



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

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, DECEMBER 9, 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

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

PLEDGE OF ALLEGIANCE: Commissioner Simmons

INVOCATION: Commissioner Sanchez

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: October 14, 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. General Plan Amendment No. 25-45 and Zone Change No. 25-79:** Staff recommends the Planning Commission conduct a public hearing and adopt Resolution No. 25-472, (see **Exhibit 5**), a Resolution of the Planning Commission of the City of Shafter, recommending approval of General Plan Amendment No. 25-45 and Zone Change No. 25-79 to to the City Council of the City of Shafter. To change both the General Plan land use designation and the zone district from Business Park (BP) to Industrial (I) for 107 S Beech Avenue, also being APNs 028-180-36 and 028-180-12. (Planning Director Esselman)

ROLL CALL

- 2. Conditional Use Permit No. 24-151 (Shafter Commercial Shopping Center):** Commission conduct a public hearing; and adopt Resolution No. 25-473, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 24-151 to conditionally allow for the development of a commercial shopping center on a 10.04-acre site located at the northwest corner of S. Central Valley Highway and E. Ash Avenue (APN 028-180-46); adopt a Mitigated Negative Declaration for the project. (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., December 4, 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 December 9, 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, OCTOBER 14, 2025**

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Commissioner Sanchez

INVOCATION: Commissioner Simmons

ROLL CALL:

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

APPROVAL OF AGENDA:

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

AYES: CAMACHO, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: JOSHAN AND PIUSER.

ABSTENTIONS: NONE.

PUBLIC COMMENT:

There were no members of the public wishing to speak.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: August 12, 2025

MOVED (CAMACHO) AND SECONDED (SIMMONS) COMMISSIONERS APPROVED THE MINUTES OF THE REGULAR MEETING OF AUGUST 12, 2025, AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: JOSHAN AND PIUSER.

ABSTENTIONS: NONE.

PUBLIC HEARING:

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

1. **Conditional Use Permit No. 25-153:** Associate Planner Olaguez made introductory comments. A notice of public hearing was properly advertised.

Commissioner Sanchez opened the public hearing.

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

MOVED (SIMMONS) AND SECONDED (SIMMONS) COMMISSIONERS FOUND THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. 25-470, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 25-153 TO ALLOW A DRIVE-IN/THROUGH BUSINESS (APN: 027-170-02 AND 027-170-03). MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: JOSHAN AND PIUSER.

ABSTENTIONS: NONE.

2. **Conditional Use Permit No. 24-143:** Senior Planner Cazares made introductory comments. A notice of public hearing was properly advertised.

Commissioner Simmons opened the public hearing.

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

MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS CONDUCTED A PUBLIC HEARING AND ADOPTED RESOLUTION NO. 25-471, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER, APPROVING CONDITIONAL USE PERMIT NO. 24-143 TO ALLOW COMMERCIAL FLEET STORAGE AND ACCESSORY CNG FUELING AT 107 S. BEECH AVE AS SHOWN IN EXHIBIT "A", AND SUBJECT TO THE CONDITIONS OF APPROVAL IN EXHIBIT "B". MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CAMACHO, SANCHEZ, AND SIMMONS.

NAYS: NONE.

ABSENT: JOSHAN AND PIUSER.

ABSTENTIONS: NONE.

COMMISSIONER REPORTS: Commissioner Sanchez reported on the upcoming General Plan Advisory Committee meeting.

ADJOURNMENT:

MOVED (SIMMONS) AND SECONDED (CAMACHO) COMMISSIONERS ADJOURNED THE MEETING AT 6:15 P.M. MOTION CARRIED CHAIRMAN JOSHAN AND VICE CHAIRMAN PIUSER ABSENT WITH NO OPPOSITION.

John Sanchez, Commissioner

ATTEST:

Yazmina Pallares, City Clerk

DATE: December 9, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: General Plan Amendment No. 25-45 and Zone Change No. 25-79

RECOMMENDATION:

Staff recommends the Planning Commission conduct a public hearing and adopt Resolution No. 25-472, (see **Exhibit 5**), a Resolution of the Planning Commission of the City of Shafter, recommending approval of General Plan Amendment No. 25-45 and Zone Change No. 25-79 to to the City Council of the City of Shafter. To change both the General Plan land use designation and the zone district from Business Park (BP) to Industrial (I) for 107 S Beech Avenue, also being APNs 028-180-36 and 028-180-12.

APPLICANT
Swanson Engineering
2000 Oak Street Suite 150
Bakersfield, CA 93301
661-831-4919

OWNER
Jeff Martin, CEO
American Refuse
1316 J Street,
Wasco, CA 93280

LOCATION: The project is located on APN 028-180-36 and 028-180-12, both under the street address 107 S Beech Avenue. See **Exhibit 1**.

PROJECT DATA:

- 1. General Plan Designation: The current land use designation of the project site is Business Park (BP). The properties surrounding the site are designated Business Park or Industrial.
- 2. Zoning: The site is zoned Business Park (BP). The properties surrounding the site are also zoned BP or Industrial (I).
- 3. Project Size: 4.94 acres, more or less

PROJECT ANALYSIS:

Mr. Jeff Martin, representing American Refuse, applied for a General Plan Amendment (GPA) No. 25-45 and Zone Change (ZC) No. 25-79 to change the general plan land use designation and zone district classification of two parcels (APNs 028-180-12 and -36). APN 028-180-12 is about 0.97 acres and APN 028-180-36 is about 3.86 acres for a total of about 4.83 acres, and the two parcels are collectively located at 107 S. Beech Avenue, Shafter, CA 93263. The proposed ZC and GPA would change both the zoning and the land use designation of both parcels from BP (Business Park) to I (Industrial).

Recently, American Refuse applied for and received approval of a Conditional Use Permit (CUP) for fleet storage and accessory CNG pumping of the American Refuse

garbage trucks. That CUP #24-143 is a temporary plan for the project site. The zone change and GPA being requested now will allow for the future development of the site to include a repair shop, truck wash, and office. Such uses also require CUPs in the Business Park zone. However, they are permitted by right in the Industrial zone.

In the short term, American Refuse will store and fuel a limited number of trucks at the 107 S Beech Ave to reduce cost constraints and miles driven to and from their Wasco site. A future office and truck maintenance shop is proposed at the Beech Ave yard. American Refuse wishes to change the base zone altogether to waive the need for subsequent and multiple Conditional Use Permits for future operations. By getting the zone to Industrial (I) now, while American Refuse continues to develop its end plans for this project site, the future development proposal(s) will be stream-lined.

The primary purpose of the Business Park (BP) zone district is to provide appropriate regulations and suitable locations for light industrial, research and development, warehouse and distribution office based firms seeking pleasant and attractive working environments, business support services, and commercial uses requiring large parcels. The primary purpose of the Industrial (I) zone district is to provide appropriate regulations and suitable locations for manufacturing, research and development, warehousing and distribution, and multi-tenant industrial uses, in addition to administrative support, professional offices, and commercial activities on a limited basis. This zone district is intended to provide an area for the establishment of light industrial and limited service commercial uses which meet high performance standards, but which usually cannot meet site development standards applicable to planned research and development parks.

The American Refuse proposal would comply with the intent and purpose of the Industrial (I) zone district.

GENERAL PLAN COMPATIBILITY/CONSISTENCY:

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

2.3 Land Use Organization

Policy 2.3.12: Encourage appropriate development to locate adjacent to existing developed areas, such as central Shafter, the Shafter Airport area, and ITTC, so that municipal services can be efficiently provided.

The project is consistent with this policy because the subject property is located near central Shafter, and American Refuse is the existing service provider in the core city area of Shafter for waste collection. If the zone is changed to Industrial, American Refuse may expand its operations at 107 S Beech and improve the efficiency and delivery of refuse services for the community.

2.7 Industrial Uses

Objective: Expand employment opportunities, increase the personal income of local

residents, and strengthen Shafter's economic base through a well-defined pattern of industrial development, including rail-served facilities.

The project is consistent with this objective because changing the base zone district and land use designation will allow other uses to be permissible or conditionally permissible on this site. This would allow new uses to be proposed that may increase available employment opportunities. The future truck shop and offices would create new, professional and technical jobs. The project is consistent with the surrounding land uses, since the properties to the north, south, east and west are either zoned Business Park or Industrial as well.

Policy 2.7.2: Facilitate the development of industrial projects which expand local employment job opportunities by providing financial, processing, and negotiations assistance as appropriate.

The project is consistent with this policy. By processing a zone change & general plan amendment for the site and recommending approval, the City would be removing a development barrier. While the development of certain industrial projects may not be allowed in the Business Park zone, the City's support to re-zone to Industrial would facilitate the development of such potential projects.

Policy 2.7.5: Promote Shafter as a business location providing competitive development sites and an active business-friendly government.

The project is consistent with this policy because by changing the zone for this site, the property will be more viable for future development. Staff is amenable to the GPA/ZC and recommend approval, limiting hurdles to future development of the site, which is representative of a business-friendly government. Additionally, the site is in an existing industrial-use area with access to adequate infrastructure and service tie-in locations, making it a competitive site for any business.

Policy 2.7.10: Provide similar incentives for existing local businesses wishing to expand as for new businesses wishing to locate in Shafter.

The project is consistent with this policy. American Refuse is an existing local business wishing to expand its operations through proposed, future development on the subject property. This move would keep it competitive with new businesses wishing to locate within Shafter.

BENEFITS OF THE PROJECT TO SHAFTER:

There are several benefits that staff believes are relevant and inform why staff is recommending approval of the project. As discussed above, the project furthers several objectives, policies, goals, and programs of the General Plan land use element.

Finally, industrial development already exists adjacent to and south of the project site. The development of additional industrial land uses 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. The acreage of industrial-zoned land in the city limits would increase, thus increasing the land available for industrial projects, which could lead to new jobs. Finally, if American Refuse is able to develop its site with the office, maintenance shop and truck wash, this could reduce travel time to and from their Wasco location. This may increase their efficiency within the core, and improve waste collection services for the community.

NOTICING:

As required by Senate Bill 18, all general plan amendments require consultation with California Native American tribes. Staff provided a letter dated November 05, 2025 to each contact on the tribal consultation list provided by the Native American Heritage Commission. There were 25 tribal contacts total.

Public notice for the proposed project and environmental determination were also advertised in The Shafter Press. All property owners within 300 feet of the project site were notified by United States Postal Service mail regarding this public hearing.

Comments Received: No public comments have been received as of the date of this staff report.

CEQA:

The GPA and ZC are discretionary actions by the City and therefore, compliance with the California Environmental Quality Act (CEQA) is required. The City has determined that the proposed project is categorically exempt from CEQA pursuant to Section 15332 (In-Fill Development Projects). The proposal meets the conditions described in said Section 15332 to be characterized as in-fill development and will have no adverse impacts to the environment. A Notice of Exemption has been prepared for the project.

ATTACHMENTS

EXHIBIT

Vicinity Map	1
Existing General Plan Land Use Map	2
Existing Zone District Map	3
Conceptual Development Plan	4
Resolution No. 25-472	5

Exhibit 1 Vicinity Map



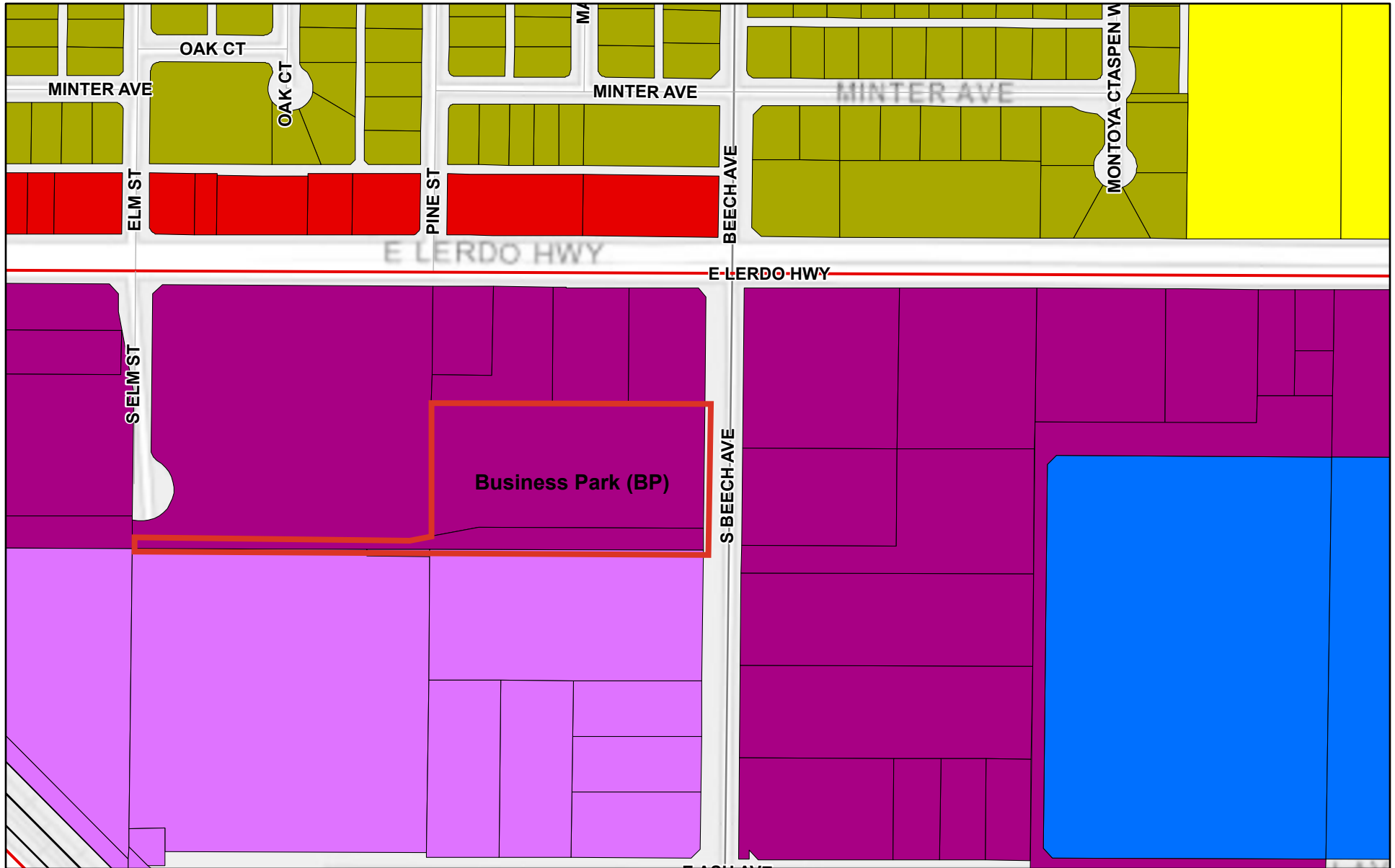
Site Location

0 125 250 500 US Feet

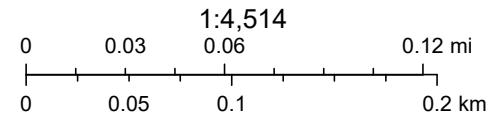


This map and the data contained within it was generated by the City of Shafter. Please consult the City of Shafter Planning Department with any questions, concerns, or potential inaccuracies that may be associated with this document.

Exhibit 2: Existing General Plan Land Use Map

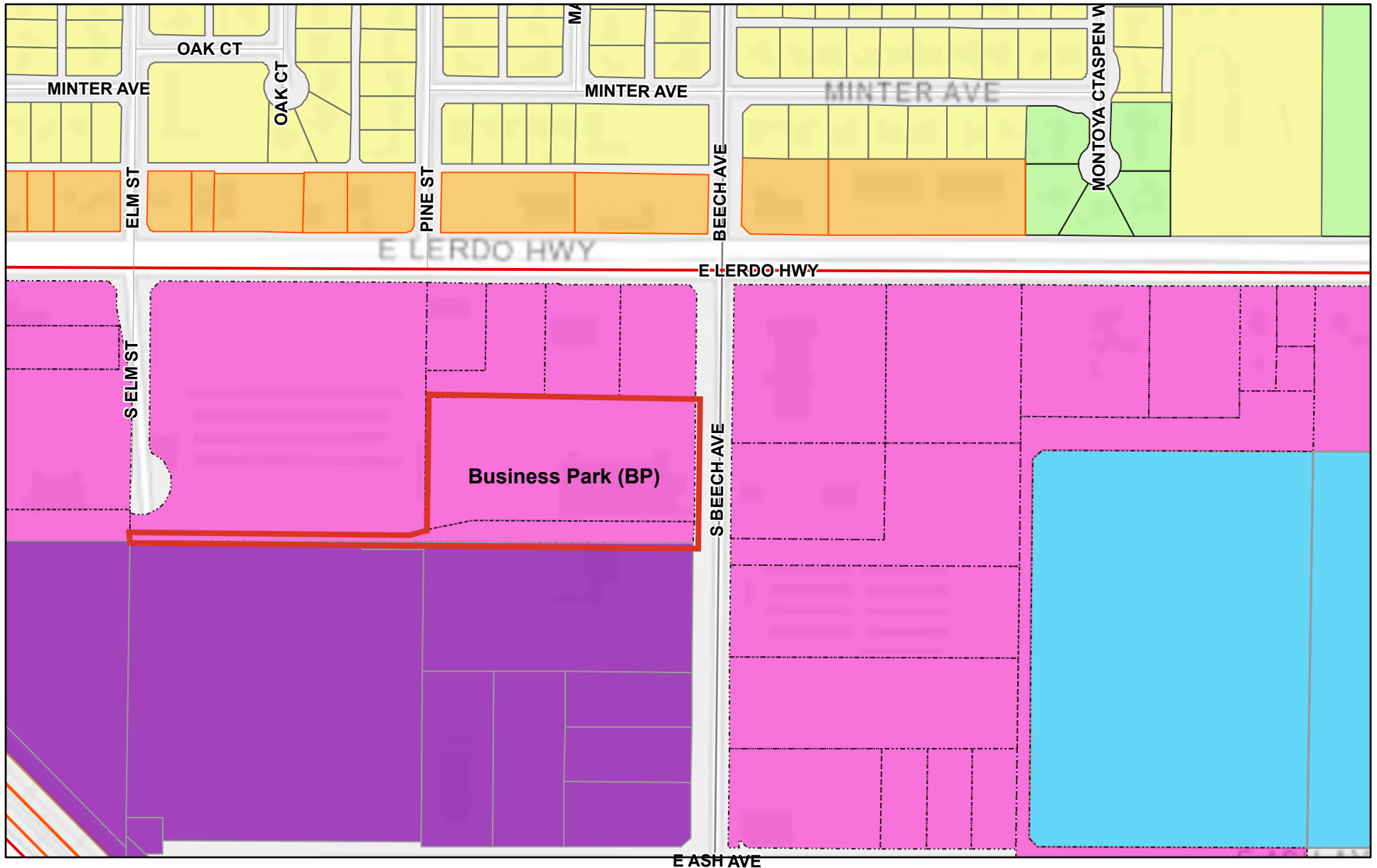


- | | | |
|----------------------------------|-------------------------|------------------------------|
| General Plan | Industrial | Very Low Density Residential |
| Business Park | Low Density Residential | Project Site |
| Canal - Right of Way | Parks and Schools | |
| Commercial - Professional Office | | |

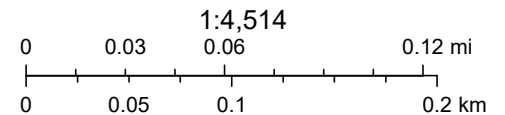


Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, City of Shafter, Bureau of Land Management, Esri, HERE,

Exhibit 3: Existing Zone District Map



- Zoning Classifications
- Project Site
 - Business Park
 - Community Facilities
 - Estate
 - Industrial
 - Low Density Residential
 - General Commercial

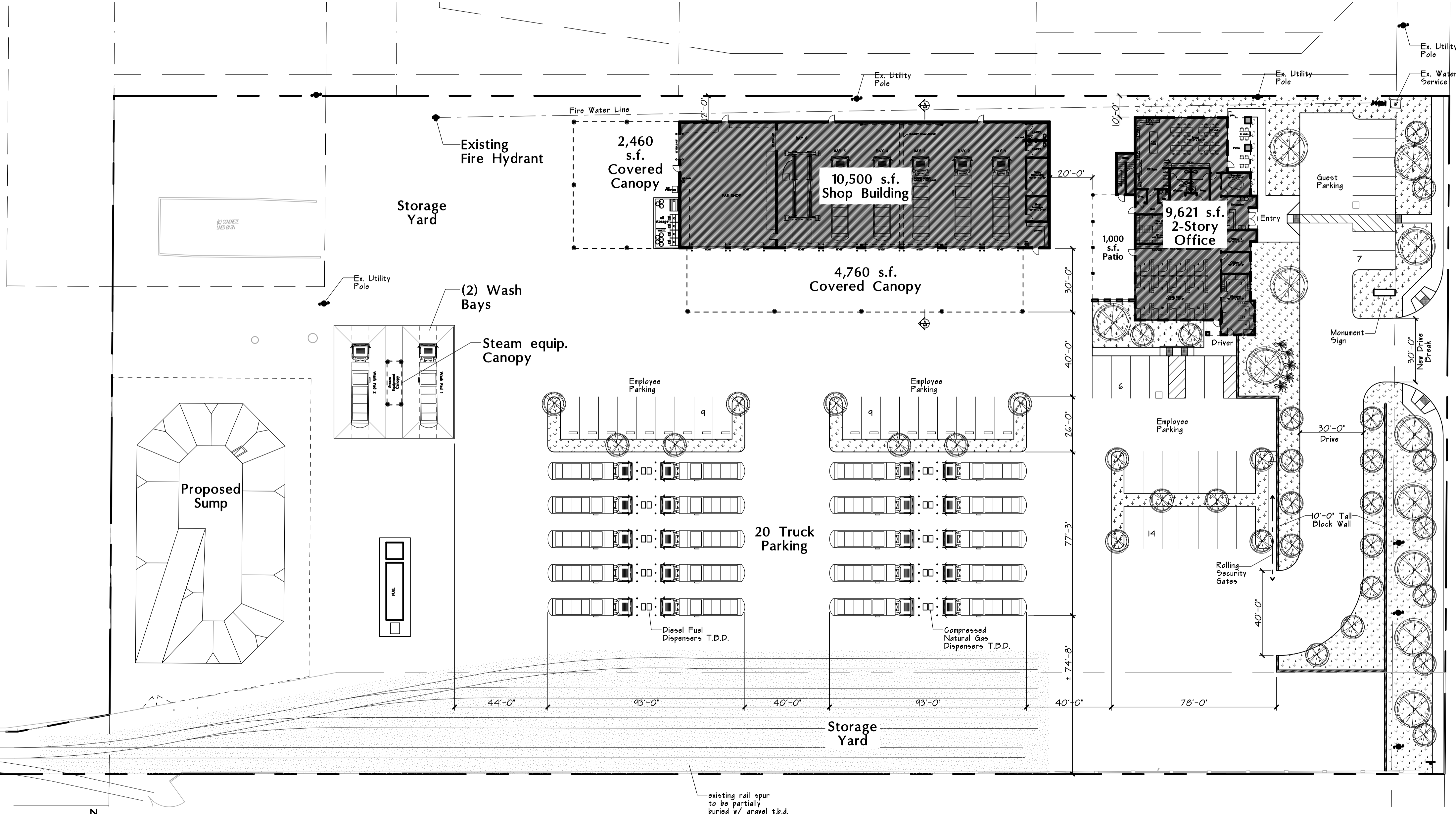


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Exhibit 4: Conceptual Development Plan (Preliminary)

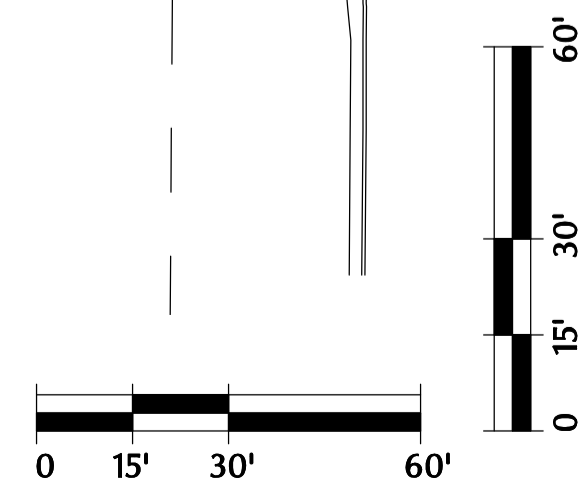
Parcel Map Waiver 90-1 N.T.S.

DRAFT



Beech Avenue

SITE PLAN



New Office Building & Shop Building
 American Refuse
 107 South Beech Avenue
 Shafter, California

DATE	ISSUED FOR
3-18-25	CLIENT REVIEW
REVISIONS	
1	
2	
3	
4	
5	
6	

A-1

RESOLUTION NO. 25-472

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 25-45 AND
ZONE CHANGE NO. 25-79 TO THE CITY COUNCIL OF THE CITY OF SHAFTER.**

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on December 09, 2025, studied and considered General Plan Amendment No. 25-45 and Zone Change No. 25-79, a request to amend the general plan land use designation from Business Park (BP) to Industrial (I) and change the zone district classification from Business Park (BP) to Industrial (I) on 4.94 acres (Accessor's Parcel Number 028-180-36 and 028-180-12) located at 107 S Beech Avenue as depicted in Exhibit "A", attached hereto and made a part of this resolution as set forth herein (the "Project"); and

WHEREAS, the Planning Commission has determined that the provisions of the California Environmental Quality Act ("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, the Planning Commission has determined that the project is categorically exempt from CEQA under Section 15332 of the CEQA Guidelines in that the project is characterized as in-fill development meeting the conditions described in said CEQA Section 15332; and

WHEREAS, the Planning Commission has determined that the project is consistent with the goals, objectives, policies, and programs of the City of Shafter General Plan, is necessary and desirable to implement the provisions of the General Plan, and will not result in any internal inconsistencies within the General Plan; and

WHEREAS, the Planning Commission has determined that the proposed change of zone is consistent with the purpose and intent of the remainder of Title 17 (Zoning Ordinance) not under consideration; and

WHEREAS, the project will not adversely affect public health, safety, and welfare or result in an illogical land use pattern; 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 as proposed in Exhibit "A" 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. 25-45 and Zone Change No. 25-79 was held by the Planning Commission of the

City of Shafter at a regular meeting on December 09, 2025, at which hearing evidence, oral and documentary, was admitted on behalf of said general plan amendment and zone change.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 9th day of December, 2025, resolved to recommend to the City Council approval of General Plan Amendment No. 25-45 and Zone Change No. 25-79 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.

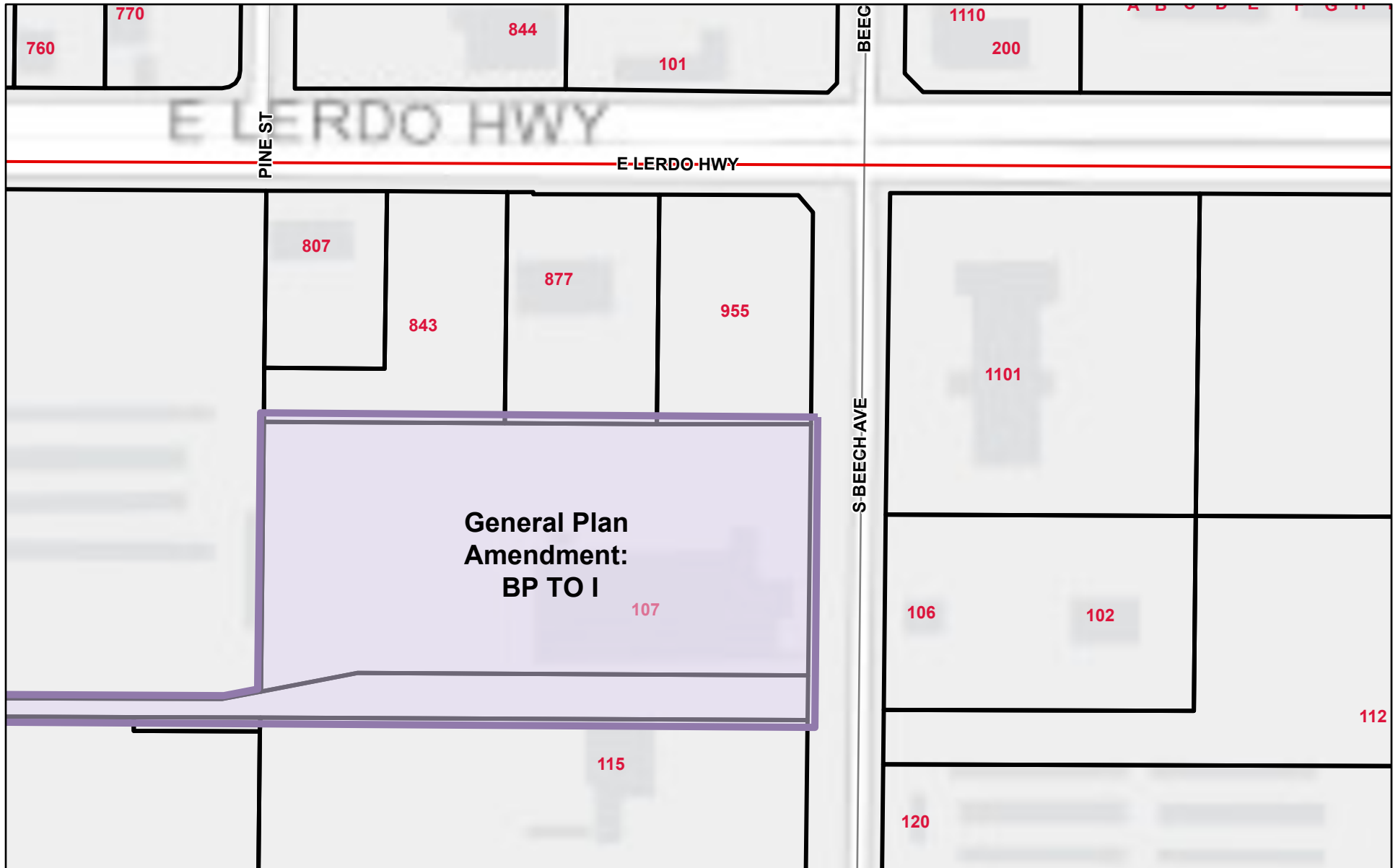
PASSED AND ADOPTED THIS 9th DAY OF DECEMBER, 2025.

Lovedeep Joshan, Chairman

ATTEST

Yazmina Pallares, City Clerk

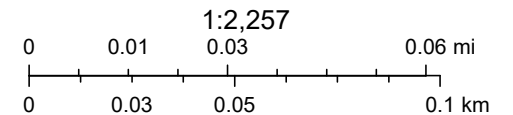
GENERAL PLAN AMENDMENT No. 25-45 EXHIBIT "A"



11/12/2025, 7:19:02 AM

 Parcels

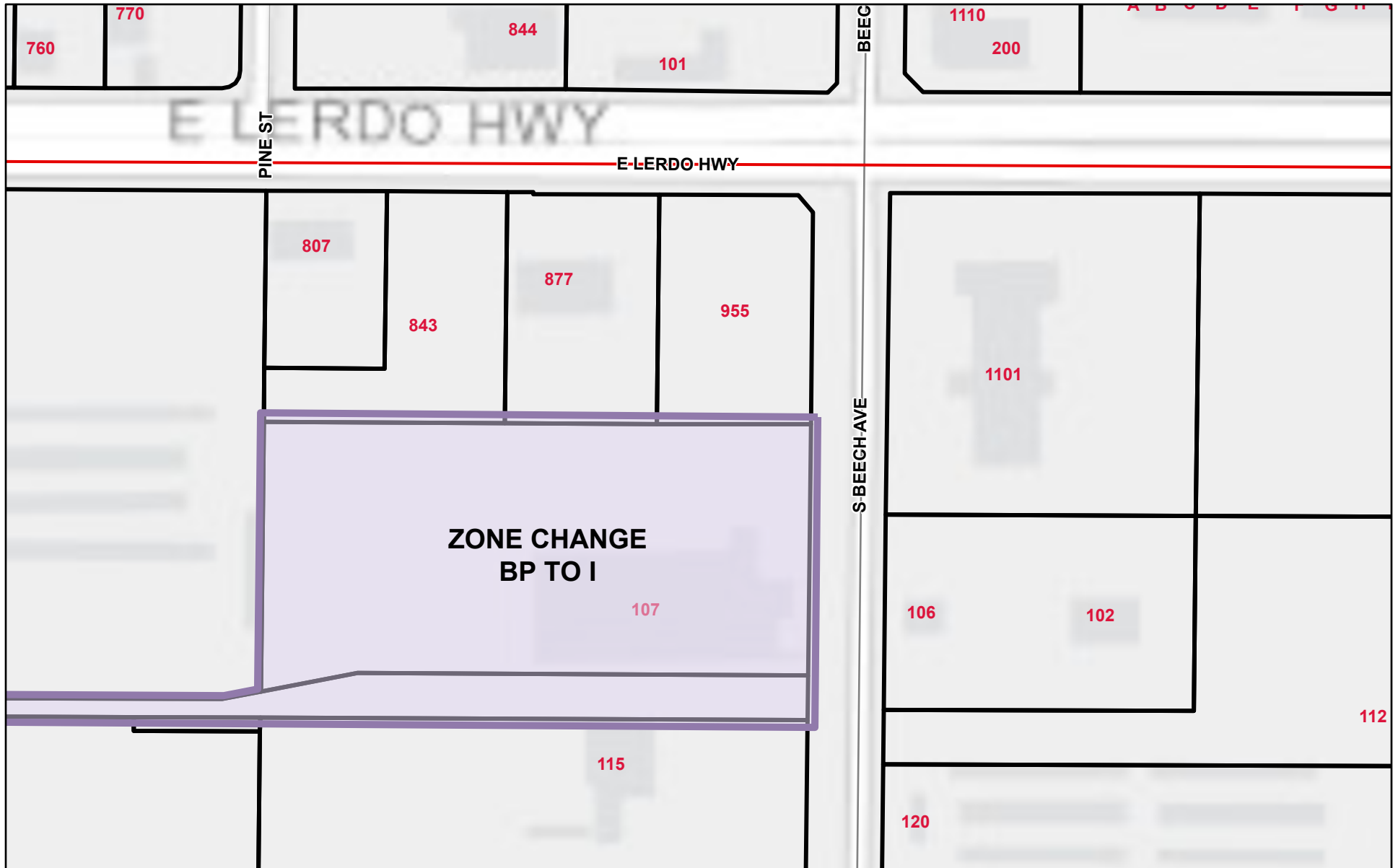
 Project Site




Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, City of Shafter, Bureau of Land Management, Esri, HERE,

City of Shafter

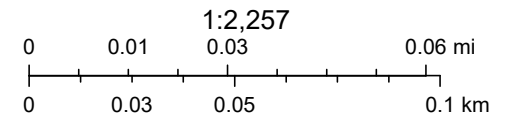
ZONE CHANGE No. 25-79 EXHIBIT "A"



11/12/2025, 7:19:02 AM

 Parcels

 Project Site



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, City of Shafter, Bureau of Land Management, Esri, HERE,

City of Shafter

DATE: December 9, 2025
TO: Planning Commission
FROM: Planning Department
SUBJECT: Conditional Use Permit No. 24-151 (Shafter Commercial Shopping Center)

RECOMMENDATION:

Commission conduct a public hearing; and adopt Resolution No. 25-473, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 24-151 to conditionally allow for the development of a commercial shopping center on a 10.04-acre site located at the northwest corner of S. Central Valley Highway and E. Ash Avenue (APN 028-180-46); adopt a Mitigated Negative Declaration for the project.

