATER LINE
 [Symbol] EXISTING OR PROPOSED WATER VALVE
 [Symbol] EXISTING FIRE HYDRANT
 [Symbol] PROPOSED FIRE HYDRANT
 [Symbol] PROPOSED STREET LIGHT
 [Symbol] EXISTING SEWER LINE
 [Symbol] EXISTING WATER LINE
 [Symbol] PROPOSED SEWER
 [Symbol] PROPOSED FIRE SEWER
 [Symbol] PROPOSED CROSS-CUTTER

NOTES
 1. THE BLUE BORDER INDICATES THE BOUNDARY OF LAND SUBDIVIDED BY THIS MAP.
 2. ALL DIMENSIONS AND DIMENSIONAL SHOWN ARE IN FEET AND DECIMALS THEREOF.
 3. ALL CORNER STAKES MUST BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENGINEERING REGULATIONS AND THE KERN COUNTY ENGINEERING REGULATIONS.
 4. THE MAP WILL BE RECORDED IN SHASTER.
 5. UNRECORDED INTERESTS IN ALL PARTS OF THE PROPERTY ARE HEREBY NOTICED AND WILL BE SUBJECT TO ADEQUATE PROTECTION IN THE CASE THIS MAP IS RECORDED.
 6. UNRECORDED INTERESTS IN ALL PARTS OF THE PROPERTY ARE HEREBY NOTICED AND WILL BE SUBJECT TO ADEQUATE PROTECTION IN THE CASE THIS MAP IS RECORDED.

LAND SURVEYOR OF RECORD
 GREGORY D. BLACK, INC.
 1100 S. MAIN STREET
 SHASTER, CA 93282
 (559) 335-4444

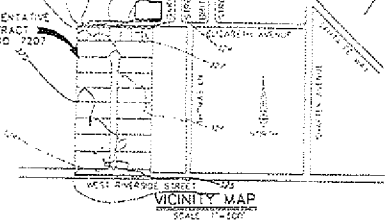
SCHOOLS
 KERN COUNTY SCHOOLS DISTRICT
 SHASTER HIGH SCHOOL
 300 MANUEL AVENUE
 SHASTER, CA 93282

OWNER / APPLICANT
 DAVARY GROUP, INC.
 1700 PRIMA BOULEVARD
 EL CERRITO, CALIFORNIA 94530

MINERAL RIGHTS HOLDER
 KERN COUNTY LAND COMPANY
 1100 S. MAIN STREET
 SHASTER, CA 93282
 (559) 335-4444

BASIS OF BEARINGS.
 THE NORTH LINE OF LOT 29 OF THE SALES MAP OF THE LANDS OF THE KERN COUNTY LAND COMPANY IN SECTION 16, T.28S., R.25E., M.D.B.&M., FILED FEBRUARY 11, 1913 IN THE OFFICE OF THE KERN COUNTY RECORDER, IS THE BASIS OF BEARINGS FOR THIS MAP.
 THE SOUTH LINE OF LOT 29 OF THE SALES MAP OF THE LANDS OF THE KERN COUNTY LAND COMPANY IN SECTION 16, T.28S., R.25E., M.D.B.&M., FILED FEBRUARY 11, 1913 IN THE OFFICE OF THE KERN COUNTY RECORDER, IS THE BASIS OF BEARINGS FOR THIS MAP.

EASEMENTS.
 1. WATER RIGHTS EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA, RECORDED IN BOOK 2156 PAGE 131 IN THE OFFICE OF THE KERN COUNTY RECORDER.
 2. WATER RIGHTS EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA, RECORDED IN BOOK 2917 PAGE 140 IN THE OFFICE OF THE KERN COUNTY RECORDER.



Palmetto Engineering
 1115 SHERMAN WAY
 BAKERSFIELD, CALIFORNIA
 (805) 644-4866 FAX
 (805) 240-7537 FAX

PROJECT FILE	TENTATIVE TRACT MAP NO 7207	DATE	12/21/20
SHEET OF SHEETS	CITY OF SHAFTER, CALIFORNIA	DATE	07/10/20
	DAVARY GROUP, INC.	DATE	07/10/20

RESOLUTION NO. 25-468

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER
RECOMMENDING THE CITY COUNCIL APPROVE A TWO (2) YEAR EXTENSION
OF TIME FOR TENTATIVE TRACT MAP NO. 7207 LOCATED BETWEEN
ELIZABETH AVENUE AND WEST RIVERSIDE STREET, APPROXIMATELY 1/3
MILE WEST OF SOUTH SHAFTER AVENUE.**

WHEREAS, on July 10, 2025, Gregory Black on behalf of Mehdi Davary, the property owner of Tentative Tract Map No. 7207, requested approval of an extension of time to record a final map on that certain property in the City of Shafter as shown on attached Exhibit “A”. The extension of time request was submitted prior to the expiration of the map and is being considered within the 60-day time period allowed by the Subdivision Map Act; and

WHEREAS, Tentative Tract Map No. 7207, proposing to subdivide 20 acres into 23 single-family residential lots, was approved by the City Council on August 18, 2009, per Resolution No. 09-2056; and

WHEREAS, the City of Shafter adopted a Negative Declaration for Tentative Tract Map No. 7207 on August 18, 2009 (Resolution 09-2056), therefore no additional California Environmental Quality Act analysis or documentation is required for the extension of time; and

WHEREAS, Tentative Tract Map No. 7207 was approved with a condition requiring the final map to be recorded within two years; and

WHEREAS, on July 15, 2011, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to August 18, 2015; and

WHEREAS, July 11, 2013, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to August 18, 2017; and

WHEREAS, on October 10, 2015, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to August 18, 2019; and

WHEREAS, on August 7, 2018, the City Council approved Ordinance 706 amending an Addendum to the Negative Declaration adopted for Tentative Tract No. 7207 for Development Agreement No. 17-15, thereby extending the Tentative Tract Map expiration date to August 18, 2021; and

WHEREAS, on January 1, 2021, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to August 18, 2023; and

WHEREAS, on June 7, 2022, the City Council approved a two-year extension of time, thereby extending the recordation of the map to August 18, 2025; and

WHEREAS, Title 16, Section 4.080.B of the City Municipal Code (Subdivision Ordinance) and Government Code §66452.6(e) allow the City Council to approve extensions of time for approved, or conditionally approved, tentative subdivision maps if the request is received prior to the expiration date of the map; and

WHEREAS, the City of Shafter has historically approved subdivision map extensions of time in two-year intervals; and

WHEREAS, at said Planning Commission meeting held August 12, 2025, the proposed extension of time for Tentative Tract Map No. 7207 was duly presented and considered and the Planning Commission determined that Tentative Tract Map No. 7207 is eligible to receive a two-year extension of time for recordation of the final map.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 12th day of August, 2025, resolved to recommend that the City Council approve a two-year extension of time for Tentative Tract Map No. 7207 (Exhibit “A”) located between Elizabeth Avenue and West Riverside Street, subject to the conditions (Exhibit “B”) approved by the City Council on August 18, 2009, to expire on August 18, 2027.

PASSED AND ADOPTED THIS 12th DAY OF AUGUST 2025.

Lovedeep Joshan, Chairman

ATTEST

Yazmina Pallares, City Clerk

**CONDITIONS OF APPROVAL
TENTATIVE TRACT NO. 7207**

GENERAL

1. The owner(s) or project proponents (hereinafter referred to as "Developer"), solely at their cost and expense, shall defend, indemnify and hold harmless the City of Shafter (hereinafter referred to as "City"), its agents, legislative bodies, officers and employees regarding any legal or administrative action, claim or proceeding concerning approval of Tentative Tract No. 7207 and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as "CEQA"); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City's reasonable approvals. Developer shall also reimburse the City, its agent, legislative bodies, officers and employees for any judgments, amounts paid in settlements, court costs and attorneys' fees which the City, its agents, legislative bodies, officers and employees may be required to pay or otherwise pay as a result of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer's obligations under these conditions of approval (hereinafter referred to as "Conditions").
2. The developer/applicant or the developer/applicant's engineer, shall submit a list of all contractors and/or subcontractors performing work on Tentative Tract 7207 to the City Administrative Services Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City of Shafter.
3. Until all portions of Tentative Tract 7207 have been developed, all vacant and undeveloped land, not being actively farmed, shall be maintained in a weed-free and clean manner by the developer/applicant/property owner. Should said property not be so maintained, the City shall notify property owner that the property is to be cleaned within thirty (30) days of receipt of said notice. If property owner does not comply within the required time frame, City may then clear the land and bill the property owner for expenses incurred.
4. Unless a final map is recorded, Tentative Tract 7207 shall expire twenty-four (24) months from the date of approval by the City Council, unless an extension is granted by the City Council. Should an extension be requested, Developer, not less than sixty (60) days prior to the expiration date, shall submit to the City in writing, a request for an extension of that approval in accordance with the provisions of City Code.
5. Developer shall pay all development fees and impact fees adopted by the City in effect at the time of issuance of any building permits.
6. Developer shall comply with the latest Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electrical Code, Uniform Fire Code and all

EXHIBIT B

applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of the relative permits.

PLANNING

7. Tentative Tract 7207 shall conform to the in-lieu park fee measures (Quimby Act) of the City of Shafter. Said fees shall be paid prior to recordation of the Final Map.
8. In lieu of the construction of alleys, Developer shall pay refuse capacity fee as required by Ordinance No. 351. Refuse capacity fee shall be due and payable prior to recordation of the Final Map.
9. Installation of all improvements for Tentative Tract 7207 shall be completed within one year from the date of filing of the Final Map unless an extension of time is granted by the City Council.
10. Prior to recordation of Tract 7207, the developer shall enter into a development agreement with the City of Shafter, in a form and substance reasonably approved and required by the City, which shall provide for a minimum square footage of residential units within the subdivision, and which shall provide for payment of park fees, traffic fees and other fees established by the City. In the event that the City has not adopted such fees in a timely manner such that the developer would have to make payment at the time of obtaining each building permit for development of the subdivision, then the developer and the City agree that park fees shall be a minimum of \$650 per lot and traffic fees shall be a minimum of \$2,346 per lot, and that such fees represent the actual costs pertaining to park and recreation and traffic impacts proportional to and directly related to each lot. Such fees shall be paid regardless of whether the developer and the City enter into a development agreement. In addition, the developer shall cooperate with the City regarding the establishment and formation of a community facilities district for school purposes and the developer shall require all successors in interest in and to the subdivision, and each portion thereof, to cooperate with the City in the establishment of such a district. For this purpose, the developer and its successors in interest shall object to participate in any protest regarding the formation of such a district, and shall affirmatively vote "yes" with respect to all real property within the subdivision for purposes of establishing such a district.
11. Prior to issuance of each building permit for houses within Tentative Tract 7207, Developer shall submit a site plan to the City Planning Department for review and approval. The site plan shall reference the floor plan layout and building elevations, including exterior building materials and colors, for each of the single-family residences to be constructed within Tentative Tract 7207. All architectural features of each single-family residence and all landscaping requirements as set forth in Section 2.80, Chapter 2, Title 17 of the Shafter Municipal Code (Design Review) shall be adhered to. All roofs constructed within Tentative Tract 7207 shall be of concrete tile or Prestique I High Definition manufactured by ELK Corporation in Shafter, its equivalent or better.

12. Developer shall submit landscaping and irrigation plans for review and approval by the City's Project Assistance Team for the landscape area between the sidewalk and decorative wall along West Riverside Street, prior to the recordation of the Final Map, or first phase of the Final Map. Said landscape plans and irrigation plans shall include the following:
 - a. A six-foot-high solid masonry wall with split block faces, columns, or other design features to provide visual relief along the wall face, shall be subject to approval by the City's Project Assistance Team. Said wall/fence shall be reduced in steps from six feet in height to forty inches in height within the 25-foot front-yard setback line.
 - b. Landscape irrigation plans shall include type, size, and location of the irrigation system, the location and design of all walls; and the size, type, and location of all plant materials.
13. All roof-mounted air conditioning equipment shall be located on the rear portion of the roof ridge line in such a manner as to be screened as much as practical from view from public streets.
14. With the exception of model houses, as provided in Section 3.080, Chapter 3, Title 16 (Subdivision Ordinance) of the Shafter Municipal Code, no building permit shall be issued by the City until Tract 7207 has been recorded pursuant to the requirements of Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Shafter Municipal Code.
15. The Developer of Tract 7207 shall comply with all San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) requirements while grading and developing the site. It is the developer's responsibility to contact the SJVUAPCD to determine with which requirements/rules the developer must comply.
16. The following notes shall appear on the final map:
 - a. Lots 1, 2, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, as shown on the tentative map are locate partially, or wholly, within 300 feet of land used for agricultural purposes. It is the declared policy of the City of Shafter that no agricultural activity, operation, facility, or appurtenances thereof, conducted or maintained for commercial purposes within the City of Shafter and conducted in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years, if it was not a nuisance at the time it began. The term "agricultural activity, operation, facility, or appurtenances thereof" includes, but is not limited to: the cultivation and tillage of soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity, including apiculture, horticulture, the raising of livestock, fur bearing animals, fish, or poultry; and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

- b. Within six (6) months of public sewer service becoming available in West Riverside Street, the current property owner(s) of Lots 1 through 8 and Lots 16 through 23, as shown on the tentatively approved map, shall decommission, at their expense, any existing septic systems and connect to the public sewer system in compliance with all City standards.
17. Approved street names are as follows:
- a. Elizabeth Avenue
 - b. West Riverside Street
 - c. Summer Breeze Court
18. Should any previously unknown or unrecorded oil well be uncovered or damaged during excavation or grading, the Bakersfield office of the California Department of Conservation/Division of Oil, Gas, and Geothermal Resources (DOGGR) shall be contacted for remediation information and approval.
19. The developer/applicant shall be required to permanently maintain all landscaping except for landscaping included in the Landscape and Lighting District, including the replacement of any trees or shrubs that do not survive.
20. Approved access shall be provided for each lot in accordance with City standards.
21. The Shafter-Wasco Irrigation District (SWID) has indicated the following:
- a. The District has a turnout 4.1-2.0-10 that serves the 20-acre parcel for agricultural purposes.
 - b. The U.S. Government has an easement along Riverside Street 45-feet north from the centerline and there is also a 15-inch AC water line located approximately 35-feet north of the centerline of Riverside Street.
 - c. At the time the property is to no longer be used for agriculture, the developer may submit a request to the SWID Board of Directors requesting that the turnout be removed at the landowner's expense and that the parcel be removed from the District's standby charges. The request for the removal from the Standby must be addressed to the Board of Directors.
 - d. Any development on the parcel which would affect the easement or pipeline, would require a License and Consent to enter upon, construct, operate and maintain a facility on the United States Bureau of Reclamation easements.
 - e. Prior to commencing any work, the developer should contact Ron Sutton (Field Superintendent) with SWID to review construction and permitting requirements over these pipelines.
22. In accordance with a request from Richland School District, a school bus pullout and stop shall be provided on West Riverside Street near the southeast corner of Lot 1, as shown on the tentative map. The bus stop shall include a concrete landing area within the landscaped area adjacent to the sidewalk to provide a standing area for the students. The bus stop shall be signed in accordance with all applicable codes and regulations.

BUILDING

23. Prior to issuing a certificate of occupancy for any lot, building address(es) shall be permanently installed and be clearly visible from the street.
24. No final inspection or issuance of a certificate of occupancy shall be approved for any lot, until all required improvements have been completed by the developer/applicant and accepted by the City.
25. Private drives constructed of Portland cement-concrete shall be constructed at a minimum width of 16 feet from the edge of public roadway pavement to the garage of each house.
26. Prior to recordation of the Final Map, the applicant shall provide written verification that a Notice of Expungement has been recorded for the "Declaration of Substandard Property" (Document #0205170922) recorded on July 1, 2005 by the Kern County Engineering and Survey Services Department, Code Compliance Division.

ENGINEERING: GENERAL

27. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer. The contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
28. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
29. A six (6) foot public utility easement shall be provided in the front of all lots and on the street side of all corner lots as requested by the utility companies and the City Engineer. Easements shall be granted with the final map.
30. Easements to be given to the City or any other public utility agency for, sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
31. Any above ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the applicant and/or the affected utility company.
32. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the applicant.
33. Any onsite wells and septic tanks shall be abandoned per Kern County standards.
34. No final inspection shall be approved until all required improvements have been completed by the applicant and accepted by the City.

35. All new utilities shall be underground service.
36. During construction, vehicular access points shall be covered with decomposed granite, road oil, or some other treatment acceptable to the City Engineer, to prevent generation of dust during periods of vehicular activity and/or windy conditions and tracking of mud and dirt on public roadways.
37. Prior to issuance of a certificate of occupancy on any lot of the proposed tract, all required improvements shall be completed and accepted by the City Council. Additional improvement outside the affected project boundary may be required for orderly development as determined by the City Engineer.
38. All improvements shall be complete within one (1) year from the date of filing of the final map for the development, unless a time extension is granted by the City Engineer.
39. Type and location of centralized mail delivery units shall be determined by the postal service. If the postal service requires special easements for the placement of the delivery units, then said easements shall be shown on the final map.

ENGINEERING: GRADING & DRAINAGE

40. Prior to review of any required improvement plans, both a drainage/hydrology study and a master grading plan for all tract phases shall be submitted to and approved by the City Engineer.
41. The drainage/hydrology study and hydraulic analysis for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. The study shall demonstrate that any potential run-off will not impact surrounding properties. The study shall focus on the project property and any affected adjacent properties.
42. The grading plan for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. All grading shall conform to the California Building Code, latest edition, approved by the City and City adopted standards and specifications. Storm drainage protection and disposal of water into and from the affected property shall be by method approved by the City Engineer.
43. A soils report, prepared by a registered civil engineer shall be submitted along with the grading plan. Soils report shall be performed in compliance with California Building Code, Chapter 18, latest edition. In addition, all site grading, earthwork, and building design shall be performed in accordance with the recommendations of the soils report.
44. A grading permit shall be obtained from the City prior to commencement of any grading activity.
45. Prior to issuance of a building permit, the developer shall file a "Rough Grade Certificate" with the City in accordance with the City Engineering & Design Standards. Rough Grade

Certificate shall be accompanied by certified soil compaction test data from an acceptable materials testing company and a certification that the rough graded in substantial conformance with the approved grading plan and Chapter 33 of the California Building Code. Developer to obtain Rough Grade Certificate form from the City.