APPLICANT

OWNER
Fisel Obaid
906 Eckmann Street
Shafter, CA 93263

LOCATION: 24K Bros LLC
906 Eckmann Street
Shafter, CA 93263

LOCATION: Northwest corner of S. Central Valley Highway and E. Ash Avenue. See **Exhibit 1** for a vicinity map.

PROJECT DATA:

- 1. General Plan Designation: The project site land use designation is Commercial-Professional Offices (CPO).
- 2. Zoning: The project site is zoned General Commercial (GC).
- 3. Project Size: 10.04 acres
- 4. Surrounding Land Uses: The site is surrounded by commercial and recreation to the north and west; single-family residential to the south; and a highway and rail, business park, and industrial to the east.

PROJECT ANALYSIS:

The applicant, Fisel Obaid, representing the property owner, 24K Bros LLC, applied for a CUP to allow for the development of a commercial shopping center on 10.04 acres located at the northwest corner of S. Central Valley Highway and E. Ash Avenue. The project consists an anchor grocery store [27,000 square feet (sf)]; four in-line retail store fronts (total of 32,880 sf); convenience store (8,030 sf) with four gas pumps (auto fueling) (3,690 sf); two drive-thru restaurants (total of 7,500 sf); office building (6,300

PUBLIC HEARING

sf); and associated parking (346 total spaces), internal roads, ingress/egress, and landscaping on the 10.04-acre site (APN 028-180-46) to be built in multiple phases. The project site is currently vacant. See **Exhibit 2** for the current site plan of the commercial shopping center.

As described in Table 5.A of the Title 17 of the Shafter Municipal Code (Zoning Ordinance), “shopping centers” are conditionally allowed. Therefore, a CUP is required for the proposed commercial shopping center at the project site.

CEQA:

Based upon an initial study, staff have 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. 2025100501) was prepared for this project in accordance with the California Environmental Quality Act (CEQA). The MND was circulated for the 30-day public and agency review period from October 10, 2025, to November 10, 2025. The MND is provided as **Exhibit 3**.

During the 30-day public and agency review of the project, the City received three comment letters regarding the project. The three letters were from: 1) Kern County Fire Department (dated October 21, 2025), 2) California Department of Transportation (dated October 21, 2025), and San Joaquin Valley Air Pollution Control District (dated November 10, 2025). These three letters are attached to this staff report as **Exhibit 4**. The letters were considered and incorporated into the conditions of approval for the project, as appropriate.

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, an 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.

FINDINGS:

1. The Planning Commission finds that the proposed use is permitted within the General Commercial (GC) zone district, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City.
2. The Planning Commission finds the proposed use would not impair the integrity and character of the GC zone district in which the conditional use permit is to be established.
3. The Planning Commission finds that the project is suitable for the type and intensity of the use proposed for the conditional use permit.
4. The Planning Commission finds that there is adequate provision for water, sanitation, public utilities and services to ensure public health and safety.

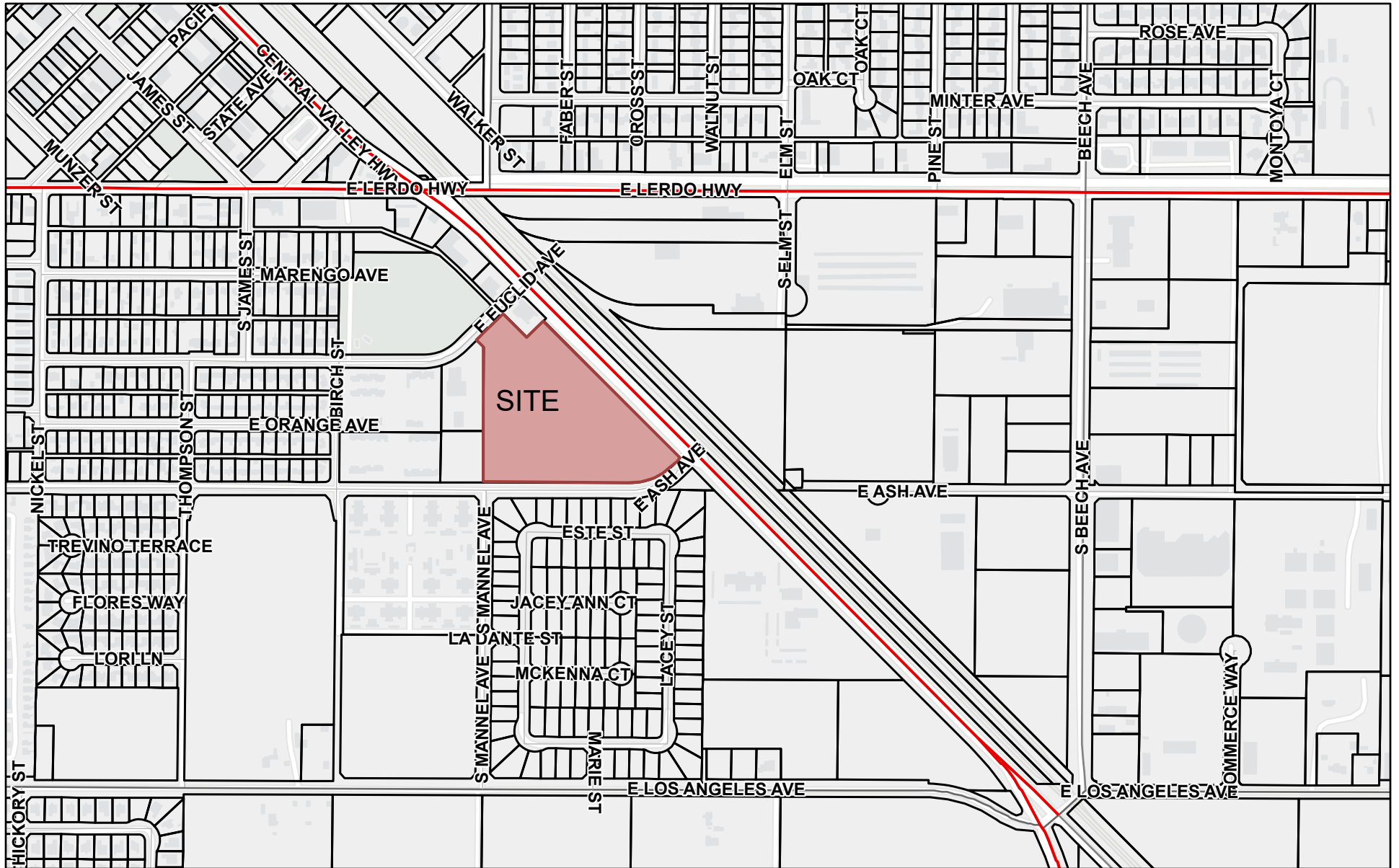
Conditional Use Permit No. 24-151 (Shafter Commercial Shopping Center)

5. The Planning Commission finds that the conditional use permit will not be detrimental to public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.
6. The Planning Commission finds that a Mitigated Negative Declaration prepared for CUP No. 24-151 found that, with mitigation, the approval of the CUP would not result in a significant effect on the environment.
7. The Planning Commission finds that the attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

ATTACHMENTS

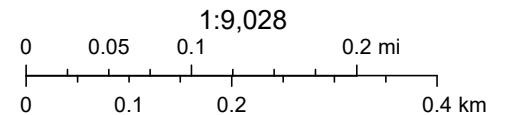
EXHIBIT

Vicinity Map	1
Preliminary Site Plan	2
Mitigated Negative Declaration	3
Comment Letters	4
Resolution No. 25-473	5



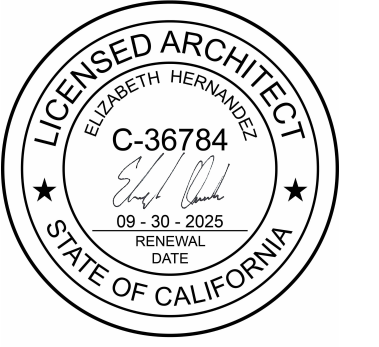
10/6/2025, 2:26:31 PM

- Parcels 2025 July 24
- Site
- Road Centerlines
- Highway
- Arterial
- Local
- Collector



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AREA SUMMARY

BUILDING AREA (SHOPPING CENTER):	±27,000 SF
GROCERY STORE:	±32,880 SF
RETAIL:	±6,300 SF
OFFICE:	±7,500 SF
FAST FOOD RESTAURANT:	±8,030 SF
CONVENIENCE STORE:	±3,690 SF
AUTO FUELING:	±8,500 SF
TOTAL BUILDING AREA:	±85,400 SF

LOT SIZE:	10.04 ACRES (437,342.4 SF)
LANDSCAPE AREA RATIO:	(82,636 SF) 17.5 %
HARDSCAPE AREA RATIO:	(269,306 SF) 63.0 %
BUILDING AREA RATIO:	(85,400 SF) 19.5 %

PARKING SUMMARY

PARKING REQUIRED:	1 SPACE / 250 SF OF GROSS BLDG. AREA (85,400 SF / 250 SF = 342 SPACES)
SHOPPING CENTER (CHAPTER 13, B.2)	1 MOTORCYCLE SPACE PER 100 SPACES

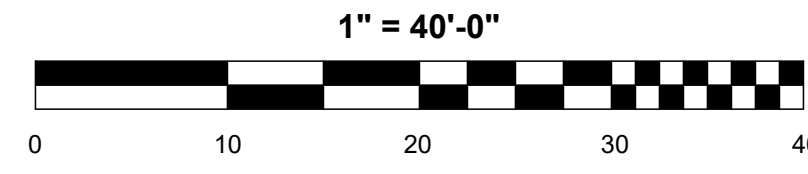
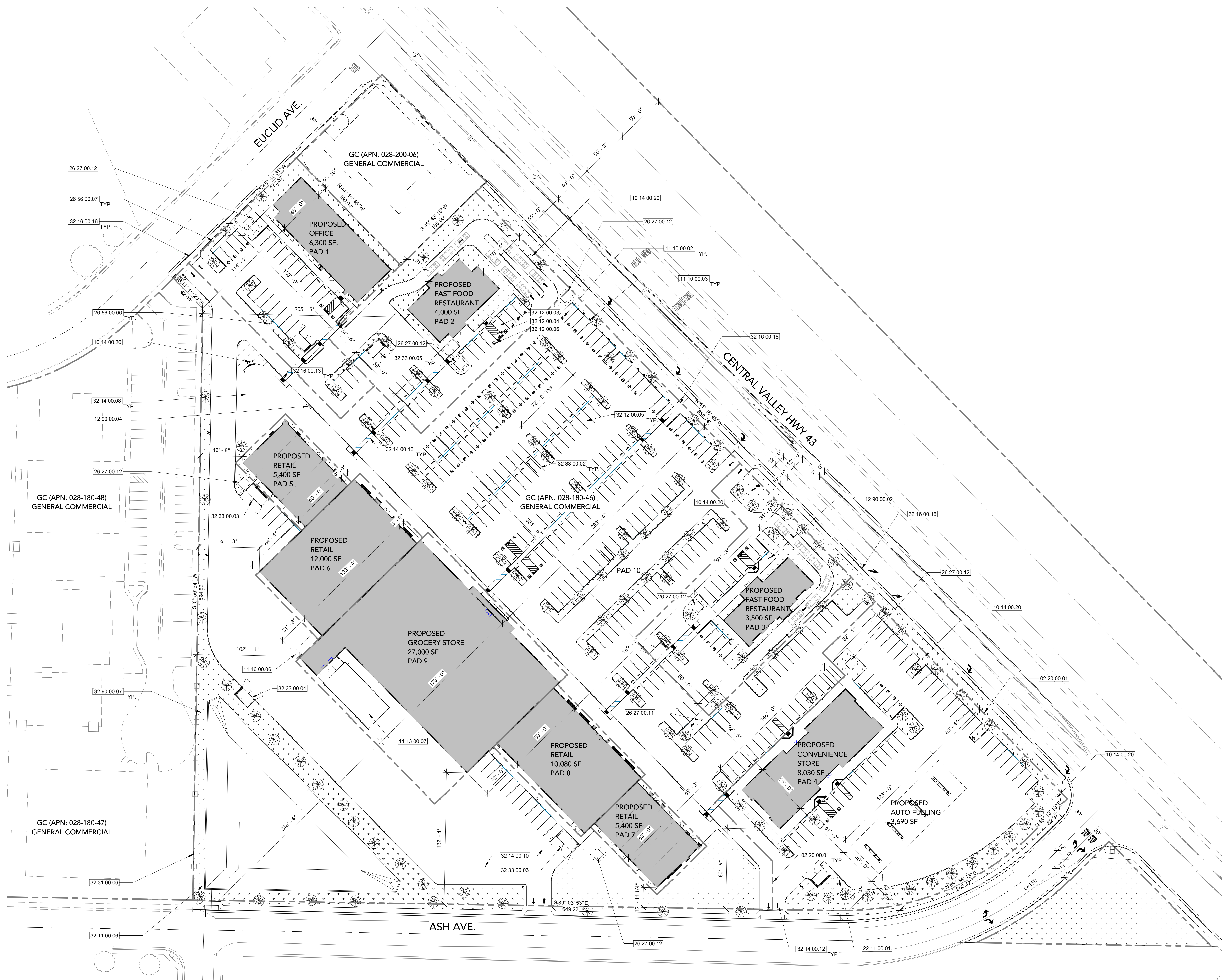
CALGREEN STANDARDS:	
SHORT-TERM BICYCLE PARKING PROVIDED:	18 (342 SPACES x 5%)
EV CAPABLE SPACES:	69 (342 SPACES x 20%)
ELECTRIC VEHICLE CHARGING STATION (EVCS):	18* (25% OF 69)
VAN ACCESSIBLE (EVCS):	1*
STANDARD ACCESSIBLE (EVCS):	1*

*CAN BE COUNTED TOWARDS EV CAPABLE SPACES REQUIREMENTS

PARKING PROVIDED:	
STANDARD:	262
COMPACT:	0
MOTORCYCLE:	4
ACCESSIBLE:	6
VAN ACCESSIBLE:	6
EV CAPABLE SPACES:	51
ELECTRIC VEHICLE CHARGING STATION (EVCS)	18
TOTAL SPACES:	347

KEYNOTES

- 02 20 00.01 PROPERTY LINE
- 10 14 00.20 MONUMENT SIGN
- 11 10 00.02 9' x 19' ELECTRIC VEHICLE CAPABLE SPACE - TYP OF (53)
- 11 10 00.03 ELECTRIC VEHICLE CHARGING STATION - TYP. OF (18)
- 11 13 00.07 NEW LOADING DOCK
- 11 46 00.06 FACILITY WASTE COMPACTOR
- 12 90 00.02 1-LOOP WAVE STYLE BIKE RACK - 3 BIKE CAPACITY - TYP. BY 'ULINE' MODEL: H- 2892GALV FINISH: POWDER COATING COLOR: GALVANIZED
- 12 90 00.04 3-LOOP WAVE STYLE BIKE RACK - 5 BIKE CAPACITY - TYP. BY 'ULINE' MODEL: H- 2543GALV FINISH: POWDER COATING COLOR: GALVANIZED
- 22 11 00.01 AIR AND WATER MACHINE
- 26 27 00.11 HOUSE METER
- 26 27 00.12 TRANSFORMER
- 26 56 00.06 20'-0" HIGH POLE MOUNTED SITE LIGHTING, DOUBLE TYP.
- 26 56 00.07 20'-0" HIGH POLE MOUNTED SITE LIGHTING, SINGLE TYP.
- 32 11 00.06 ON-SITE DRAINAGE BASIN w/ 6' HIGH WROUGHT IRON FENCE
- 32 12 00.03 8' x 19' ACCESSIBLE PARKING ISLE PER TITLE 24 STANDARDS
- 32 12 00.04 9' x 19' ACCESSIBLE PARKING STALL PER TITLE 24 STANDARDS
- 32 12 00.05 9' x 19' PARKING SPACE PER CITY STANDARDS
- 32 12 00.06 9' x 19' VAN ACCESSIBLE PARKING STALL PER TITLE 24 STANDARDS
- 32 14 00.08 CONCRETE PAVING PER CITY STANDARDS
- 32 14 00.10 MIN. 2" TYPE B2 A.C. PAVING OVER 3" CLASS II AGGREGATE BASE PER CITY STANDARDS
- 32 14 00.12 DIRECTION OF TRAFFIC - PAINTED
- 32 14 00.13 4'-0" WIDE PAINTED PEDESTRIAN ACCESS AISLE
- 32 16 00.13 ACCESSIBLE CONCRETE CURB RAMP PER ADA & TITLE 24 REQUIREMENTS
- 32 16 00.16 CONCRETE CURB AND GUTTER PER CITY STANDARDS
- 32 16 00.18 CONCRETE SIDEWALK PER CITY STANDARDS
- 32 31 00.06 6' TALL BLOCK WALL
- 32 33 00.02 SHOPPING CART STORAGE CURB
- 32 33 00.03 4 BIN SHARED CMU BLOCK TRASH ENCLOSURE PER CITY STANDARDS
- 32 33 00.04 3 BIN SHARED CMU BLOCK TRASH ENCLOSURE PER CITY STANDARDS
- 32 33 00.05 3 BIN CMU BLOCK TRASH ENCLOSURE PER CITY STANDARDS
- 32 90 00.07 LANDSCAPE AREA



1 SITE PLAN
1" = 40'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

SITE PLAN

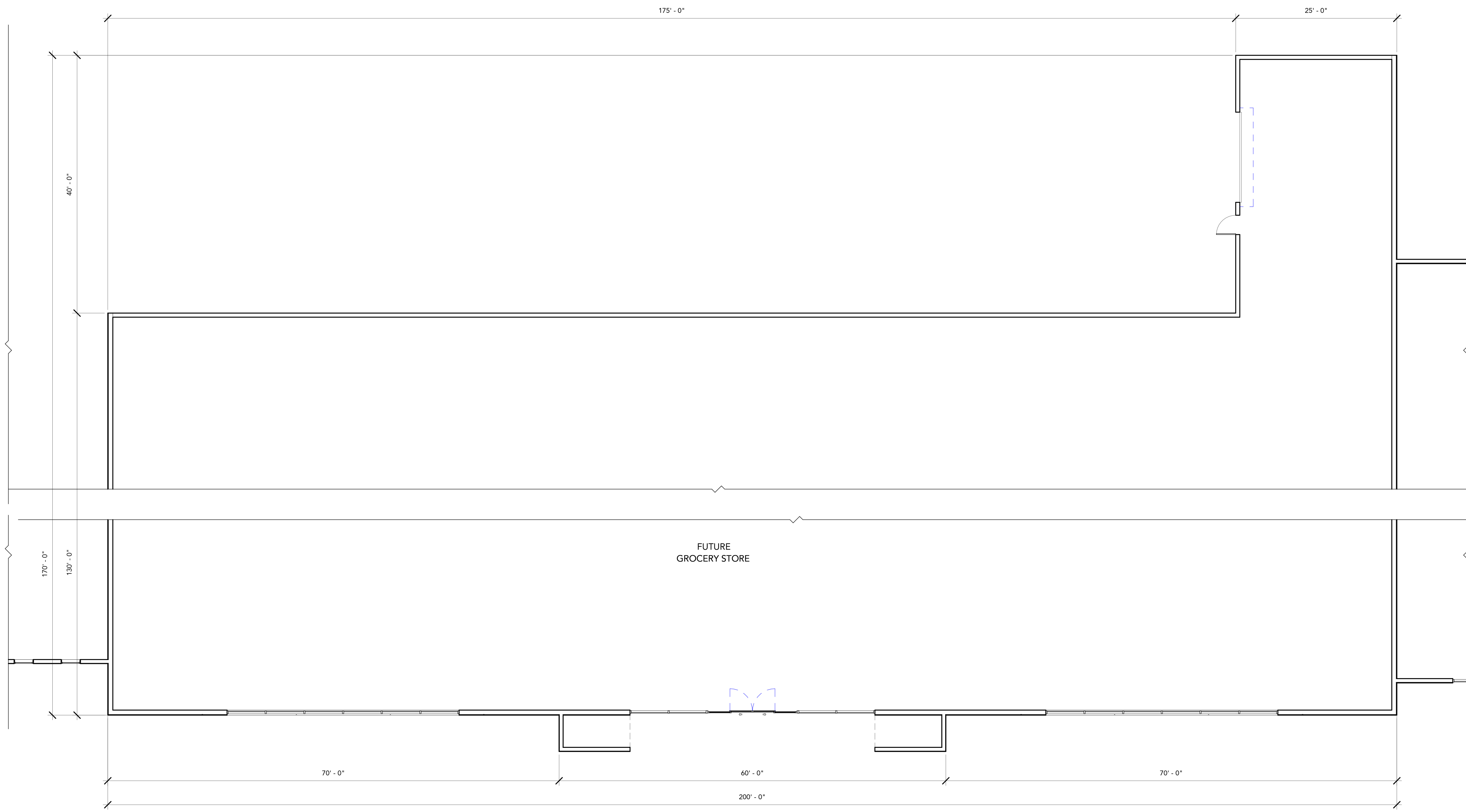
REV. DATE	ISSUED FOR
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07.18.2025	CUP REV.

DRAWN BY:	CHECKED BY:
EH	EH
PROJECT NO.	CA23-1020
SHEET	

CUP-2



1 EAST ELEVATION - GROCERY STORE / RETAIL
1/8" = 1'-0"



2 FLOOR PLAN - GROCERY STORE
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

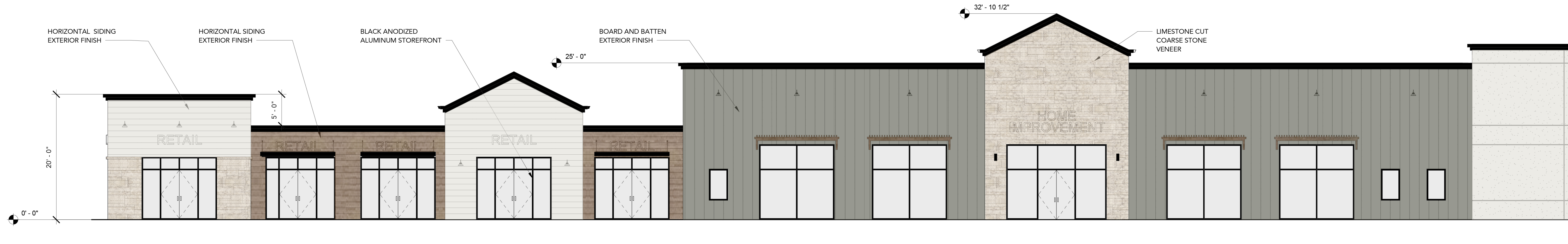
CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- GROCERY STORE

REV.	DATE	ISSUED FOR
11.15.2024	CUP	
07.18.2025	CUP REV.	

DRAWN BY:	CHECKED BY:
EH	EH
PROJECT NO.	CA23-1020
SHEET	

CUP-3



1 EAST ELEVATION - SOUTH RETAIL
1/8" = 1'-0"



2 SOUTH ELEVATION - SOUTH RETAIL
1/8" = 1'-0"



3 FLOOR PLAN - SOUTH RETAIL
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- RETAIL

REV. DATE ISSUED FOR

11.15.2024	CUP
07.18.2025	CUP REV.

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EH EH

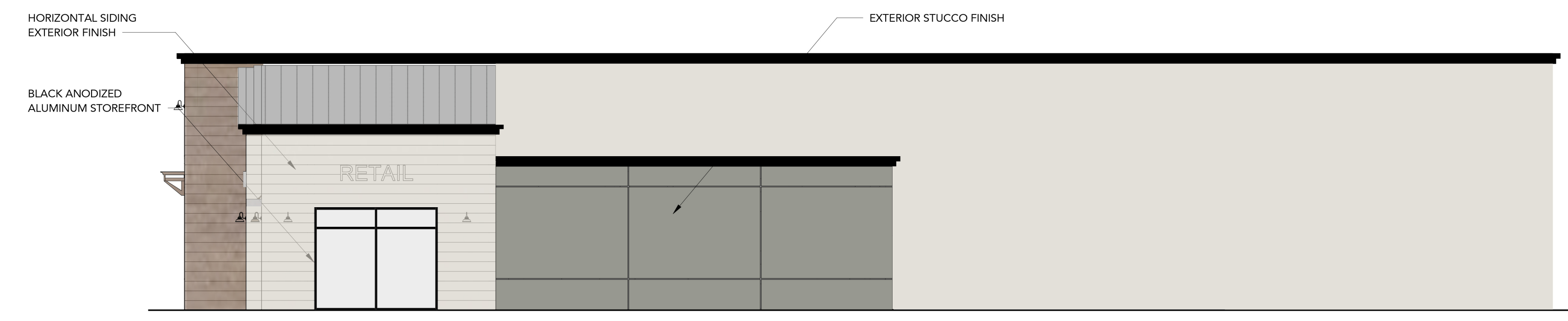
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SHEET

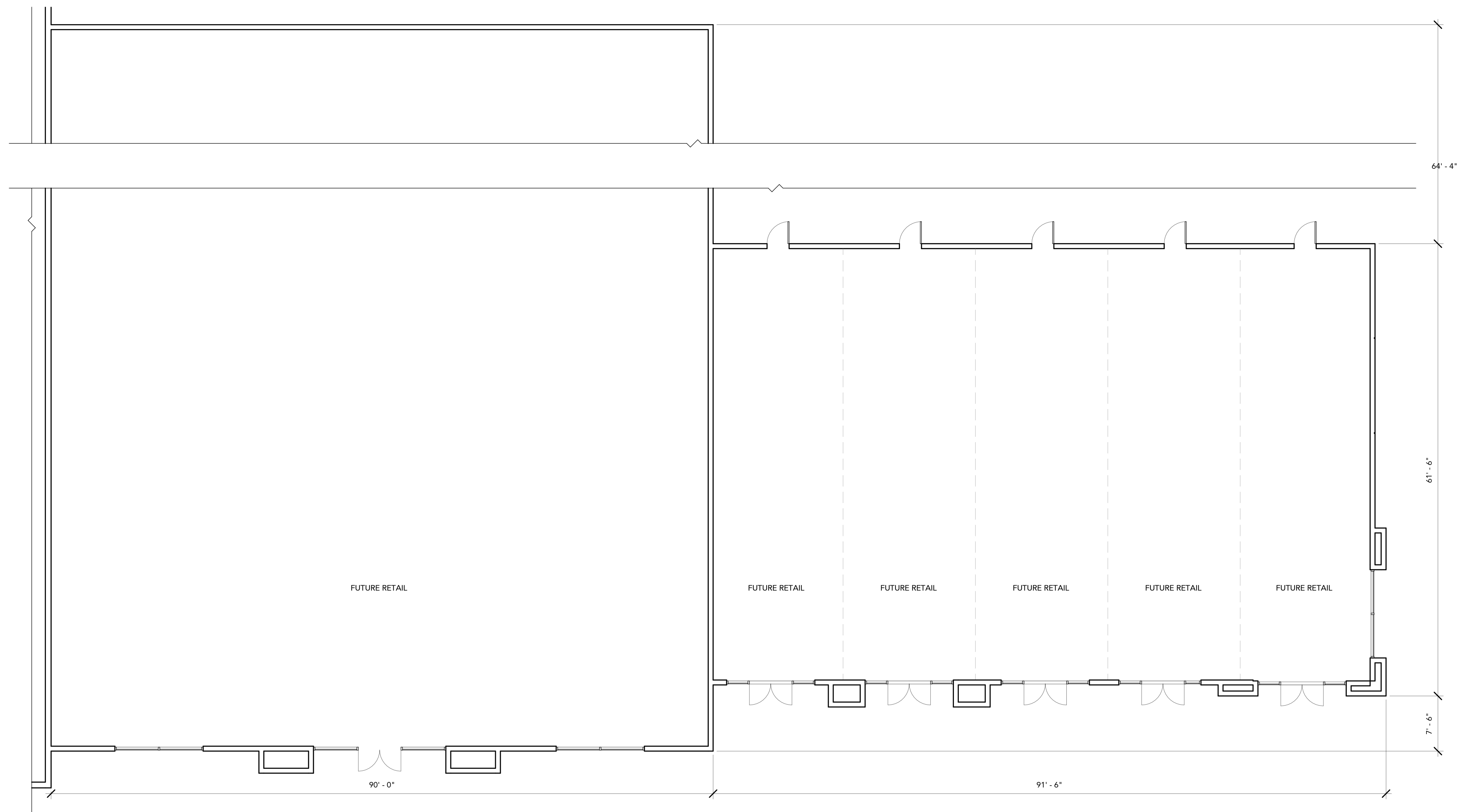
CUP-4



1 EAST ELEVATION - NORTH RETAIL
1/8" = 1'-0"



2 NORTH ELEVATION - NORTH RETAIL
1/8" = 1'-0"



3 FLOOR PLAN - NORTH RETAIL
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

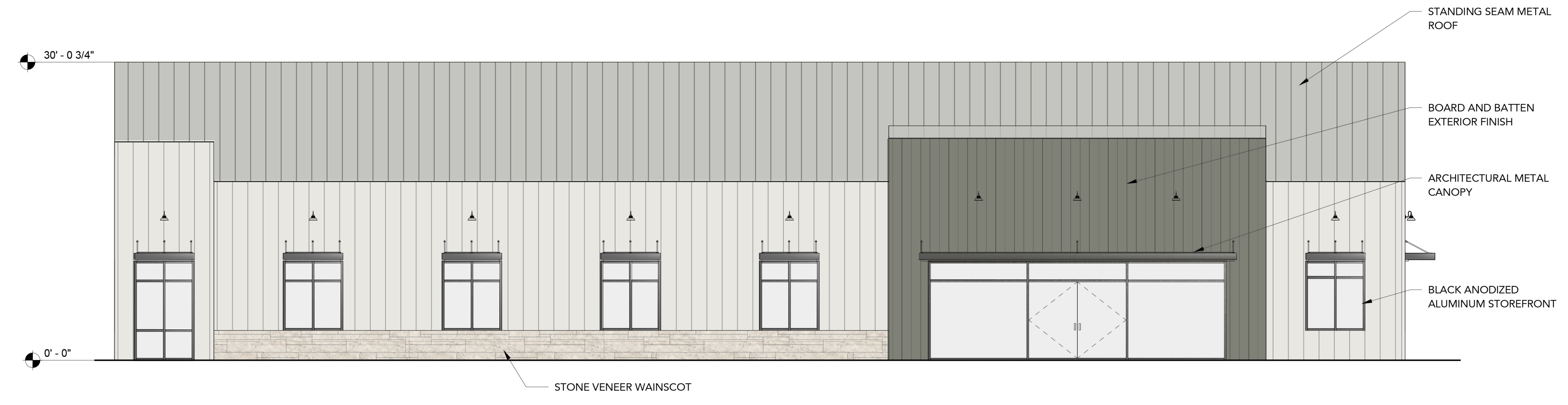
FLOOR PLAN /
EXTERIOR ELEVATION
- RETAIL

REV.	DATE	ISSUED FOR
11.15.2024	CUP	
07.18.2025	CUP REV.	

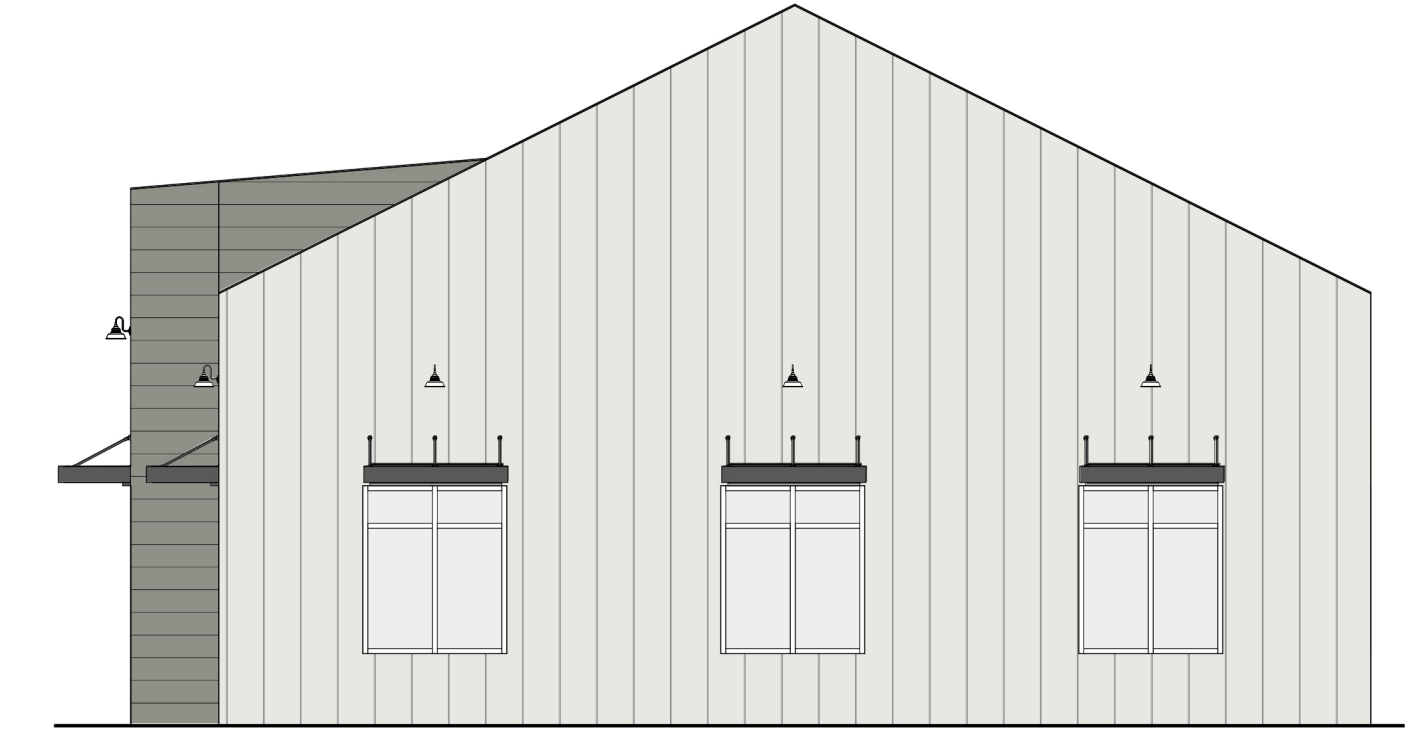
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PROJECT NO. CA23-1020
SHEET

CUP-5

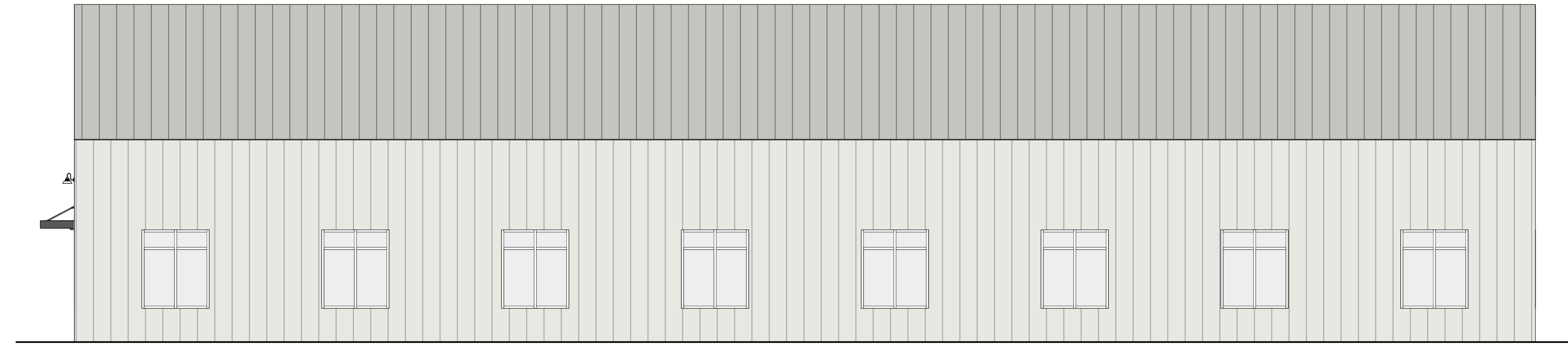
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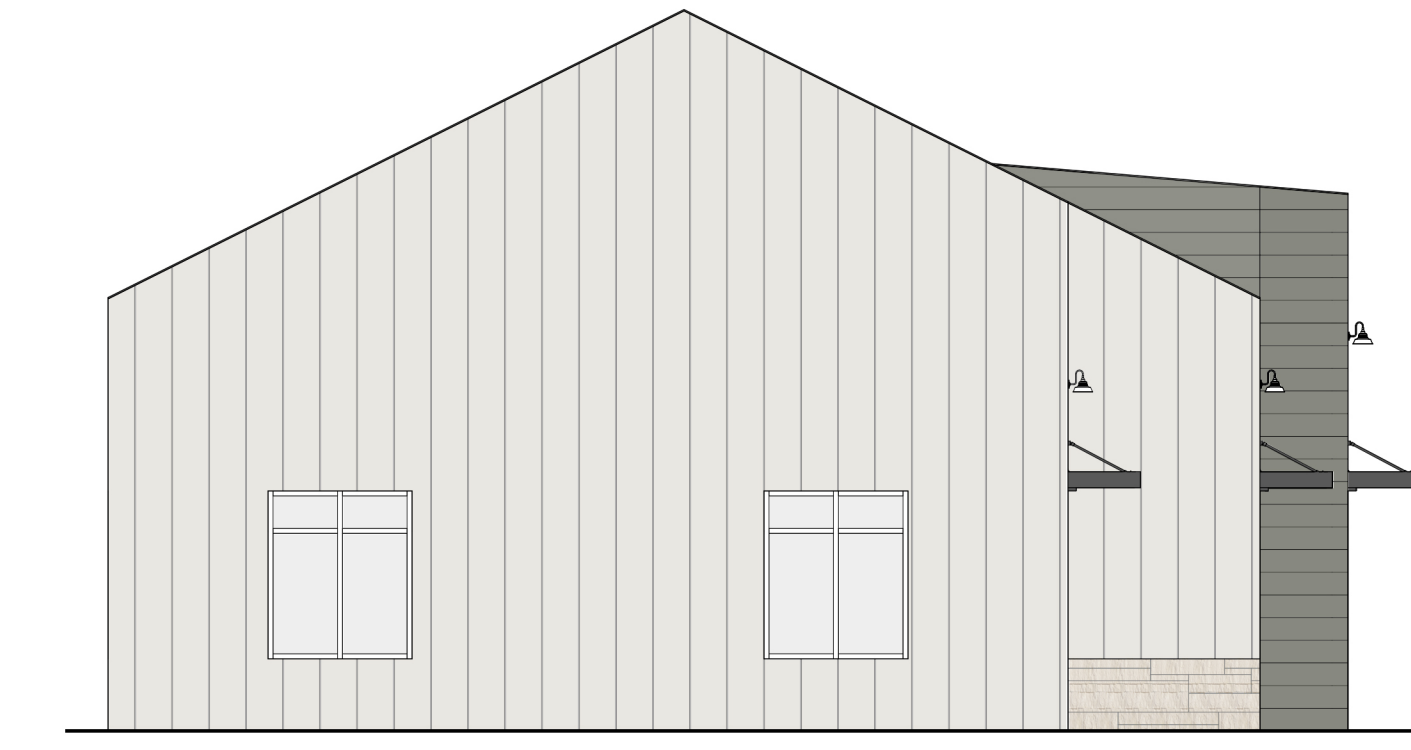
5 WEST ELEVATION - OFFICE
1/8" = 1'-0"



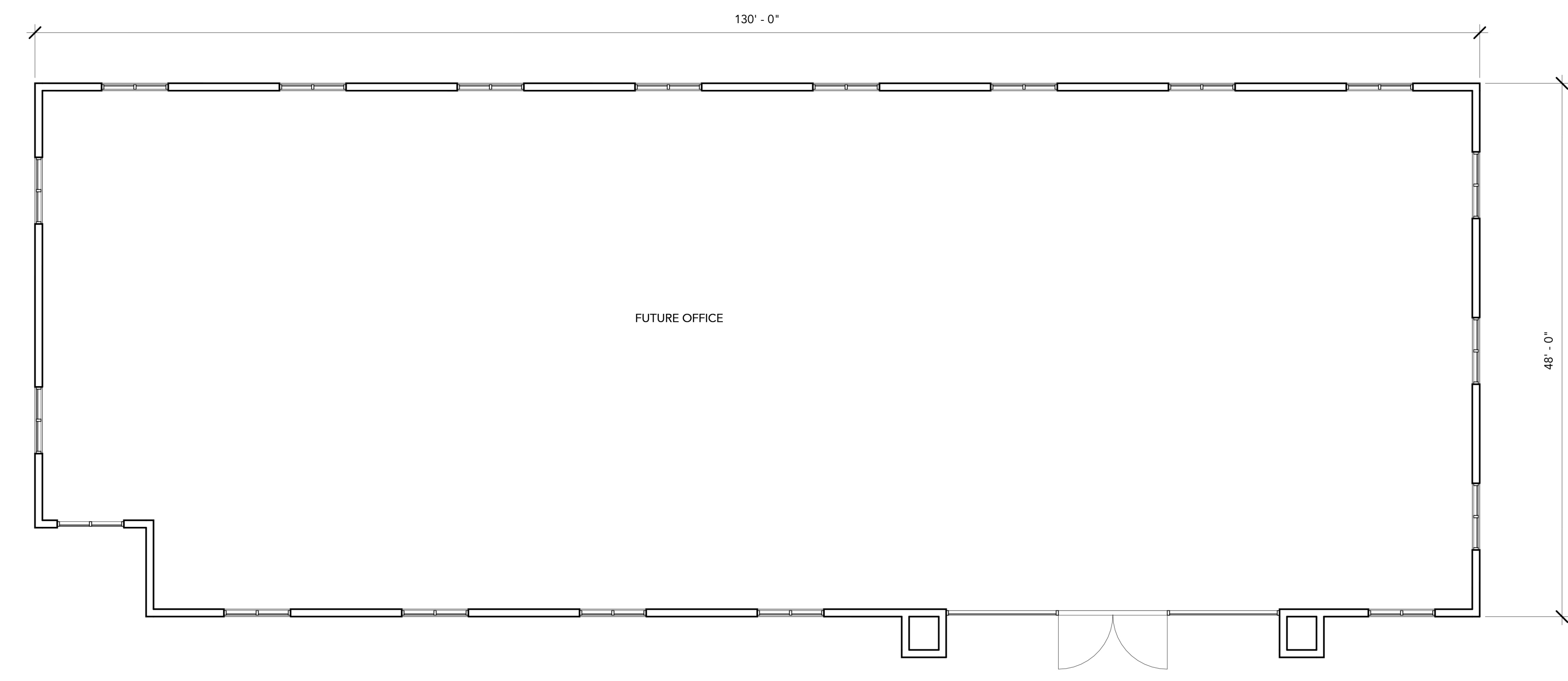
6 SOUTH ELEVATION - OFFICE
1/8" = 1'-0"



3 EAST ELEVATION - OFFICE
1/8" = 1'-0"



4 NORTH ELEVATION - OFFICE
1/8" = 1'-0"



1 FLOOR PLAN - OFFICE
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

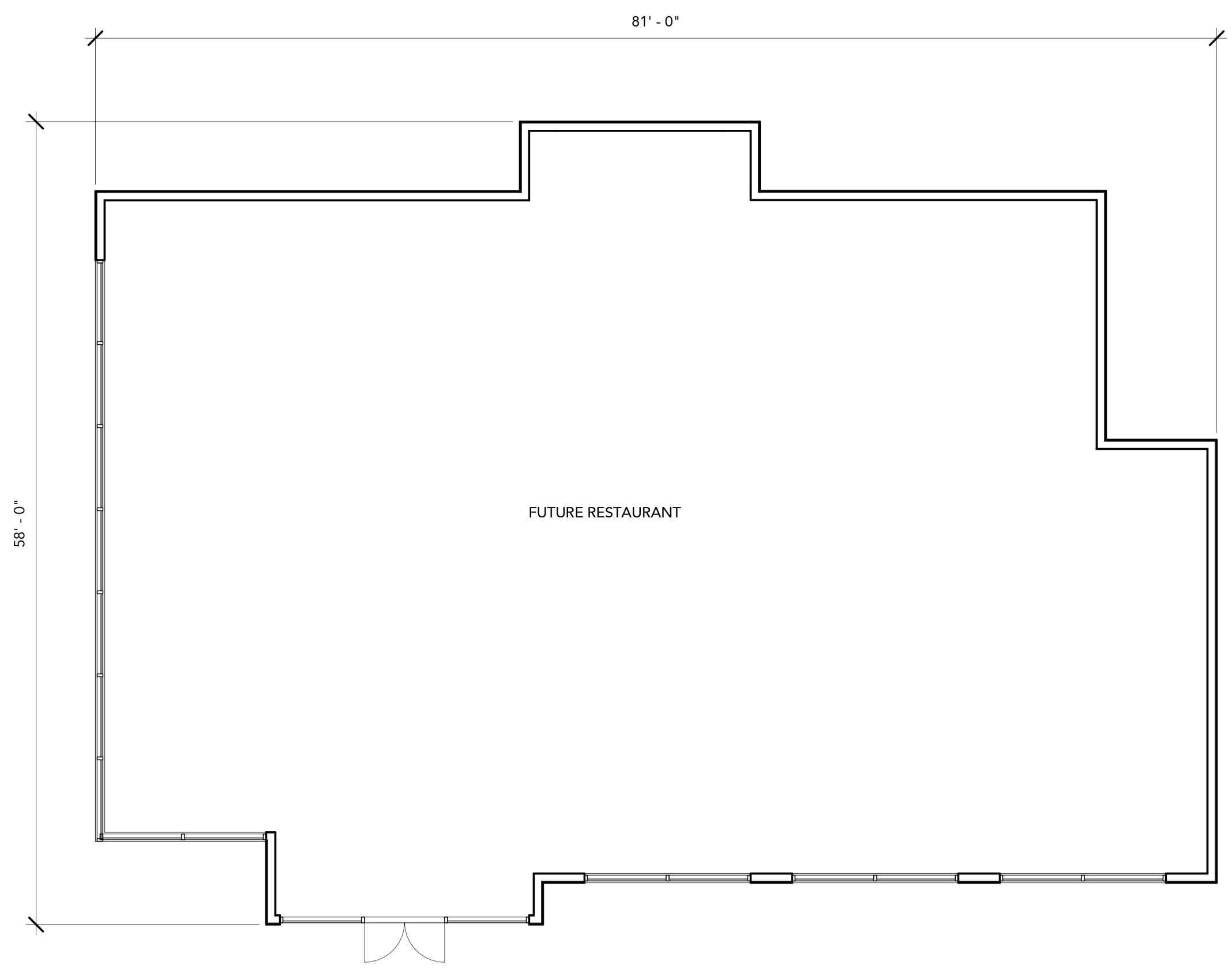
CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- OFFICE

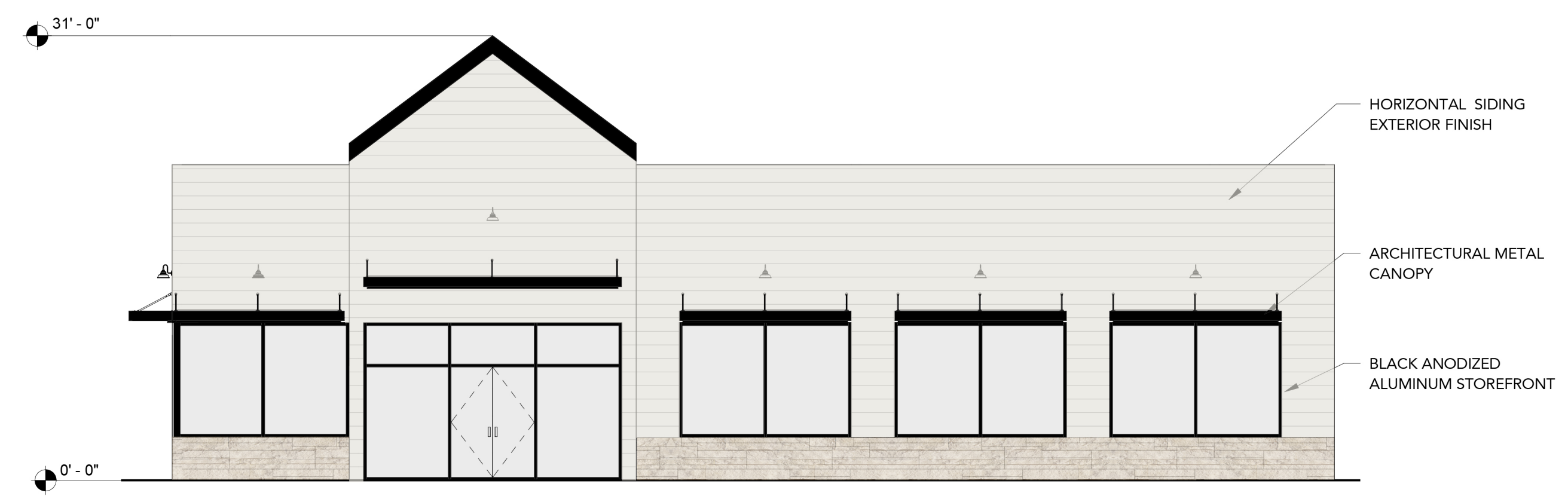
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07.18.2025	CUP REV.	

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SHEET

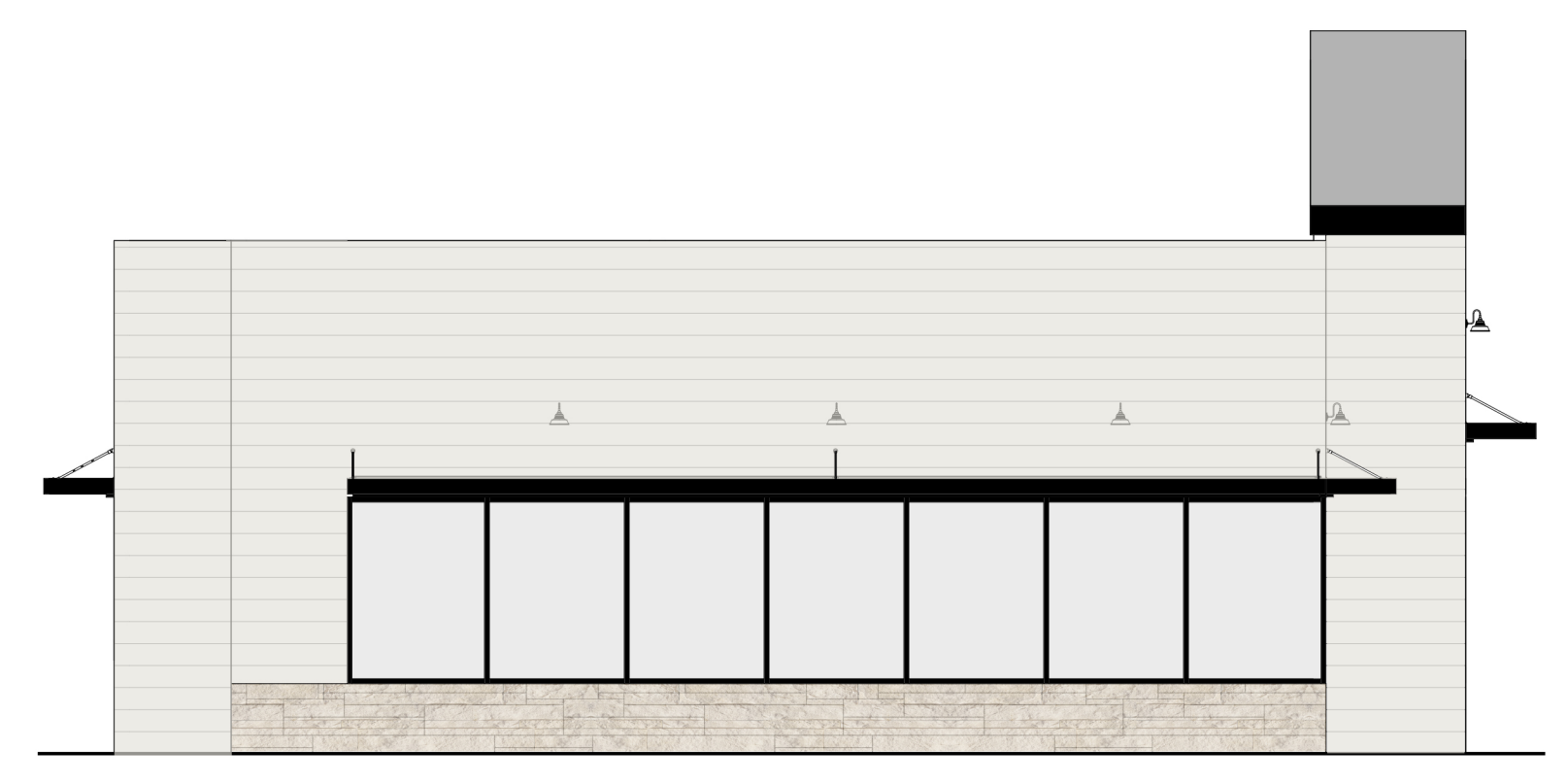
CUP-6



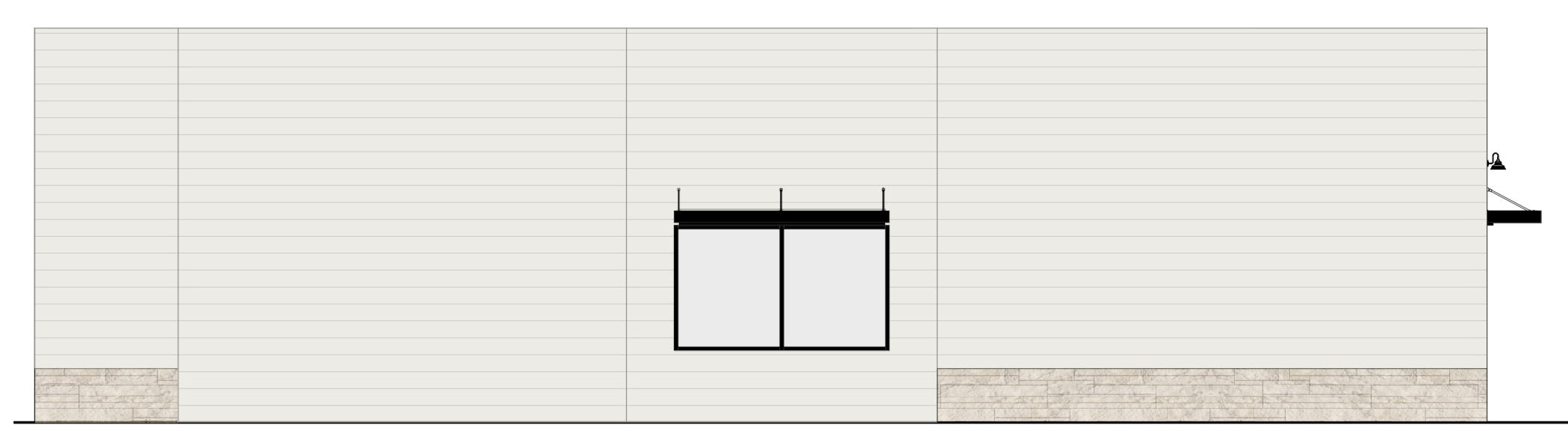
1 FLOOR PLAN - FAST FOOD RESTAURANT
1/8" = 1'-0"



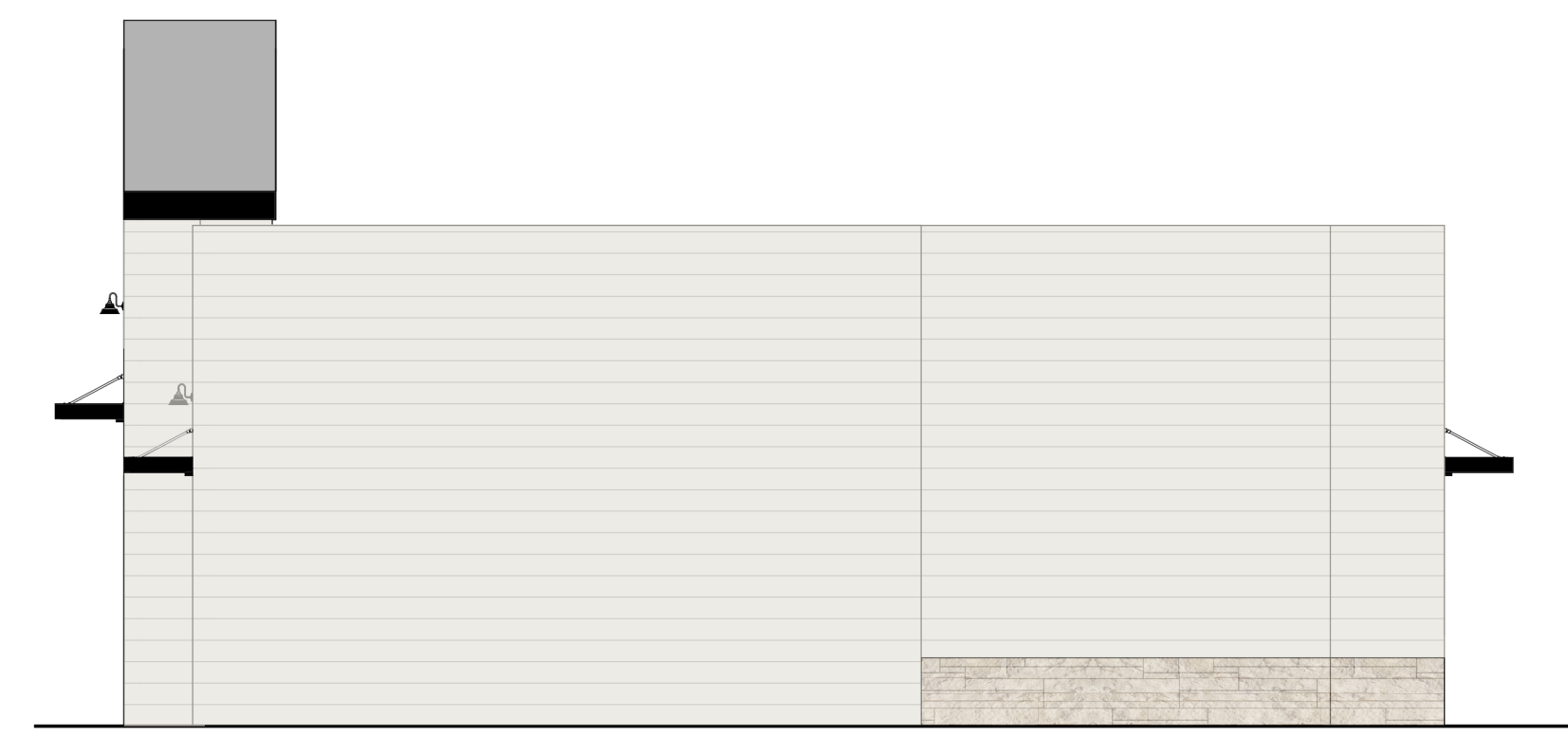
2 SOUTH ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



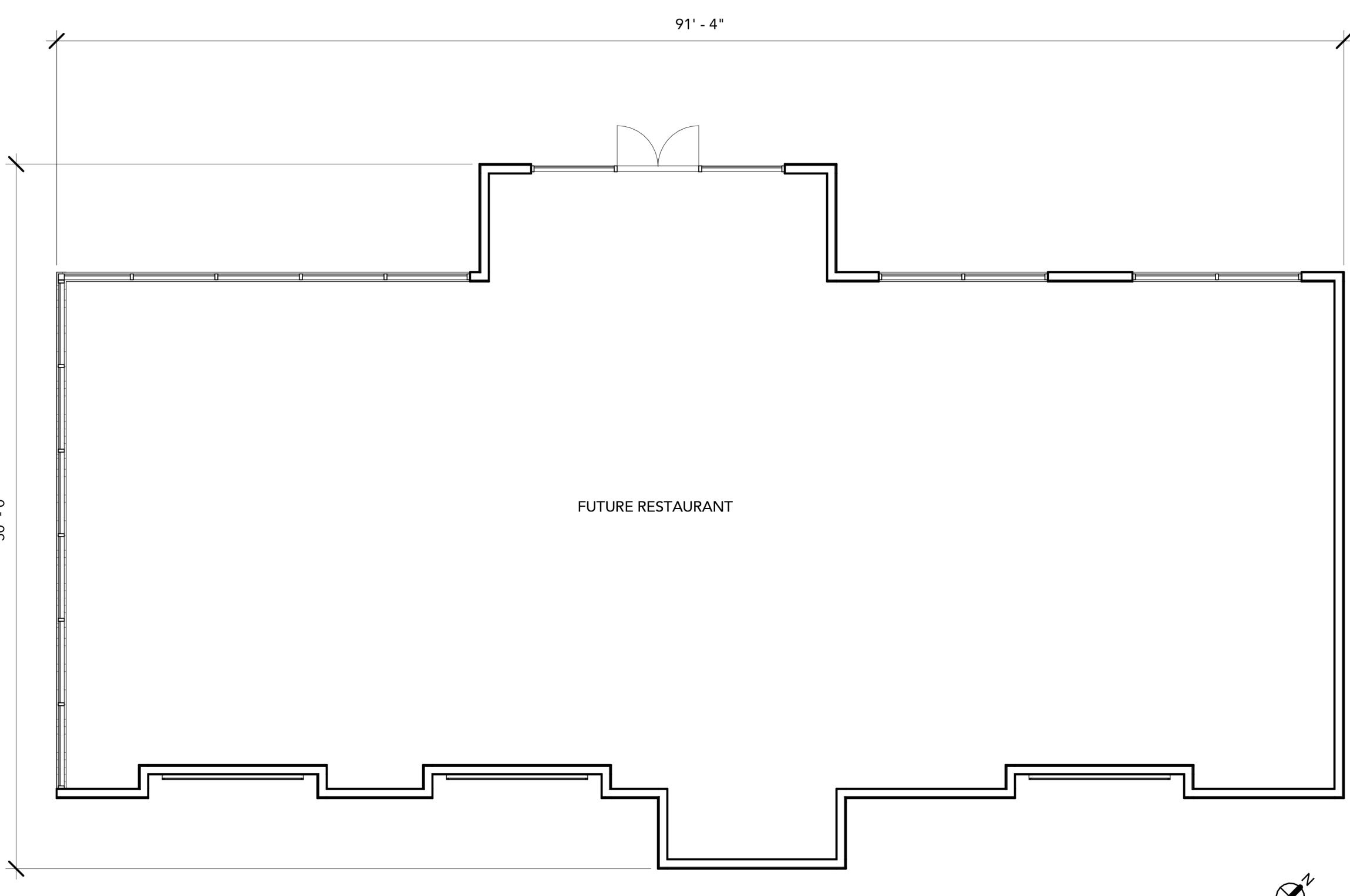
3 WEST ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



4 NORTH ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



5 EAST ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



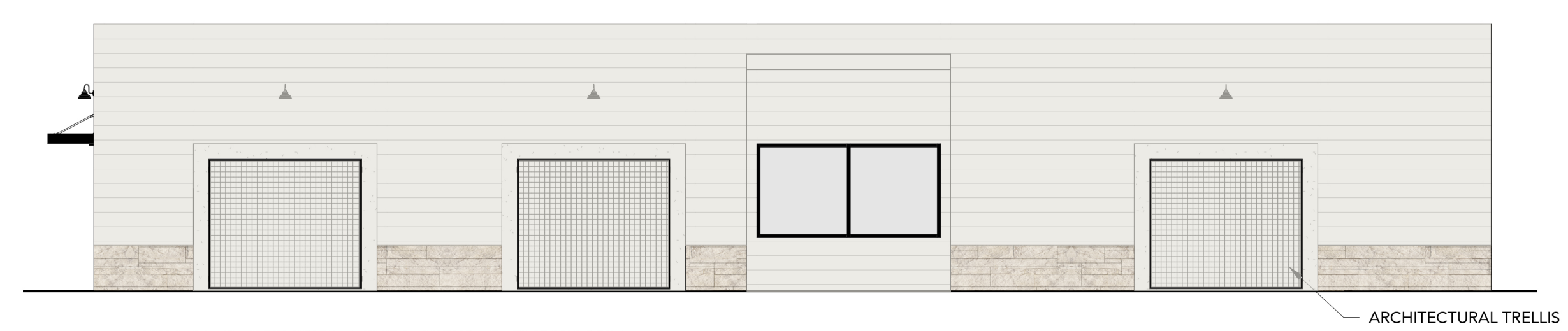
6 FLOOR PLAN - FAST FOOD RESTAURANT
1/8" = 1'-0"