46. Prior to final approval, acceptance of work, or issuance of certificate of occupancy, the applicant's engineer shall file a "Final Grade Certificate" stating that all required grading has been done in accordance with the approved grading plan. Developer to obtain Final Grade Certificate form from the City.
47. The location and frequency of soils compaction testing shall be per the City Engineer. Soils compaction testing shall be provided by the developer/owner.
48. Minimum slopes across any flat surface shall be 1%. For lots greater than or equal to one acre (43,560 SF) minimum slopes across any flat surface shall be 0.5% or greater. For slopes less than 1%, surface drainage shall be channeled into a concrete v-gutter, curb and gutter, underground storm drain, or similar drainage structure.
49. All building pads shall provide a minimum of 2% slope away from each house to a earth swale, and a minimum of 1% from the highest point in the swale to the street. The minimum pad height shall be twelve (12) inches above the adjacent top-of-curb.
50. Street side corner lots shall not have their side yard slope (finish grade to back of sidewalk) exceed 4 horizontal:1 vertical. If maximum slope is exceeded, side yard shall be retained in an approved manner.
51. Wood retaining structures shall not be approved. Developer shall use masonry, concrete, or other approved material.
52. **Drainage Basin Offsite Improvements:** If developer intends to utilize the existing drainage basin located on the north side of Elizabeth Avenue for Phase I runoff, then developer shall be responsible for paying a fair share proportion of the following improvements to said drainage basin. Said improvements are also a condition of approval for Tract 6713. Both this developer and the developer of Tract 6713 to the north will be responsible for all or a portion of the following improvements to the drainage basin.

Tract	Runoff Area	% of Total
Tract 6713	23.18	92.1%
Tract 7207, Phase 1	1.98	7.9%
Total Acres	25.16	

Developer shall contribute 7.9% of total developer costs to upgrade the drainage basin to current standard. If Tract 6713 does not develop at the same time as Tract 7207, Phase I, developer shall be assessed a one time fee of \$5,000 (7.9% of an engineer's estimate of \$64,174, see Appendix A) prior to Phase I street improvement plan approval.

Drainage Basin improvements shall include the following:

- a. **Perimeter screening:** The existing chain link fence on the south side of the existing sump as well as the existing chain link fence and gates on the north side against Verde Street shall be replaced with masonry wall (or equivalent) conforming to City standards. Wall shall be continuous with the wall required for the north side of Elizabeth Avenue. Masonry wall shall also be required between the sump and any residential lot of Tract 6713 only. Remaining chain link fencing shall be tied to the new wall in order to complete the enclosure. For all portions of the perimeter wall viewable from the street or the front yards of adjacent lots, the wall shall be decorative in nature.
 - b. **Access Point:** The existing access point located on Verde Street shall be utilized for entrance to the drainage sump. A new gate shall be constructed along with the masonry wall. Gate construction shall be decorative in nature, shall provide a secure entrance to the basin, and shall prevent visibility of the basin. Gate shall be constructed of steel or other approved material. Wood or chain link gates shall not be acceptable. Construction, style, and finish are subject to City approval.
 - c. **Easements:** Easements for access and/or storm drains (if required) shall be provided on the final map or by separate instrument as approved by the City Engineer.
 - d. **Landscaping:** The south side of the existing sump shall be landscaped. See the section entitled ENGINEERING: LANDSCAPING.
53. **Drainage Swales and Localized Basins (approximate 1-Acre Lots):** Developer may create drainage swales or localized drainage sumps for each of the approximate 1-acre lots within Tract 7207, Phases 2 and 3.
- a. Each approximate 1-acre lot shall have its own drainage swale or localized basin and shall not be allowed to drain to any other lot's basin. Each drainage swale or localized basin shall be sized for the lot draining to it.
 - b. Pipes shall not be designed to connect individual swales or drainage basins to each other in order to allow flow from one area to another.
 - c. Drainage swales or localized basins shall be located outside the City right-of-way and any public utility easements.
 - d. At no time shall the drainage swales or localized basins be designed to retain more than 18 inches of water.
54. **Drainage from Public Streets:** Drainage from Riverside Avenue and/or Summer Breeze Court shall be provided its own temporary public drainage basin.
- a. **Perimeter screening:** If the temporary drainage basin exceeds 18 inches in depth, developer shall provide a six-foot chain link fence conforming to City standards. Fence shall be equipped with a gate for maintenance purposes.
 - b. **Access Point:** Access to the temporary drainage basin shall be provided from established City owned right-of-way or access easement. Paving is not required.
 - c. **Easements:** Easements for access and/or storm drains (if required) shall be provided on the final map or by separate instrument as approved by the City Engineer.

55. The number and location of street based siphons and cross gutters allowed, if any, will be determined during the grading and drainage review process. The minimum grade for allowed cross gutters shall be 0.6%.
56. Grading onto adjacent property shall not be done without written permission from the adjacent property owner.
57. The Office of the City Engineer shall be notified 24 hours in advance of the placement of any fill material.
58. Fill and/or import material shall be subject to the approval of the soils engineer.
59. Contractor is responsible for the grading of lot pad areas to within 0.1 foot of the design elevations.
60. All areas in the site on which structures are to be placed must be compacted to 90% relative density, for a minimum distance of 5 feet in all directions from the foundations of the structure.
61. All fill material shall be moisture conditioned to at least 2% above optimum moisture and compacted to 90% relative density, as determined by test methods referenced in California Building Code, Appendix Chapter 33, Section 3305, and so certified by tests and report from the soils engineer.
62. The design engineer shall exercise sufficient supervisory control during grading operations to insure compliance with the plans, specifications, and codes within his purview.
63. The placement of fill shall be in 6 inch maximum lifts, compacted with heavy compaction equipment approved by the City Engineer, unless specifically recommended otherwise in the preliminary soils report.
64. Compaction in proposed pavement areas should be the same as for the building pads, and should extend to a minimum distance of 2 feet beyond the outside edges of pavements.
65. All cut and fill slopes shall not be steeper than 2 horizontal to 1 vertical.
66. All fill areas to be cleared of all vegetation and other unsuitable material for a structural fill and the areas shall be scarified to a depth of 6 inches, unless specifically noted otherwise in the preliminary soils report.
67. All slopes in excess of three feet shall be prepared and maintained to control against erosion.
68. Grading work shall be supervised as engineered grading in accordance with Chapter 33 of the California Building Code.
69. During grading, reasonable searching should be performed for concealed subsurface obstructions. All abandoned subsurface obstructions should be removed. If the terminus of

any abandoned piping is outside the project limits, the piping should be removed within the project and properly capped at the project boundary.

70. Dust Control: It shall be the developer's responsibility to prevent a dust nuisance originating from the site of work as a result of his operations during the effective period of this contract. Preventative measures to be taken by the contractor shall include but not be limited to the following;
 - a. Water shall be applied to all unpaved areas as required to prevent the surfaces from becoming dry enough to permit dust formation.
 - b. Paved surfaces over which vehicular traffic is permitted to travel shall be kept free of dirt.

ENGINEERING: WATER/FIRE

71. Developer shall install a water system for the development together with such equipment, pipeline, and facilities, including individual water services, as may be necessary to ensure the development has a minimum supply of water for the purposes of the development including fire protection. Developer shall submit water improvement plans to the City Engineer for review and approval. Developer shall construct public water systems in accordance with Subdivision Engineering Design Manual for the subject property.
72. Fire protection shall be provided per Kern County Fire Department Standards for the type of development. A Certificate of Approval shall be obtained by the applicant from the Kern County Fire Department. Evidence of this certificate of approval shall be provided to the City prior to acceptance of the water system by the City.
73. The City Engineer shall recommend hydrant type and location if required.
74. Water line size, location, and materials shall be subject to the approval of the City Engineer. Minimum water line size shall be in accordance with the Subdivision Engineering Design Manual.
75. Tie-ins to existing water mains shall be constructed in a manner approved by the City Engineer.
76. Whenever possible, the water system shall be looped to minimize dead ends. For cul-de-sacs greater than 330 feet in length, the water main shall be looped through the side lot lines, of the lots near the end of the cul-de-sac, back to adjacent streets, as directed by the City Engineer. Easements shall be provided to the City in a manner consistent with the Subdivision Engineering & Design Manual.
77. Separate water services shall be installed for each residential property.
78. No permanent structures shall be constructed over proposed or existing utility easements.

79. Prior to the issuance of a building permit, water mains and fire hydrants to be installed by applicant shall be completed, tested, and accepted (UFC 10.502,10.503).

ENGINEERING: SEWER

80. Developer shall install a sewer system for the development together with such materials, pipeline, manholes, and individual services for the purposes of the development. Developer shall submit sewer improvement plans to the City Engineer for review and approval. Developer shall construct public sewer systems in accordance with Subdivision Engineering Design Manual for the subject property.
81. Sewer line size, location, slope, and materials shall be subject to the approval of the City Engineer. Minimum sewer line size, location, slope, and materials shall also be in accordance with the Subdivision Engineering Design Manual.
82. Tie-ins to existing sewer mains, manholes, or other structure shall be constructed as directed by the City Engineer.
83. Separate sewer services shall be installed for each property. At no time shall sewer be joint trenched with water.
84. Sewer lines will not be permitted in easements between the back yards or side yards of single or multi-family lots.
85. No permanent structures shall be constructed over proposed or existing utility easements.
86. ELIZABETH AVENUE: The sewer main to be constructed in Elizabeth Avenue has already been designed for Tract 6713. Developer shall ensure sewers plans submitted for construction in Elizabeth will match the already approved design submitted for Tract 6713. Copies of plans are available on request.
87. SUMMER BREEZE COURT: Due to the lack of available sewer in Riverside Street, all approximate 1-acre lots facing Summer Breeze Court shall be served by individual septic systems. Developer shall install a dry sewer system in Summer Breeze Court with individual services for each approximate 1-acre lot. Dry sewer shall extend to the south side of Riverside Street a minimum of ten (10) feet beyond the proposed street improvements and terminate with a cleanout. Each service onto the approximate 1-acre lots shall be solvent weld capped.

ENGINEERING: STREET & TRAFFIC

88. Developer shall construct and provide right of way for all streets, curb, gutter, cross gutter, drainage facilities, sidewalks, street lights, drive approaches, intersections, and other related improvements for the purposes of the development. Developer shall submit street improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and shall include:

- a. preliminary soils report - including R values taken from proposed road locations and infiltration tests taken from any proposed basin site(s);
 - (1) At least one (1) R-value test will be taken for Elizabeth Avenue and two (2) R-value tests will be taken for Summer Breeze Court.
 - b. preliminary engineer's estimate of construction costs; and
 - c. plan check and inspection fees.
89. The drawings shall include all proposed public street pavement, curb, gutter, driveways, streetlights, cross gutter, catch basins, striping, signage, traffic signals, and sidewalks along the perimeter of all streets adjacent to or within the project site. Said improvement shall be constructed as per the street improvement plans approved by the City Engineer in a manner consistent with the Subdivision Engineering Design Manual.
90. Street Sections:
- a. Pavement structural section calculations shall be performed to verify the proposed structural sections and shall be submitted to and approved by the City Engineer with street plans. Calculations shall use the results of the R-value tests from the soils report.
 - b. The minimum allowable structural section for Elizabeth Avenue shall be 0.17 feet of Asphalt Concrete (3/4" AR-4000) over 0.42 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to City standards. Traffic Index = 5.0. Assumed base soil R-Value of 45.
 - c. The minimum allowable structural section for West Riverside Street shall be 0.38 feet of Asphalt Concrete (3/4" PG 64-10) over 0.67 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to City standards. Traffic Index = 8.0. Assumed base soil R-Value of 45.
 - d. The minimum allowable structural section for Summer Breeze Court shall be 0.17 feet of Asphalt Concrete (1/2" PG 64-10) over 0.33 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to City standards. Traffic Index = 4.0
 - e. Minimum cross slope shall be 1.5% constructed. A minimum of 2% cross slope shall be designed and shown on plans.
91. Street Dimensions:
- a. Elizabeth Avenue shall be developed as a modified local along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Developer shall be responsible for developing that portion south of the centerline as follows:
 - (1) Elizabeth Avenue shall be fifteen (15) feet partial right-of-way with eight (8) feet from centerline to flowline. Total flowline to flowline dimension shall be 40 feet.
 - (2) The design of Elizabeth Avenue shall include the already approved grades and dimensions for Elizabeth Avenue per the approved grading, and street plans for Tract 6713. Copies will be made available on request.
 - (3) If Tract 6713 is not developed prior to Phase I of Tract 7207, then developer shall be responsible for constructing Elizabeth Avenue to

twenty-six (26) feet north of the centerline of Elizabeth Avenue. This is necessary to obtain twenty-four (24) feet of paving plus ten (10) feet for parking. Developer shall also construct a temporary turnaround at the west end of Elizabeth Avenue. Developer shall secure right-of-way from the property owner to the north for both the permanent street and the temporary turnaround.

- b. Riverside Street shall be developed as an arterial, half-width, along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Riverside Street shall be fifty-five (55) feet half right-of-way with forty-one (41) feet centerline to flowline.
 - (1) Riverside Street shall be fifty-five (55) feet half right-of-way with forty-one (41) feet centerline to flowline.
 - (2) Portions of the existing road shall be demolished and Riverside Street shall be constructed to its centerline. Demolition and construction beyond the centerline of Riverside Street may be necessary if existing road profile will not accommodate new construction.
 - (3) Provisions shall be made for both the design and construction of Riverside Street for a future fourteen (14) foot wide landscaped median centered on Riverside Street.
 - c. Summer Breeze Court shall be developed as a full-width local street in accordance with the standards and specifications of the City as approved by the City Engineer. Summer Breeze Court shall be fifty-two (52) feet full-width right-of-way with forty (40) feet flowline to flowline.
92. Should a street transition to another street with a ninety (90) degree turn occur, that transition shall be a street knuckle and shall be shown on the final tract map and in the street improvement plans.
93. Cul-de-sac and street knuckle dimensions and radii to conform to the Subdivision Engineering Design Manual and/or the City Engineer. The use of offset cul-de-sacs is approved provided they meet the requirements of the City.
94. The following streets shall be striped in accordance with the City Engineer and Caltrans Traffic Manual, latest edition. Proposed striping shall be shown on street plans.
- a. West Riverside Street
95. Street signs shall be installed per City standards as required by the City Engineer.
96. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
97. During construction, the applicant shall maintain the project, including adjacent streets in a dust free condition. This condition applies at all times including weekends, evenings and nighttime hours. During construction operations, cleanup of soil from the public roadways shall be required, if deemed necessary, by the City Engineer.

98. Driveway approaches shall be constructed in a manner consistent with the requirements for residential approaches as set forth in the City's Subdivision and Engineering Design Manual. The tops of adjacent drive approaches shall be a minimum of ten (10) feet apart.
99. Sidewalk, including curb, shall be five (5) feet wide and shall be placed behind the curb on all streets. Transitions at intersections and wheelchair ramps shall be provided and installed per City's Subdivision and Engineering Design Manual.
100. Monument and monument covers shall be set per City Standards.
101. Temporary turnarounds, if required, including right of way, shall be granted, designed, and installed per the Subdivision and Engineering Design Manual.
102. Property line locations shall be marked with a chiseled line on the top of curb for all property lines. The location of all sewer laterals shall be indicated on the top of curb with a stamped "S".
103. Street lighting shall be installed in accordance with the City Engineering & Subdivision Design Manual as directed by the City Engineer. Developer shall coordinate with Pacific Gas & Electric to ensure that the street lights are established under the LS-2 rate schedule.
104. Secondary access easements shall be provided at the request of the City Engineer. Within any given phase of development, secondary access easements and improvements shall be provided in a manner approved by the City Engineer. Access roads shall be twelve (12) feet in width and shall consist of three (3) inches of class II aggregate base over six (6) inches of native material compacted to 90% relative maximum density.
105. A waiver of direct access shall be dedicated and shown on the final map as follows:
 - a. Along the south property lines of Lots 1 and 23, as shown on the tentative map.
106. Blue Botts' dots shall be placed at the center of the street for each fire hydrant.
107. A City benchmark shall be established in the top of curb at either the BCR or the ECR on the northwest corner of Summer Breeze Court and West Riverside Street. Location shall be established with an "X" chiseled or stamped in the top of curb. Developer shall have a California State Licensed Surveyor establish the benchmark elevation and submit calculations to the City for review and approval

ENGINEERING: LANDSCAPING

108. All landscaping plans including plants, irrigation equipment, points of connection to water lines, timers, lighting, etc. shall be approved by the City Engineer prior to construction. Landscaping plumbing, electrical, plants, and trees shall be designed for all phases of the tract.