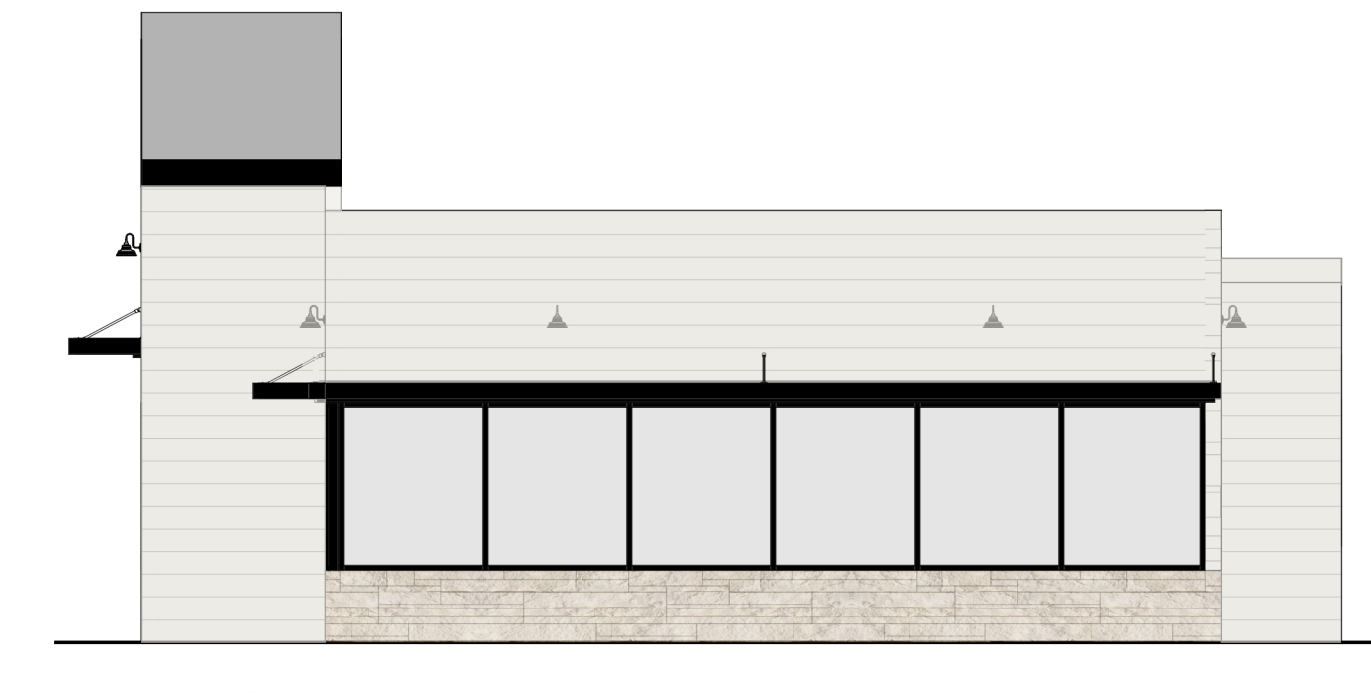
7 NORTH ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



8 EAST ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



9 SOUTH ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



10 WEST ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

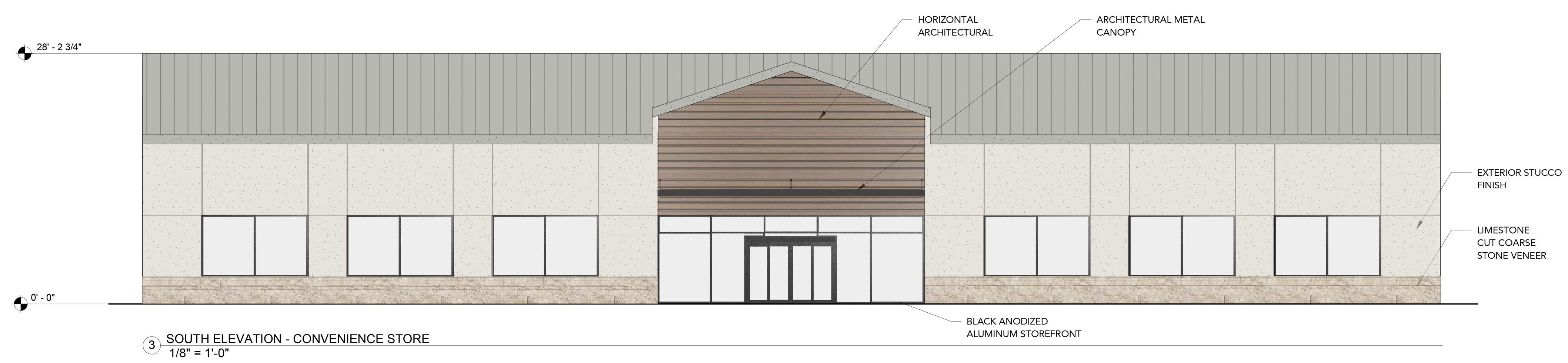
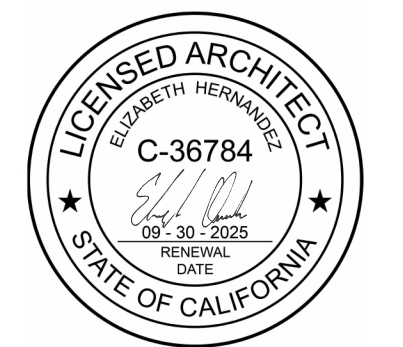
FLOOR PLAN /
EXTERIOR ELEVATION
- RESTAURANT

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	07.18.2025	CUP REV.

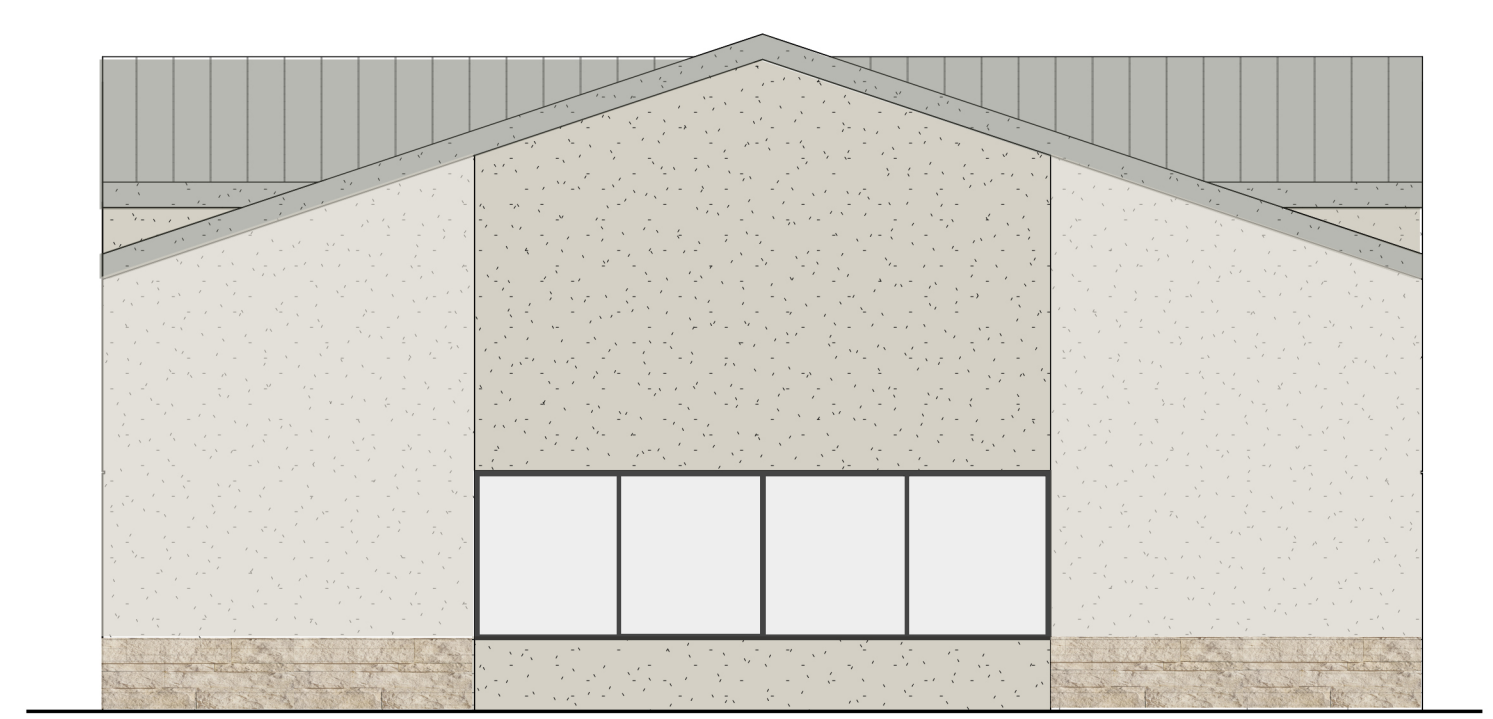
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SHEET

CUP-7

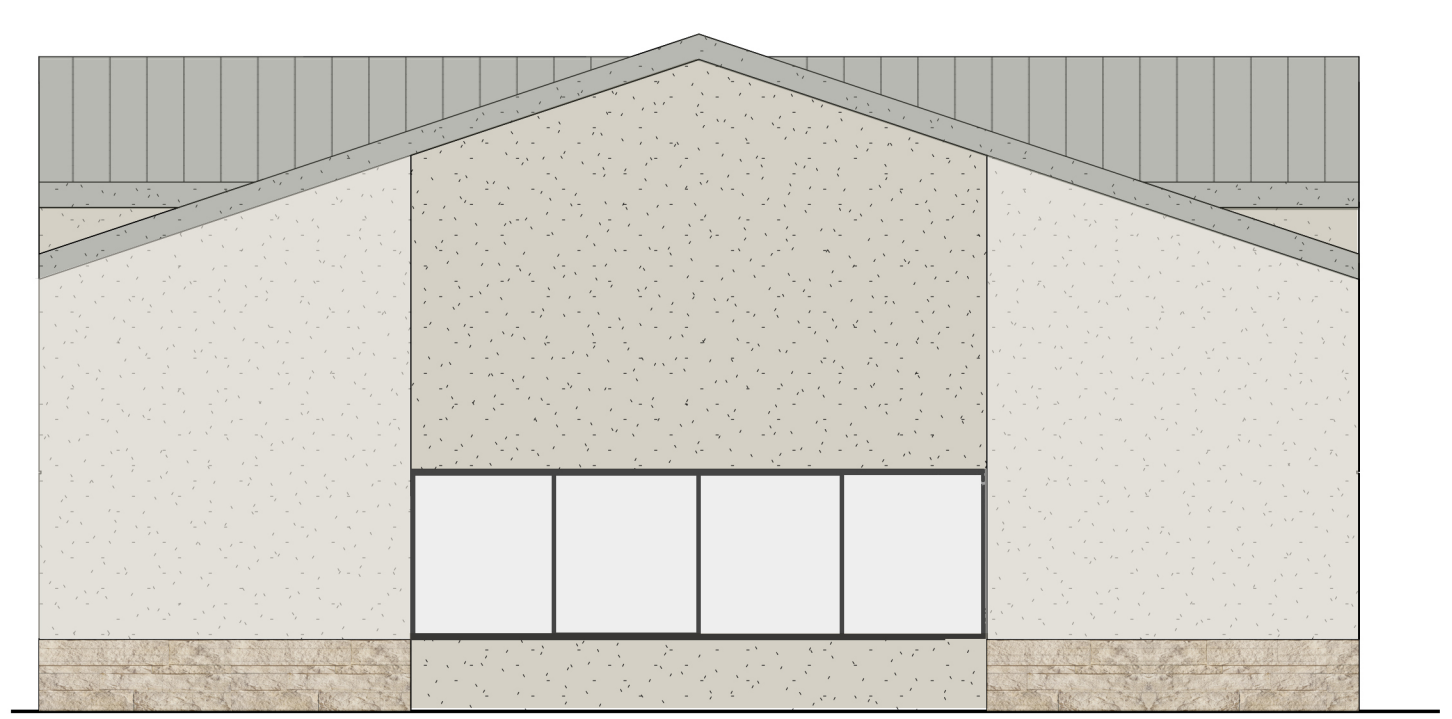
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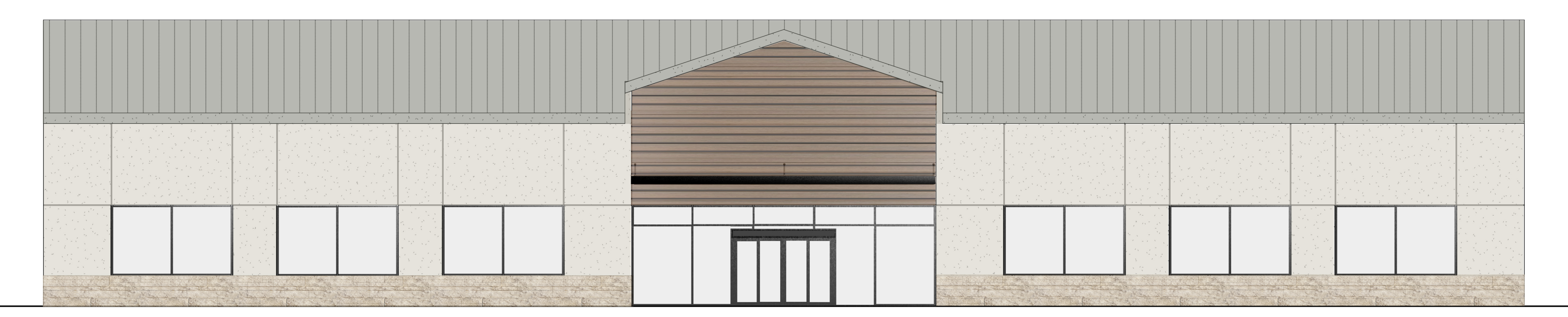
3 SOUTH ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



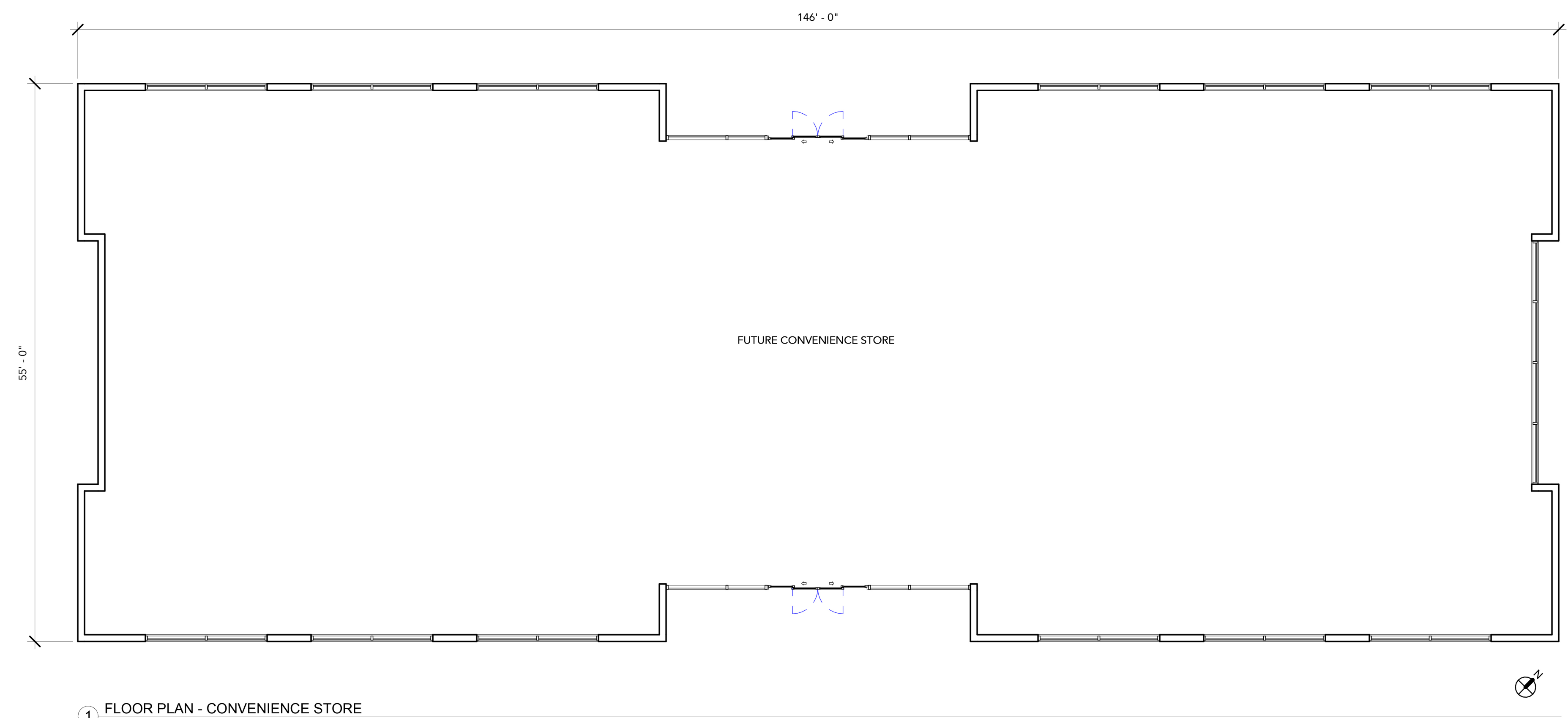
5 EAST ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



6 WEST ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



9 NORTH ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



1 FLOOR PLAN - CONVENIENCE STORE
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

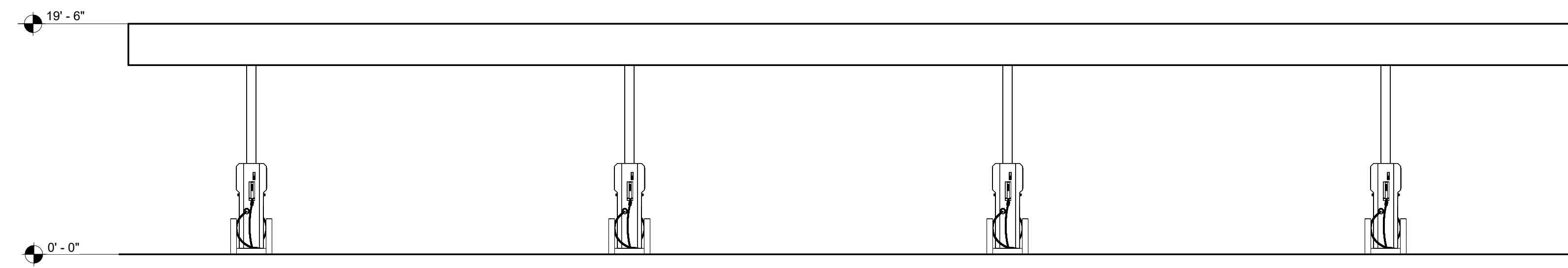
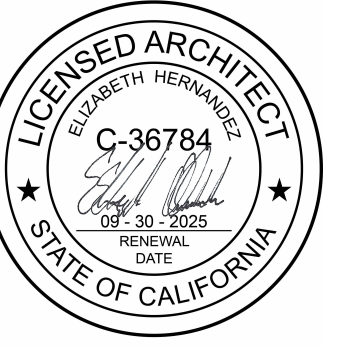
CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- CONVENIENCE
STORE

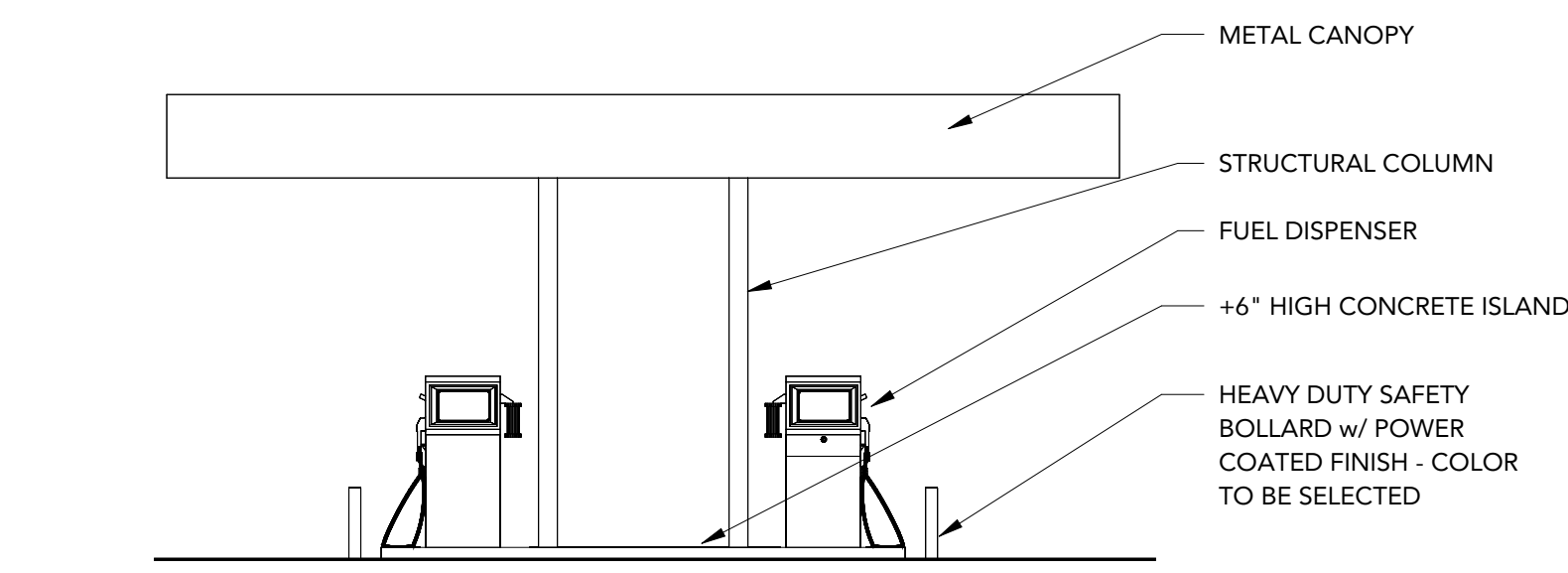
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07.18.2025	CUP REV.	

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PROJECT NO. CA23-1020
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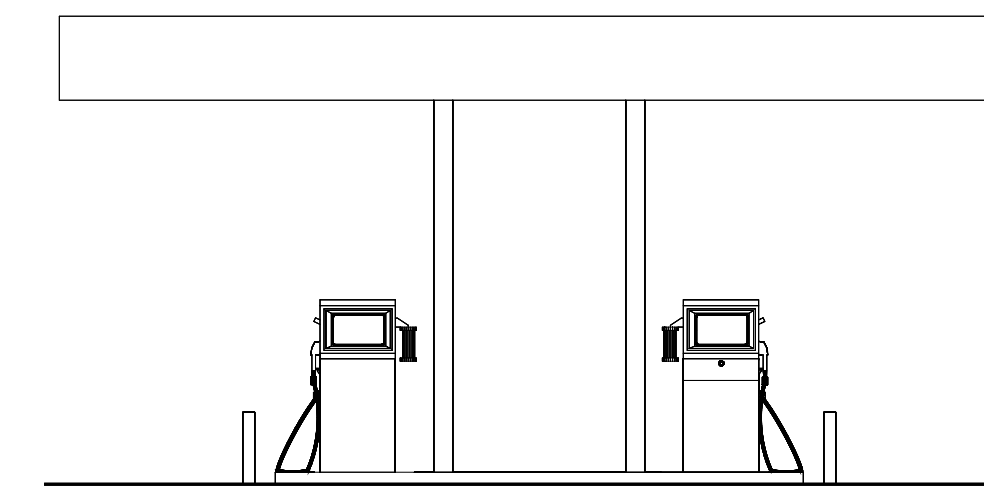
CUP-8



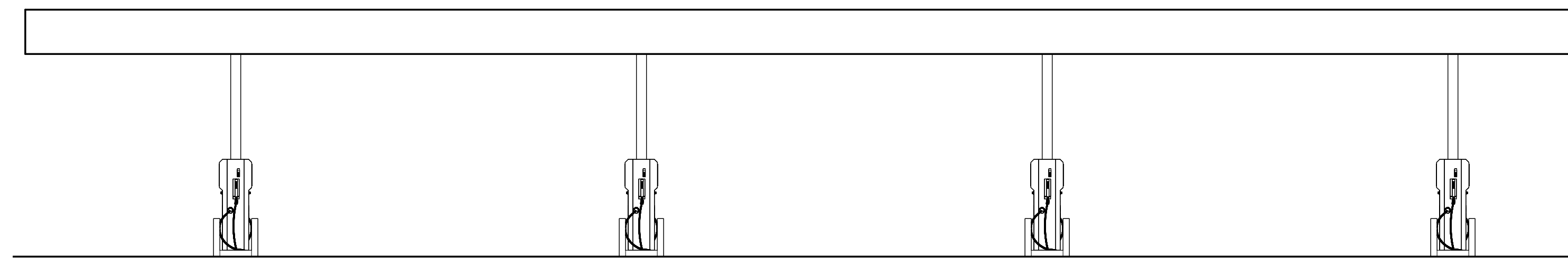
1 SOUTH ELEVATION - FUELING CANOPY
1/8" = 1'-0"



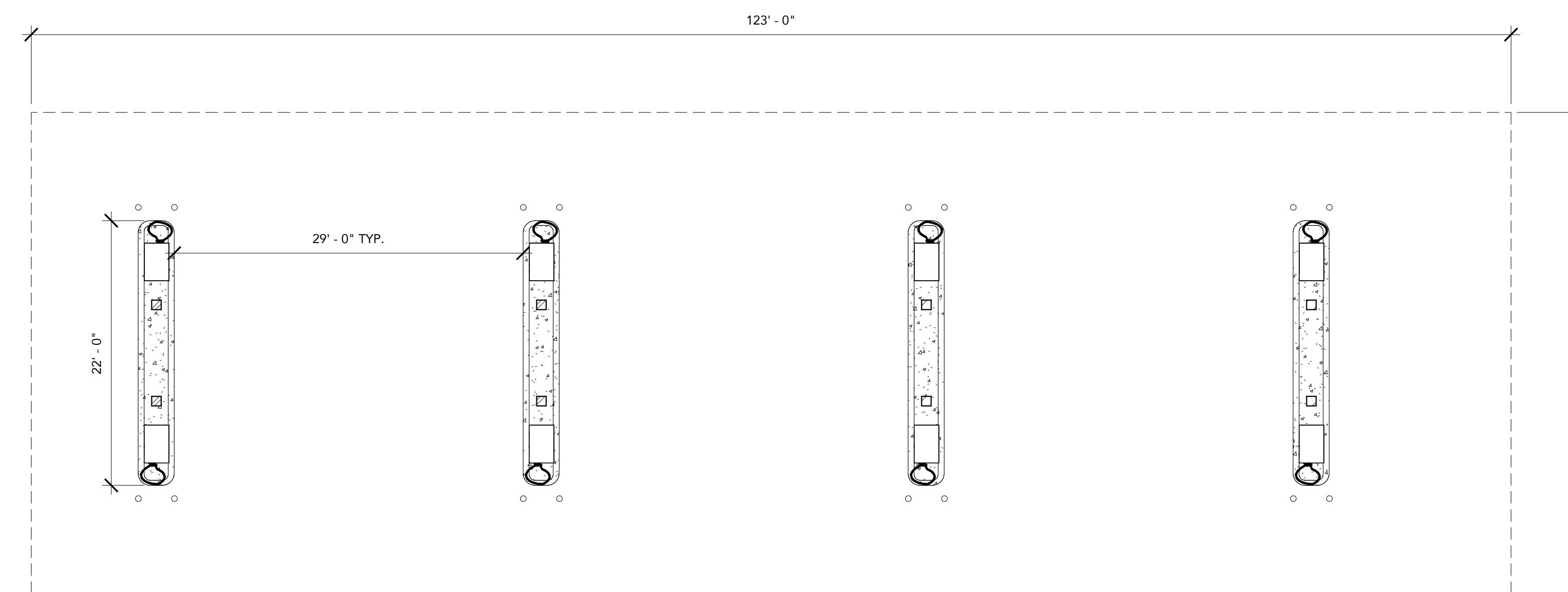
2 EAST ELEVATION - FUELING CANOPY
1/8" = 1'-0"



3 WEST ELEVATION - FUELING CANOPY
1/8" = 1'-0"



4 NORTH ELEVATION - FUELING CANOPY
1/8" = 1'-0"



5 FLOOR PLAN - FUELING CANOPY
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- FUELING

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07.18.2025	CUP REV.	

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CHECKED BY: EH
PROJECT NO. CA23-1020
SHEET

CUP-9



CITY OF SHAFTER, CALIFORNIA

Mitigated Negative Declaration

**Conditional Use Permit No. 24-151
(Shafter Commercial Shopping Center)**

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: Conditional Use Permit No. 24-151 (Shafter Commercial Shopping Center)

Comment Period Begins: October 10, 2025

Comment Period Ends: November 10, 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 are compliant with air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District.
2. Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Department that they have complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).

Biological Resources Impact Mitigation Measures

3. Within 14 days of the start of project activities, a pre-activity survey shall be conducted by a qualified biologist. The pre-activity survey shall include walking transects. The pre-activity survey shall be conducted by no greater than 30-foot transects for 100% coverage of the project site and the 250-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required. If evidence of special-status species are detected, then all project activities shall cease and the California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Service (USFWS) shall be consulted on next steps,

which can include, but are not limited to, establishment of buffer zones, use of approved passive relocation techniques, additional focused surveys, and/or ongoing construction monitoring.

4. The following avoidance and mitigation measures shall be implemented during all phases of the project to reduce the potential for impact to special-status wildlife species from the project:
 - Project-related vehicles shall observe a daytime speed limit of 20 miles per hour (mph) throughout the site in all project areas, except on City roads and state and federal highways.
 - All project activities shall occur during daylight hours, but if work must be conducted at night, then a night-time construction speed limit of 10 mph should be established.
 - Off-road traffic outside of designated project areas should be prohibited.
 - To prevent inadvertent entrapment of animals during construction of the project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed.
 - Before holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted before proceeding with the work.
 - In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or USFWS and CDFW should be contacted for guidance.
 - All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until USFWS and CDFW have been consulted.
 - All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
 - No pets, such as dogs or cats, should be permitted on the project site.
 - Project-related use of rodenticides and herbicides should be restricted.
 - A representative shall be appointed by the applicant/developer who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative should be identified during the employee education program, and their name and telephone number should be provided to USFWS and CDFW.
 - Upon completion of the project, all areas subject to temporary ground disturbances (including storage and staging areas, temporary roads, pipeline corridors, etc.) shall be recontoured, if necessary, and revegetated to promote restoration of the area to pre-

project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated.

- Any project personnel who are responsible for inadvertently killing or injuring an animal(s) should immediately report the incident to their representative. This representative shall contact CDFW (and USFWS in the case of San Joaquin kit fox) immediately in the case of a dead, injured, or entrapped special-status wildlife species.
 - The Sacramento Fish and Wildlife office and CDFW Region 4 office shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project-related activities. The CDFW shall be notified in the case of accidental death to any other special-status wildlife species. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
 - New sightings of special-status species shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where a San Joaquin kit fox was observed should also be provided to the USFWS.
5. Prior to the initiation of construction activities, all personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. The program shall include information on the life histories of special-status species with potential to occur on the project, their legal status, course of action should these species be encountered on-site, and avoidance and mitigation measures to protect these species.

Cultural Resources Impact Mitigation Measures

6. If prehistoric or historic-era cultural materials or paleontological resources are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist and/or paleontologist 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. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. If the qualified archaeologist and/or paleontologist determines that the discovery represents a potentially significant cultural or paleontological 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.
7. 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.

Transportation/Traffic Impact Mitigation Measures

8. Prior to grading plan approval, the applicant/developer shall either pay or bond for 43.51% of the cost to install traffic signals at the E. Ash Avenue and State Route 43 intersection. The design of the traffic signals shall be approved by the City Engineer and California Department of Transportation (Caltrans) and shall meet Caltrans design standards.

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

1. Project title: Conditional Use Permit No. 24-151
(Shafter Commercial Shopping Center)

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: Northwest corner of S. Central Valley Highway and
E. Ash Avenue

5. Project sponsor's name and address: Fisel Obaid
906 Eckmann Street
Shafter, CA 93263

6. General Plan Designation: CPO (Commercial-Professional Office)

7. Zoning: GC (General Commercial)

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):

The project consists an anchor grocery store [27,000 square feet (sf)]; four in-line retail store fronts (total of 32,880 sf); convenience store (8,030 sf) with four gas pumps (auto fueling) (3,690 sf); two drive-thru restaurants (total of 7,500 sf); office building (6,300 sf); and associated parking (346 total spaces), internal roads, ingress/egress, and landscaping on the 10.04-acre site (APN 028-180-46) to be built in three phases.