109. Electrical Source for Landscaping:
- a. For landscaping systems that do not require pumps, motorized equipment, or other large power loads, Developer shall make provisions for landscaping timers and solenoids to receive power from the street lighting system.
 - b. Developer shall ensure the electrical loads for the landscaping system meet the requirements of Pacific Gas & Electric LS-2 flat rate.
 - c. Conduits shall be run directly from a street lighting splice box to the secured landscaping cabinet.
 - d. Service wiring size shall match the size of the wiring for street lighting.
 - e. Service wiring shall be adequately protected from overload with in-line fuse or equivalent, serviceable from the landscaping enclosure.
110. Water Source for Landscaping:
- a. Landscaping water service point of connection shall be approved by the City Engineer and shown on the water plans.
 - b. Water source shall be a minimum 2 inch water service conforming to City standards
 - c. Meters, meter boxes, and a backflow prevention device shall be provided.
111. Landscaping Enclosure:
- a. Landscaping Timers, electrical service fuses, breakers, etc., shall be installed within a commercial grade landscaping enclosure.
 - b. Commercial grade landscaping enclosure shall be installed within the dedicated landscaping area adjacent to the water source and/or electrical source.
 - c. Commercial grade landscaping enclosure shall be installed on a concrete foundation poured onto a minimum of 6 inches of native subgrade compacted to 90% (or in accordance with manufacturer's recommendations, whichever is more stringent).
 - d. City of Shafter Subdivision Engineering & Design Manual requires a 110 volt duplex electrical service within the enclosure. This requirement is waived since it will not allow direct connection to the street lighting system per the LS-2 rate.
112. All other landscaping requirements shall meet the requirements of the City of Shafter Subdivision Engineering & Design Manual.
113. Masonry Wall:
- a. A masonry wall, or approved alternative, is to be installed:
 - (1) Along the north right-of-way line of West Riverside Street
 - (2) At the perimeter of any proposed permanent drainage basin.
 - b. Wall plans, materials, dimensions to be approved by City prior to construction.
114. Sleeves shall be placed under the proposed paving for landscaping piping or low voltage electrical per the City Engineer.
115. Developer shall place the entire subdivision within a new or pre-existing Landscape/Lighting Maintenance District, prior to acceptance of improvements by the City.

- a. The maintenance district shall be set-up to cover the cost of street lighting, drainage basin maintenance, and landscaping maintenance, as well as all administrative costs associated with the City's management of the district.
- b. The Developer shall be required to cover the cost of street lighting, maintain all landscaping, including the replacement of any trees or shrubs that do not survive, within public right-of-way and landscape easements for a period of six (6) months after final inspection of the landscape improvements, or until such time as the maintenance district is formed, whichever shall occur last.
- c. Developer shall be fully responsible for the formation, and formation cost of the Landscape/Lighting Maintenance District, as directed by the City Engineer.
- d. Developer shall be fully responsible for paying the cost of water for all landscaping and electricity for the street lights until such time as the maintenance district is formed.

ENGINEERING: OTHER

116. Fiber Optic

- a. Developer shall design and install a system of conduits, terminal boxes, splice boxes, connection points, etc. for fiber optic network for each buildable lot within the development. Plans shall be submitted showing the proposed utility trench and all appurtenant hardware.
- b. Fiber optic conduits can be joint trenched with other utility company pipes and/or conduits. Conduits for fiber optic system shall be mandrelled, checked for obstructions, and equipped with mule tape going from stub to stub. The fiber optic cable shall be pulled by others when system is available.
- c. Design and material specifications are available from the City of Shafter.

APPENDIX A

ENGINEER'S ESTIMATE – BASIN IMPROVEMENTS

ITEM	DESCRIPTION	QTY UNITS	UNIT COST	TOTAL EST
A1	MASONRY WALL, NORTH SIDE	175 LF	\$76.00	\$13,300
	MASONRY WALL, SOUTH SIDE	265 LF	\$76.00	\$20,140
	VENEER COLUMNS, 40 FT +/- SPACING	14 EA	\$1,200.00	\$16,800
A2	16' GATE	1 LS	\$1,600.00	\$1,600
A3	DEMOLITION OF EXISTING CHAIN LINK FENCE	1 LS	\$3,500.00	\$3,500
A4	ENGINEERING	1 LS	\$3,500.00	\$3,000
SUBTOTAL OFFSITE BASIN IMPROVEMENTS:				\$58,340
10% CONTENGENCY:				\$5,834
TOTAL:				\$64,174
	TR 6713	23.18 ACRES	92.1%	\$59,124
	TR 7207 PHASE I	1.98 ACRES	7.9%	\$5,050
		25.16 ACRES TOTAL		\$64,174

DATE: August 12, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: Tentative Tract Map No. 6398 Extension of Time

RECOMMENDATION:

Planning Commission to conduct a public hearing and adopt Resolution No. 25-469, a Resolution of the Planning Commission of the City of Shafter, recommending that the City Council approve a two (2) year extension of time for Tentative Tract Map No. 6398 located on the southwest corner of East Tulare Avenue and North Beech Avenue, in the City of Shafter.

APPLICANT
Dominga Arenas
1330 California Avenue
Bakersfield, CA 93304

OWNER
Simon Arenas and Dominga Arenas
1330 California Avenue
Bakersfield, CA 93304

LOCATION: Southwest corner of East Tulare Avenue and North Beech Avenue (Exhibit 1).

BACKGROUND:

The City Council approved Tentative Tract No. 6398 on July 18, 2006, by Resolution No. 06-1845. The tract map is located at the southwest corner of E. Tulare Avenue and N. Beech Avenue and proposes to subdivide 1.54 acres into 5 single-family residential lots ranging in size from 12,342 square feet to 16,427 square feet (Exhibit 2). The subject property is zoned for Low Density Residential (R-1) development. On July 22, 2025, the property owner, Simon and Arenas and Dominga Arenas requested approval of an extension of time to record the final map for Tentative Tract No. 6398.

The original expiration date for the tentative map was July 18, 2008. The tentative map has remained active due to multiple extensions of time approved by the State legislature, several discretionary extensions of time, and the Development Agreement approved by the City Council. The most recent City Council approval was on September 1, 2020, approving a Development Agreement No. 20-18 for Tentative Tract No. 6398, extending the recordation of the map to October 1, 2025. The applicant has indicated that he is currently working with a local engineering firm to prepare the final map for recordation and he has requested approval of a two-year discretionary extension allowed by the City’s Subdivision Ordinance and the Subdivision Map Act to keep the map available for development while the process is completed. Approval of the requested two-year extension would result in Tentative Tract 6398 expiring on October 1, 2027. If the map has still not been recorded by the new expiration date, the map approval will expire, and the map will be considered null and void. The applicant would thereafter need to submit a new tentative map application for any undeveloped

PUBLIC HEARING

Tentative Tract Map No. 6398 Extension of Time

and unrecorded phases of the tract.

Staff believes the eventual recordation of the approved subdivision would be beneficial to the City and recommends the Planning Commission approve for recommendation to the City Council, the requested two-year extension of time to file a final map for Tentative Tract Map 6398, subject to the conditions approved by the City Council on July 18, 2006 (Exhibit 3).

CEQA:

The City of Shafter adopted a Negative Declaration for Tentative Tract Map No. 6398 on July 18, 2006 (Resolution No. 06-1845); therefore, no additional California Environmental Quality Act analysis or documentation is required for the extension of time.

ATTACHMENTS






EXHIBIT

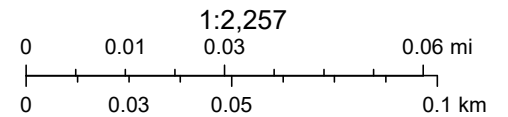
Vicinity Map	1
Tentative Tract Map No. 7207	2
Resolution 06-1845 with Conditions of Approval	3
Resolution 25-469	4

Exhibit 1: Tentative Tract Map No. 6398 Vicinity Map



7/23/2025, 7:57:38 AM

-  Override 1
-  Road Centerlines
-  Collector
-  Arterial
-  Local



Copyright nearmap 2015

EXHIBIT 2: TENTATIVE TRACT NO. 6398 - EXTENSION OF TIME

TENTATIVE TRACT MAP No. 6398

BEING A DIVISION OF THE DESIGNATED REMAINDER PER TRACT MAP No. 5757 FILED IN BOOK 41 OF MAPS AT PAGE 188 IN THE OFFICE OF THE KERN COUNTY RECORDER. ALSO BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 28 SOUTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN, IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA.

DEVELOPMENT NOTES:

LAND SURVEYOR: ROLLAND VAN DE VALK
LS 7214, EXPIRES 03-31-06
1195 ROSE AVENUE
SHAFTER, CA 93263

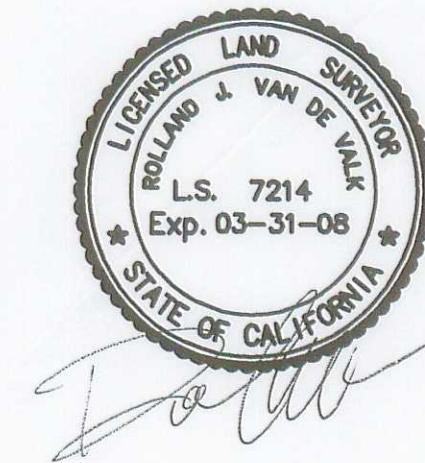
PROPERTY OWNER/DEVELOPER: DOMINGA ARENAS, A MARRIED WOMAN AS HER SOLE AND SEPERATE PROPERTY

MINERAL RIGHTS OWNERSHIP: LEROY EXPERICUETA AND MARIA FRANCISCA ESPERICUETA, CO-TRUSTEES OF THEIR SUCCESSORS IN TRUST, UNDER EXPERICUETA LIVING TRUST DATED JANUARY 9, 1992 AS TO 50% OF THE MINERAL RIGHTS WITHOUT THE RIGHT OF SURFACE ENTRY

480 MAPLE STREET
SHAFTER, CA 93263
746-3595

RAMIRO GONZALES AND OFILIA GONZALES AS TO 50% OF THE MINERAL RIGHTS WITHOUT THE RIGHT OF SURFACE ENTRY

4338 GELDING WAY
BAKERSFIELD, CA 93312
587-1453



ASSESSORS PARCEL No.: 028-060-57

ZONING: R1

GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL

TOTAL PROJECT AREA: 1.54 ACRES GROSS

TOTAL LOTS: 5 LOTS (ALL BUILDABLE)

DENSITY: 3.25 LOTS PER ACRE

WATER SUPPLY: CITY OF SHAFTER

SEWER: CITY OF SHAFTER

DRAINAGE: CITY OF SHAFTER

ELECTRICITY PROVIDER: P.G. & E.

NATURAL GAS PROVIDER: THE GAS COMPANY

SCHOOL DISTRICTS: RICHLAND SCHOOL DISTRICT
SHAFTER HIGH SCHOOL

PROPOSED IMPROVEMENT NOTE:

STREET IMPROVEMENTS: STREET IMPROVEMENTS WILL BE IN ACCORDANCE WITH THE STANDARS OF THE CITY OF SHAFTER. TULARE AVENUE WILL DRAIN WESTERLY TO THE EXISTING IMPROVEMENTS. BEECH AVENUE WILL DRAIN SOUTHERLY. OFF-SITE IMPROVEMENTS WILL BE CONSTRUCTED BY THE DEVELOPER ALONG BEECH AVENUE AND BLAKE STREET FOR DRAINAGE PURPOSES. THE OFF-SITE IMPROVEMENTS WILL NOT INCLUDE SIDEWALK.

SEWER IMPROVEMENTS: SEWER IMPROVEMENTS WILL BE IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF SHAFTER AND/OR ANY MODIFICATIONS APPROVED BY THE CITY ENGINEER.

WATER IMPROVEMENTS: WATER IMPROVEMENTS WILL BE IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF SHAFTER.

EASEMENT NOTES:

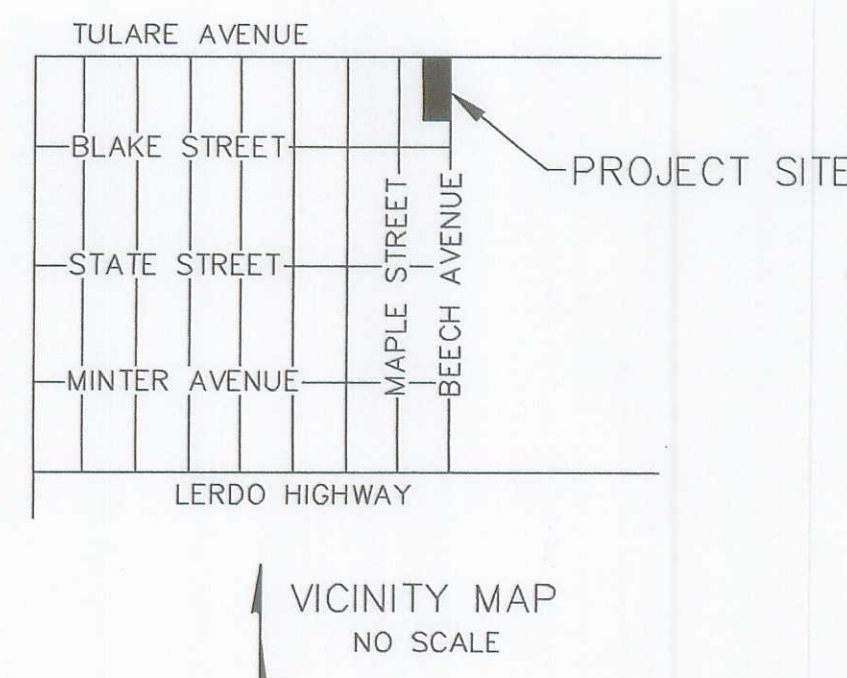
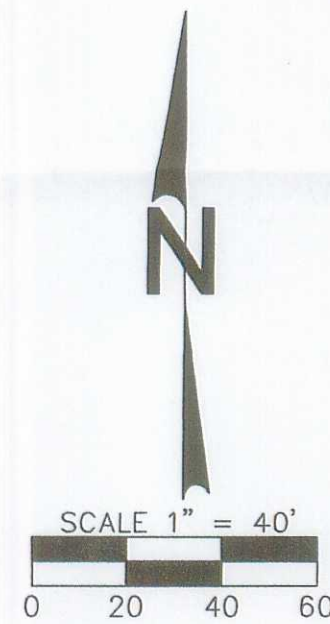
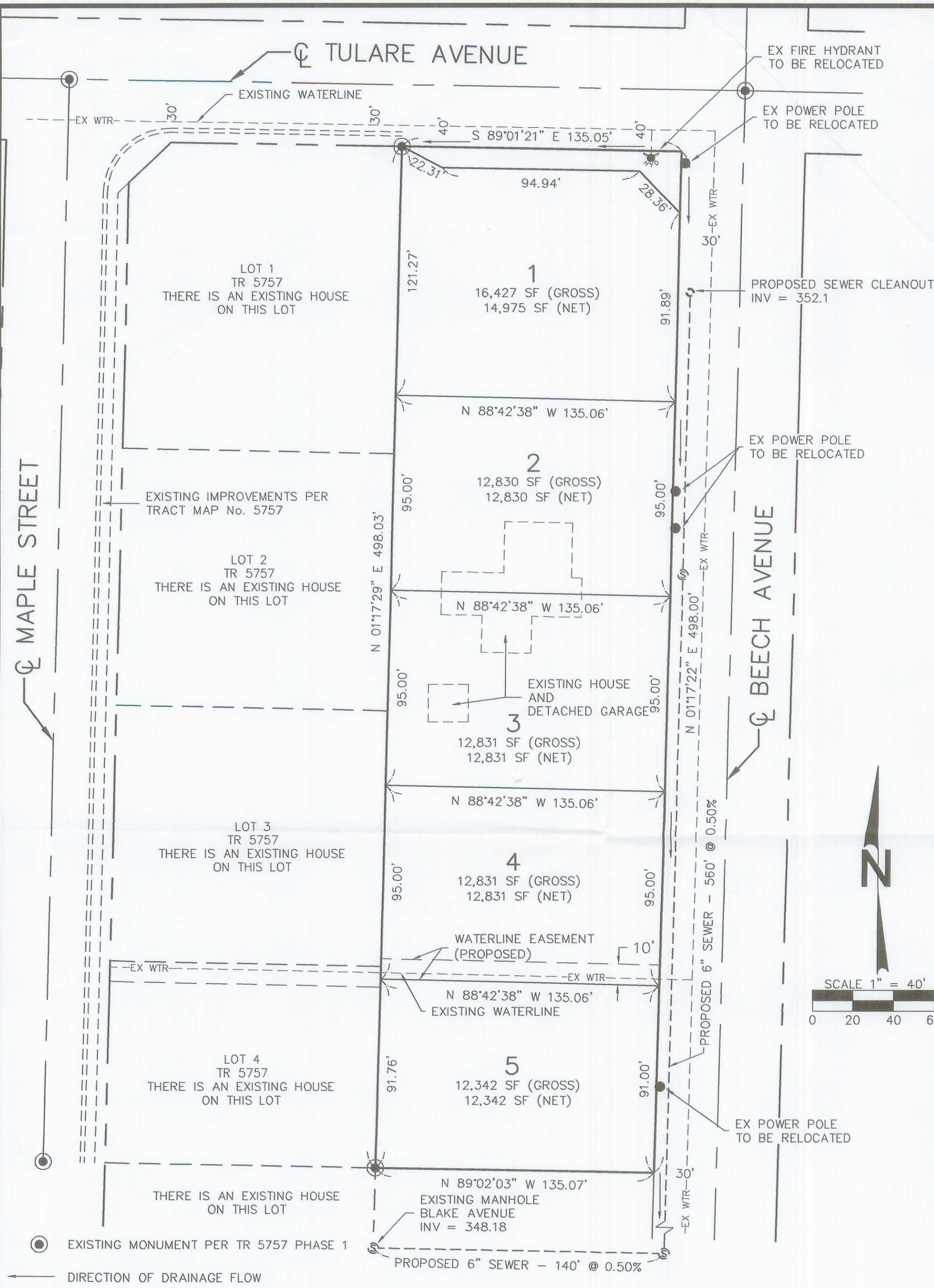
1. RIGHTS, RIGHTS OF WAY, RESERVATIONS AND EXCEPTIONS IN PATENT RECORDED JULY 3, 1878 AS BOOK 4 OF PATENTS AT PAGE 53. THE EXACT LOCATION OF SAID RIGHTS OF WAY AND RESERVATIONS CANNOT BE LOCATED FROM RECORD INFORMATION AND ARE NOT PLOTTED HEREON.
2. AN EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SUCH DITCHES, CANALS, PIPES AND AQUEDUCTS, AS MAY BE NECESSARY OR PROPER FOR SUPPLYING WATER IN FAVOR OF KERN COUNTY LAND COMPANY PER DOCUMENT RECORDED JUNE 24, 1919 IN BOOK 225 OF DEEDS AT PAGE 312 IN THE OFFICE OF THE KERN COUNTY RECORDER. SAID EASEMENT CANNOT BE LOCATED FROM RECORD INFORMATION AND IS NOT PLOTTED HEREON.
3. AN EASEMENT TO CONSTRUCT RECONSTRUCT, INSTALL, INSPECT, MAINTAIN, REPLACE, REMOVE, AND USE FACILITIES THAT CONSIST OF AN ANCHOR WITH SUCH GUY WIRES, CABLES, AND FIXTURES IN FAVOR OF PACIFIC GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED MARCH 1, 1995 AS INSTRUMENT NO. 0195026167 OF OFFICIAL RECORDS IN THE OFFICE OF THE KERN COUNTY RECORDER. ALTHOUGH THE EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED BY RECORD INFORMATION, IT IS ASSUMED THAT THE EASEMENT FALLS WITHIN THE EASTERLY 30.00 FEET OF THE SOUTHEAST QUARTER OF SECTION 10.

MINERAL LEASE:

EOG RESOURCES, INC.
P. O. BOX 4362
HOUSTON, TX 77210-4362
(713) 651-7000

CITY OF SHAFTER PLANNING DEPT

Date Map Approved By City Council
Date 7-18-06



RESOLUTION NO. 06-1845

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER
ADOPTING A NEGATIVE DECLARATION AND APPROVING TENTATIVE
TRACT NO. 6398, AS DEPICTED IN EXHIBIT "2"**

WHEREAS, Roland Van De Valk filed an application requesting approval of Tentative Tract No. 6398 on that certain property in the City of Shafter as shown in Exhibit "2"; and

WHEREAS, the Planning Commission did, on June 13, 2006, approve Resolution No. 06-108; a resolution of the Planning Commission of the City of Shafter recommending that the City Council approve Tentative Tract No. 6398; and

WHEREAS, the laws and regulations relating to the California Environmental Quality Act (CEQA) and the City of Shafter's CEQA Implementation Procedures, have been duly followed by city staff, Planning Commission, and City Council; and

WHEREAS, a Negative Declaration has been prepared for the above described project; and

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

WHEREAS, at said public hearing held on July 18, 2006, the proposed tentative tract map submitted by Roland Van De Valk and considered and the City Council found as follows:

1. All required public notices have been given. Hearing notices regarding the proposed project were mailed to property owners within 300 feet of the project area and published in a local newspaper of general circulation at least 10 days prior to the hearing.

2. The provisions of CEQA and City of Shafter CEQA Implementation Procedures have been followed. The City Council has reviewed the environmental documentation associated with this project and has determined that the project will not have a significant impact on the environment.

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

4. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

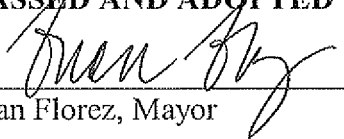
5. Urban services are available for the proposed development. The project is within an area to be served by all necessary utilities and waste disposal systems. Improvements proposed as part of the project will deliver utilities to the individual lots or parcels to be created.

6. The proposed subdivision (Tentative Tract No. 6398), together with the provisions for its design and improvement, is consistent with the General Plan. The proposed density and intensity of development are consistent with the LR (Low Density Residential) land use designations for the property. Proposed road improvements are consistent with the Circulation Program. The overall design of the project, as conditioned, is consistent with the goals and policies of all elements of the General Plan.

7. The project must be granted a "de minimis" exemption with respect to the payment of Fish and Game Section 711 fees. Based on the absence of evidence in the record, as required by Section 21082.2 of the State of California Public Resources Code (CEQA) for the purpose of documenting significant effects, it is the conclusion of the City of Shafter that this project will result in impacts that fall below the threshold of significance with regard to wildlife resources and, therefore, must be granted a "de minimis" exemption in accordance with Section 711 of the State of California Fish and Game Code. Additionally, the assumption of adverse effect is rebutted by the above-referenced absence of evidence in the record and the Lead Agency's decision to prepare a Negative Declaration for this project.

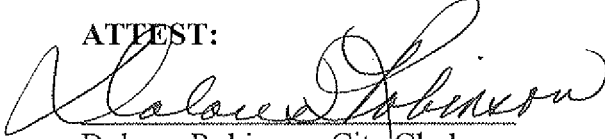
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Shafter, in a regular session assembled on the 18th day of July, 2006, hereby adopts the Negative Declaration and approves Tentative Tract Map No. 6398, as described above and shown in Exhibit "2", with conditions of approval as shown in Exhibit "1"

PASSED AND ADOPTED THIS 18th DAY OF JULY, 2006.



Fran Florez, Mayor

ATTEST:



Dolores Robinson, City Clerk

APPROVED AS TO FORM

Stephen P. Deitsch S/S

Stephen P. Deitsch, City Attorney

CERTIFICATE

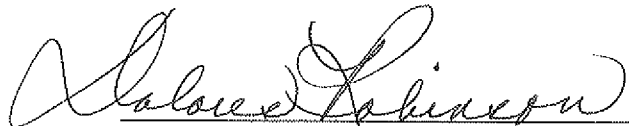
STATE OF CALIFORNIA)
)
COUNTY OF KERN) ss.

I, Dolores Robinson, City Clerk of the City of Shafter, California, DO HEREBY CERTIFY that the above and foregoing Resolution of the City Council of the City of Shafter was duly passed and adopted at a Regular Meeting held on the 18th day of July, 2006, by the following vote:

AYES: Colvard, Prout, Johnston & Florez
NOES: None
ABSENT: Nelson
ABSTAINING: None

DATED: July 19, 2006

(SEAL)



City Clerk of the City of Shafter

**TENTATIVE TRACT NO. 6398
CONDITIONS OF APPROVAL
EXHIBIT 1**

ENGINEERING: GENERAL

1. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer. The contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
2. Developer is hereby notified that any existing street improvements damaged or removed during the construction of improvements shall be replaced with acceptable temporary paving prior to the contractor leaving the site of work.
 - (a.) Exceptions: Temporary paving shall not be required to be replaced where acceptable two way traffic can still be maintained in each direction.
3. Acceptable traffic control, including signs and personnel, shall be utilized whenever construction of required improvements requires the contractor to work within existing vehicular paths of travel. If determined necessary by the City Engineer, contractor shall include provisions to allow for pedestrian traffic through or past the construction site. The latest edition of the Caltrans Traffic Manual shall be the standard for all construction related traffic control.
4. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
5. A six (6) foot public utility easement shall be provided in the front of all lots and on the street side of all corner lots as requested by the utility companies and the City Engineer. Easements shall be granted with the final map.
6. Easements to be given to the City or any other public utility agency for, sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
7. Any above ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the applicant and/or the affected utility company.
8. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the applicant.
9. Any onsite wells shall be abandoned per Kern County standards.

10. No final inspection shall be approved until all required improvements have been completed by the applicant and accepted by the City.
11. All new utilities shall be underground service.
12. During construction, vehicular access points shall be covered with decomposed granite, road oil, or some other treatment acceptable to the City Engineer, to prevent generation of dust during periods of vehicular activity and/or windy conditions and tracking of mud and dirt on public roadways.
13. Prior to issuance of a certificate of occupancy on any lot of the proposed tract, all required improvements shall be completed and accepted by the City Council. Additional improvement outside the affected project boundary may be required for orderly development as determined by the City Engineer.
14. All improvements shall be complete within one (1) year from the date of filing of the final map for the development, unless a time extension is granted by the City Engineer.
15. Type & location of centralized mail delivery units shall be determined by the postal service. If the postal service requires special easements for the placement of the delivery units, then said easements shall be shown on the final map.

ENGINEERING: GRADING & DRAINAGE

16. All grading and drainage shall conform to a master grading & drainage plan to be performed by the developer's engineer for Tract 6398.
17. Prior to review of any required improvement plans, both a drainage/hydrology study and a grading plan shall be submitted to and approved by the City Engineer.
18. The drainage/hydrology study and hydraulic analysis for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. The study shall demonstrate that any potential run-off will not impact surrounding properties. The study shall focus on the project property and any affected adjacent properties.
19. The grading plan for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. All grading work shall conform to the California Building Code, latest edition approved by the City, and City adopted standards and specifications. Storm drainage protection and disposal of water into and from the affected property shall be by method approved by the City Engineer.
20. A soils report, prepared by a registered civil engineer shall be submitted along with the grading plan. Soils report shall be performed in compliance with California Building Code, Chapter 18, latest edition. In addition, all site grading, earthwork, & building design shall be performed in accordance with the recommendations of the soils report.

21. A grading permit shall be obtained from the City prior to commencement of any grading activity.
22. Prior to issuance of a building permit, the developer shall file a "Rough Grade Certificate" with the City in accordance with the City Engineering & Design Standards. Rough Grade Certificate shall be accompanied by certified soil compaction test data from an acceptable materials testing company and a certification that the rough graded in substantial conformance with the approved grading plan and Chapter 33 of the California Building Code . Developer to obtain Rough Grade Certificate form from the City.
23. Prior to final approval, acceptance of work, or issuance of certificate of occupancy, the applicant's engineer shall file a "Final Grade Certificate" stating that all required grading has been done in accordance with the approved grading plan. An as built grading plan shall be submitted showing the as-built condition. Developer to obtain Final Grade Certificate form from the City.
24. The location & frequency of soils compaction testing shall be per the City Engineer. Soils compaction testing shall be provided by the developer/owner.
25. Minimum slopes across any flat surface shall be 1%. For slopes less than 1%, surface drainage shall be channeled into a concrete v-gutter, curb & gutter, underground storm drain, or similar drainage structure.
26. At a minimum, building finish pad elevation shall be established so that the finish floor elevation is a minimum of twelve (12) inches plus 2% slope from the lowest adjacent flowline to the finish floor. Slope away from the structure shall be a minimum of 2%. Building pads shall drain to a earth swale beginning at the rear of the lot and terminating at the front yard street improvements. Corner lots shall not be permitted to drain to the side street. The earth swale shall provide a minimum of 1% from the highest point in the swale to the street.
 - (a.) Exception: Lots that are over 10,800 sq ft in size and have a lot depth in excess of 120 feet can have a minimum of 0.5% from the highest point in the swale to the street.
27. Street side corner lots shall not have their side yard slope (finish grade to back of sidewalk) exceed 4 horizontal:1 vertical. If maximum slope is exceeded, side yard shall be retained in an approved manner.
28. Wood retaining structures shall not be approved. Developer shall use masonry, concrete, or other approved material.
29. Storm drainage shall be contained within the development unless approved otherwise by the City Engineer. Street drainage shall be mitigated in a manner approved by the City Engineer.
30. There are no drainage basing established in the immediate are of the development, and there are no curbs, gutters, v-gutters, storm drains, or catch basins to the immediate south of the development where all site and street drainage is expected to go.
 - (a.) Developer shall be required to design and construct offsite drainage improvements in order to mitigate drainage from the development. Drainage from the development shall be allowed

to drain either:

- i.) south on Beech towards Lerdo Hwy in a new cross gutter (with new curb returns) constructed across Blake Street on the west side of Beech, or
- ii.) south on Beech, then west on the north side of Blake to the existing curb & gutter. (Note: This option will require the reconstruction of a portion of the north side of Blake Street)

(b.) In either case:

- i.) Developer shall be responsible for all design, engineering, and construction of said offsite street improvements.
- ii.) Developer shall design the street improvements to accommodate the existing drive approach, front yard walkway, and yard frontage of the existing residence at 405 Beech Street, located just south and adjacent to proposed lot 5 of Tract 6398. A residential drive approach shall be constructed to match the existing drive location.
- iii.) Owner and resident of 405 Beech Street shall be given advanced written notice of all construction activity along any portion of their street frontage.
- iv.) Sidewalk improvements and/or wheelchair ramps shall not be required with the construction of offsite street improvements.
- v.) Developer shall obtain right of way for offsite street improvements, if necessary.

31. The number and location of street based siphons and cross gutters allowed, if any, will be determined during the grading and drainage review process. The minimum grade for allowed cross gutters shall be 0.6%.
32. Grading onto adjacent property shall not be done without written permission from the adjacent property owner.
33. The Office of the City Engineer shall be notified 24 hours in advance of the placement of any fill material.
34. Fill and/or import material shall be subject to the approval of the soils engineer.
35. Contractor is responsible for the grading of lot pad areas to within 0.1' of the design elevations.
36. The design engineer shall exercise sufficient supervisory control during grading operations to insure compliance with the plans, specifications, and code within his purview.
37. Compaction in proposed pavement areas should be the same as for the building pads, and should extend to a minimum distance of 2' beyond the outside edges of pavements.
38. All cut and fill slopes shall not be steeper than 2 horizontal to 1 vertical.
39. All slopes in excess of three feet shall be prepared and maintained to control against erosion.
40. Grading work shall be supervised as engineered grading in accordance with Chapter 33 of the California Building Code.

41. During grading, reasonable searching should be performed for concealed subsurface obstructions. All abandoned subsurface obstructions should be removed. If the terminus of any abandoned piping is outside the project limits, the piping should be removed within the project and properly capped at the project boundary.
42. Dust Control: It shall be the developer's responsibility to prevent a dust nuisance originating from the site of work as a result of his operations during the effective period of this contract. Preventative measures to be taken by the contractor shall include but not be limited to the following;
 - (a.) Water shall be applied to all unpaved areas as required to prevent the surfaces from becoming dry enough to permit dust formation.
 - (b.) Paved surfaces over which vehicular traffic is permitted to travel shall be kept free of dirt.

ENGINEERING: WATER/FIRE

43. Developer shall install a water system for the development together with such equipment, pipeline, and facilities, including individual water services, as may be necessary to ensure the development has a minimum supply of water for the purposes of the development including fire protection. Developer shall submit water improvement plans to the City Engineer for review and approval. Developer shall construct public water systems in accordance with Subdivision Engineering Design Manual for the subject property.
44. Fire protection shall be provided per Kern County Fire Department Standards for the type of development. A Certificate of Approval shall be obtained by the applicant from the Kern County Fire Department. Evidence of this certificate of approval shall be provided to the City prior to acceptance of the water system by the City.
45. The City Engineer shall recommend hydrant type and location if required.
46. Water line size, location, and materials shall be subject to the approval of the City Engineer. Minimum water line size shall be in accordance with the Subdivision Engineering Design Manual.
47. Tie-ins to existing water mains shall be constructed in a manner approved by the City Engineer.
48. Whenever possible, the water system shall be looped to minimize dead ends. For cul-de-sacs greater than 330 feet in length, the water main shall be looped through the side lot lines, of the lots near the end of the cul-de-sac, back to adjacent streets, as directed by the City Engineer. Easements shall be provided to the City in a manner consistent with the Subdivision Engineering & Design Manual.
49. Separate water services shall be installed for each residential property.
50. No permanent structures shall be constructed over proposed or existing utility easements.
51. Prior to the issuance of a building permit, water mains and fire hydrants to be installed by applicant shall be completed, tested, and accepted (UFC 10.502,10.503).

ENGINEERING: SEWER

52. Developer shall install a sewer system for the development together with such materials, pipeline, manholes, and individual services for the purposes of the development. Developer shall submit sewer improvement plans to the City Engineer for review and approval. Developer shall construct public sewer systems in accordance with Subdivision Engineering Design Manual for the subject property.
53. No properties shall be served by a septic system.
54. Sewer line size, location, slope, and materials shall be subject to the approval of the City Engineer. Minimum sewer line size, location, slope, and materials shall also be in accordance with the Subdivision Engineering Design Manual.
55. Tie-ins to existing sewer mains, manholes, or other structure shall be constructed as directed by the City Engineer.
56. Separate sewer services shall be installed for each property. At no time shall sewer be joint trench with water.
57. Sewer lines will not be permitted in easements between the back yards or side yards of single or multi-family lots.
58. No permanent structures shall be constructed over proposed or existing utility easements.
59. SEWER IMPROVEMENT AGREEMENT: *This condition shall only apply if developer is not able to connect the sewer required for this tract into the existing city sewer system in Blake Street, and must connect to a future system to be installed in Beech Street as a part of a larger sewer improvement program currently under study.*
 - (a.) Currently, there is no usable sewer main or infrastructure available for this development. This infrastructure shall be designed & constructed for the benefit of this development and adjacent developments.
 - (b.) Septic systems shall not be allowed.
 - (c.) Developer shall enter into an agreement with the City of Shafter to provide sewer facilities usable for each of the 5 buildable lots of Tract 6398 and any proposed use for the designated remainder.
 - (d.) This agreement between the developer and the City shall provide for extending the City's sewer system northerly along Beech Street to serve the City's upper east side area, of which Tract 6398 shall be considered a part thereof.
 - (e.) Building permits for any lot on Tract 6398 will not be provided until the applicant has entered into said sewer service agreement with the City of Shafter.
 - (f.) Other developers shall be required to enter into the same agreement with the City of Shafter for the extension of sewer facilities along Beech Street.
 - (g.) This agreement shall distribute the costs of the infrastructure improvement to each development based upon the number of Equivalent Dwelling Units (EDUs) within each development. One (1) residence is considered one (1) EDU.

- (h.) Costs of the infrastructure improvement shall include all surveying, engineering, design, construction, testing, construction management, and administration.
- (i.) City of Shafter shall be the lead agency for the project.

ENGINEERING: STREET & TRAFFIC

- 60. Developer shall construct and provide right of way for all streets, curb, gutter, cross gutter, drainage facilities, sidewalks, street lights, drive approaches, intersections, and other related improvements for the purposes of the development. Developer shall submit street improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and shall include:
 - (a.) preliminary soils report - including R values taken from proposed road locations and infiltration tests taken from any proposed basin site(s);
 - i.) At least one (1) R-value tests will be taken for Tulare Avenue, one (1) for Beech Street.
 - (b.) preliminary engineer's estimate of construction costs; and
 - (c.) plan check and inspection fees.