Phase 1 consists of site preparation, including grading, utility installation, and foundational infrastructure. This phase will also include the construction of the grocery store and convenience store with four gas pumps. Phase 2 consists of the construction of the two fast food restaurants and office building. Phase 3 consists of the construction of the four in-line retail store fronts.

Per the Shafter Zoning Ordinance, a shopping center is conditionally allowed within the GC (General Commercial) zone and therefore, a conditional use permit (CUP) is required.

Attachment A provides a vicinity map that includes the project site and Attachment B provides the preliminary site plan for the project.

9. Surrounding land uses and setting:

The site is surrounded by commercial and recreation to the north and west; single-family residential to the south; and a highway and rail, business park, and industrial to the east.

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—Conditional Use Permit approval
- 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—Air Quality Plan compliance
- Central Valley Regional Water Quality Control Board – National Pollutant Discharge Elimination System General Permit for Construction Activities compliance

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"/> G.H.G. Emissions | <input type="checkbox"/> Hazards/Haz. Mat. |
| <input type="checkbox"/> Hydrology/W.Q. | <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

October 10, 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 outcrops, 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 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 project proposes a future shopping center on 10.04 acres. The project site is located on undeveloped land with a commercial land use designation and zoning. There is an existing church, commercial uses, and a public park (Kirschenmann Park) located north of the project site. There is vacant land designated and zoned for business park and industrial uses as well as S. Central Valley Highway and the Bulington Northern Santa Fe (BNSF) rail line to the east of the project site. There is a tract of existing single-family homes to the south of the site. The Shafter Youth Center and a skate park are located to the west of the 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 in an area surrounded by existing urban land uses or vacant land designated and zoned for future urban uses. The project would be visible from passing motorists and the surrounding current and future urban uses. Changes to the visual quality and character of the project site would be compatible with the nearby urban development and include landscaping improvements that would enhance the visual character of the area. With approval of the CUP, the project would not conflict with the applicable zoning or other regulations governing scenic quality. Therefore, 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 phases. Construction of the project would generally occur during daytime hours, typically from 7:00 a.m. to 7:00 p.m. All construction 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 operation of the shopping center, lighting would be directed downward and shielded to focus illumination on various areas of the shopping center only and prevent light spillage onto off-site properties. Because lighting used to illuminate will be focused downward, the potential for lighting to affect any offsite uses adversely is minimal. Furthermore, the project would be designed and improved with all applicable policies and regulations, including those that require development within proximity to residential areas to provide buffers, 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 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 10.04-acre project site is designated and zoned for commercial use and is surrounded by existing urban land uses or vacant land designated and zoned for future urban uses.

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 2025).

The project site is not designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. Additionally, the project site and surrounding area is currently developed with or zoned for nonagricultural uses. 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 10.04-acre project site has a commercial land use designation and zoning classification and is surrounded by existing and future urban uses. 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
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

- a) Less than significant impact. The project is located within the San Joaquin Valley Air Pollution Control District (SJVAPCD) jurisdiction, in the San Joaquin Valley Air Basin (SJVAB). As such, air quality impacts from the project are controlled through policies and provisions of the SJVAPCD and the General Plan. The SJVAPCD has adopted an Air Quality Attainment Plan (AQAP) and is required to submit a “Rate of Progress” document to the California Air Resources Board (CARB) that demonstrates past and planned progress toward reaching attainment for all criteria pollutants.

The SJVAB is classified by the state as being in severe nonattainment for the state 1-hour ozone standard as well as in nonattainment for the state particulate matter less than 10 microns (PM10) and particulate matter less than 2.5 microns (PM2.5). The SJVAB is also classified as extreme nonattainment for the federal 8-hour ozone standard, nonattainment for the federal PM2.5 standard, and attainment/maintenance for the federal carbon monoxide (CO) and PM10 standards.

The SJVAPCD requires local jurisdictions to design all developments in ways that reduce air pollution from vehicles, which is the largest single category of air pollution in the San Joaquin Valley, and from other stationary sources. The Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) (SJVAPCD 2015) lists various land uses and design strategies that reduce air quality impacts of new development. Local ordinance and General Plan requirements related to landscaping, sidewalks, street improvements, level of traffic service, energy-efficient heating and cooling, building code requirements, and location of commercial development in proximity to residential development are consistent with these

listed strategies. Regulation and policy that will result in the compliance with air quality strategies for the new residential development include but are not limited to, Title 24 efficiency standards, Title 20 appliance energy efficiency standards, 2005 building energy efficiency standards, Assembly Bill (AB) 1493 motor vehicle standards, and compliance with the General Plan as well as the SJVAPCD air quality guidelines and rules.

An Air Quality Impact Analysis (AQIA), provided by Envirotech Consultants, was completed for the project (Envirotech 2025). The report includes California Emissions Estimator Model (CalEEMod) emissions estimates, criteria pollutant analysis, and greenhouse gas (GHG) analysis. The report concluded that mass emissions of criteria pollutants from the construction and operation of the proposed project are below the SJVAPCD’s established emissions impact thresholds.

As shown in the table below, the SJVAPCD has established the following specific criteria for pollutant thresholds of significance:

SJVAPCD Significance Thresholds for Criteria Pollutants	
Air Pollutant	Tons/Year
Volatile Organic Compounds (VOC)	10
Nitrogen Oxides (NOX)	10
Carbon Monoxide (CO)	100
Particulate Matter Less Than 10 Microns (PM10)	15
Particulate Matter Less Than 2.5 Microns (PM2.5)	15
Sulfur Oxides (SOX)	27

SJVAPCD 2015.

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). It is assumed that it would take two years to construct the shopping center.

The following table provides the estimated construction emissions from the project:

Annual Short-Term Construction Emissions – Tons/Year						
	VOC	NOX	CO	PM10	PM2.5	SOX
2026	0.19	1.28	1.60	0.13	0.07	0.01
2027	0.23	0.01	0.01	0.01	0.01	0.01
SJVAPCD Threshold	10	10	100	15	15	27
Highest Year	0/23	1.28	1.60	0.13	0.07	0.01
Exceeds Threshold?	No	No	No	No	No	No

Envirotech 2025.

As shown in the above table, construction emissions are not predicted to exceed SJVAPCD significance threshold levels.

Project operations would also result in air pollutant emissions. The main source of emissions would be from vehicular traffic associated with the project site. The following table provides estimated operational emissions from the project with an estimated start year of 2028:

Annual Long-Term Operational Emissions – Tons/Year						
	VOC	NOX	CO	PM10	PM2.5	SOX
2028	4.71	5.19	28.3	6.89	1.71	0.08
SJVAPCD Threshold	10	10	100	15	15	27
Exceeds Threshold?	No	No	No	No	No	No

Envirotech 2025.

As shown in the above table, operational emissions are not predicted to exceed SJVAPCD significance threshold levels.

With the implementation of Mitigation Measures 1 and 2, the project would not conflict with or obstruct the implementation of the applicable air quality plan.

- b) Less than significant impact. Under SJVAPCD’s GAMAQI, 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 – Tons/Year						
	VOC	NOX	CO	PM10	PM2.5	SOX
Kern County	21,353	10,804	27,338	13,651	3,723	511
SJVAB	107,347	52,451	162,425	96,652	95,922	2,847
Project	4.71	5.19	28.3	6.89	1.71	0.08
Project’s % of Kern	0.02	0.05	0.10	0.05	0.05	0.02
Project’s % of SJVAB	0.004	0.010	0.020	0.007	0.002	0.003

Envirotech 2025.

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 does not pose a substantial increase to basin emissions. Therefore, the project’s contribution is not cumulatively considerable.

Additionally, the GAMAQI, citing CEQA Guidelines 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).

This project would also be required, when applicable, to follow air quality control measures and rules required by the SJVAPCD, which include, but are not limited to, SJVAPCD Rule 2010 (Permits Required), SJVAPCD Rule 2201 (New and Modified Stationary Source Review Rule), SJVAPCD Rule 4102 (Nuisance), and SJVAPCD Rule 9510 (Indirect Source Rule), each of which is discussed below.

SJVAPCD Rule 2010 requires any person constructing, altering, replacing, or operating any source operation that 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 before 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 by using mechanisms as approved by the SJVAPCD, such as emission trade-offs by which a permit to construct or operate any source of 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 9510 requires the reduction of emissions of nitrogen oxides (NOX) and particulate matter smaller than 10 microns (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 multi-family housing 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 for developing more than 2,000 square feet of commercial space. Accordingly, the project must reduce a 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 NOX and PM10 emissions by 20% and 45%, respectively, as well as to reduce operational NOX 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

NOX and PM10 for potential land uses. Examples of measures that may be implemented to reduce emissions under 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 NOX and PM10 emissions to the level required by Rule 9510, then the difference must be mitigated through the payment of an off-site emissions reduction fee. One hundred percent 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.

Because the air quality modeling indicates that the project's regional contribution to cumulative impacts would be negligible, and the project would comply with the requirements of the SJVAPCD attainment plans and rules, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard. Therefore, based on these anticipated activity levels, the project construction activities would not exceed construction thresholds, and impacts are less than significant.

- c) Less than significant impact. Some land uses are deemed more sensitive to air pollution than others due to the types of population groups or activities associated with the land uses that could result in a sensitive receptor experiencing sustained exposure to said air pollution. Population groups considered sensitive receptors include young children, chronically ill individuals, the elderly, and/or people who are more sensitive than the general population. Sensitive receptors can be expected to reside in locations such as schools, hospitals, nursing homes, and daycare centers.

The project is located at the Northwest corner of S. Central Valley Highway and E. Ash Avenue. The closest schools are Shafter High School at 3,700 feet (0.70 miles) to the north, Golden Oak Elementary at 3,700 feet (0.68 miles) to the east, and Redwood Elementary School/Richland Junior High at 3,00 feet (0.68 miles) to the northwest. The closest medical facility is Omni Family Health at 700 feet (0.13 miles) to the southeast, and the closest daycare facility is the Shafter Youth Center adjacent to, and west of, the project.

Based on the predicted operational emissions and activity types, the project is not expected to affect any on-site or off-site sensitive receptors and is not expected to have any adverse impacts on any known sensitive receptor (Envirotech 2025). Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations, and impacts are less than significant.

- d) Less than significant impact. The project consists of the development of a shopping center that does not include activities listed in Table 6 of the GAMAQI (SJVAPCD 2015). The AQIA concluded that the project would not result in significant odors during the construction or

operations (Envirotech 2025). Therefore, the project would not create objectionable odors affecting a substantial number of people, and impacts are less than significant.

Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project;				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<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 an 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

- a) Less than significant with mitigation incorporated. The following analysis in this section is based on a Biological Resources Assessment (BRA) (BPR 2025). Reviews of agency-maintained databases were conducted to determine the potential presence of sensitive biological resources and special-status species. The results indicated that four special-status plant species and five special-status wildlife species have the potential to occur in the vicinity of the project. The reconnaissance-level field survey was conducted to identify sensitive biological resources on-site and to document the suitability of the habitat on the project to support special-status species.

The BRA concluded that the four special-status plant species with the potential to be present are not expected to be onsite because of the highly disturbed, ruderal state of the

site and because the site lacks the presence of specialized habitat requirements such as serpentine rock slopes, granitic soils, alkali sinks, coniferous forests, stream banks, or other aquatic habitats, vernal pools, sandy beaches, and elevational restrictions that the plant species require (BPR 2025).

The BSA concluded that the five special-status wildlife species with the potential to be present are not expected to be onsite (BPR 2025). These five species are California glossy snake, Crotch's bumblebee, San Joaquin kit fox, Tipton kangaroo rat, and tricolored blackbird.

Despite there being no indication of special-status wildlife species on the project site, there is potential for use by special-status wildlife species in the future due to the project's overall location within the Central Valley region.

With the implementation of Mitigation Measures 3 through 5, 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 the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- b) No impact. The database and literature review identified one sensitive plant communities within a nine-quadrangle inquiry of the CNDDDB for the project site, Valley Saltbush Scrub (BPR 2025). No sensitive plant community occurs within the BSA because the site is in a highly disturbed, ruderal state. The project does not overlap with any federally designated critical habitats (BPR 2025). Therefore, the project would have no impact on any riparian habitat or other sensitive natural community.
- c) No impact. A formal delineation of waters of the U.S. and waters of the state was not conducted for this project, and a delineation was not warranted. A search of the National Hydrography Dataset (NHD) and National Wetlands Inventory (NWI) databases showed that there are no jurisdictional waterways or wetlands within the BSA, and no temporary or permanent bodies of water or waterways occur within the BSA. Therefore, the project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.
- 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 habitats that support migrating birds or large contiguous natural habitats that support animals with very large home ranges. 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 a mapped wildlife movement corridor or linkage, and none were observed during the survey (BPR 2025). The project would not have any impact on wildlife movement corridors. Therefore, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

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

Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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) Less than significant with mitigation incorporated. There are currently no structures, historical or otherwise, on the project site. Therefore, there are no known historical resources at the site.

However, there is still the potential to unearth previously unknown historical resources at the site and grading, and other ground-disturbing activities, have the potential to damage or destroy such resources. Mitigation requires 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.

With implementation of Mitigation Measure 6, the project would not cause a substantial adverse change in the significance of a historical resource.

- b) Less than significant with mitigation incorporated. The project site is highly disturbed and has undergone historic cultivation for at least 100 years where the top layer of soil was routinely disked for agricultural purposes and therefore, the chance to encounter surficial archaeological resources is unlikely.

However, there is still the potential to unearth previously unknown archeological resources at the site and grading, and other ground-disturbing activities, have the potential to damage or destroy such resources. Mitigation requires that 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.

With implementation of Mitigation Measure 6, the project would not cause a substantial adverse change in the significance of an archaeological resource.

- 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 implementation of Mitigation Measure 7, 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 multi-family housing 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 must adhere to adopted building standards, including Title 24, California Code of Regulations, which outlines energy efficiency standards for new, multi-family housing buildings to ensure that they 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.
- b) Less than significant impact. There is no adopted plan by the City of Shafter for renewable energy or energy efficiency. As mentioned above, all new development projects within the City are required to adhere to adopted building standards related to energy efficiency. Additionally, the City encourages applicants/developers to go beyond the required standards and make their developments even more efficient through programs such as Leadership in Energy and Environmental Design (LEED), 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/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.

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 underlies 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 2020), the nearest fault line is the North of Oildale premier fault, which lies approximately 12 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. 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. 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 the shopping center and supporting infrastructure. 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 (CBC) 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 project’s subsurface soil consists of Wasco sandy loam, which provides for well-drained conditions (BPR 2025). Well-drained soil conditions generally preclude water in the soils to remain at less than 50 feet below ground surface (bgs). Public-supply wells in Kern County typically are drilled to depths between 600 and 800 feet below land surface (USGS 2012), meaning that groundwater levels throughout the County, including Shafter, are not close enough to the surface to result in sufficiently saturated soils suitable for liquefaction. Because the depth of the groundwater at the project site is much greater than 50 feet, there is a negligible risk of liquefaction occurring at the project site during a seismic event.

In addition, future structures proposed on the project site are required by state law and City ordinance to be constructed by the Uniform and California Building Codes, including those relating to soil characteristics. 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 topography of the site is relatively flat with a slope of no greater than 2% and with no significant topological features. As such, there is no potential for rock falls and landslides to affect the project in the event of a major earthquake, as the area has no significant elevation changes. Therefore, the project would not expose people or structures to potential substantial adverse effects involving landslides.
- b) Less than significant impact. The Shafter area generally contains sandy loams. Due to the characteristics of the on-site soil type and the relatively flat terrain, 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 and California Building Codes.

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 areas with sufficient slope that could result in off-site landslides. Moreover, the project will be designed by an engineer as 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. The soils identified on or around the project site are sandy loams, which do not have a high potential to be expansive. Additionally, future structures proposed on the site are required to be constructed in accordance with the Uniform and California Building Codes, including those relating to soil characteristics. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.
- e) No impact. See Utility and Service Systems responses below. The project would not use septic systems but would connect to the existing City sewer system. 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. There are no unique geological features on the project site. The site is highly disturbed and has undergone historic cultivation for at least 100 years where the top layer of soil was routinely disked for agricultural purposes and therefore, the chance to encounter surficial paleontological resources is unlikely.

g) However, there is still the potential to unearth previously unknown paleontological resources at the site and grading, and other ground-disturbing activities, have the potential to damage or destroy such resources. Mitigation requires that if paleontological resources are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified paleontologist can evaluate the find and make recommendations. If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations may be required, and these additional studies may include avoidance, testing, and evaluation or data recovery excavation.

With implementation of Mitigation Measure 6, 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation of Environmental Effects

- a) Less than significant impact. 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 GHGs, the GHG emissions of a single project into the atmosphere are not necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG emissions 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 would typically be small in comparison to state or global GHG emissions and, consequently, in isolation would 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.

On September 27, 2006, Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006 (the Act) was enacted by the State of California. The Act charged the California Air Resources Board (CARB) with the responsibility to monitor, regulate, and reduce GHG emissions. CARB defined the 1990 baseline emissions for California and adopted that baseline as the 2020 statewide emissions cap at the time. AB 32 required new development projects that are not exempt under CEQA to demonstrate at least a 29% reduction in estimated GHG emissions when compared to the 1990 baseline. Subsequent legislation by the California legislature has included Senate Bill 32 (SB 32), which expanded upon AB 32 to reduce GHG emissions to 40% below the 1990 levels by 2030; AB 197, which increased the legislative oversight of CARB via the addition of two legislatively appointed non-voting members and provided added protections for disadvantaged communities; SB 350, which increased California’s renewable energy procurement goal; and SB 100, which established a landmark policy requiring 100% of electrical retail sales to end-use customers and 100% of electricity to serve state agencies to be produced via renewable energy and zero-carbon resources by 2045.

The California Supreme Court’s decision in the “Center for Biological Diversity v. California Department of Fish and Wildlife; The Newhall Land and Farming Company, Real Party in Interest, Case No. S217763,” determined that the Newhall Ranch project’s Environmental Impact Report (EIR) did not substantiate the conclusion that the GHG cumulative impacts would be less than significant. The EIR determined that the project would reduce estimated GHG emissions by 31%, meeting the required 29% reduction, by comparing these emissions to business-as-usual (BAU) levels established through AB 32. The Court determined that the EIR’s deficiency stemmed from using this quantitative comparison method developed by the Scoping Plan as a measure of the GHG reduction effort required by the state and attempting to do so, without adjustments, for a purpose substantially different from its original design. The Court’s final ruling offered several examples that an agency can use to determine that a project’s GHG emissions are less than significant (Findlaw 2015):

- Lead agencies can use the business-as-usual comparison methodology if they determine what reduction a particular project must achieve to comply with statewide goals;
- Project design features that comply with regulations to reduce emissions may demonstrate that those components of emissions are less than significant; and
- Lead agencies could also demonstrate compliance with locally adopted climate plans or could apply specific numerical thresholds developed by some local agencies, to demonstrate emissions are less than significant.

Although the City of Shafter has not developed specific thresholds for GHG emissions, the San Joaquin Valley Air Pollution Control District (SJVAPCD), a CEQA Trustee Agency for the project, has developed thresholds. These thresholds entail implementing Best Performance Standards (BPS) or demonstrating a 29% reduction in estimated GHG emissions when compared to BAU levels of emissions. However, the BAU emissions provided by the SJVAPCD are based on the years 2002 to 2004 and 2020. Since the 2020 project baseline has passed, and at this time no new guidance has been approved by the SJVAPCD for the next target year, the 29% reduction requirement cannot be applied to this project to determine GHG emission significance. Additionally, BPS thresholds have not been established by the SJVAPCD, making the use of BPS on their own an insufficient means of determining significance as well. Lacking any locally adopted climate plans or specific numerical thresholds developed by a local agency at this time, the project relies on design features that comply with state regulations to reduce GHG emissions. Regardless, project GHG emissions levels were calculated for disclosure purposes and are as follows:

Greenhouse Gas Emissions – Tons/Year of Carbon Dioxide Equivalent (CO2e)	
Source	Tons/Year
Short-Term Construction – 2026	333
Short-Term Construction – 2027	1.91
Annual Long-Term Operational – 2028	9,264

Envirotech 2025.

The construction activities for the project would generate an annual maximum of 336 metric tons of CO₂e, which represents 0.0000008% of the 2016 GHG emissions in California (which is 429,400,000 metric tons of CO₂e) (Envirotech 2025). The annual operations of the project would generate an annual maximum of 9,624 metric tons of CO₂e, which represents 0.00002% of the 2016 GHG emissions in California (Envirotech 2025).

When considering the use of design features that comply with state regulations to reduce GHG emissions, one can look to the argument made by the South Coast Air Quality Management District in their Final Negative Declaration for the Phillips 66 Los Angeles Refinery Carson Plant – Crude Oil Storage Capacity Project (SCAQMD 2014). This approach recognizes that consumers of electricity and fuels used for transportation activities are regulated by requiring producers and importers of these resources to participate in programs, such as the GHG Cap-and-Trade program. Each sector-wide state program exists within the framework of AB 32, and its descendant legislation, which all seeks to achieve GHG emissions reductions consistent with the AB 32 Scoping Plan.

The main sources of GHG emissions associated with this project are energy use and combustion of gasoline/diesel fuels, each of which is regulated near or at the top of the supply chain. As such, the project will have no choice but to purchase said electricity and fuels that are produced in a way deemed acceptable to the California market. Additionally, the project will abide by California's Building Energy Efficiency Standards and Title 24 requirements, implementing energy conservation features in this proposed development. The project will also implement GHG emission mitigations such as on-site vehicle idling limits and zero emission infrastructure (e.g., electric vehicle charging stations).

Therefore, the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

- b) Less than significant impact. See response to a. above. CARB is responsible for the coordination and administration of both federal and state air pollution control programs within California. As proposed, the project would not conflict with any statewide policy, regional plan, or local guidance or policy adopted to reduce GHG emissions. The project would not interfere with the implementation of AB 32 and SB 375 because it would be consistent with the GHG emission reduction targets identified by CARB and the Scoping Plan as described above. Therefore, the project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions.

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 Section 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 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 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 fuel and greases 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.

Once the project is operational, there may be maintenance activities that utilize gasoline and other vehicle-related chemicals that, if handled improperly, may result in spills. Day-to-day activities in commercial centers do not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance of a shopping center would require transport, storage, use, and/or disposal of hazardous materials such as paints, cleaners, oils, batteries, and pesticides. Users should follow any instructions for use and storage provided on product labels carefully to prevent any accidents. 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 are Shafter High School at 3,700 feet (0.70 miles) to the north, Golden Oak Elementary at 3,700 feet (0.68 miles) to the east, and Redwood Elementary School/Richland Junior High at 3,00 feet (0.68 miles) to the northwest. 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. There are no underground storage tanks (USTs) containing regulated substances and no evidence of past or present USTs, such as fill caps or vent pipes, were observed on this property (AEC 2021). Also, no unusual ground conditions which might indicate the presence of USTs, waste oil tanks, hydraulic lifts, or other obvious environmental concerns, were observed on the subject property (AEC 2021).

The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. The project site is not within the immediate vicinity of a hazardous materials site and would not impact a listed site. There is no data identifying any facilities in the vicinity that might reasonably be anticipated to emit hazardous air emissions or handle hazardous materials, substances, or wastes that might affect the proposed park. Therefore, the project would not be located on a site which is

included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

- e) No impact. The project is not located within the boundaries of the adopted Airport Land Use Plan area. The closest public airport to the project is the Shafter Airport/Minter Field located approximately 3.5 miles east of the project, west of State Route 99. The airport provides services such as flight training; supporting agricultural and business operations; and aircraft fueling, storage, and maintenance. As is typical of most general aviation airports, the dominant type of aircraft based at Shafter Airport/Minter Field is the single-engine, propeller-driven, airplane, comprising 87% of the total (Shafter 2005). 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 of Shafter 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, Shafter 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 data from the Cal Fire, there are no fire hazard severity zones on the project site or within the City boundaries (Cal Fire 2007). 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 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?	<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 of 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;				
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 checked="" type="checkbox"/>	<input 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. 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 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; NPDES No. CAS0085324) (MS4 Permit) (CVRWQCB 2016). 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. Potable water from the project would be supplied by the City. According to the City's Urban Water Management Plan (UWMP) (Shafter 2020), the City receives all its supplies from groundwater sources. The UWMP concludes that the City has sufficient supplies for current and future entitlements through 2040 for normal, single-day, and multiple-dry year scenarios (Shafter 2020). Potable water for the site would be supplied by the City of through a Verification of Services letter for the project. Also, by state law, the current UWMP does not need to address the Sustainable Groundwater Management Act (SGMA) or sustainable groundwater management currently. It was concluded that the City has sufficient existing capacity to service the project. Therefore, 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 (BPR 2025) 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 offsite. 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 which 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 offsite.
 - iii. Less than significant impact. Please 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 stormwater drainage systems or provide substantial additional sources of polluted runoff.
 - iv. Less than significant impact. A review of the Federal Emergency Management Agency (FEMA) National Flood Insurance Maps shows the project site is in Zone X, which is a minimal risk area outside the 1%-annual-chance floodplain. Therefore, the project would not impede or redirect flood flows.
- d) Less than significant impact. The project is not found within a floodplain and is not located on the coast where it would be susceptible to tsunamis. 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 water body within the vicinity of the project site and therefore, 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. The project site is not located within the Lake Isabella flood inundation area (Kern County 2017), which is the area that would experience flooding if there was a catastrophic failure of the Lake Isabella Dam. 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 or dam or because of a tsunami or seiche.
- e) Less than significant impact. Refer to a. through d. responses above. There is currently no adopted groundwater management plan for the project site or its vicinity. 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 an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation of Environmental Effects

- a) No impact. The project is a continuation of the existing urban development pattern of the City. The project is not a long and linear feature, such as a freeway, railroad track, block wall, etc., that would have the potential to divide a community. The project is the development of a finite project site that does not impede existing or future movement or development of the City. Therefore, the project would not physically divide an established community.
- b) No impact. The project consists of a CUP to conditionally allow the development of a shopping center. With approval of the CUP, the project would be consistent with the Shafter General Plan and Zoning Ordinance. This document confirms that, with mitigation, the project would not have a significant environmental effect. Therefore, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

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 project site is not within the administrative boundaries of an oilfield and there are no oil wells found on the site (AEC 2021). 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. The entire project site is currently designated CPO (Commercial-Professional Office) and zoned GC (General Commercial). No portion of the site is designated for potential mineral resource extraction use. 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 from other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne 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

- a) Less than significant impact. The project would generate both short-term construction noise and operational noise. The first type of short-term construction noise would result from the transport of construction equipment and materials to the project site, as well as construction worker commutes. The total daily vehicle trips resulting from construction worker commutes would be minimal when compared to existing traffic volumes on the affected streets, and the long-term noise level change would not be perceptible. The second type of short-term construction noise is related to noise generated during project construction. The site preparation and grading phase, which includes excavation and grading, tends to generate the highest noise levels because earthmoving equipment is the noisiest construction equipment. Construction noise levels during grading would be less than 70 dBA, which would not exceed the hourly noise level standard for the nearest sensitive uses. Construction noise would cease to occur once project construction is completed. The project will also be required to comply with the construction hours specified in the City Noise Ordinance, which states that construction activities are limited to the hours of 7:00 AM and 7:00 PM.

Project operations would generate sound levels typical of a shopping center, which would have to comply with the Shafter Municipal Code regarding noise. Stationary operational noise levels at all points around the project site would experience noise level impacts that would be less than the daytime and nighttime hourly noise level standards of 55 dBA and 50 dBA, respectively. Project-related operational traffic would have very small noise level increases along roadway segments in the project vicinity. Parking lot noise, including engine sounds, car doors slamming, car alarms, loud music, and people conversing, would also occur at the project site. It was determined that the noise levels at all points around the

project site would experience noise level impacts that would be less than the City's daytime and nighttime maximum noise level standards.

Therefore, the project would not generate a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project that are in excess of the standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

- b) Less than significant impact. Some ground-borne vibration and noise would originate from earth movement and building activities during the project's construction phase. Ground-borne noise and vibration from construction activity would be mostly low to moderate. The operation of typical construction equipment would generate ground-borne vibrations that would not exceed guidelines that are considered unsafe for any type of building. Operation of the proposed multifamily housing use would not generate ground-borne vibration. Therefore, the project would not result in the generation of excessive ground-borne vibrations or ground-borne noise.

- c) No impact. As noted in the Hazards and Hazardous materials section, the closest public airport to the project is the Shafter Airport/Minter Field located approximately 3.5 miles east of the project, west of State Route 99. The project is not located within the airport land use compatibility plan boundaries for Shafter Airport/Minter Field. 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 type="checkbox"/>	<input checked="" 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) No impact. The project would accommodate population growth in the area through the development of a shopping center. The total City population was estimated to be 19,743 in 2020 (Shafter 2024). Growth projections indicate that population in the Shafter Planning Area will be approximately 24,721 in 2030 (Shafter 2005). Therefore, the project would not induce substantial population growth in an area, either directly or indirectly.
- b) No impact. See response to a. above. The project proposes to construct of a shopping center on a vacant 10.04-acre site. Construction of the project would likely be done by construction workers residing in the City or the surrounding area who would not require new housing. The project site is undeveloped and will not involve demolition of existing housing, or construction of new 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
Public Services:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. Fire protection services for Shafter are provided through a joint fire protection agreement between the City and County. Though the project may necessitate the addition of fire equipment and personnel to maintain current levels of service, this potential increase in fire protection services can be paid for by property taxes generated by this development. 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, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.
 - ii. Less than significant impact. Police protection for the project would be provided by the Shafter Police Department. Potential increases in services can be paid for via property taxes generated by this development. 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, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

- iii. No impact. The proposed project would not have any impact on school facilities as the project is a shopping center and not a residential 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, in order to maintain acceptable service ratios, response times or other performance objectives for schools.
- iv. No impact. The proposed project would not have any impact on parks as the project is a shopping center and not a residential 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, in order to maintain acceptable service ratios, response times or other performance objectives for parks.
- v. Less than significant impact. The Project and eventual buildup of this area would result in an increase in maintenance responsibility for the City. Though the Project may necessitate increased maintenance for other public facilities, this potential increase can be paid for by property taxes generated by this development. 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, in order 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 type="checkbox"/>	<input checked="" 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) No impact. Please refer to the Public Services section. 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. Please refer to the Public Services section. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a 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) Less than significant with mitigation incorporated. The project would result in temporary construction-related traffic impacts. Construction workers traveling to and from the project site as well as construction material delivery would result in additional vehicle trips to the area's roadway system. Construction material delivery may require several trips for oversized vehicles that may travel at slower speeds than existing traffic and, due to their size, may intrude into adjacent travel lanes. These trips may temporarily degrade level of service on roadways and at intersections. Additionally, the total number of vehicle trips associated with all construction-related traffic, including construction worker trips, could temporarily increase daily traffic volumes on local roadways and intersections. The Project may require temporary lane closures or the need for flagmen to safely direct traffic on roadways near the project site. Once the project is complete, these temporary construction-related traffic impacts would cease.

A trip generation analysis was completed for the project (R&S 2025). The analysis determined that all roadway segments studied are expected to operate at an acceptable level of service (LOS) prior to and with the addition of project traffic. It was also determined that all intersections studied, prior to the addition of project traffic, are expected to operate at an acceptable level of service (LOS) through 2045. However, with the addition of project traffic, the intersection of E. Ash Avenue and State Route 43 is anticipated to operate at below an acceptable LOS.

The project will be designed in accordance with City development standards, and appropriate standard conditions of approval have been assigned to the project. The conditions include the dedication and improvement of streets, traffic control measures during construction, pedestrian and bicycle access, and the payment of impact fees.

With implementation of Mitigation Measure 8, 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. A vehicle miles travelled (VMT) analysis was completed for the project (R&S 2025). The analysis determined, based on the screening criteria established by the 2018 technical advisory from the Office of Planning and Research containing recommendations regarding VMT assessment, that the project is “locally serving retail” where the dominant land use is less than 50,000 square feet. According to the technical advisory, the development of locally serving retail with a dominant land use of less than 50,000 square feet is considered to have a less-than-significant VMT impact. Therefore, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3(b).
- c) Less than significant impact. The project would have to comply with all accepted traffic engineering standards intended to reduce traffic hazards. The project is within City limits and surrounded by compatible existing and planned land uses and land use designations. 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 Section 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 Section 5020.1(k)?</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 Section 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. Please refer to the Cultural Resources section. 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 the Cultural Resources section. There are no tribal cultural resources determined by the lead agency to be of significance onsite. 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 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. The project would require the construction of new water, stormwater drainage, sewer facilities; above and/or belowground electrical facilities; natural gas facilities; and telecommunications (e.g., cable, fiber optics, phone, etc.) typical of general manufacturing development. Water, stormwater, and sewer structures would have to be designed to meet the City's Engineering Design Manual and California Building Code. Compliance with the Design Manual and California Building Code would ensure that the facilities would not result in significant environmental effects. Electrical, natural gas and telecommunications facilities would be placed by the individual serving utilities; these entities already have in place safety and citing protocols to ensure that placement of new utilities to serve new construction would not have a significant effect on the environment. Therefore, the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- 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. Wastewater produced because of the project would be treated at the North of the River Sanitation District's wastewater treatment plant (WWTP) located on Seventh Standard Road, southwest of the City of Shafter. WWTP has currently sufficient capacity to serve the project and there are plans to expand the capacity of the plant in the future. Therefore, it has been determined that the wastewater treatment provider that 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 expected 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. 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. Reuse and recycling 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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. The site is flat and outside of a flood hazard area. 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. See response to a. above. 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) Less than significant impact. See response to a. above. 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) Less than significant impact. See response to a. above. 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 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.
- 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.