- 61. The drawings shall include all proposed public street pavement, curb, gutter, driveways, streetlights, cross gutter, catch basins, striping, signage, traffic signals, and sidewalks along the perimeter of all streets adjacent to or within the project site. Said improvement shall be constructed as per the street improvement plans approved by the City Engineer in a manner consistent with the Subdivision Engineering Design Manual.

- 62. Street Sections:
 - (a.) The minimum allowable structural section for Beech Street shall be 0.27 feet of Asphalt Concrete (3/4" AR-4000) over 0.50 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index =6.0. Assumed base soil R-Value of 45.
 - (b.) The minimum allowable structural section for Tulare Avenue shall be 0.27 feet of Asphalt Concrete (3/4" AR-4000) over 0.50 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index =6.0. Assumed base soil R-Value of 45.
 - (c.) Pavement structural section calculations shall be performed to verify the proposed structural sections and shall be submitted to and approved by the City Engineer with street plans. Calculations shall use the results of the R-value tests from the soils report.
 - (d.) Minimum cross slope shall be 1.5% constructed. A minimum of 2% cross slope shall be designed and shown on plans.

- 63. Street Dimensions:
 - (a.) Tulare Avenue shall be developed as a modified major collector, half width, along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Tulare Avenue shall be forty (40) feet half right of way with thirty-three (33) feet centerline to flowline. Dimensions have been modified from standard to fit the engineered plan for the intersection
 - i.) The existing edge of paving of Tulare Avenue shall be sawcut and Tulare Avenue shall be constructed to match the paving at the sawcut line.
 - ii.) Curb & gutter along Tulare shall transition from existing to proposed location in a manner

acceptable to the City Engineer.

(b.) Beech Street shall be developed as an offset modified arterial along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Beech Street shall be granted thirty (30) feet of right of way from the development. Flowline shall be constructed at twenty (20) feet centerline to flowline. Total right of way, including existing, shall be eighty (80) feet with a total of sixty (60) feet between opposing flowlines.

i.) Portions of the existing road shall be demolished and Beech Street shall be reconstructed to its centerline.

(c.) The intersection of Beech Street and Tulare Avenue shall be expanded to provide additional right of way for turning lanes in accordance with City standards and in accordance with the plan developed by the City for the intersection by the City Engineer. Dimensions are subject to approval by the City Engineer.

64. Should a street transition to another street with a ninety (90) degree turn occur, that transition shall be a street knuckle and shall be shown on the final tract map and in the street improvement plans.
65. Cul-de-sac and street knuckle dimensions & radii to conform to the Subdivision Engineering Design Manual and/or the City Engineer. The use of offset cul-de-sacs is approved provided they meet the requirements of the City.
66. The following streets shall be striped in accordance with the City Engineer and Caltrans Traffic Manual, latest edition. Proposed striping shall be shown on street plans.
 - (a.) Tulare Avenue
 - (b.) Beech Street
67. Street signs shall be installed per City standards as required by the City Engineer.
68. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
69. During construction, the applicant shall maintain the project, including adjacent streets in a dust free condition. This condition applies at all times including weekends, evenings and night time hours. During construction operations, cleanup of soil from the public roadways shall be required, if deemed necessary, by the City Engineer.
70. Driveway approaches shall be constructed in a manner consistent with the requirements for residential approaches as set forth in the City's Subdivision and Engineering Design Manual.
71. Sidewalk, including curb, shall be five (5) feet wide and shall be placed behind the curb on all streets. Transitions at intersections and wheelchair ramps shall be provided and installed per City's Subdivision and Engineering Design Manual.
72. Monument and monument covers shall be set per City Standards.
73. Temporary turnarounds, if required, including right of way, shall be granted, designed, & installed per the Subdivision and Engineering Design Manual.

74. Property line locations shall be marked with a chiseled line on the top of curb for all property lines. The location of all sewer laterals shall be indicated on the top of curb with a stamped "S".
75. Street lighting shall be installed in accordance with the City Engineering & Subdivision Design Manual as directed by the City Engineer. Developer shall coordinate with Pacific Gas & Electric to ensure that the street lights are established under the LS-2B rate schedule.
76. Secondary access easements shall be provided at the request of the City Engineer. Within any given phase of development, secondary access easements and improvements shall be provided in a manner approved by the City Engineer. Access roads shall be twelve (12) feet in width and shall consist of three (3) inches of class II aggregate base over six (6) inches of native material compacted to 90% relative maximum density.
77. A waiver of direct access shall be dedicated and shown on the final map along:
 - (a.) Along the north property lines of lot 1.
 - (b.) Along the north sixty (60) feet of the east property line of lot 1.
78. Blue Botts' dots shall be placed at the center of the street for each fire hydrant in accordance with city and fire department standards.

ENGINEERING: LANDSCAPING

79. There are no public landscaping requirements for this development.

PLANNING

80. The developer(s) (hereinafter referred to as "Developer"), at their sole cost and expense, shall defend, indemnify and hold harmless the City of Shafter (hereinafter referred to as "City"), its agents, legislative body, officers and employees in any legal or administrative action, claim or proceeding concerning approval of Tentative Tract No. 6398 (hereinafter referred to as "TT 6398") or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City's reasonable approvals. Developer shall also reimburse the City, its agents, legislative body, officers and employees for any judgments, amounts paid in settlements, court costs and attorneys' fees which the City, its agents, legislative body, officers and employees may be required to pay at court as a result of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer of their obligations under this condition.
81. The following disclosure shall be given as part of transfer of properties: "If your real property is near property used for agricultural operations, you may be subject to inconveniences or discomforts arising from such operations on any 24 hour basis. Said discomforts may include, but not be limited to equipment noises, odors from manure or other chemicals, and dust or smoke. The City has determined that the use of real property for agricultural operations is a high priority and favored use to the City and Kern County and will not be considered a nuisance for those inconveniences or

discomforts arising from agricultural operations, provided such operations are consistent with accepted customs, standards, and laws."

82. Developer, or the general contractor, shall submit a list of all contractors and/or subcontractors performing work on TT 6398 to the City Administrative Services Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City.
83. Until all portions of TT 6398 have been completed, all vacant and undeveloped land shall be maintained within the boundaries of TT 6398 in a weed-free and clean and orderly manner by Developer. Should said property not be so maintained, the City shall notify property owner that the property is to be cleaned within thirty days of receipt of said notice. If property owner does not comply within the required time frame, City may then clear the land and bill property owner for expenses incurred.
84. TT 6398 shall expire twenty-four months from the date of approval by the City Council, unless an extension is granted by the City Council. Should an extension be requested, the applicant, not less than sixty days prior to the expiration date, shall submit to the City in writing, a request for an extension of that approval in accordance with the provisions of City Codes.
85. Developer shall comply with the latest Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electrical Code, Uniform Fire Code and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits.
86. TT 6398 shall conform to the in-lieu park fee measures (Quimby Act) of the City of Shafter. Said fees shall be paid prior to recordation of the Final Map.
87. The project site is within the administrative boundaries of the North Shafter oilfield. According to the State Division of Oil, Gas and Geothermal Resources, there are no oil, gas, or injection wells of record within the project boundaries. However, if any abandoned or unrecorded wells are uncovered or damaged during excavation or grading, remedial plugging operations may be required at the property owners expense. The State Division of Oil, gas, and Geothermal Resources must be contacted in the event that any abandoned or unrecorded wells are discovered on the site.
88. In lieu of the construction of alleys, Developer shall pay refuse capacity fee as required by Ordinance No. 351. Refuse capacity fee shall be due and payable prior to recordation of a Final Map.
89. Prior to recordation of Tract Map No. 6398, the developer shall enter into a development agreement with the City of Shafter, in a form and substance reasonably approved and required by the City, which shall provide for a minimum square footage of residential units within the subdivision (1,800 square feet), and which shall provide for payment of park fees, traffic fees and other fees established by the City. In the event that the City has not adopted such fees in a timely manner such that the developer would have to make payment at the time of obtaining each building permit for development of the subdivision, then the developer and the City agree that park fees shall be a minimum of \$1,500 per lot and traffic fees shall be a minimum of \$5,000 per lot, public safety fee of \$300 per unit plus \$0.20 per square foot and that such fees represent the actual costs pertaining to park and recreation, traffic, and public safety impacts proportional to and directly related to each lot. Such fees shall be paid

regardless of whether the developer and the City enter into a development agreement. In addition, the developer shall cooperate with the City regarding the establishment and formation of a community facilities district for school purposes, and the developer shall require all successors in interest in and to the subdivision, and each portion thereof, to cooperate with the City in the establishment of such a district. For this purpose, the developer and its successors in interest shall not object or participate in any protest regarding the formation of such a district, and shall affirmatively vote "yes" with respect to all real property within the subdivision for purposes of establishing such a district.

90. Prior to issuance of each building permit for houses within TT 6398, Developer shall submit a site plan to the City Planning Department for review and approval. The site plan shall reference the floor plan layout and building elevations, including exterior building materials and colors, for each of the single-family residences to be constructed within TT 6484. All architectural features of each single-family residence and all landscaping requirements set forth in Section 2.80, Chapter 2, Title 17 of the Shafter Municipal Code (Design Review) shall be adhered to. All roofs constructed within TT 6484 shall be of concrete tile or Prestique I High Definition manufactured by ELK Corporation in Shafter, its equivalent, or better.

Developer may request approval to substitute equivalent housing plans in lieu of any of the plans provided as part of the application for TT 6398. The City's Project Assistance Team shall determine, in the exercise of its reasonable discretion, whether a proposed substitute is equivalent to the corresponding floor plan and elevation previously provided as a requirement of Section 2.80, Chapter 2, Title 17 of the Shafter Municipal Code. At a minimum, however, the proposed equivalent plan must be of the same or greater size than the plan it is intended to replace within TT 6398.

91. All roof-mounted air conditioning equipment shall be located on the rear portion of the roof ridge line in such a manner as to be screened as much as practical from view from public streets.
92. With the exception of model houses, as provided in Section 3.080, Chapter 3, Title 16 (Subdivision Ordinance) of the Shafter Municipal Code, no building permit shall be issued by the City until TT 6704 has been recorded pursuant to the requirements of Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Shafter Municipal Code.
93. All requirements of Section 2.80.6 (Residential Subdivision Land Use Design Criteria) of the City's Zoning Ordinance shall be met.
94. The developer of Tract 6398 shall comply with all San Joaquin Valley Unified Air Pollution Control District (**SJVUAPCD**) requirements while grading and developing the site. It is the developers responsibility to contact the SJVUAPCD to determine which requirements/rules the developer must comply with.

BUILDING

95. Prior to recordation of Tract 6398, the existing house, garage, and septic system must be demolished. All permits from the City of Shafter and San Joaquin Valley Air Pollution Control District must be obtained prior to demolition of the house, garage, and/or septic system. Or, alternatively, prior to recordation of tract 6398, the applicant shall combine lots 2 and 3 and renumber lots 4 and 5 as appropriate so that lot line does not pass through the existing house.

96. Hydrant spacing, flows, type and maintenance shall be as approved by the Kern County Fire Department. In addition, the Kern County Fire Department must review and approve all water improvement plans prior to installation of water system.
97. Private drives constructed of Portland cement-concrete shall be constructed at a minimum width of 16 feet from the edge of public roadway pavement to the garage of each house.
98. Prior to permitting occupancy of any lot, building addresses shall be permanently installed and clearly visible from the street.

TENTATIVE TRACT NO. 6398 - EXTENSION OF TIME

TENTATIVE TRACT MAP No. 6398

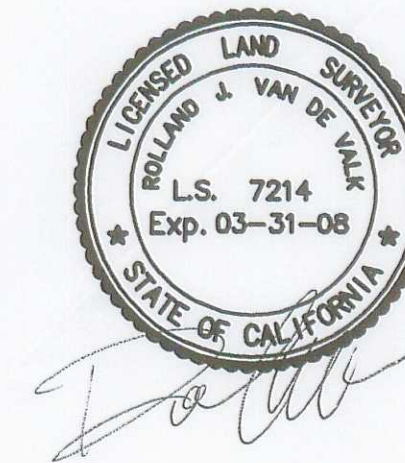
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DEVELOPMENT NOTES:

LAND SURVEYOR: ROLLAND VAN DE VALK
LS 7214, EXPIRES 03-31-06
1195 ROSE AVENUE
SHAFTER, CA 93263

PROPERTY OWNER/DEVELOPER: DOMINGA ARENAS, A MARRIED WOMAN AS HER SOLE AND SEPERATE PROPERTY

MINERAL RIGHTS OWNERSHIP: LEROY EXPERICUETA AND MARIA FRANCISCA ESPERICUETA, CO-TRUSTEES OF THEIR SUCCESSORS IN TRUST, UNDER EXPERICUETA LIVING TRUST DATED JANUARY 9, 1992 AS TO 50% OF THE MINERAL RIGHTS WITHOUT THE RIGHT OF SURFACE ENTRY



480 MAPLE STREET
SHAFTER, CA 93263
746-3595

RAMIRO GONZALES AND OFILIA GONZALES AS TO 50% OF THE MINERAL RIGHTS WITHOUT THE RIGHT OF SURFACE ENTRY

4338 GELDING WAY
BAKERSFIELD, CA 93312
587-1453

ASSESSORS PARCEL No.: 028-060-57

ZONING: R1

GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL

TOTAL PROJECT AREA: 1.54 ACRES GROSS

TOTAL LOTS: 5 LOTS (ALL BUILDABLE)

DENSITY: 3.25 LOTS PER ACRE

WATER SUPPLY: CITY OF SHAFTER

SEWER: CITY OF SHAFTER

DRAINAGE: CITY OF SHAFTER

ELECTRICITY PROVIDER: P.G. & E.

NATURAL GAS PROVIDER: THE GAS COMPANY

SCHOOL DISTRICTS: RICHLAND SCHOOL DISTRICT
SHAFTER HIGH SCHOOL

PROPOSED IMPROVEMENT NOTE:

STREET IMPROVEMENTS: STREET IMPROVEMENTS WILL BE IN ACCORDANCE WITH THE STANDARS OF THE CITY OF SHAFTER. TULARE AVENUE WILL DRAIN WESTERLY TO THE EXISTING IMPROVEMENTS. BEECH AVENUE WILL DRAIN SOUTHERLY. OFF-SITE IMPROVEMENTS WILL BE CONSTRUCTED BY THE DEVELOPER ALONG BEECH AVENUE AND BLAKE STREET FOR DRAINAGE PURPOSES. THE OFF-SITE IMPROVEMENTS WILL NOT INCLUDE SIDEWALK.

SEWER IMPROVEMENTS: SEWER IMPROVEMENTS WILL BE IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF SHAFTER AND/OR ANY MODIFICATIONS APPROVED BY THE CITY ENGINEER.

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ONE SHEET ONLY

EASEMENT NOTES:

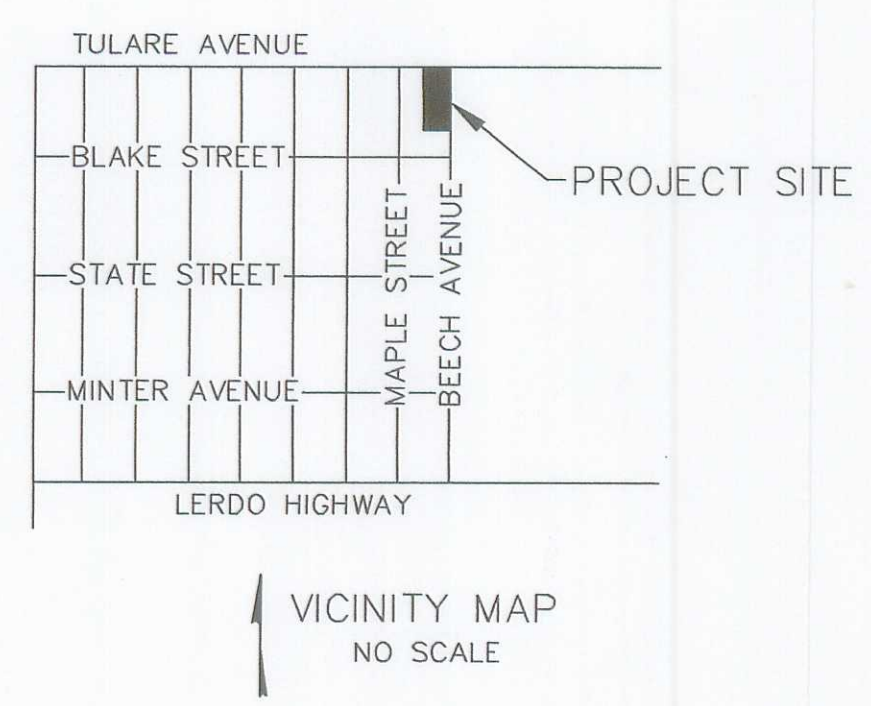
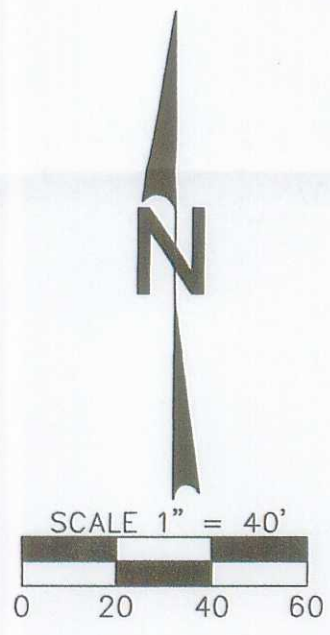
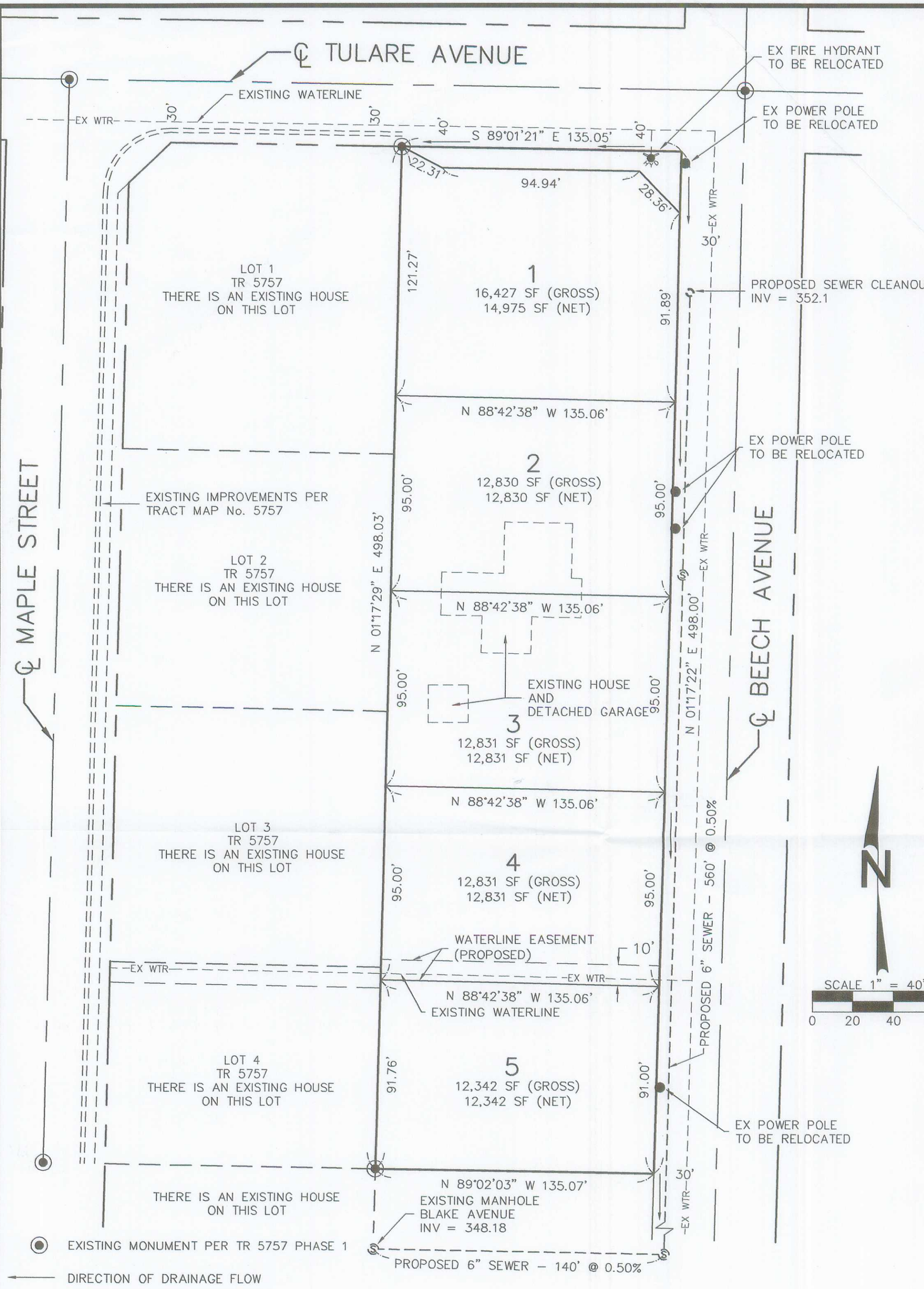
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2. AN EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SUCH DITCHES, CANALS, PIPES AND AQUEDUCTS, AS MAY BE NECESSARY OR PROPER FOR SUPPLYING WATER IN FAVOR OF KERN COUNTY LAND COMPANY PER DOCUMENT RECORDED JUNE 24, 1919 IN BOOK 225 OF DEEDS AT PAGE 312 IN THE OFFICE OF THE KERN COUNTY RECORDER. SAID EASEMENT CANNOT BE LOCATED FROM RECORD INFORMATION AND IS NOT PLOTTED HEREON.
3. AN EASEMENT TO CONSTRUCT RECONSTRUCT, INSTALL, INSPECT, MAINTAIN, REPLACE, REMOVE, AND USE FACILITIES THAT CONSIST OF AN ANCHOR WITH SUCH GUY WIRES, CABLES, AND FIXTURES IN FAVOR OF PACIFIC GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED MARCH 1, 1995 AS INSTRUMENT NO. 0195026167 OF OFFICIAL RECORDS IN THE OFFICE OF THE KERN COUNTY RECORDER. ALTHOUGH THE EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED BY RECORD INFORMATION, IT IS ASSUMED THAT THE EASEMENT FALLS WITHIN THE EASTERLY 30.00 FEET OF THE SOUTHEAST QUARTER OF SECTION 10.

MINERAL LEASE:

EOG RESOURCES, INC.
P. O. BOX 4362
HOUSTON, TX 77210-4362
(713) 651-7000

**CITY OF SHAFTER
PLANNING DEPT**

Date Map Approved By City Council
Date 7-18-06



RESOLUTION NO. 25-469

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER
RECOMMENDING THE CITY COUNCIL APPROVE A TWO (2) YEAR EXTENSION
OF TIME FOR TENTATIVE TRACT MAP NO. 6398 LOCATED AT THE
SOUTHWEST CORNER OF E. TULARE AVENUE AND N. BEECH AVENUE, WITHIN
THE CITY OF SHAFTER**

WHEREAS, on July 22, 2025, Dominga Arenas, the property owner, requested approval of an extension of time to record a final map on that certain property in the City of Shafter as shown on attached Exhibit “A”, citing a desire to keep the map active while they complete the preparation of a final map as the justification for extending the map. The extension of time request was submitted prior to the expiration of the map and is being considered within the 60-day time period allowed by the Subdivision Map Act; and

WHEREAS, Tentative Tract Map 6398, proposing to subdivide 1.54 acres into 5 single-family residential lots ranging in size from 12,342 square feet to 15,427 square feet, was approved by the City Council on July 18, 2006; and

WHEREAS, the City of Shafter adopted a Negative Declaration for Tentative Tract No. 6398 on July 18, 2006 (Resolution No. 06-1845), therefore no additional CEQA analysis or documentation is required for the extension of time; and

WHEREAS, Tentative Tract Map No. 6398 was approved with a condition requiring the final map to be recorded within two years; and

WHEREAS, on July 15, 2008, the state legislature amended the Subdivision Map Act to provide an additional twelve (12) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to July 18, 2009; and

WHEREAS, on July 15, 2009, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to July 18, 2011; and

WHEREAS, on July 15, 2011, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to July 18, 2013; and

WHEREAS, on August 16, 2011, the City Council approved a two-year extension of time, thereby extending the recordation of the map to July 18, 2015; and

WHEREAS, on July 11, 2013, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to July 18, 2017; and

WHEREAS, on October 10, 2015, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps, thereby extending the recordation of the map to July 18, 2019; and

WHEREAS, on July 11, 2019, the City Council approved a two-year extension of time, thereby extending the recordation of the map to July 18, 2021; and

WHEREAS, on September 1, 2020, the City Council approved Development Agreement No. 20-18 for Tentative Tract No. 6398, thereby extending the recordation of the map to October 1, 2025; and

WHEREAS, Title 16, Section 4.080.B of the City Municipal Code (Subdivision Ordinance) and Government Code §66452.6(e) allow the City Council to approve extensions of time for approved, or conditionally approved, tentative subdivision maps if the request is received prior to the expiration date of the map; and

WHEREAS, the City of Shafter has historically approved subdivision map extensions of time in two-year intervals; and

WHEREAS, at said Planning Commission meeting held August 12, 2025, the proposed extension of time for Tentative Tract Map No. 6398 was duly presented and considered and the Planning Commission determined that Tentative Tract Map No. 6398 is eligible to receive a two-year extension of time for recordation of the final map.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 12th day of August, 2025, resolved to recommend that the City Council approve a two-year extension of time for Tentative Tract Map No. 6398 (Exhibit “A”) located between the southwest corner of East Tulare Avenue and North Beech Avenue, subject to the conditions approved by the City Council on July 18, 2006, to expire on October 1, 2027.

PASSED AND ADOPTED THIS 12th DAY OF AUGUST 2025.

Lovedeep Joshan, Chairman

ATTEST

Yazmina Pallares, City Clerk

TENTATIVE TRACT NO. 6398 - EXTENSION OF TIME

TENTATIVE TRACT MAP No. 6398

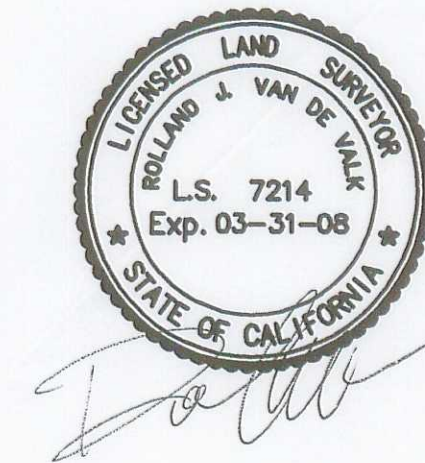
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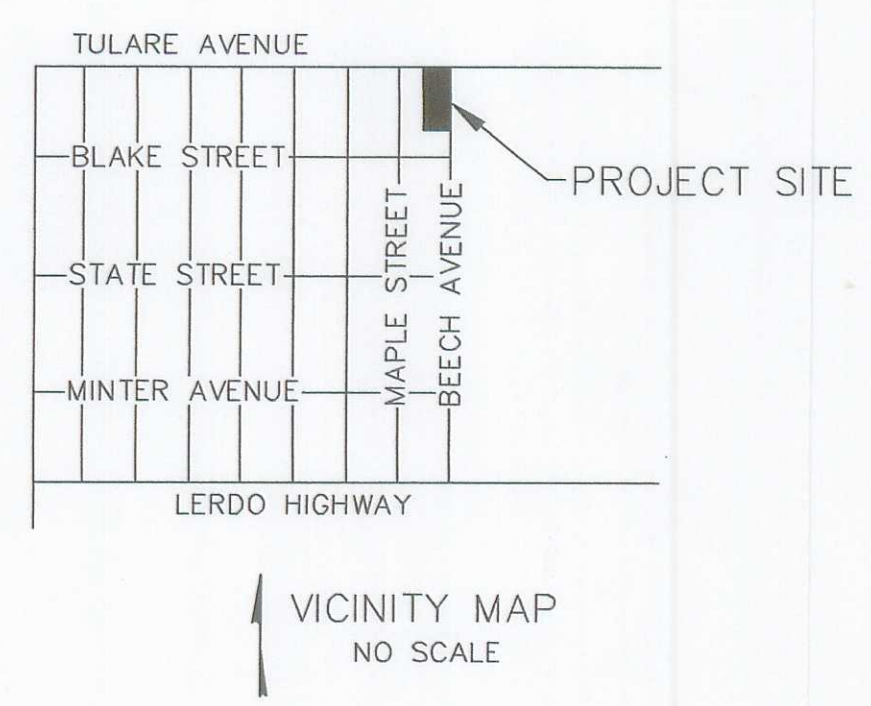
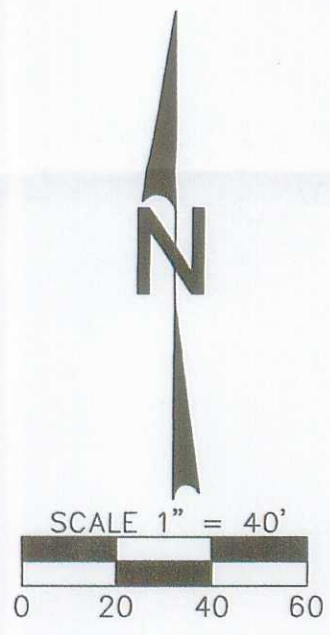
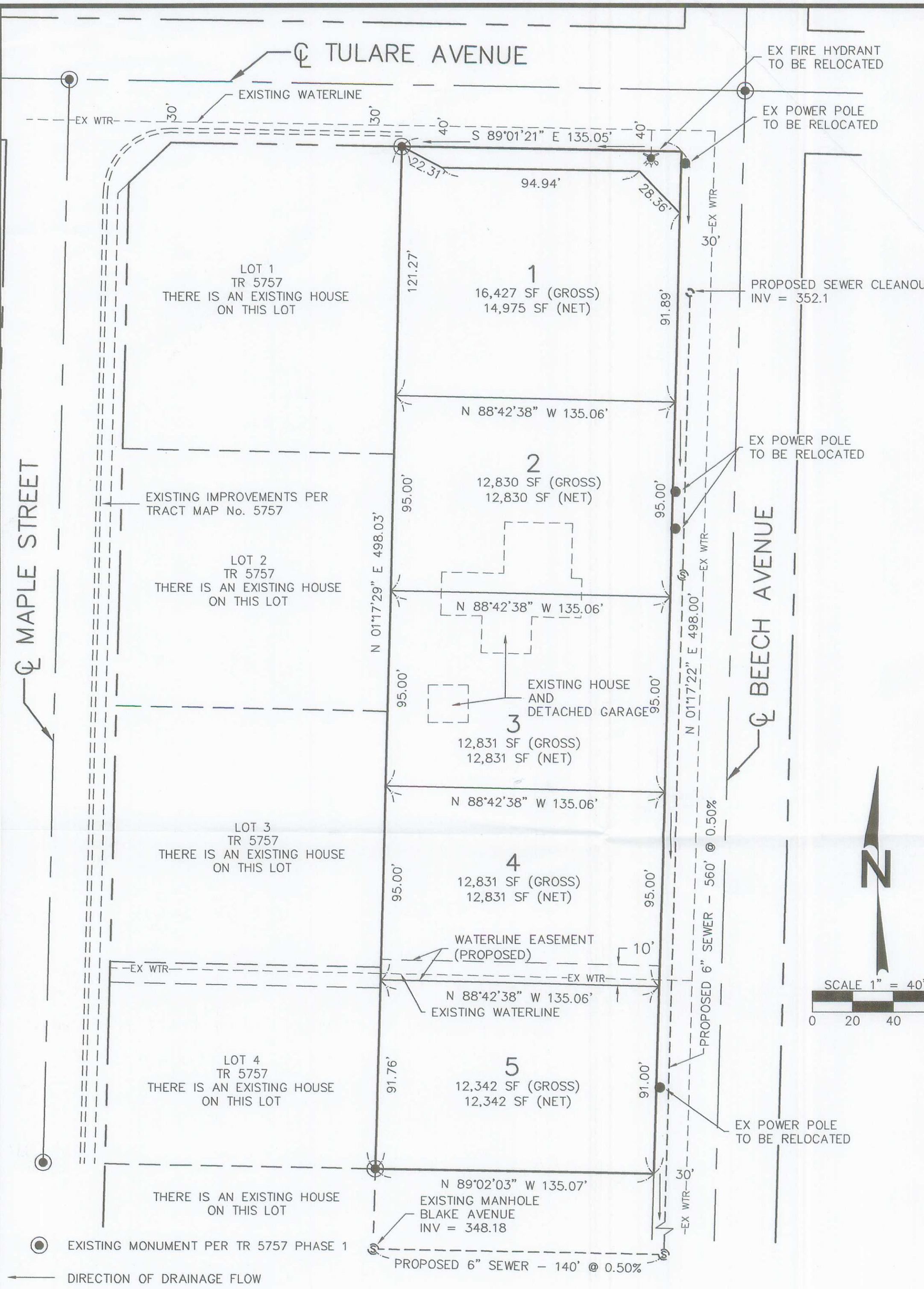
1. RIGHTS, RIGHTS OF WAY, RESERVATIONS AND EXCEPTIONS IN PATENT RECORDED JULY 3, 1878 AS BOOK 4 OF PATENTS AT PAGE 53. THE EXACT LOCATION OF SAID RIGHTS OF WAY AND RESERVATIONS CANNOT BE LOCATED FROM RECORD INFORMATION AND ARE NOT PLOTTED HEREON.
2. AN EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SUCH DITCHES, CANALS, PIPES AND AQUEDUCTS, AS MAY BE NECESSARY OR PROPER FOR SUPPLYING WATER IN FAVOR OF KERN COUNTY LAND COMPANY PER DOCUMENT RECORDED JUNE 24, 1919 IN BOOK 225 OF DEEDS AT PAGE 312 IN THE OFFICE OF THE KERN COUNTY RECORDER. SAID EASEMENT CANNOT BE LOCATED FROM RECORD INFORMATION AND IS NOT PLOTTED HEREON.
3. AN EASEMENT TO CONSTRUCT RECONSTRUCT, INSTALL, INSPECT, MAINTAIN, REPLACE, REMOVE, AND USE FACILITIES THAT CONSIST OF AN ANCHOR WITH SUCH GUY WIRES, CABLES, AND FIXTURES IN FAVOR OF PACIFIC GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED MARCH 1, 1995 AS INSTRUMENT NO. 0195026167 OF OFFICIAL RECORDS IN THE OFFICE OF THE KERN COUNTY RECORDER. ALTHOUGH THE EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED BY RECORD INFORMATION, IT IS ASSUMED THAT THE EASEMENT FALLS WITHIN THE EASTERLY 30.00 FEET OF THE SOUTHEAST QUARTER OF SECTION 10.

MINERAL LEASE:

EOG RESOURCES, INC.
P. O. BOX 4362
HOUSTON, TX 77210-4362
(713) 651-7000

**CITY OF SHAFTER
PLANNING DEPT**

Date Map Approved By City Council
Date 7-18-06



DATE: August 12, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: General Plan Amendment No. 23-39 and Zone Change No. 23-72 (Cesar Chavez Multi-Family)

RECOMMENDATION:

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

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

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

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

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

LOCATION: Northeast corner of Birch Street and East Los Angeles Avenue. **See Exhibit 1.**

EXISTING LAND USE

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

PROJECT DATA

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

2. Zoning: The site is currently zoned R-1 (Low Density Residential). **See Exhibit 3.**
3. Acreage: 8.72 acres

PROJECT ANALYSIS

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

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

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

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

Breakdown of Phases I, II, and III

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

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

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

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

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

The offsite improvements consist of the following:

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

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

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

On July 8, 2025, the Planning Commission opened a public hearing on the project, took public comment in support and opposition, asked questions of staff, and unanimously voted to continue the public hearing to a future date. Staff re-noticed the item in the local newspaper and residents within 1,000 feet of the project on or by July 17, 2025 and set a date of August 12, 2025 to continue the public hearing.