- 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.

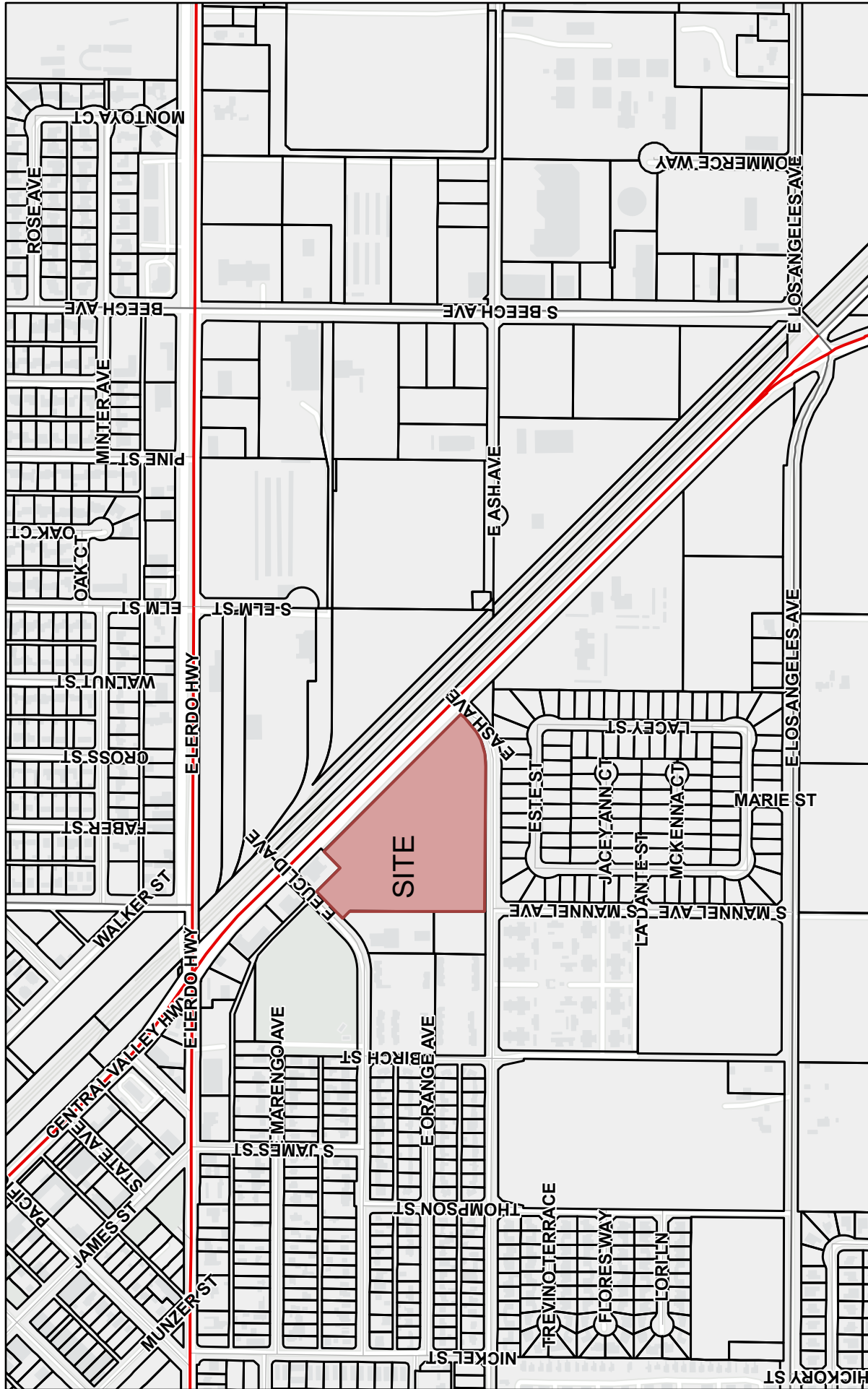
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ATTACHMENT A
Maps

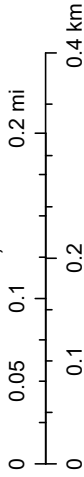
CUP No. 24-151



10/6/2025, 2:26:31 PM

- Parcels 2025 July 24
- Road Centerlines
- Highway
- Site
- Arterial
- Local
- Collector

1:9,028



Esri Community Maps Contributors, City of Shafter, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFS/W | City of Shafter

ATTACHMENT B
Site Plan

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – CUP No. 24-151 (Shafter Commercial Shopping Center)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#1	Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Department that they are compliant with air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District.	Prior to grading plan approval	San Joaquin Valley Air Pollution Control District; 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. Engage SJVAPCD to determine what actions are necessary to follow air quality control measures and rules, if any. 3. Provide documented results of engagement with SJVAPCD to the Planning Department for the record. 			
#2	Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Department that they have complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).	Prior to grading plan approval	San Joaquin Valley Air Pollution Control District; 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. Engage SJVAPCD to determine what actions are necessary to comply with the Indirect Source Rule, if any. 3. Provide documented results of engagement with SJVAPCD to the Planning Department for the record. 			
#3	Within 14 days of the start of project activities, a pre-activity survey shall be conducted by a qualified biologist. The pre-activity survey shall include walking transects. The pre-activity survey shall be conducted by no greater than 30-foot transects for 100% coverage of the project site and the 250-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required. If evidence of special-status species are detected, then all project	Prior to grading plan approval	Qualified Biologist; California Department of Fish and Wildlife (if needed); U.S. Fish & Wildlife Service (if needed); City of Shafter Planning Department		

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – CUP No. 24-151 (Shafter Commercial Shopping Center)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>activities shall cease and the California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Service (USFWS) shall be consulted on next steps, which can include, but are not limited to, establishment of buffer zones, use of approved passive relocation techniques, additional focused surveys, and/or ongoing construction monitoring.</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. If needed, engage CDFW and/or USFWS to determine what actions are necessary to comply with any applicable laws, necessary protocols, etc., if any. 4. Provide results of survey and engagement with wildlife agencies, if needed, to the Planning Department for the record. 			
#4	<p>The following avoidance and mitigation measures shall be implemented during all phases of the project to reduce the potential for impact to special-status wildlife species from the project:</p> <ul style="list-style-type: none"> • Project-related vehicles shall observe a daytime speed limit of 20 miles per hour (mph) throughout the site in all project areas, except on City roads and state and federal highways. • All project activities shall occur during daylight hours, but if work must be conducted at night, then a night-time construction speed limit of 10 mph should be established. • Off-road traffic outside of designated project areas should be prohibited. • To prevent inadvertent entrapment of animals during construction of the project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed. • Before holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted before proceeding with the work. 	<p>During construction</p>	<p>Qualified Biologist; California Department of Fish and Wildlife (if needed); U.S. Fish & Wildlife Service (if needed); 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. Qualified biologist and applicant implements avoidance and mitigation measures. 3. Contact CDFW and/or USFW, as needed, in the event of accident death or new sightings as stipulated in the mitigation measure. 4. Provide summary of the avoidance and mitigation measures activities to the Planning Department for the record. 			

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – CUP No. 24-151 (Shafter Commercial Shopping Center)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	<ul style="list-style-type: none"> • In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or USFWS and CDFW should be contacted for guidance. • All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until USFWS and CDFW have been consulted. • All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site. • No pets, such as dogs or cats, should be permitted on the project site. • Project-related use of rodenticides and herbicides should be restricted. • A representative shall be appointed by the applicant/developer who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative should be identified during the employee education program, and their name and telephone number should be provided to USFWS and CDFW. • Upon completion of the project, all areas subject to temporary ground disturbances (including storage and staging areas, temporary roads, pipeline corridors, etc.) shall be recontoured, if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. • Any project personnel who are responsible for inadvertently killing or injuring an animal(s) should immediately report the incident to their representative. This representative shall contact CDFW (and USFWS in the case of San Joaquin kit fox) immediately in the case of a dead, injured, or entrapped special-status wildlife species. 				
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EXHIBIT “A” - Mitigation Monitoring and Reporting Program – CUP No. 24-151 (Shafter Commercial Shopping Center)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<ul style="list-style-type: none"> The Sacramento Fish and Wildlife office and CDFW Region 4 office shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project-related activities. The CDFW shall be notified in the case of accidental death to any other special-status wildlife species. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. New sightings of special-status species shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where a San Joaquin kit fox was observed should also be provided to the USFWS. 				
#5	<p>Prior to the initiation of construction activities, all personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. The program shall include information on the life histories of special-status species with potential to occur on the project, their legal status, course of action should these species be encountered on-site, and avoidance and mitigation measures to protect these species.</p>	<p>Prior to ground disturbance</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. Contract a qualified biologist to proctor a training program. Provide summary of the training activities to the Planning Department for the record. 	<p>Qualified Biologist; City of Shafter Planning Department</p>		
#6	<p>If prehistoric or historic-era cultural materials or paleontological resources are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist and/or paleontologist 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. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. If the qualified archaeologist and/or paleontologist determines that the discovery represents a potentially significant cultural or paleontological resource, additional investigations may be required to</p>	<p>During construction</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. If prehistoric or historic-era cultural materials are discovered, halt all work, and contact a qualified archaeologist to assess finds and recommend procedures. If necessary, implement recommended procedures. 	<p>Qualified Archeologist; City of Shafter Planning Department</p>		

EXHIBIT "A" - Mitigation Monitoring and Reporting Program – CUP No. 24-151 (Shafter Commercial Shopping Center)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.	4. Provide summary of all relevant activities to the Planning Department for the record.			
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#7	<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>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. 	<p>City of Shafter Planning Department; Kern County Coroner (if needed); Native American Heritage Commission (if needed)</p>		
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#8	<p>Prior to grading plan approval, the applicant/developer shall either pay or bond for 43.51% of the cost to install traffic signals at the E. Ash Avenue and State Route 43 intersection. The design of the traffic signals shall be approved by the City Engineer and California Department of Transportation (Caltrans) and shall meet Caltrans design standards.</p>	<p>Prior to certificate of occupancy</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 either pay or bond for 43.51% of the cost to install traffic signals in the amount determined by the City Engineer. 	<p>City of Shafter City Engineer; City of Shafter Planning Department</p>		
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EXHIBIT "A" - Mitigation Monitoring and Reporting Program – CUP No. 24-151 (Shafter Commercial Shopping Center)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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		3.	Provide summary of all relevant activities to the Planning Department for the record.		
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**Office of the Fire Marshal
Kern County Fire Department
Fire Prevention Unit**



2820 M St. • Bakersfield, CA 93301 • www.kerncountyfire.org
Telephone 661-391-3310 • FAX 661-636-0466/67 • TTY Relay 800-735-2929

October 21, 2025

Kern County Planning and Natural Resources Department
2800 M St., Bakersfield, CA 93301
Attn: **Steve Esselman, Planning Director**

Re: Kern County Fire Department Comments Regarding Planning Department Project

To Whom It May Concern:

The Kern County Fire Department (KCFD), as the local fire authority, has received a request for comments regarding CUP No. 24-151. Upon initial review, it has been determined that all new construction will require fire water flowing a minimum 1,500 GPM for 2 hours with 20 PSI residual. All fire access roads to each parcel must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance sections. Any structures that exceed 10,000 square feet will require fire sprinklers and a fire alarm to be installed. Commercial fire suppression hood system permits are required within commercial buildings or tenant spaces. Any aboveground flammable liquid tanks in excess of 125 gallons will require permitting through Kern County Fire Department.

A more detailed review and project comments will be conducted when the building permit is obtained, and plans are submitted to KCFD.

Please feel free to call our Fire Prevention Office at (661) 391-3310 with any questions.

Respectfully,
Kaylee Schoenheide
Fire Plans Examiner
Kern County Fire Department

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7373 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



October 21, 2025

06KER-43-PM16.325
REVISED TRAFFIC STUDY
SHAFTER COMMERCIAL SHOPPING CENTER
GTS: <https://ld-igr-gts.dot.ca.gov/district/6/report/34940#54214>

Sent via email

Christopher Barcenas
Architectural Design Associate-Ethosphere Studio
1800 21st. STE. B
Bakersfield, CA 93301

Dear Mr. Christopher Barcenas:

Thank you for the opportunity to review the Revised Traffic Impact Study (TIS) for the proposed Shafter Commercial Shopping Center. The project consists of a 6,300 square foot office building, 59,880 square foot of retail space, 7,500 square feet of fast food restaurant uses with drive-through facilities, and a convenience market with 16 vehicle fueling positions. Access is proposed via East Ash Avenue, Euclid Avenue, and a new driveway connection to SR 43, located at the northwest corner of Los Angeles Street and State Route (SR) 43 (Central Valley Highway) in the City of Shafter, Kern County.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development Review (LDR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

"Provide a safe and reliable transportation network that serves all people and respects the environment"

1. The revised TIS expands the study network from five to six intersections by adding the "SR 43 and Project Entrance" driveway as a standalone analysis location. This is appropriate, as it more directly reflects the operational impact of site generated traffic along SR 43.
2. The updated LOS results (Tables 3a and 3b) indicate that the project driveway would operate at severe delays in 2028 and 2045 plus Project conditions. The TIS recommends restricting left-turn ingress and egress movements at the driveway through a raised median on SR 43 and directing those movements to the signalized SR 43 and E Ash Avenue intersection. The raised median restriction at the SR 43 driveway is a reasonable access management treatment given projected operational concerns under two-way-stop-control (TWSC) control. Please ensure that (1) adequate storage is available at the SR 43 and E Ash Avenue signal for relocated left turns, and (2) physical channelization is designed to prevent prohibited left turn maneuvers at the Project Entrance.
3. The TIS applies annual background growth rates ranging from 0.19% to 2.09% based on a combination of Kern Council of Governments (KCOG) model outputs and assumed development activity.
4. Please provide stopping sight distance (SSD) analysis per Caltrans Highway Design Manual (HDM) Topic 201 for right turn egress movements at the SR 43 driveway, which may be reviewed further during the Encroachment Permit stage.
5. All improvements must comply with the Caltrans HDM, Standard Plans, and Traffic Operations Policy Directives.

Mr. Christopher Barcenas
October 21, 2025
Page 3

If you have any further questions, please contact Nicholas Isla at (559) 981-7373 or email nicholas.isla@dot.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Padilla', with a large, stylized initial 'D'.

DAVID PADILLA, Branch Chief
Transportation Planning – Local Development Review

November 10, 2025

Steve Esselman
City of Shafter
Planning Department
336 Pacific Avenue
Shafter, CA 93236

Project: Mitigated Negative Declaration – Conditional Use Permit No. 24-151 for the Shafter Commercial Shopping Center

District CEQA Reference No: 20251207

Dear Mr. Esselman:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Mitigated Negative Declaration (MND) from the City of Shafter (City) for the project described above. Per the MND, the project consists of the construction of a 27,000 square foot grocery store, four in-line retail store fronts totaling 32,880 square feet, a 8,030 square foot convenience store with gas pumps, two drive-thru restaurants totaling 7,500 square feet, a 6,300 square foot office building, and 346 parking spaces on approximately 10.04 acres (Project). The Project is located at the northwest corner of S. Central Valley Highway and E. Ash Avenue in Shafter, CA. The Project lies within one of the communities in the state selected by the California Air Resources Board (CARB) for investment of additional air quality resources and attention under Assembly Bill (AB) 617 (Garcia) in an effort to reduce air pollution exposure in impacted disadvantaged communities.

The District offers the following comments at this time regarding the Project:

1) Assembly Bill 617

AB 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantaged communities, like those in which the Project is located. The Shafter AB 617 community is one of the statewide communities selected by CARB for development and implementation of a CERP.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

Following extensive community engagement and collaboration with the Community Steering Committee, the CERP for the Shafter Community was adopted by the District's Governing Board in September 2019 and by CARB in February 2020.

During the development of the CERP, the Community Steering Committee expressed concerns regarding the proximity of emission sources to nearby sensitive receptors like schools, homes, day care centers, and hospitals, and the potential future industrial development within the community that may exacerbate the cumulative exposure burden for community residents. The Community Steering Committee also expressed the desire for more meaningful avenues of engagement surrounding the land-use decisions in the area. As these issues can most effectively be addressed through strong partnerships between community members and local land-use agencies. Furthermore, the District recommends the City assess the emission reductions measures and strategies included in the CERP and address them in the MND, as appropriate, to align the City work with the air pollution and exposure reduction strategies and measures outlined in the CERP.

For more information regarding the CERP approved for Shafter, please visit the District's website at:

<https://community.valleyair.org/selected-communities/shafter>

2) Project Related Construction Emissions

The District recommends, to further reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

3) Health Risk Screening/Assessment

The District reviewed the prioritization for the Project and has identified several deficiencies, as listed below:

- Gasoline service stations emit air toxics such as benzene, toluene, and xylene, which should be evaluated as part of the risk analysis. The Air Quality Impact Analysis (AQIA) identifies a gasoline service station as part of the Project; however, these emissions were not included in the prioritization.
- Emissions from onsite truck travel, transportation refrigeration units (TRU), and idling activities should all be assessed as part of a prioritization. Emissions from these sources, if present, should be included as part of the operation emissions evaluated in the prioritization/Health Risk Assessment (HRA). If the specific locations of these activities are not yet known, the District recommends that the Project proponent make reasonable assumptions and include them in the analysis.

- The AQIA incorrectly interprets the prioritization scores as equivalent to risk levels. Specifically, the prioritization score of 7.4 for construction activity and 14.8 for operational activities are treated as representing cancer risk values and compared to the District's Health Risk Assessment (HRA) significance threshold of 20 in a million. Prioritization scores are unitless screening values and should not be interpreted as probability.
- The District considers the total project prioritization score as the sum of scores from both construction and operational activities. Based on the information provided, the total prioritization score for the project is 22.2 (7.4 + 14.8), and exceeds the District's screening threshold of 10.

Considering the deficiencies listed above and that the total Project prioritization score exceeds the District's threshold of 10, the District recommends that a HRA be prepared to more accurately evaluate the Project's potential health risk impacts.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

4) Truck Routing

Since the Project consists of commercial development, there is potential for an increase in truck trips in the area. Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors.

The District recommends the City evaluate HHD truck routing patterns for the Project, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

5) Reduce Idling of Heavy-Duty Trucks

The goal of this strategy is to limit the potential for localized PM_{2.5} and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

Since the Project may result in HHD truck trips, the District recommends the MND be revised to include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors.

6) Under-fired Charbroilers

The Project may have restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM_{2.5} species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM_{2.5} standards. Therefore, the District recommends that the MND include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: <https://ww2.valleyair.org/grants/restaurant-charbroiler-technology-partnership/>

7) Vegetative Barriers and Urban Greening

There is a youth center, a two parks located in the vicinity of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., community park).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

8) Clean Lawn and Garden Equipment in the Community

Since the Project consists of commercial development, gas-powered lawn and garden equipment have the potential to result in an increase of NO_x and PM_{2.5} emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/> and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

9) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

10) Electric Infrastructure

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit <https://ww2.valleyair.org/grants/charge-up> for more information.

11) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (661) 392-5665.

11a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project will be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (661) 392-5665.

11b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 2,000 square feet of commercial development.

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

Information about how to comply with District Rule 9510 can be found online at: <https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview>

The AIA application form can be found online at:
<https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/>

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

11c) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:
<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

11d) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at:
<https://ww2.valleyair.org/dustcontrol>

11e) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

12) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Matt Crow by e-mail at Matt.Crow@valleyair.org or by phone at (559) 230-5931.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs



For Daniel Martinez
Program Manager

RESOLUTION NO. 25-473

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 24-151 TO CONDITIONALLY ALLOW FOR THE DEVELOPMENT OF A COMMERCIAL SHOPPING CENTER ON A 10.04-ACRE SITE LOCATED AT THE NORTHWEST CORNER OF S. CENTRAL VALLEY HIGHWAY AND E. ASH AVENUE (APN 028-180-46).

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on December 9, 2025, studied and considered the proposed request for a conditional use permit (CUP No. 24-151) to conditionally allow for the development of a commercial shopping center on a 10.04-acre site (APN 028-180-46) (Exhibit “A”) located at the northwest corner of S. Central Valley Highway and E. Ash Avenue as shown in Exhibit “B”, 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, a timely and properly noticed public hearing for CUP No. 24-151 was held by the Planning Commission of the City of Shafter at a regular meeting on December 9, 2025, at which hearing evidence, oral and documentary, was admitted on behalf of said Project; and

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

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

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

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

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

EXHIBIT 4

WHEREAS, the Planning Commission finds that a Mitigated Negative Declaration prepared for CUP No. 24-151 found that, with mitigation, the approval of the CUP would not result in a significant effect on the environment; and

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

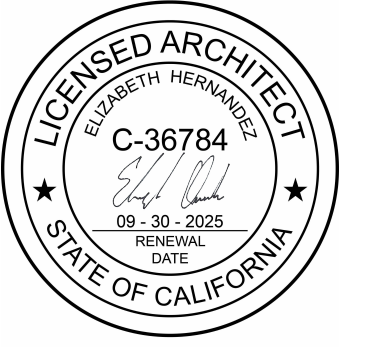
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 9th day of December, 2025, approves Conditional Use Permit No. 24-151 to conditionally allow for the development of a commercial shopping center on a 10.04-acre site (APN 028-180-46) (Exhibit “A”) located at the northwest corner of S. Central Valley Highway and E. Ash Avenue as shown in Exhibit “B”, with conditions of approval as provided in Exhibit “C”.

PASSED AND ADOPTED THIS 9TH DAY OF DECEMBER, 2025.

Lovedeep Joshan, Chairman

ATTEST

Yazmina Pallares, City Clerk



AREA SUMMARY

BUILDING AREA (SHOPPING CENTER):	±27,000 SF
GROCERY STORE:	±32,880 SF
RETAIL:	±6,300 SF
OFFICE:	±7,500 SF
FAST FOOD RESTAURANT:	±8,030 SF
CONVENIENCE STORE:	±8,030 SF
AUTO FUELING:	±3,690 SF

TOTAL BUILDING AREA: ±85,400 SF

LOT SIZE:	10.04 ACRES (437,342.4 SF)
LANDSCAPE AREA RATIO:	(82,636 SF) 17.5 %
HARDSCAPE AREA RATIO:	(269,306 SF) 63.0 %
BUILDING AREA RATIO:	(85,400 SF) 19.5 %

PARKING SUMMARY

PARKING REQUIRED:	1 SPACE / 250 SF OF GROSS BLDG. AREA (85,400 SF / 250 SF = 342 SPACES)
SHOPPING CENTER (CHAPTER 13, B.2)	342 SPACES
1 MOTORCYCLE SPACE PER 100 SPACES	

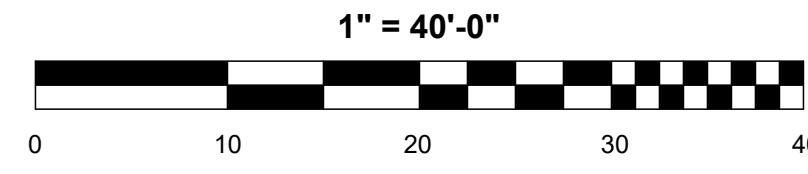
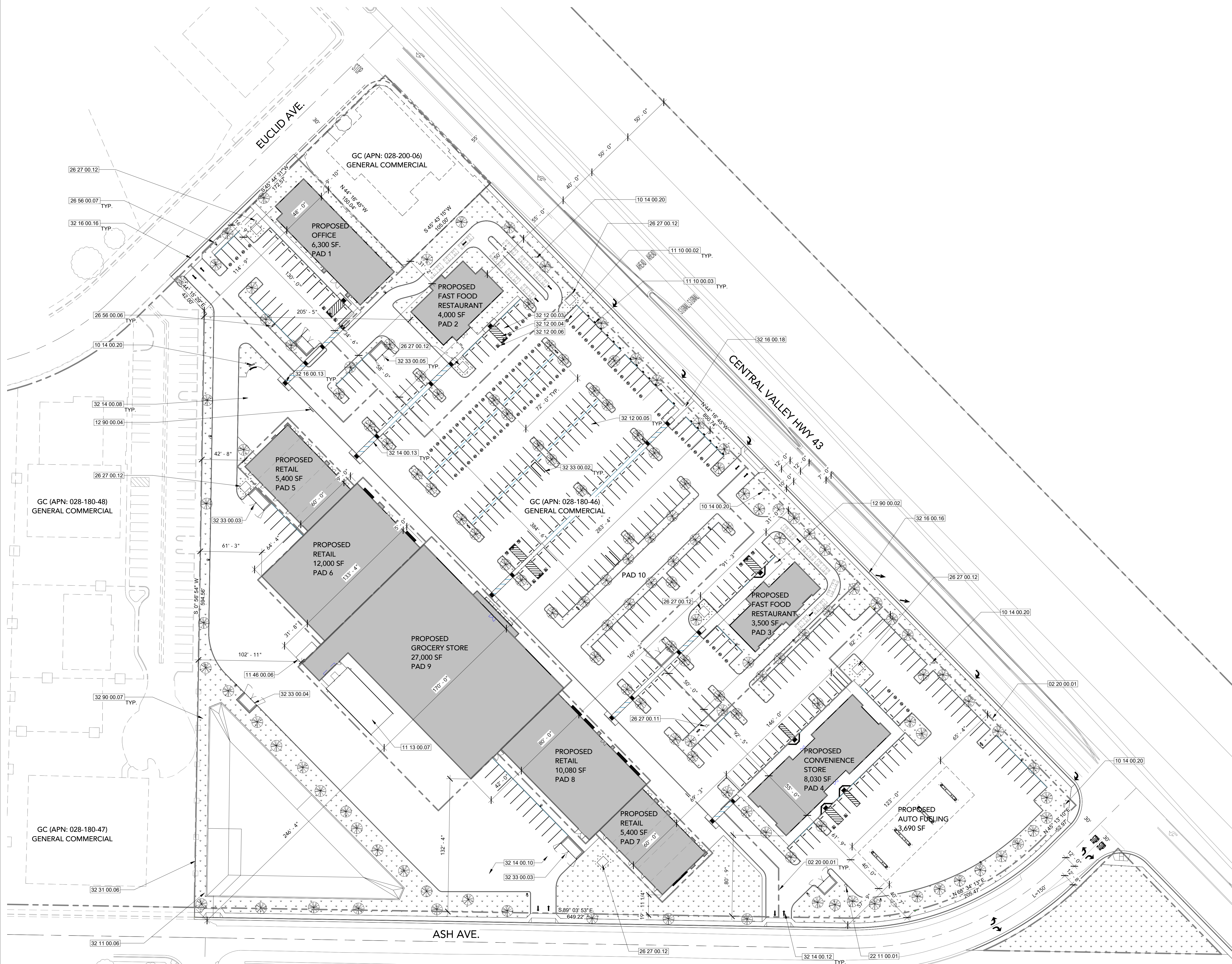
CALGREEN STANDARDS:	
SHORT-TERM BICYCLE PARKING PROVIDED: (342 SPACES x 5%)	18
EV CAPABLE SPACES: (342 SPACES x 20%)	69
ELECTRIC VEHICLE CHARGING STATION (EVCS): (25% OF 69)	18*
VAN ACCESSIBLE (EVCS):	1*
STANDARD ACCESSIBLE (EVCS):	1*

*CAN BE COUNTED TOWARDS EV CAPABLE SPACES REQUIREMENTS

PARKING PROVIDED:	
STANDARD:	262
COMPACT:	0
MOTORCYCLE:	4
ACCESSIBLE:	6
VAN ACCESSIBLE:	6
EV CAPABLE SPACES:	51
ELECTRIC VEHICLE CHARGING STATION (EVCS)	18
TOTAL SPACES:	347

KEYNOTES

- 02 20 00.01 PROPERTY LINE
- 10 14 00.20 MONUMENT SIGN
- 11 10 00.02 9' x 19' ELECTRIC VEHICLE CAPABLE SPACE - TYP OF (53)
- 11 10 00.03 ELECTRIC VEHICLE CHARGING STATION - TYP. OF (18)
- 11 13 00.07 NEW LOADING DOCK
- 11 46 00.06 FACILITY WASTE COMPACTOR
- 12 90 00.02 1-LOOP WAVE STYLE BIKE RACK - 3 BIKE CAPACITY - TYP. BY 'ULINE' MODEL: H- 2892GALV FINISH: POWDER COATING COLOR: GALVANIZED
- 12 90 00.04 3-LOOP WAVE STYLE BIKE RACK - 5 BIKE CAPACITY - TYP. BY 'ULINE' MODEL: H- 2543GALV FINISH: POWDER COATING COLOR: GALVANIZED
- 22 11 00.01 AIR AND WATER MACHINE
- 26 27 00.11 HOUSE METER
- 26 27 00.12 TRANSFORMER
- 26 56 00.06 20'-0" HIGH POLE MOUNTED SITE LIGHTING, DOUBLE TYP.
- 26 56 00.07 20'-0" HIGH POLE MOUNTED SITE LIGHTING, SINGLE TYP.
- 32 11 00.06 ON-SITE DRAINAGE BASIN w/ 6' HIGH WROUGHT IRON FENCE
- 32 12 00.03 8' x 19' ACCESSIBLE PARKING ISLE PER TITLE 24 STANDARDS
- 32 12 00.04 9' x 19' ACCESSIBLE PARKING STALL PER TITLE 24 STANDARDS
- 32 12 00.05 9' x 19' PARKING SPACE PER CITY STANDARDS
- 32 12 00.06 9' x 19' VAN ACCESSIBLE PARKING STALL PER TITLE 24 STANDARDS
- 32 14 00.08 CONCRETE PAVING PER CITY STANDARDS
- 32 14 00.10 MIN. 2" TYPE B2 A.C. PAVING OVER 3" CLASS II AGGREGATE BASE PER CITY STANDARDS
- 32 14 00.12 DIRECTION OF TRAFFIC - PAINTED
- 32 14 00.13 4'-0" WIDE PAINTED PEDESTRIAN ACCESS AISLE
- 32 16 00.13 ACCESSIBLE CONCRETE CURB RAMP PER ADA & TITLE 24 REQUIREMENTS
- 32 16 00.16 CONCRETE CURB AND GUTTER PER CITY STANDARDS
- 32 16 00.18 CONCRETE SIDEWALK PER CITY STANDARDS
- 32 31 00.06 6' TALL BLOCK WALL
- 32 33 00.02 SHOPPING CART STORAGE CURB
- 32 33 00.03 4 BIN SHARED CMU BLOCK TRASH ENCLOSURE PER CITY STANDARDS
- 32 33 00.04 3 BIN SHARED CMU BLOCK TRASH ENCLOSURE PER CITY STANDARDS
- 32 33 00.05 3 BIN CMU BLOCK TRASH ENCLOSURE PER CITY STANDARDS
- 32 90 00.07 LANDSCAPE AREA



1 SITE PLAN
1" = 40'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

SITE PLAN

REV. DATE	ISSUED FOR
11.15.2024	CUP
07.18.2025	CUP REV.

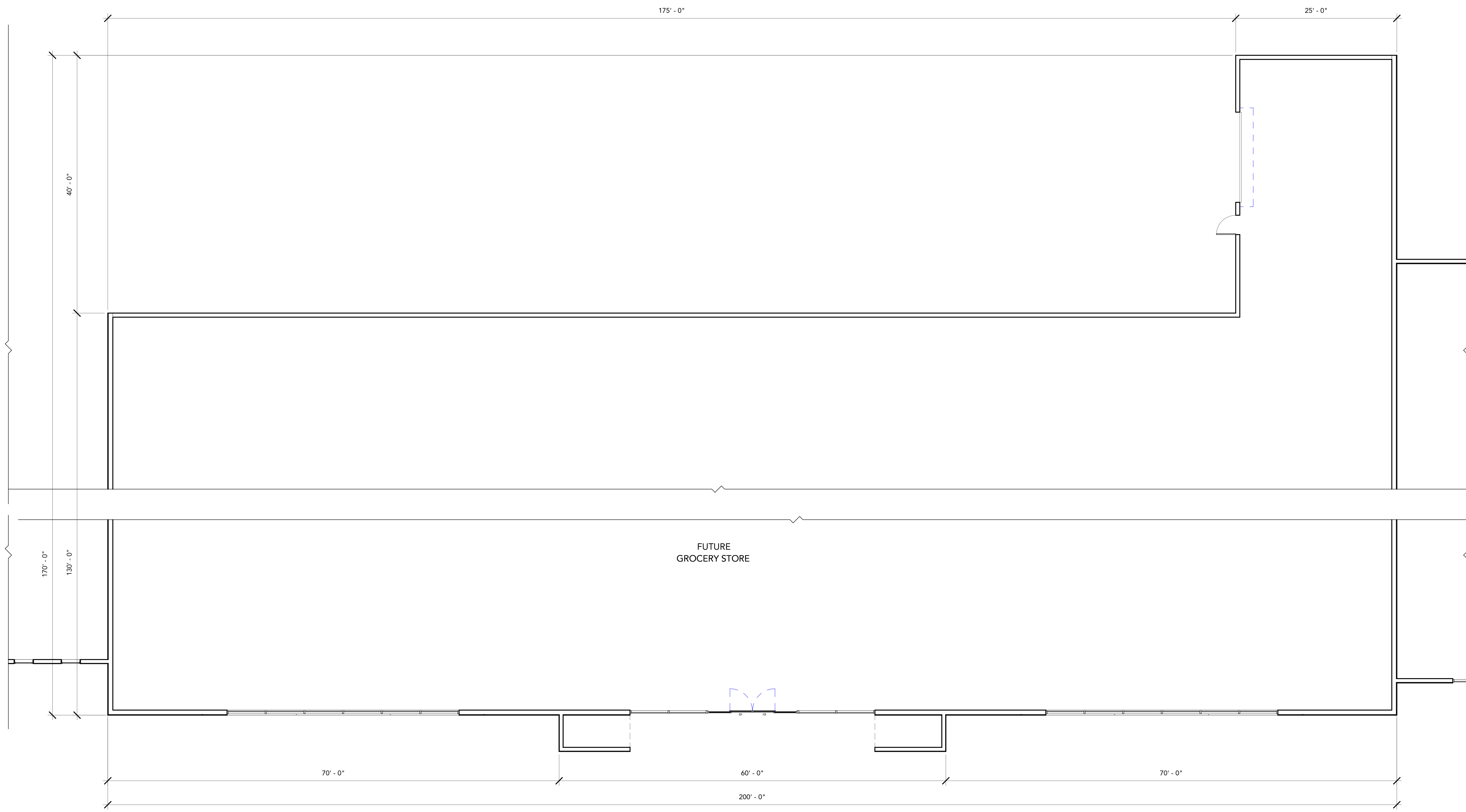
DRAWN BY:	CHECKED BY:
EH	EH
PROJECT NO.	CA23-1020
SHEET	

CUP-2

CENTRAL VALLEY HWY 43
APN: 028-180-46



1 EAST ELEVATION - GROCERY STORE / RETAIL
1/8" = 1'-0"



2 FLOOR PLAN - GROCERY STORE
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

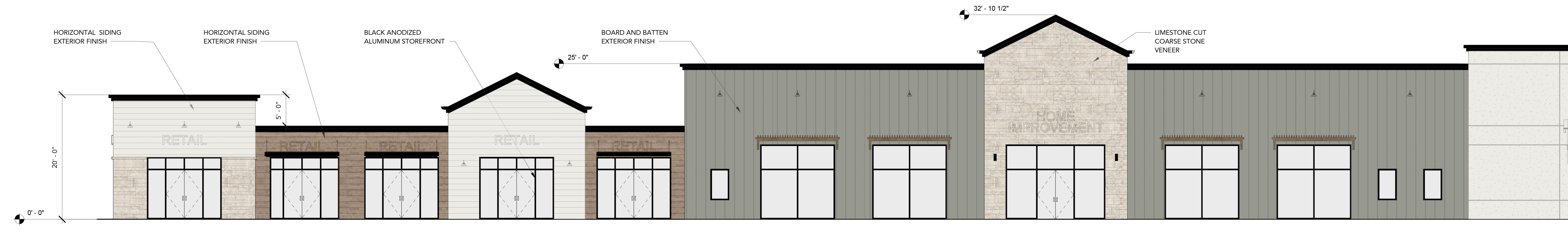
CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- GROCERY STORE

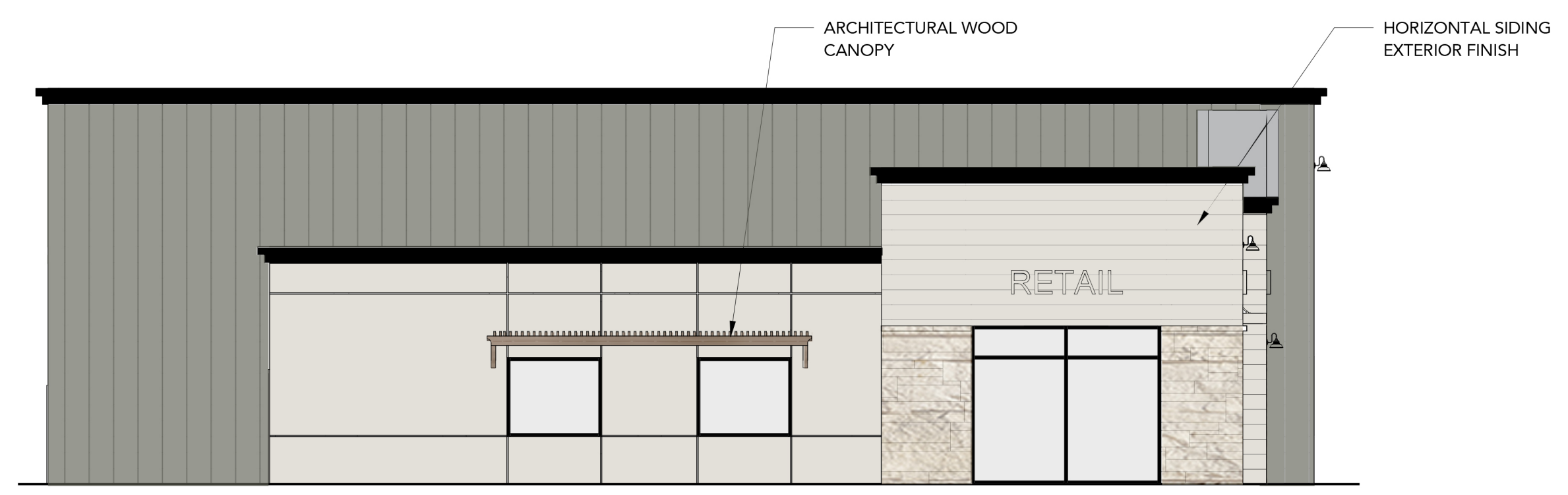
REV.	DATE	ISSUED FOR
11.15.2024	CUP	
07.18.2025	CUP REV.	

DRAWN BY:	CHECKED BY:
EH	EH
PROJECT NO.	CA23-1020
SHEET	

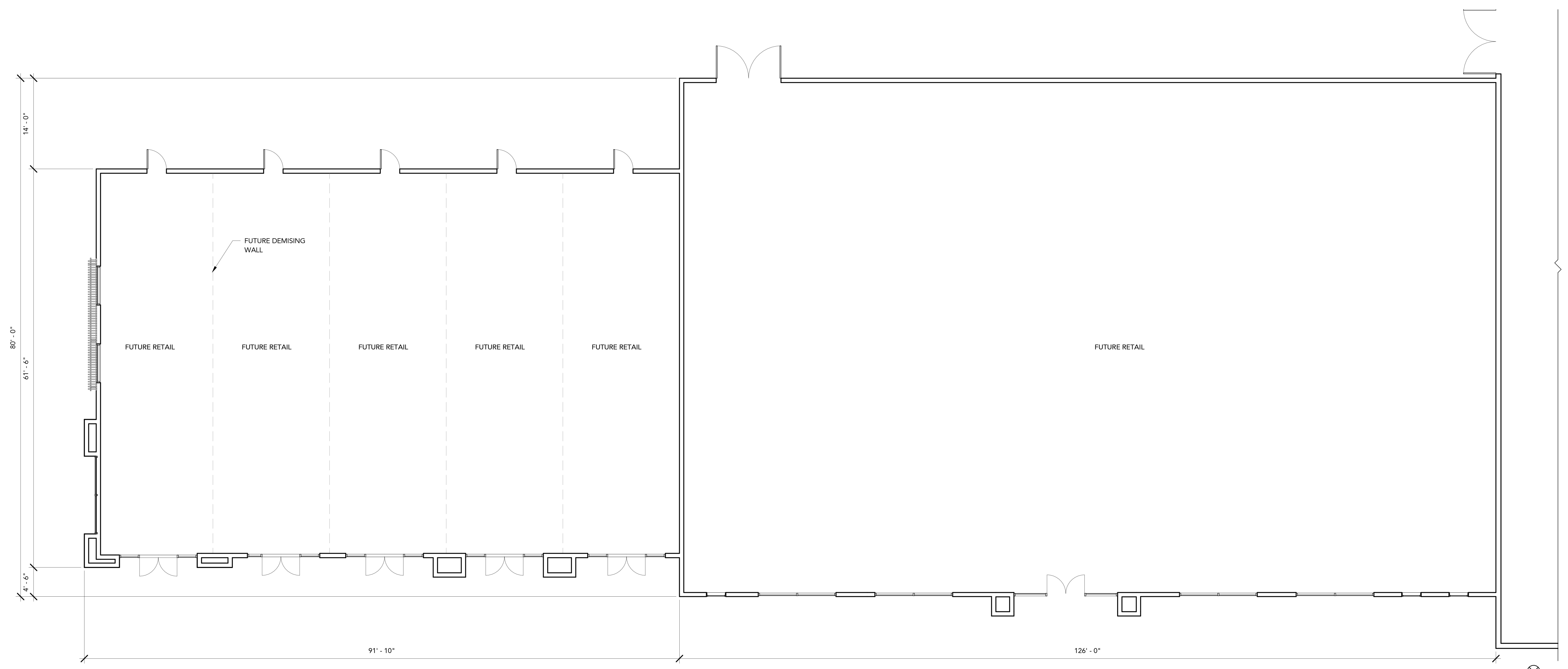
CUP-3



1 EAST ELEVATION - SOUTH RETAIL
1/8" = 1'-0"



2 SOUTH ELEVATION - SOUTH RETAIL
1/8" = 1'-0"



3 FLOOR PLAN - SOUTH RETAIL
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- RETAIL

REV.	DATE	ISSUED FOR
11.15.2024	CUP	
07.18.2025	CUP REV.	

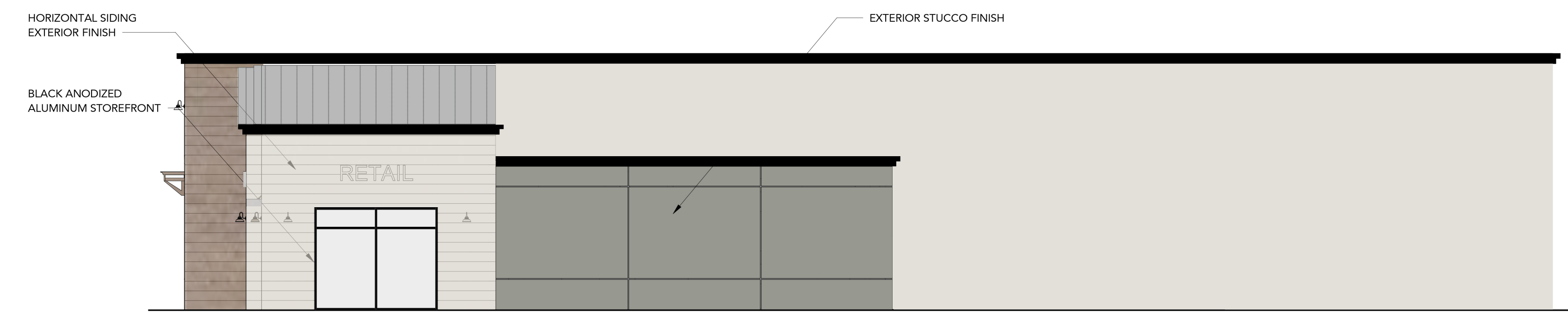
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CHECKED BY: EH
PROJECT NO. CA23-1020
SHEET

CUP-4

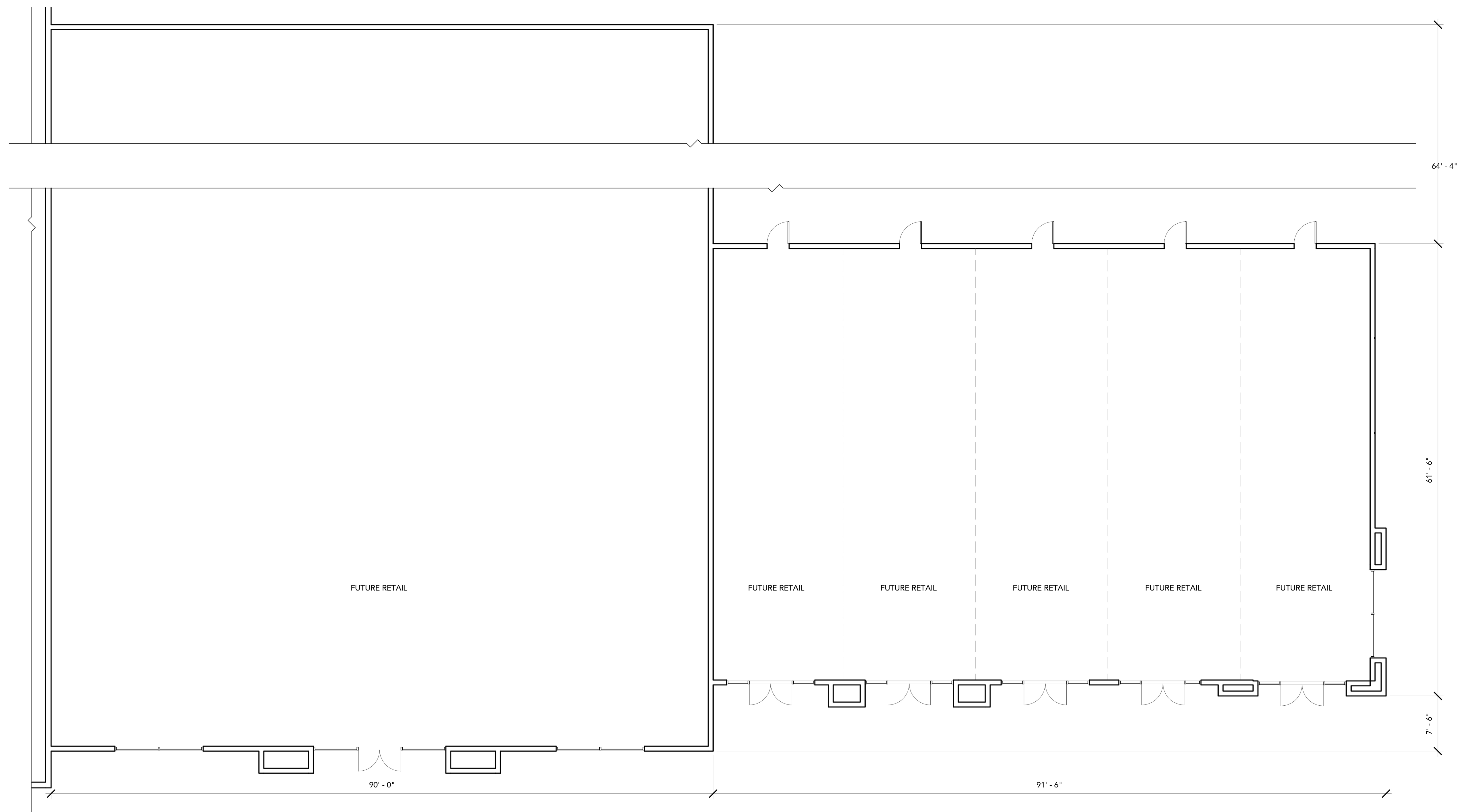
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1 EAST ELEVATION - NORTH RETAIL
1/8" = 1'-0"



2 NORTH ELEVATION - NORTH RETAIL
1/8" = 1'-0"



3 FLOOR PLAN - NORTH RETAIL
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

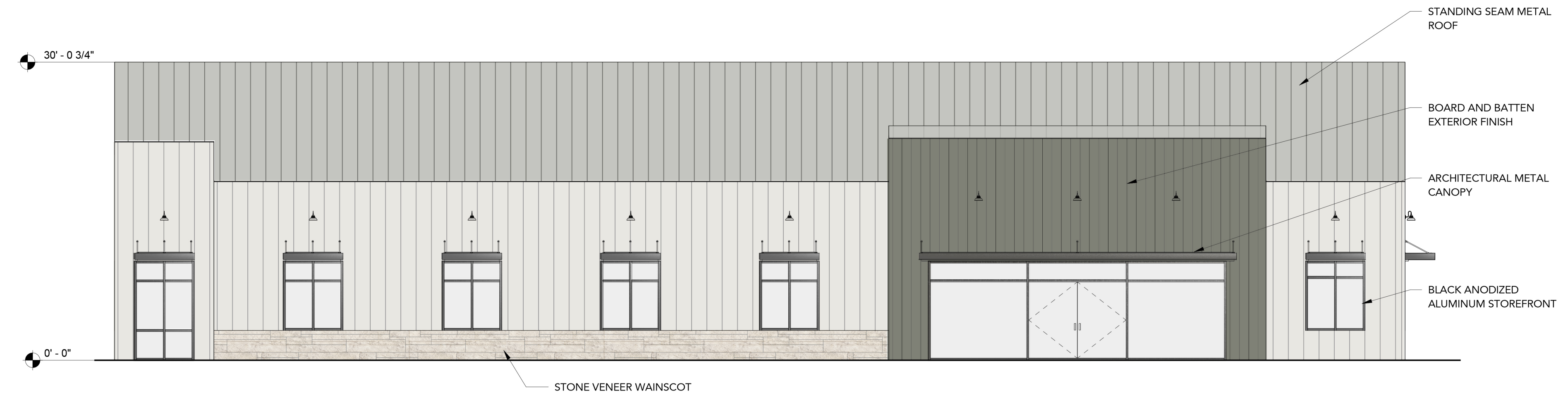
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EXTERIOR ELEVATION
- RETAIL

REV.	DATE	ISSUED FOR
11.15.2024	CUP	
07.18.2025	CUP REV.	

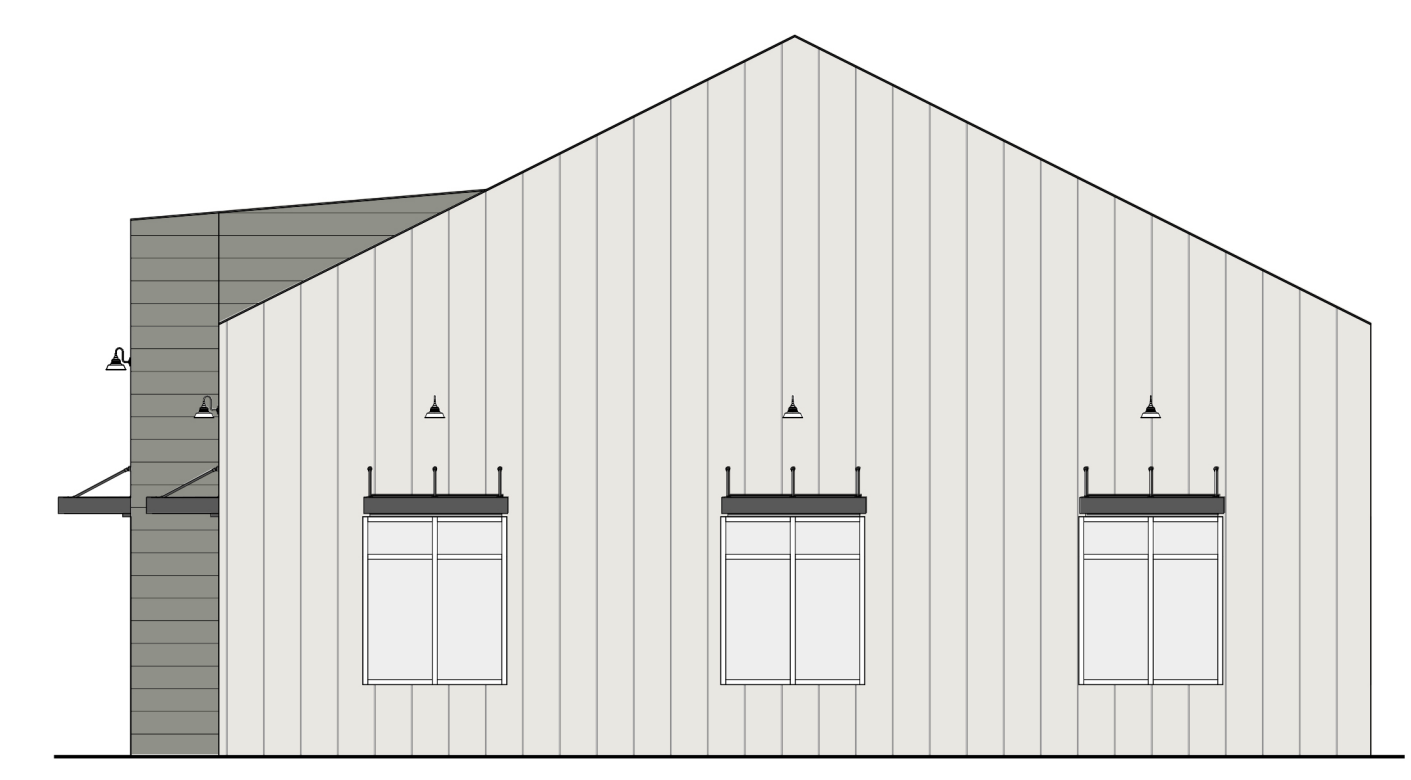
DRAWN BY: EH
CHECKED BY: EH
PROJECT NO. CA23-1020
SHEET

CUP-5

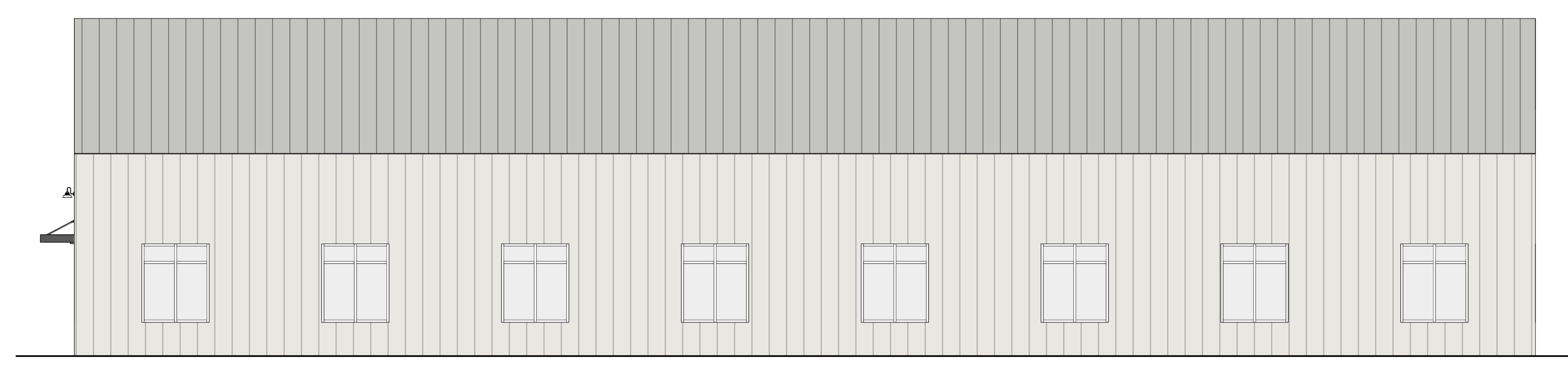
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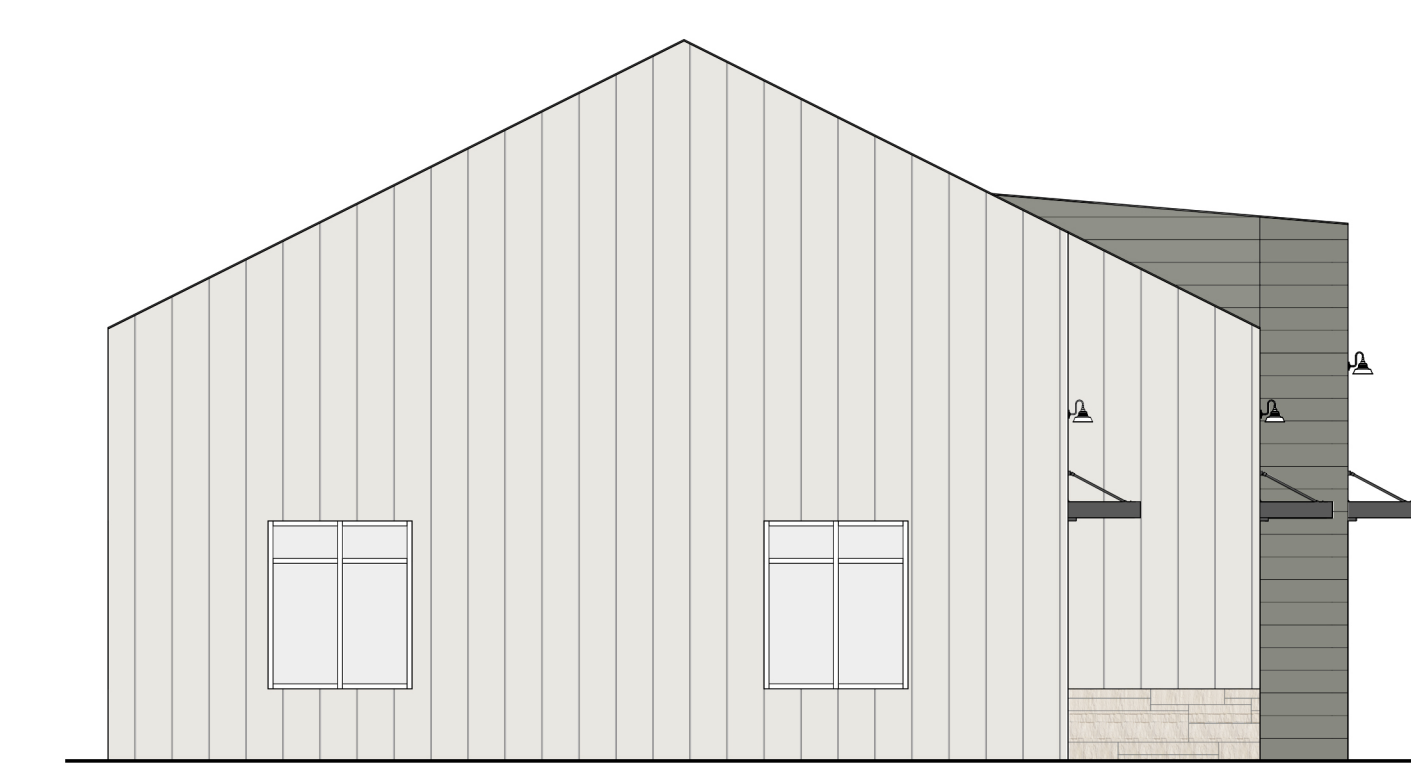
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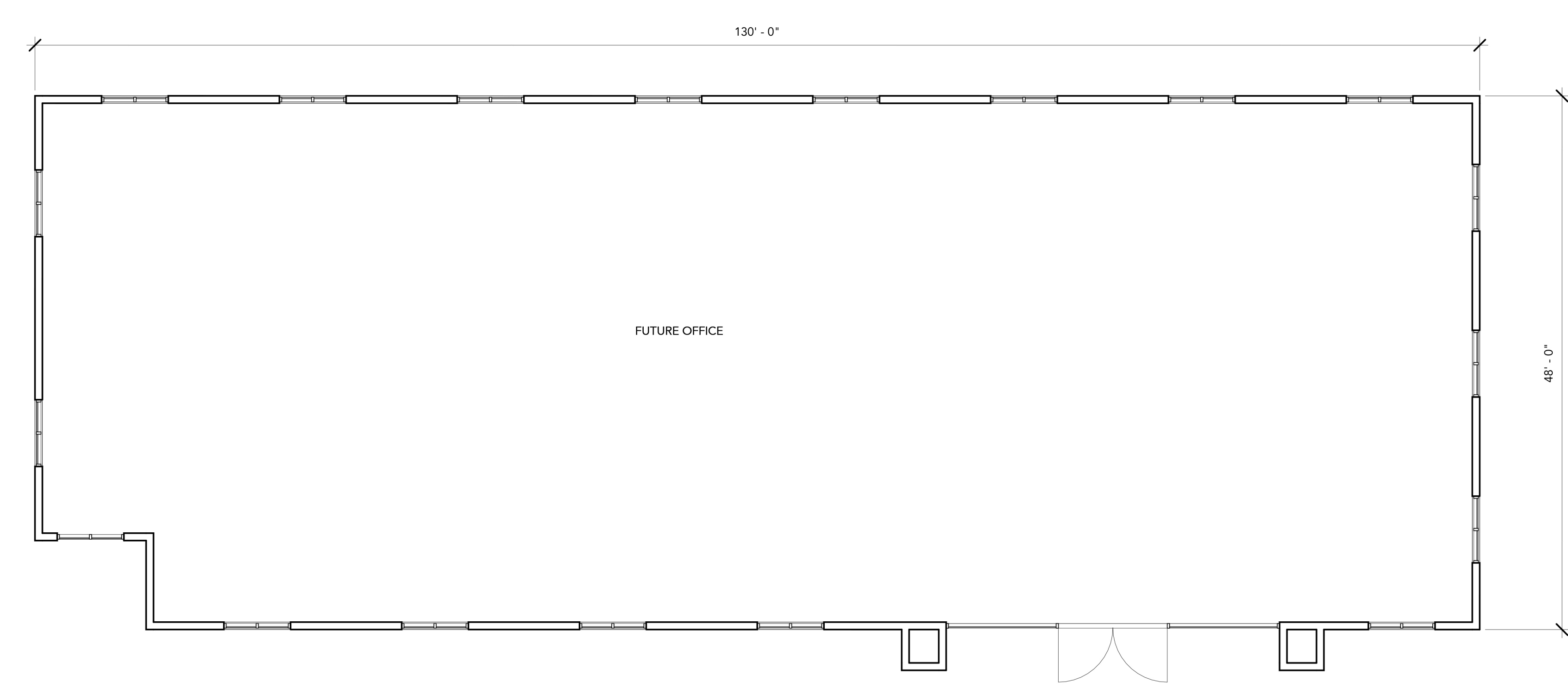
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1/8" = 1'-0"



3 EAST ELEVATION - OFFICE
1/8" = 1'-0"



4 NORTH ELEVATION - OFFICE
1/8" = 1'-0"



1 FLOOR PLAN - OFFICE
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

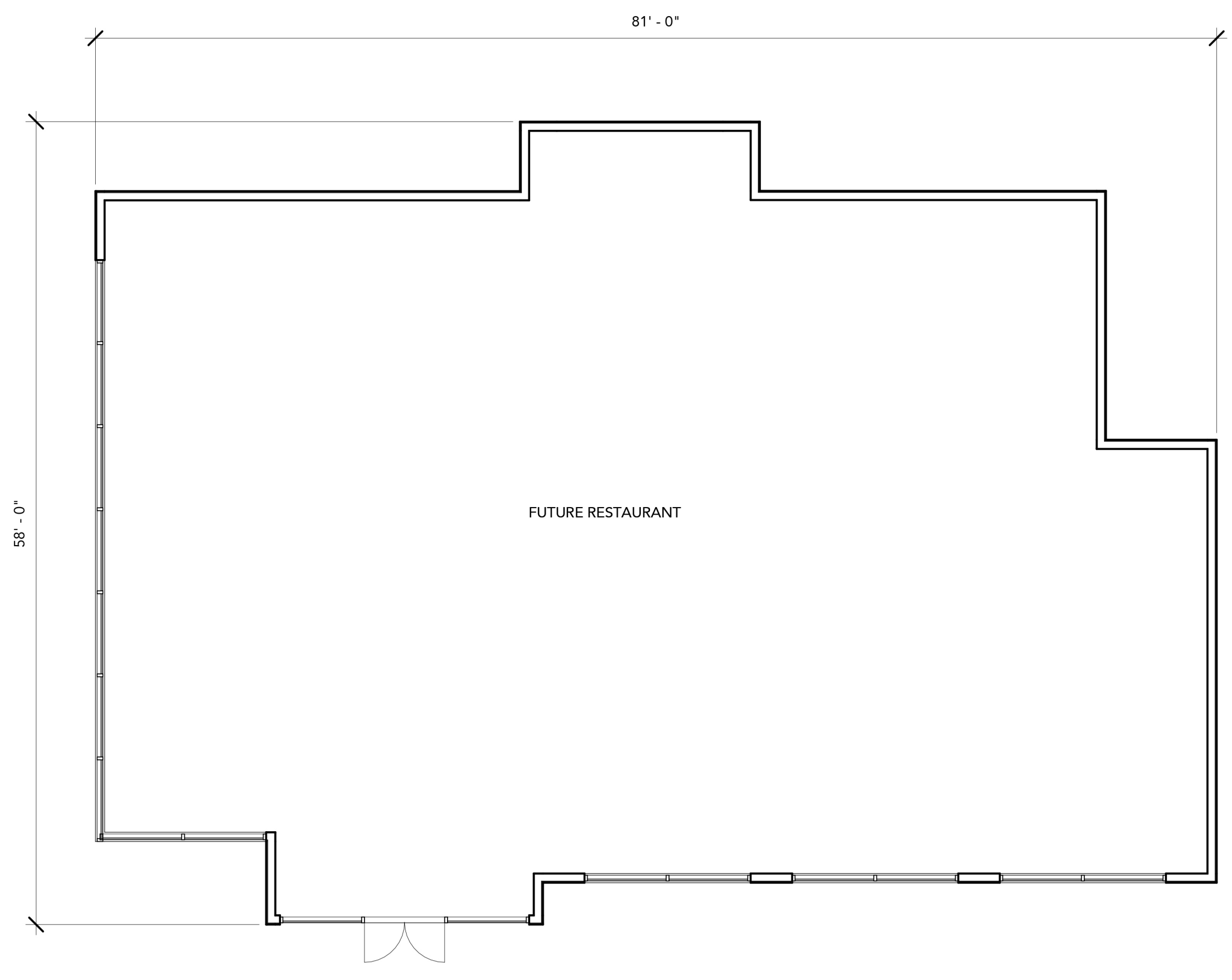
FLOOR PLAN /
EXTERIOR ELEVATION
- OFFICE

REV.	DATE	ISSUED FOR
11.15.2024	CUP	
07.18.2025	CUP REV.	