GENERAL PLAN AND HOUSING ELEMENT COMPATIBILITY/CONSISTENCY

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

2.5 Residential Uses

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

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

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

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

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

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

The project is consistent with this policy because it fits the scale with adjacent land

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

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

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

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

The project is consistent with this goal because it helps provide a diversity of development opportunities to enhance the City's living environment and to satisfy the housing needs of Shafter residents.

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

The project is consistent with this policy because it helps provide adequate residential sites to produce new rental residential units for existing and future residents.

Program 1.1.1: Rezone Sites to Accommodate Housing Need

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

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

- Each site to be rezoned shall meet the criteria identified in Gov. Code §65583.2(h) and (i):
 1. Zoned to allow owner-occupied and rental multi-family residential use by right for developments that include at least 20% of units affordable to lower income households (Use by right means that the local government's review cannot require a conditional use permit, planned unit development permit, or other discretionary local government review that would constitute a "project" under the California Environmental Quality Act. However, subdivisions are allowed to be a discretionary review in

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

accordance with the local ordinance, and non-discretionary design review using objective standards may be conducted.)

2. Zoned to allow at least 16 units on the site;
 3. Zoned to require a minimum density of 20 units per acre (for suburban jurisdictions, including Shafter);
 4. At least 50% of the remaining lower-income housing need shall be accommodated on residentially zoned sites (with a limited exception for mixed use)- (this provision is superseded by the solid bullet below); and
 5. Sites shall meet utilities requirements to satisfy Gov. Code §65583.2(b)(5)(B).
- To maintain the validity of the realistic capacity assumptions, all sites to be rezoned shall be residentially zoned.
 - Sites to be rezoned should affirmatively further fair housing by promoting an inclusive community with site locations distributed throughout the community.

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

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

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

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

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

households.

Policy 3.2: Assure the provision of housing opportunities for those residents of the City who have special housing needs, including farm workers, the elderly, disabled, large families, and the homeless.

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

COMPLIANCE WITH THE CALIFORNIA HOUSING ACCOUNTABILITY ACT

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

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

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

1. *Does the project meet the definition of a housing development? Yes, the project is a housing development and therefore HAA applies.*

2. *Are 20% of the total units affordable to very low- or low-income households, 100% affordable to moderate- or middle-income households, or an emergency shelter? Yes, the project would provide at least 20% units that are affordable to very low- or low-income households and therefore HAA applies.*

3. *Does one of the following apply?*
 1. *Housing element is in compliance, RHNA has been met (permitted) or exceeded for all income categories proposed for project. No, RHNA has not been met.*
 2. *Project has a specific, adverse impact upon the public health or safety, and there is no feasible method to mitigate or avoid impact. A "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety*

- standards, policies, or conditions as they existed on the date the application was deemed complete. No, the City has no such standards.*
3. *Denial is required to comply with specific state or federal law, and there is no feasible method to comply. No, there is no applicable federal law that applies here.*
 4. *The project is proposed on land zoned for agriculture or inadequate water or sewer. No.*
 5. *The project is inconsistent with both zoning and general plan land use designation, and the project is not proposed on a site identified in the housing element, and there are sufficient sites to accommodate the Regional Housing Needs Allocation (RHNA) or zoning for emergency shelters. No, while the project is currently inconsistent with both zoning and the general plan land use designation, it is proposed on a site identified in the housing element and there are currently not sufficient sites to accommodate the RHNA for the City. Per Program 1.1.1 of the Shafter 2023-2031 Housing Element (see below for more information), the City must rezone at least 187 acres to minimum density of 20 units per acre, assuming 25% of units lower income, to accommodate a shortfall of 935 units to satisfy the City's RHNA for low-income housing.*

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

BENEFITS OF THE PROJECT TO SHAFTER

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

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

Second, it is good planning practice for a City to provide a range of housing products from single-family to multi-family. Multi-family units are typically cheaper to build and

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

rent per unit than single-family homes. Therefore, multi-family residential provides the ability for lower-income households, particularly the young and the elderly, with affordable opportunities for housing. Currently, there is a lack of multi-family residential with the City limits and this project would help fill that need.

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

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

NOTICING

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

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

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

CEQA

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

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

- Don Loveless – The commenter states that they are the owner of about 20 acres just to the west of the project site and is responding to a request from Staff to

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

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

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

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

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

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

instead increase property values due to the increased cost of building multi-family on a parcel as opposed to single-family residential.

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

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

ATTACHMENTS

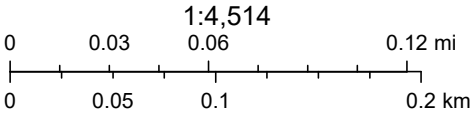
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Existing General Plan Land Use Map	2
Existing Zone District Map	3
Conceptual Development Plan	4
Elevations	5
HAA Decision Matrix	6
Mitigated Negative Declaration	7
Resolution No. 25-465	8

Exhibit 1 - Vicinity Map



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



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Figure 3: General Plan Land Use



Figure 4: Zoning

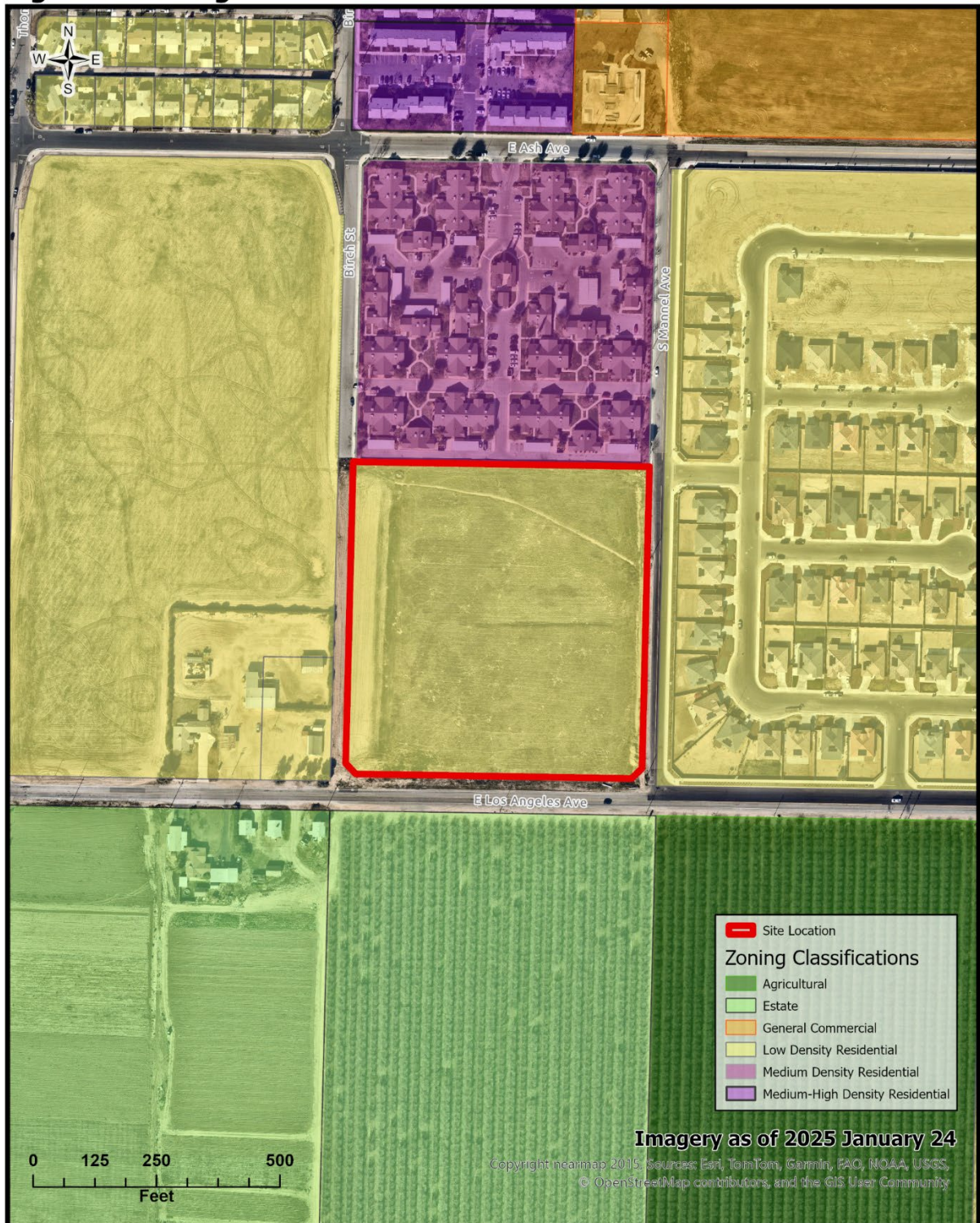


Figure 5: Site Plan

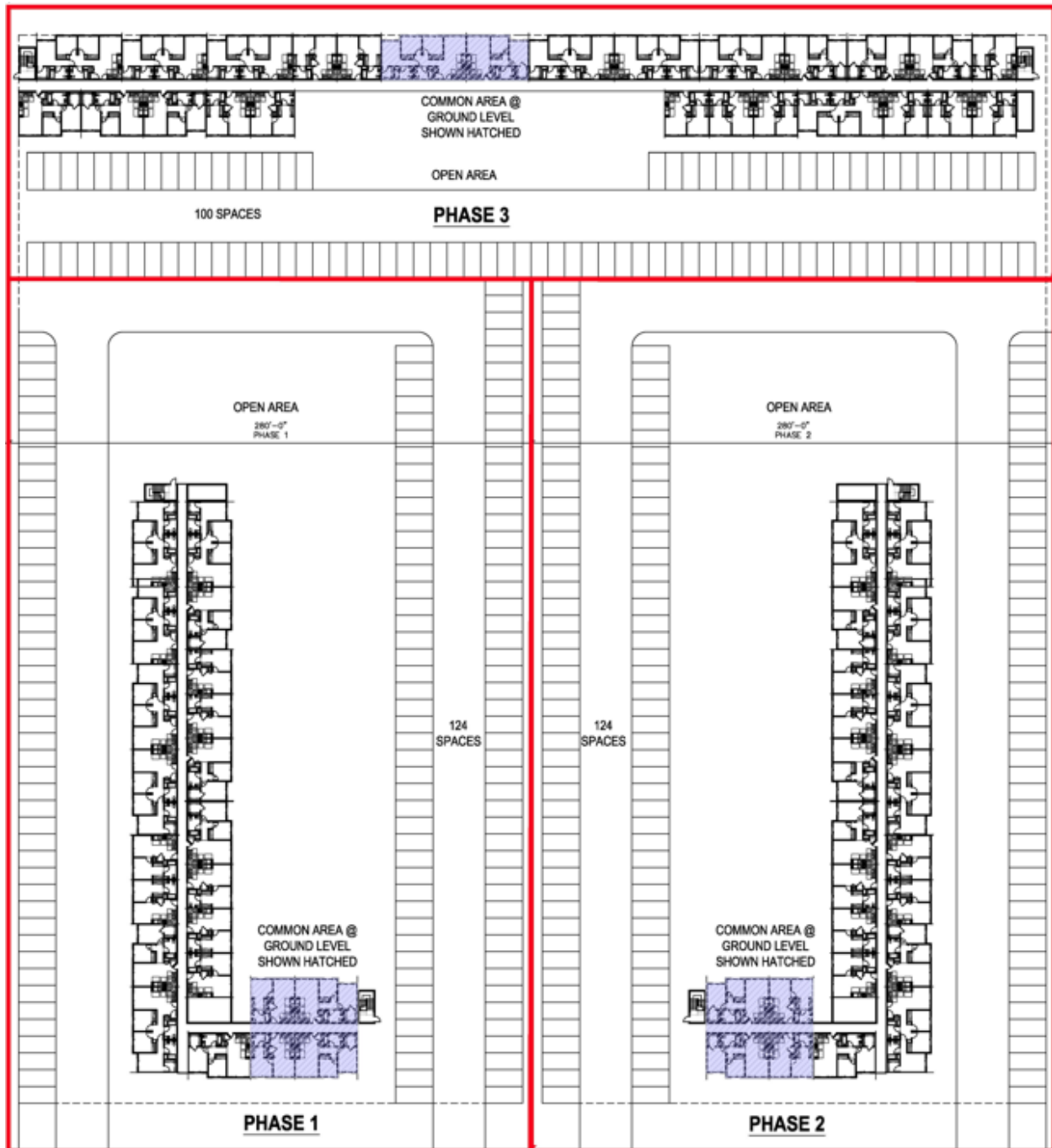


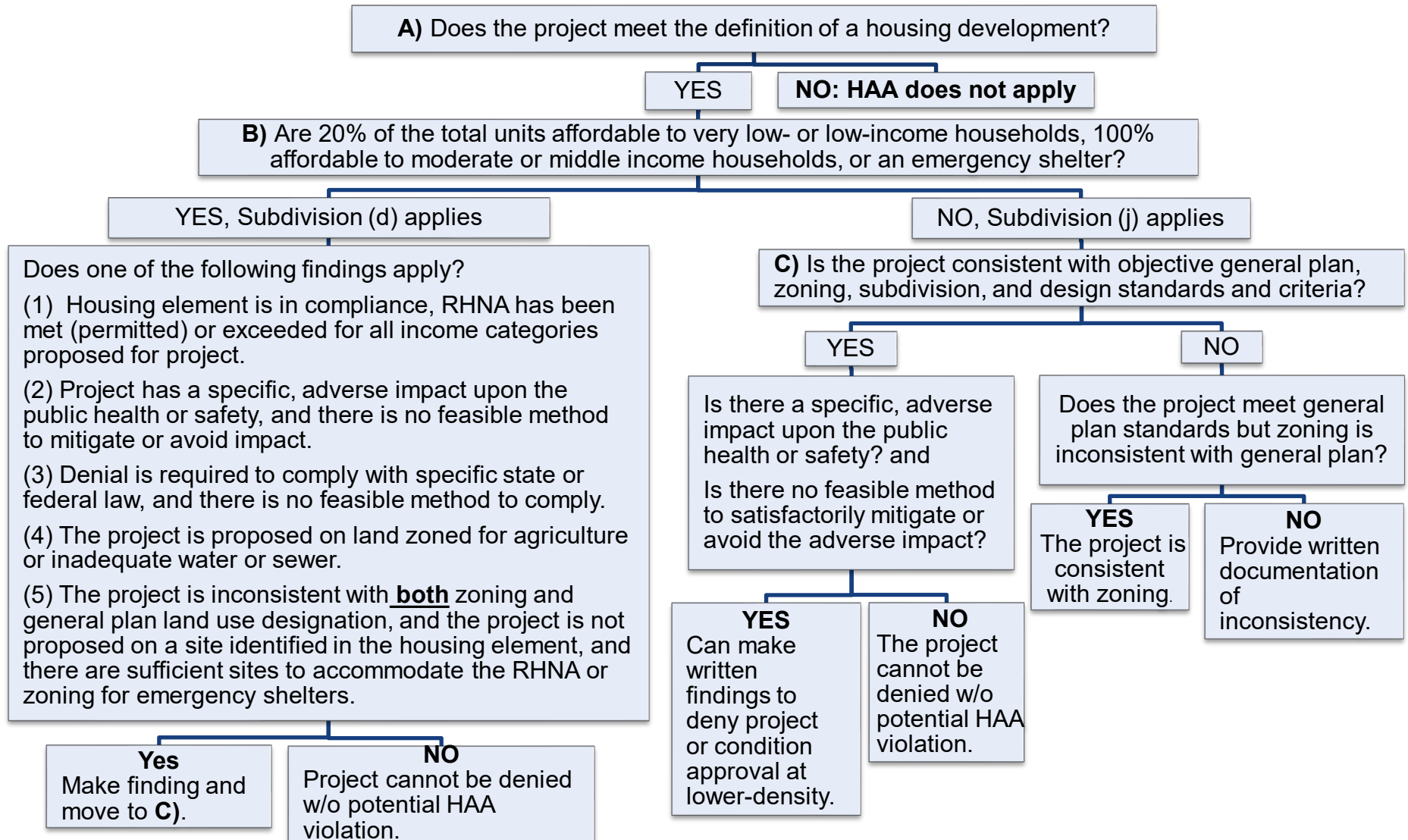
Exhibit 5 - Elevations

Figure 6: Elevations



Housing Accountability Act Decision Matrix

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





May 15, 2025

CITY OF SHAFTER, CALIFORNIA

Mitigated Negative Declaration

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

City of Shafter
336 Pacific Avenue
Shafter, CA 93263

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CITY OF SHAFTER

MITIGATED NEGATIVE DECLARATION

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

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

Comment Period Begins: May 15, 2025

Comment Period Ends: June 17, 2025

Mitigation Measures

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

Air Quality Impact Mitigation Measures

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

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

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

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

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

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

Biological Resources Impact Mitigation Measures

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

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

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

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

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

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

5. Tricolored blackbird (*Agelaius tricolor*)

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

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

6. Other Migratory Birds

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

7. General Wildlife Avoidance Measures

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

Cultural Resources Impact Mitigation Measures

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

Geology and Soils Impact Mitigation Measures

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

Greenhouse Gas Emissions Impact Mitigation Measures

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

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

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

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

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

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

Breakdown of Phases I, II, and III

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

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

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

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

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

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

The offsite improvements consist of the following:

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

9. Surrounding land uses and setting:

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

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

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
- I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION would be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect has been 1) adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Steve Esselman, Planning Director

May 7, 2025

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

ENVIRONMENTAL ISSUE

Aesthetics

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

Evaluation of Environmental Effects

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

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

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

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

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

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

Agriculture and Forestry Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forestland or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

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

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

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

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

- c) No impact. The Public Resources Code Section 12220 (g) and Section 4526 defines "forest land" as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are no forest lands identified on the project site or within its vicinity. Therefore, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.
- d) No impact. Please see response to c. above. Therefore, the project would not result in the loss of forestland or conversion of forest land to non-forest.
- e) No impact. Please see responses to a. through d. above. Therefore, the project would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

Air Quality

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

Evaluation of Environmental Effects

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

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

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

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

RK Engineering Group, Inc 2023.

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

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

RK Engineering Group, Inc 2023.

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

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

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

RK Engineering Group, Inc 2023.

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

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

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

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

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

RK Engineering Group, Inc 2023.

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

RK Engineering Group, Inc 2023.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Due to the fact that 1) the air quality modeling indicates that the project's regional contribution to cumulative impacts would be negligible and 2) the project would comply with the requirements of the SJVAPCD attainment plans and rules and mitigation measures which require the applicant to provide proof of such compliance, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

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

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

Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

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

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

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

With implementation of mitigation, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

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

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

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

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

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

The project is not located within a mapped wildlife movement corridor or linkage, and none were observed during the survey (CDFW 2025). The project would not have any impacts to wildlife movement corridors. Therefore, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

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

Cultural Resources

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

Evaluation of Environmental Effects

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

Energy

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

Evaluation of Environmental Effects

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

Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines & Geology Special Publication No. 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

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

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

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

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

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

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

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

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

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

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

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

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

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

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

alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources. With implementation of mitigation, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Greenhouse Gas Emissions

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

Evaluation of Environmental Effects

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

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

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

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

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

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

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

RK Engineering Group, Inc 2023.

¹ MT/year = metric tons per year

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

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

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

RK Engineering Group, Inc 2023.

¹ MT/year = metric tons per year

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

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

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

Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

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

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

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

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

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

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

Hydrology and Water Quality

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

Evaluation of Environmental Effects

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

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

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

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

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

- c) The following discusses whether the project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces.

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

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

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

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

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

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

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

Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

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

Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

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

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

Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

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

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

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

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

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

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

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

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

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

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

Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project;				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

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

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

The City of Shafter will ensure that construction activities are conducted in accordance with local and State fire codes. Services are adequately planned for within the City's General Plan through policies to ensure the City maintains the fire department's performance and response standards by allocating the appropriate resources. As stated, the project applicant is responsible for the development impact fees and constructing any infrastructure needed to serve the project. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for fire protection.

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

Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

Transportation/Traffic

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

Evaluation of Environmental Effects

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

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

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

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

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

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

Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in the terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>				
<p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5021.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

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

Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in the determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulation related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

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

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

No natural gas is proposed for the project.

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

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

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

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

Wildfires

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or areas classified as very high hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, or other factors, exacerbate wildfire risk, and thereby expose project occupants to, pollutant concentrations from a wildfire or uncontrolled spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

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

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

- c) No impact. The Pacific Gas and Electric Company (PG&E) provides electricity to the City. The existing trunk and transmission facilities are adequate to meet present and projected demand to the project site. The project will connect to the existing PG&E transmission lines for electrical power. Therefore, the project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- d) No impact. The site is topographically flat land, as is the surrounding area. There are no slopes on or near the property and the project would not expose the people or structures to significant risks from downslope or downstream flooding or landslides due to a result of runoff, post fire instability or drainage changes. According to FEMA Flood Insurance Rate Maps the project is within an area of minimal flood hazards (FEMA 2024). Therefore, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Mandatory Findings of Significance:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant with mitigation incorporated. As evaluated in this document, the project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. With implementation of the mitigation measures recommended in this document, the project would not have the potential to degrade the quality of the environment, significantly impact biological resources, or eliminate important examples of the major periods of California history or prehistory. Therefore, with the following mitigation measures the project would have a less than significant impact. Therefore, the project, with the implementation of the identified conditions of approval, best management practices, and mitigation measures, would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

- b) Less than significant impact with mitigation incorporated. As described in the impact analyses in this document, any potentially significant impacts of the project would be reduced to a less-than-significant level through implementation of the project as described and by mitigation measures. The project would not otherwise combine with impacts of related development to add considerably to any cumulative impacts in the region. With mitigation, the proposed project would not have impacts that are individually limited, but cumulatively considerable. Therefore, the project would have a less than cumulatively considerable impact with mitigation incorporated. There is no substantial evidence that with the implementation of the identified conditions of approval, best management practices, and mitigation measures, there are any cumulative effects associated with this project.
- c) Less than significant with mitigation incorporated. All the project's impacts, both direct and indirect, that are attributable to the project were identified and mitigated. The project mitigation measures will substantially reduce or eliminate impacts of the project. Therefore, the project, with mitigation, would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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ATTACHMENT A
MMRP

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ATTACHMENT B
Figures

Figure 1: Regional Location

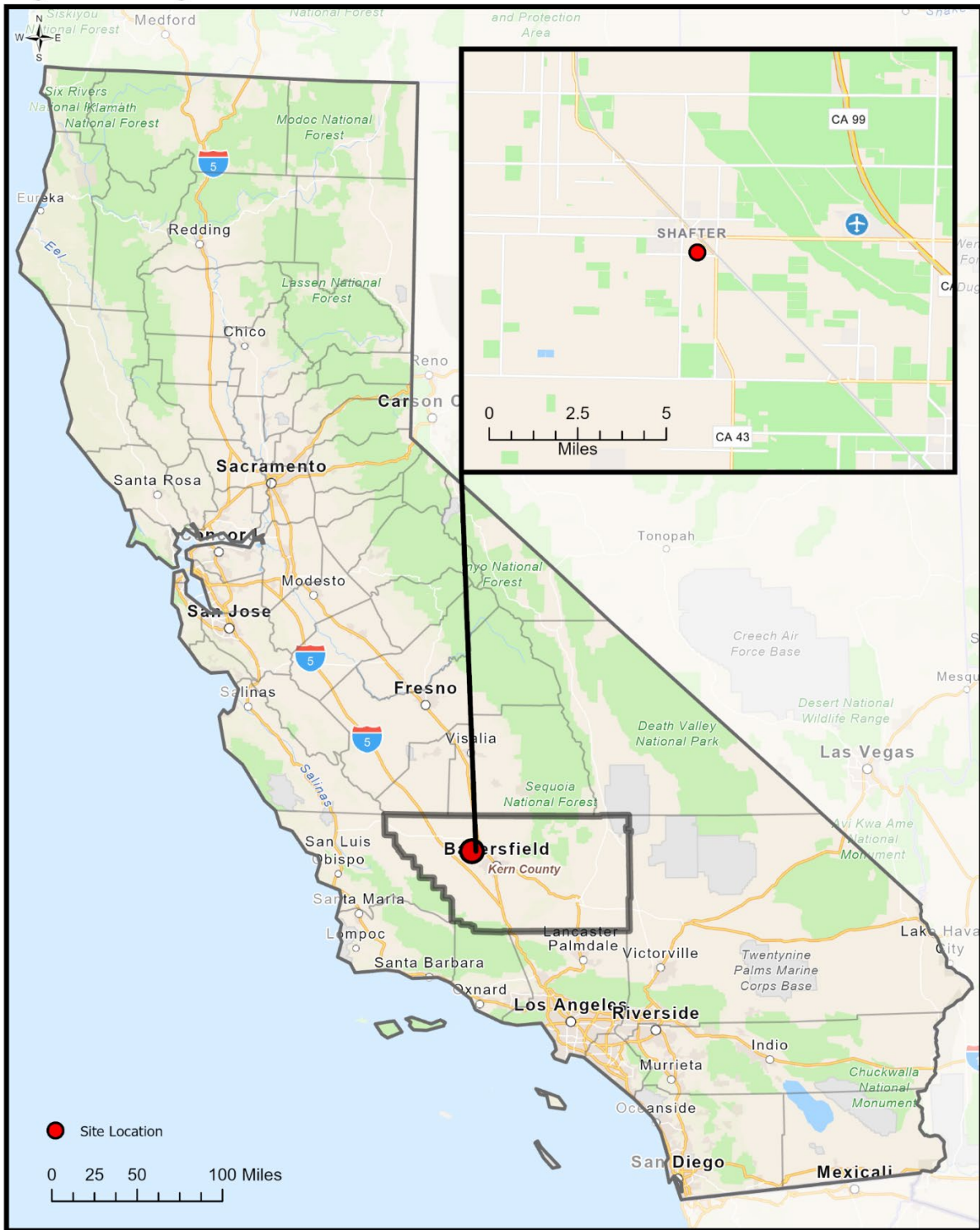


Figure 2: Aerial Overview



Figure 3: General Plan Land Use



Figure 4: Zoning

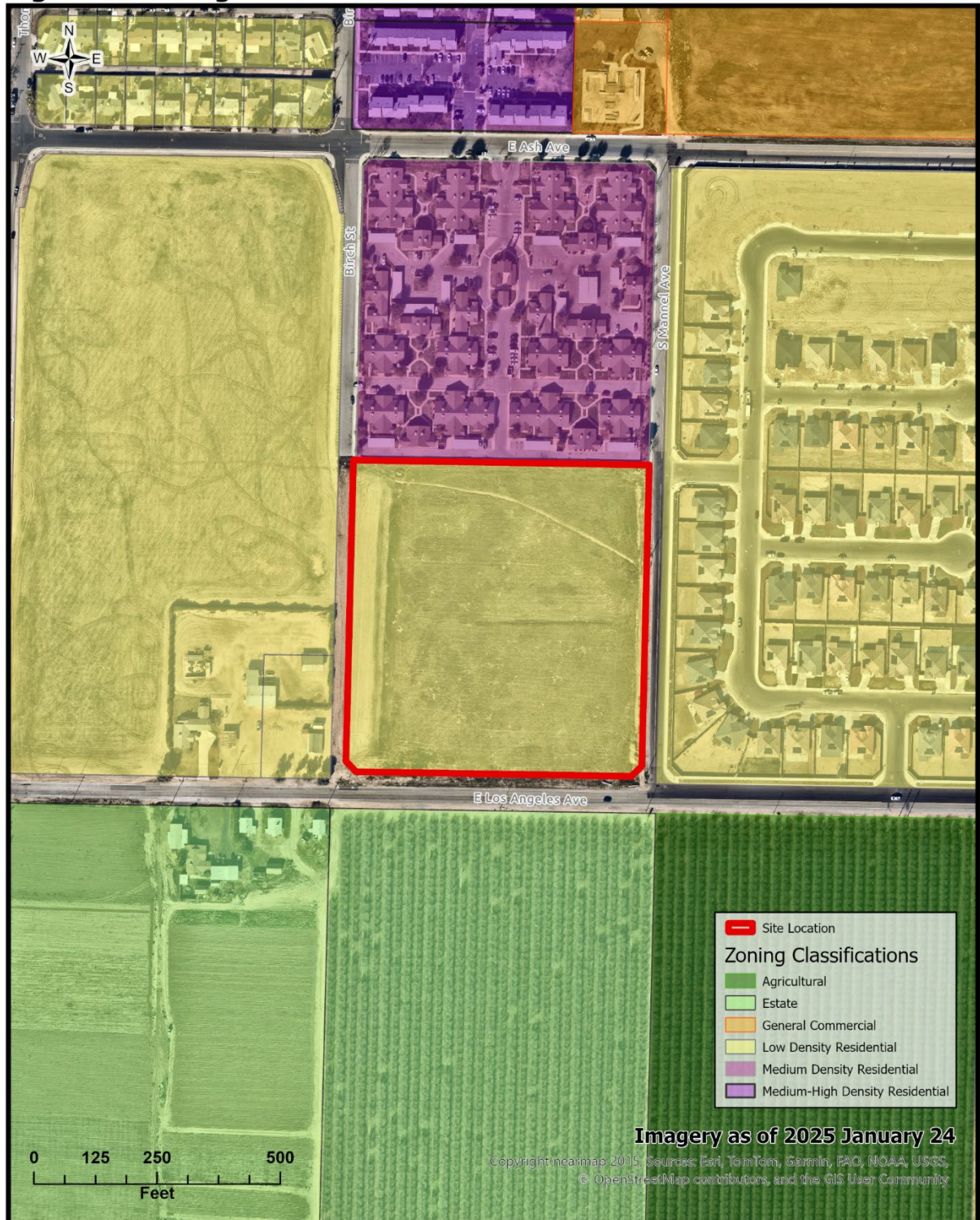


Figure 5: Site Plan

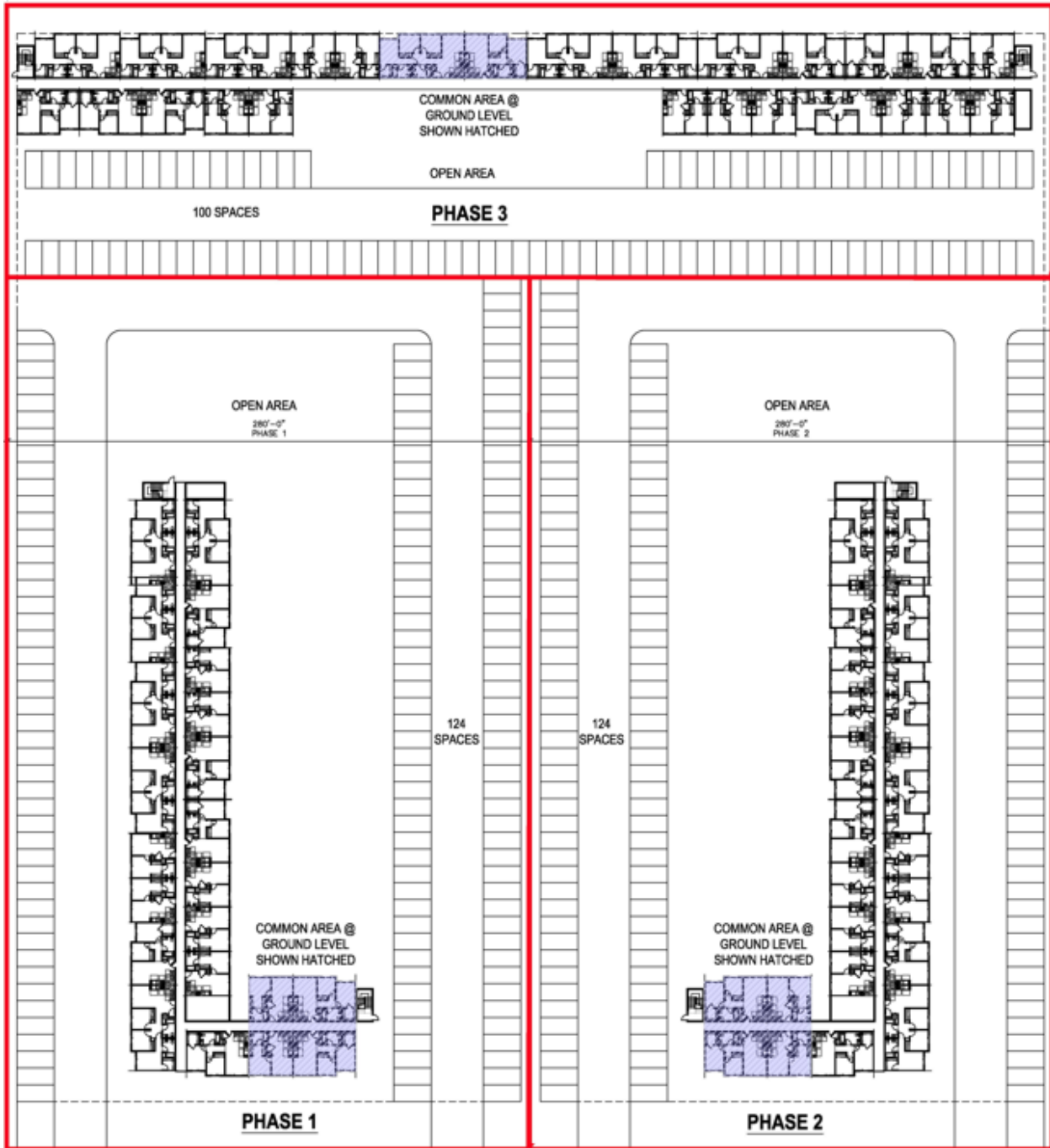


Figure 6: Elevations



RESOLUTION NO. 25-465

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

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on August 12, 2025, studied and considered General Plan Amendment No. 23-39 and Zone Change No. 21-72, a request to amend the general plan designation from LDR (Low Density Residential) to MHDR (Medium High Density Residential) and change the zone classification from R-1 (Low Density Residential) to R-3 (Medium High Density Residential) on 8.7 acres (Accessor’s Parcel Number 028-180-57) located at the northeast corner of Birch Street and East Los Angeles Avenue as depicted in Exhibit “A”, attached hereto and made a part of this resolution as set forth herein (the “Project”); and

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

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

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

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

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

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

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

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

WHEREAS, on July 8, 2025, the Planning Commission voted unanimously to continue the hearing to a future date; and

WHEREAS, a timely and properly re-noticed public hearing for proposed General Plan Amendment No. 23-39 and Zone Change No. 23-72 was held by the Planning Commission of the City of Shafter at a regular meeting on August 12, 2025, at which additional hearing evidence, oral and documentary, was admitted on behalf of said general plan amendment and zone change.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 12th day of August, 2025, resolved to recommend to the City Council approval of General Plan Amendment No. 23-39 and Zone Change No. 23-72 as illustrated in Exhibit “A”.

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

PASSED AND ADOPTED THIS 12th DAY OF AUGUST, 2025.

Lovedeep Joshan, Chairman

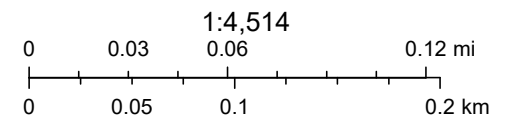
ATTEST

Yazmina Pallares, City Clerk

Exhibit A



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



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