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PROJECT NO. CA23-1020
SHEET

CUP-6

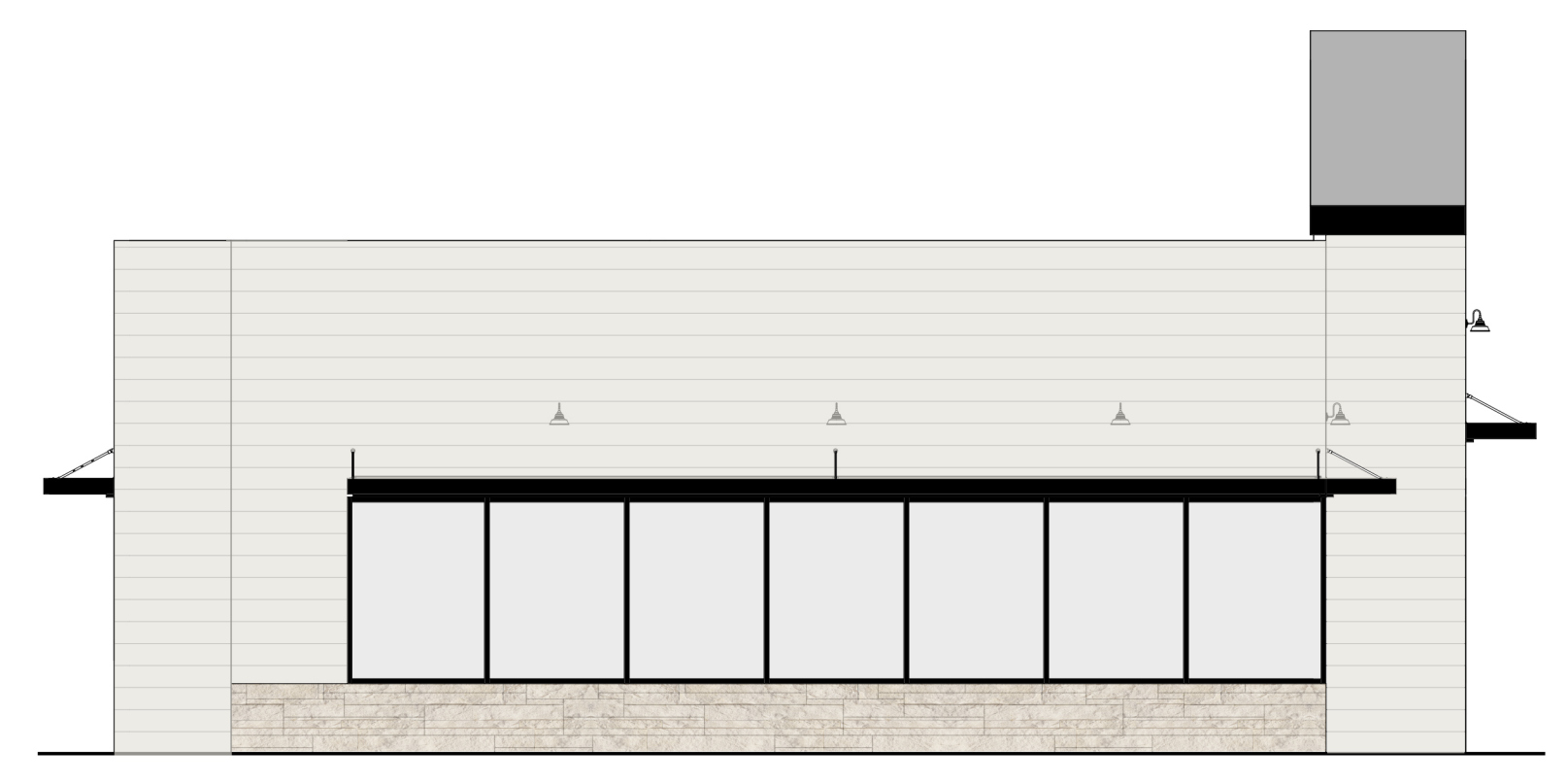
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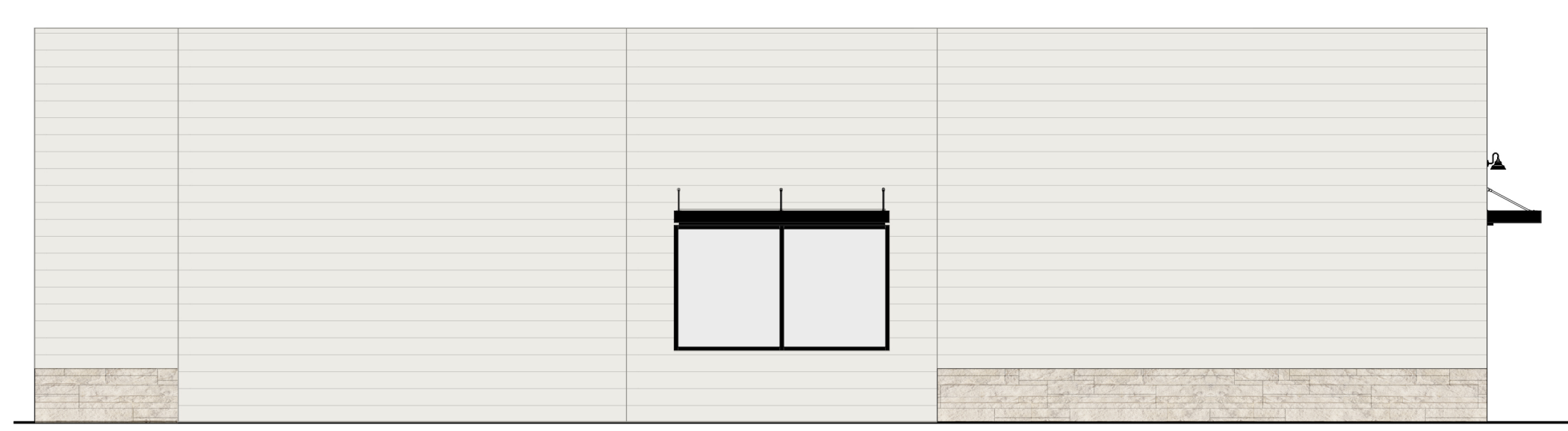
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1/8" = 1'-0"



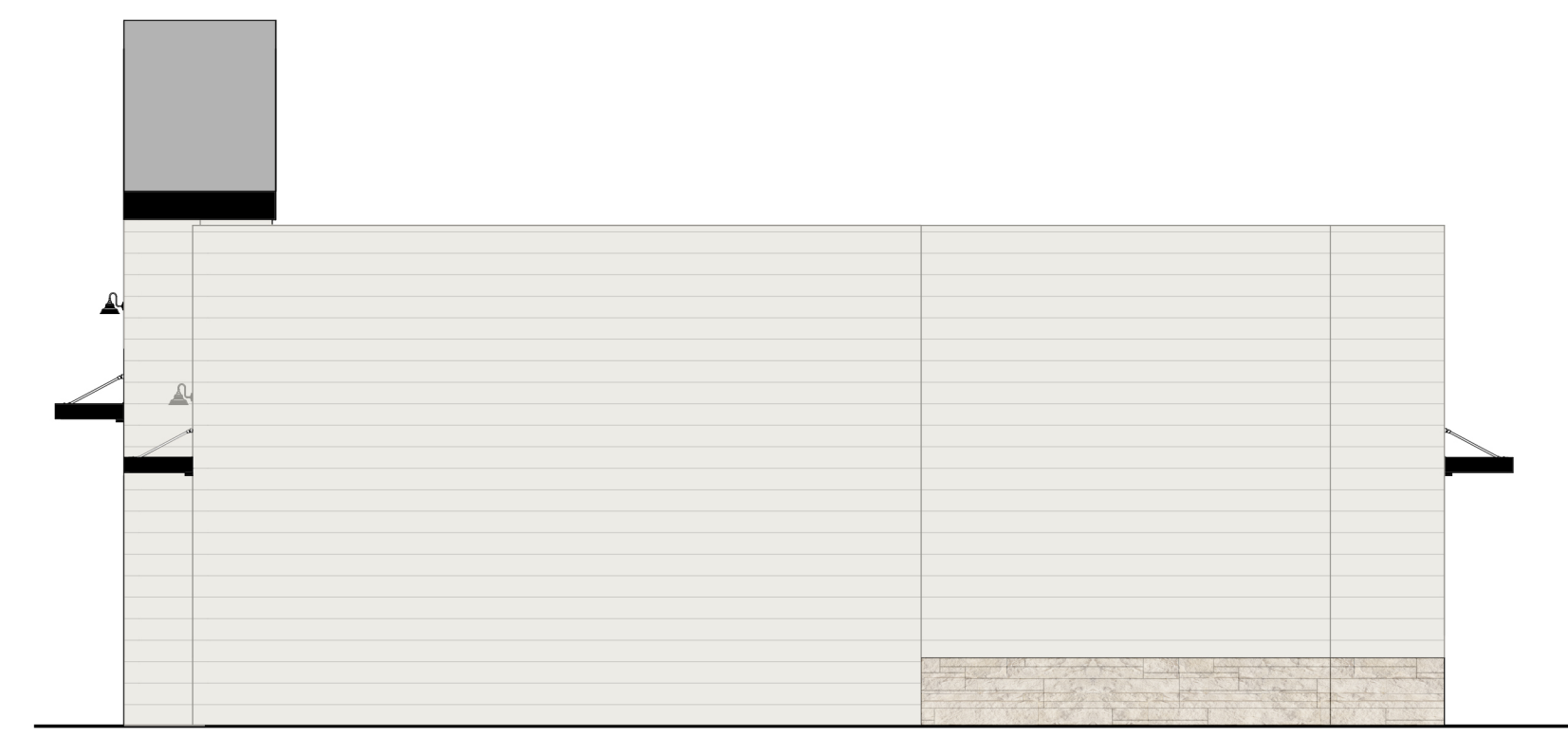
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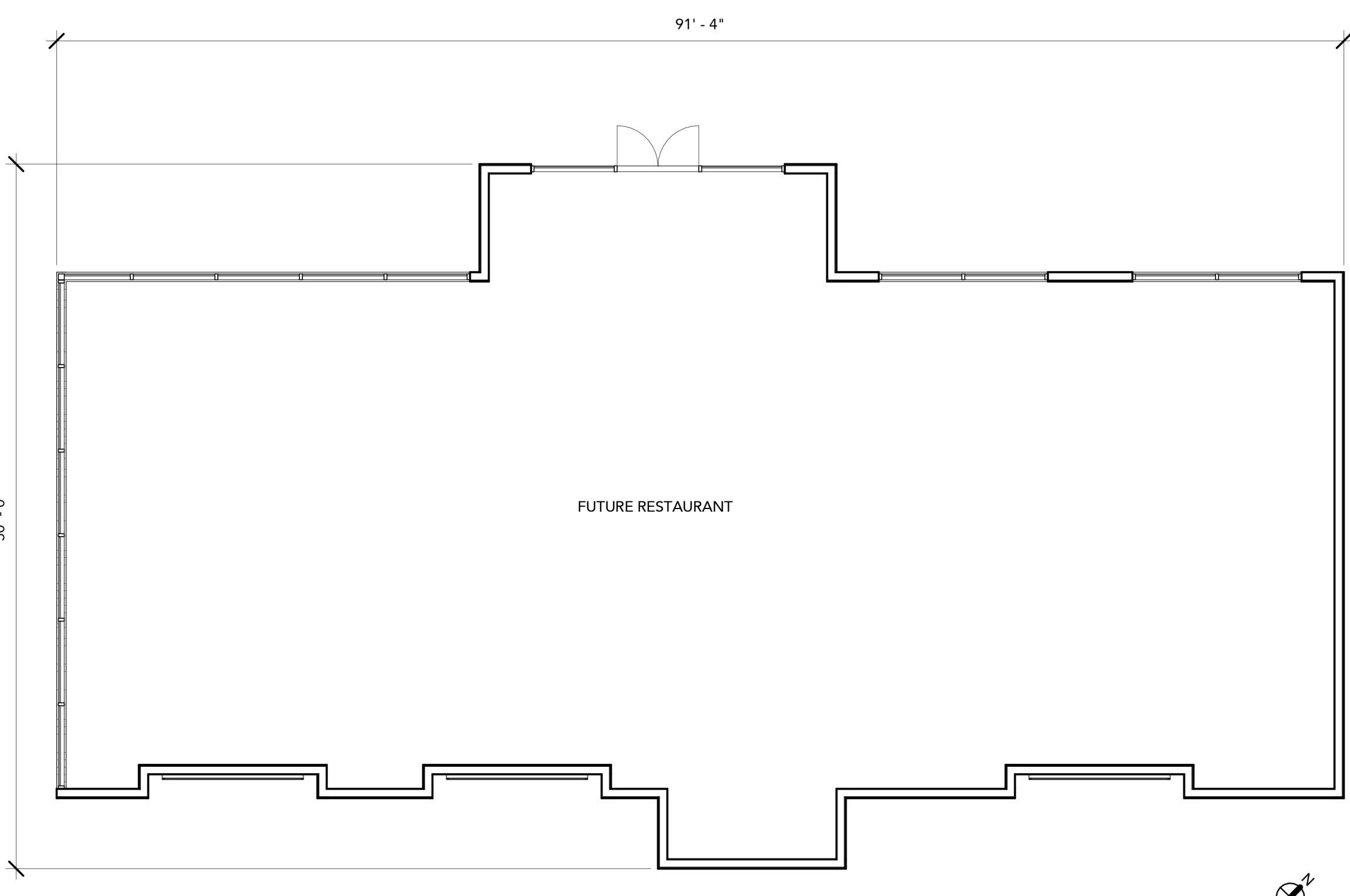
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1/8" = 1'-0"



4 NORTH ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



5 EAST ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



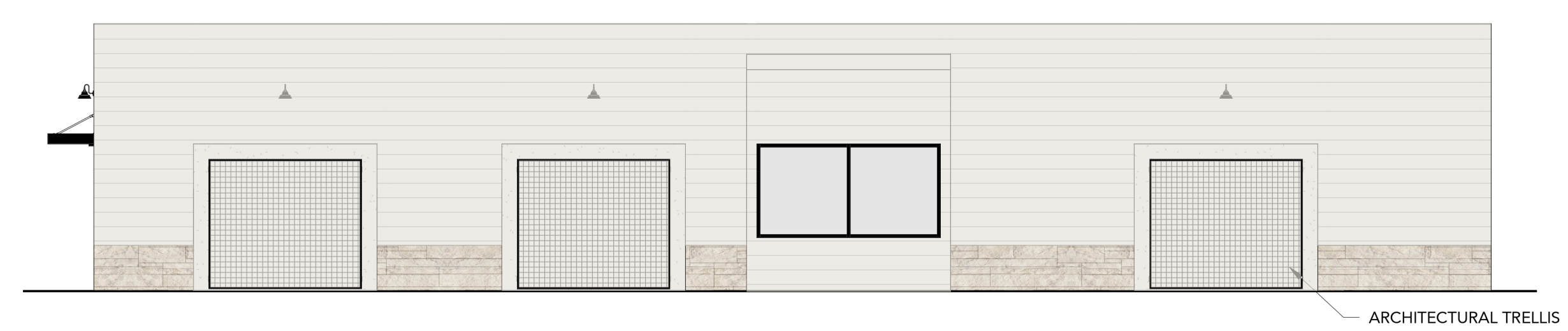
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1/8" = 1'-0"



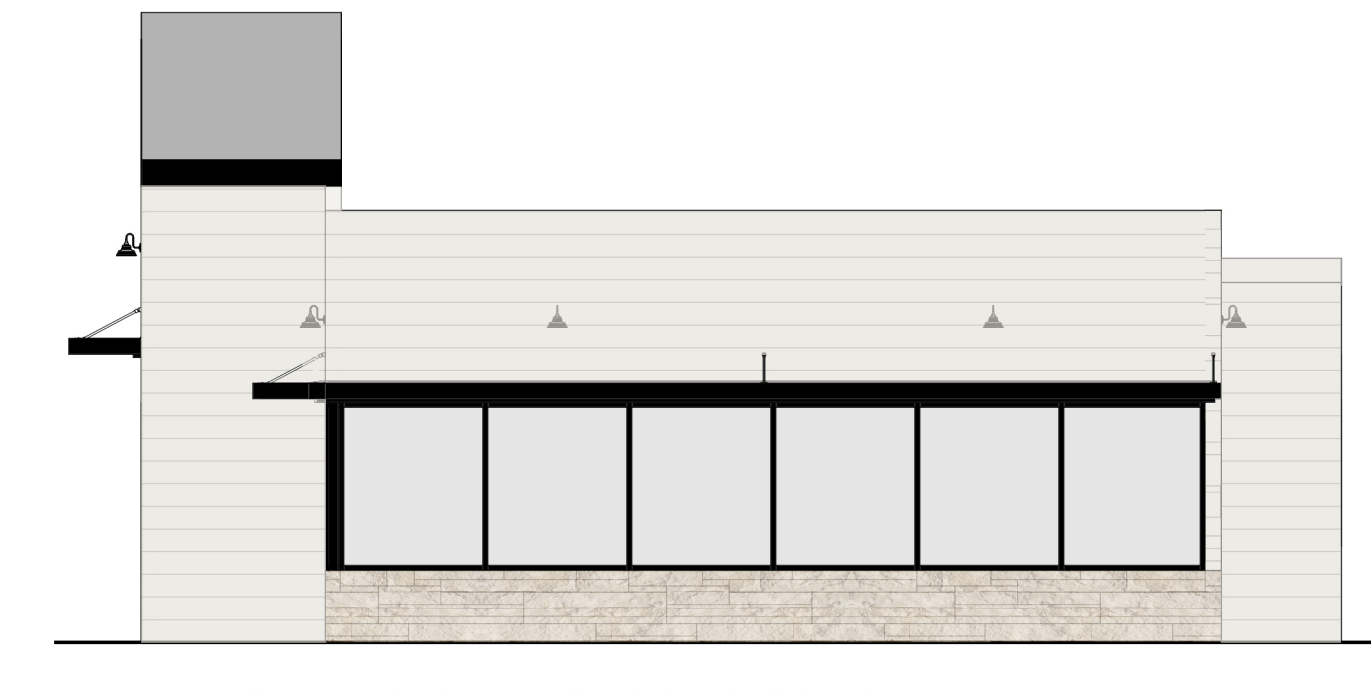
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1/8" = 1'-0"



8 EAST ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



9 SOUTH ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"



10 WEST ELEVATION - FAST FOOD RESTAURANT
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

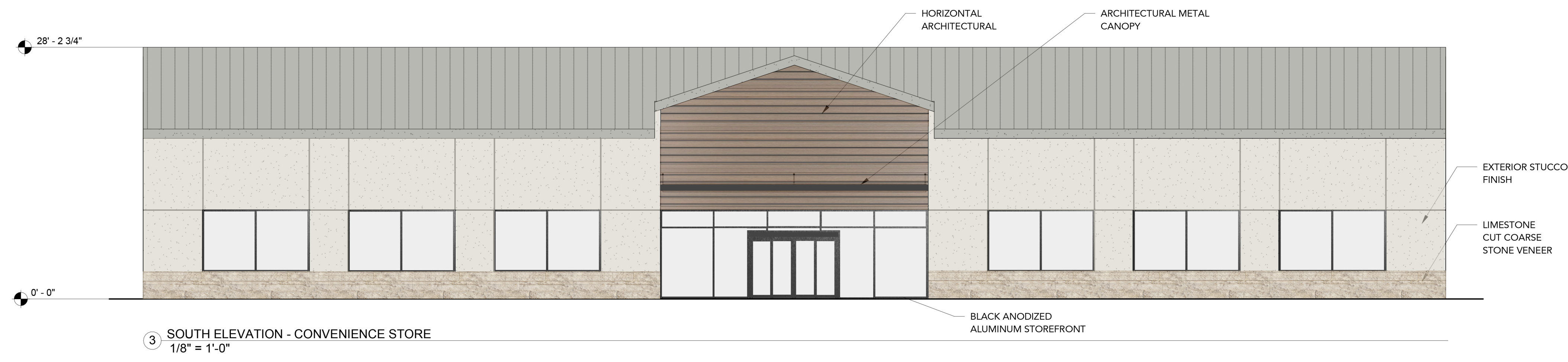
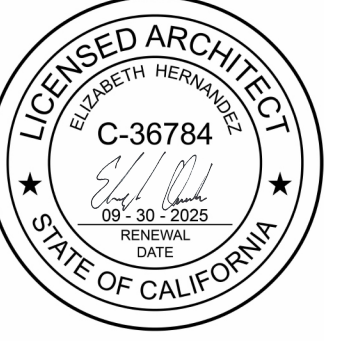
CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN / EXTERIOR ELEVATION - RESTAURANT

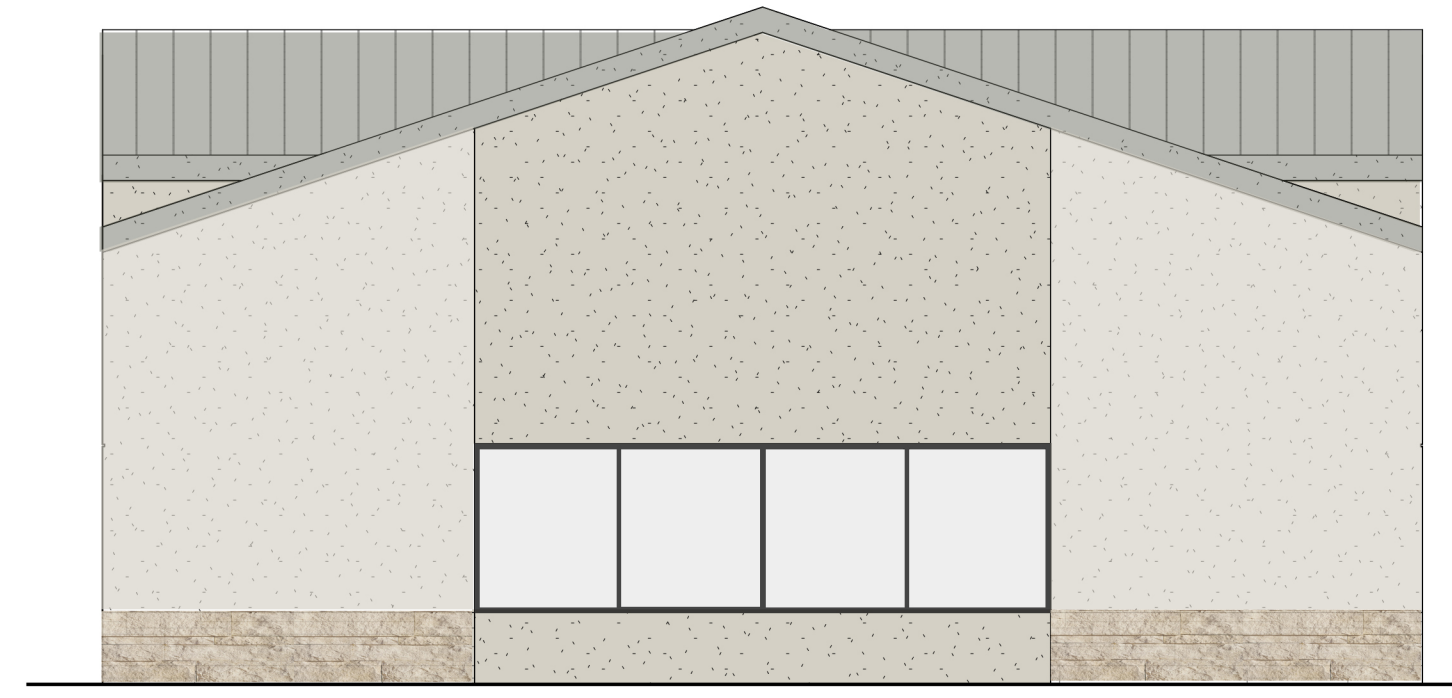
REV.	DATE	ISSUED FOR
11.15.2024	CUP	
07.18.2025	CUP REV.	

DRAWN BY: EH
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PROJECT NO. CA23-1020
SHEET

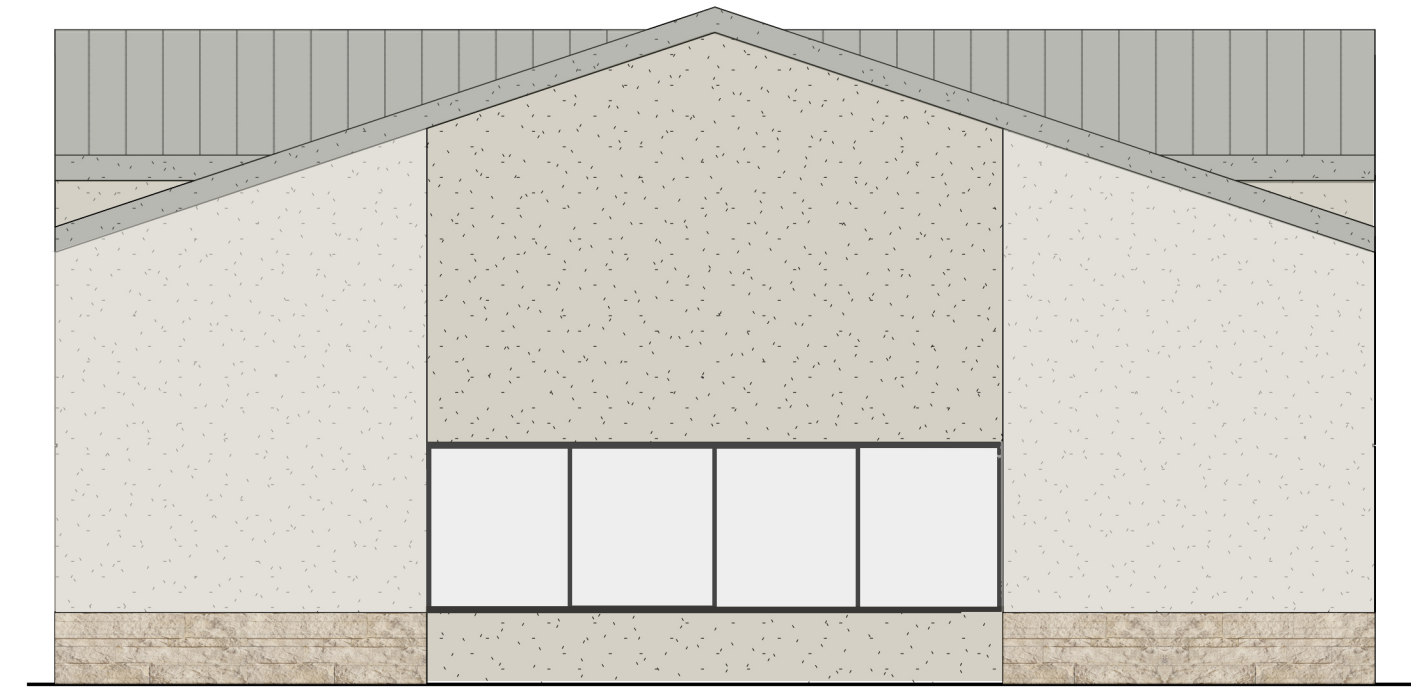
CUP-7



3 SOUTH ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



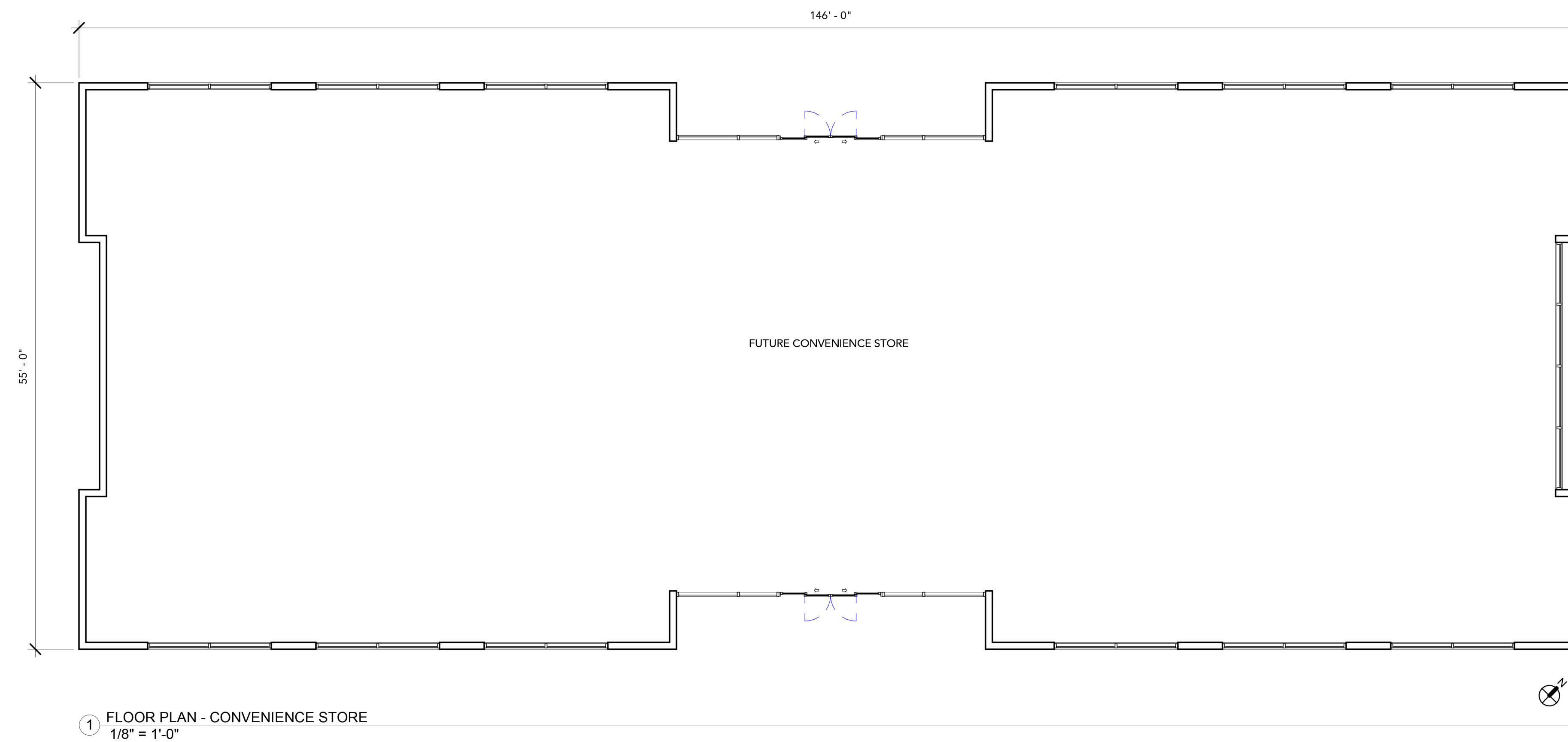
5 EAST ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



6 WEST ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



9 NORTH ELEVATION - CONVENIENCE STORE
1/8" = 1'-0"



1 FLOOR PLAN - CONVENIENCE STORE
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- CONVENIENCE
STORE

REV. DATE ISSUED FOR

11.15.2024	CUP
07.18.2025	CUP REV.

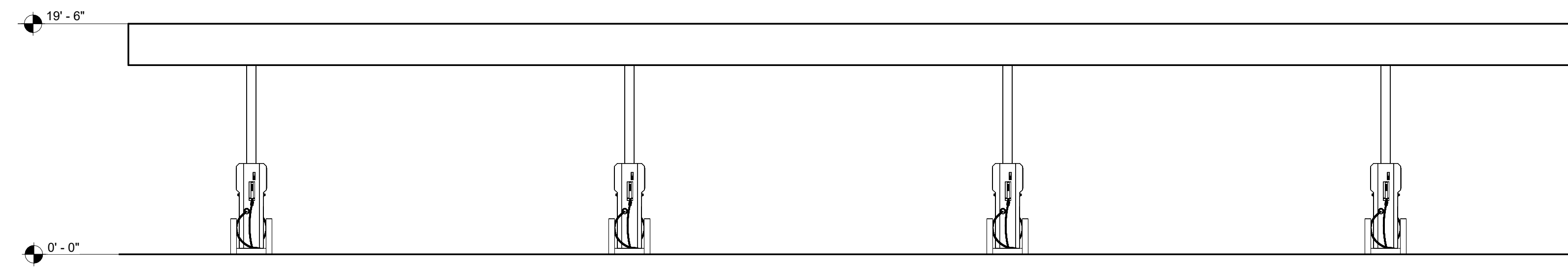
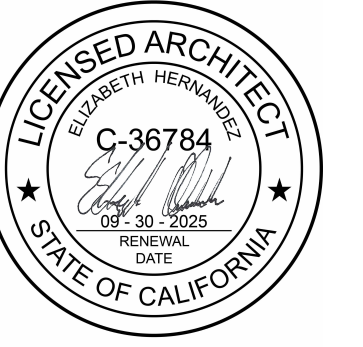
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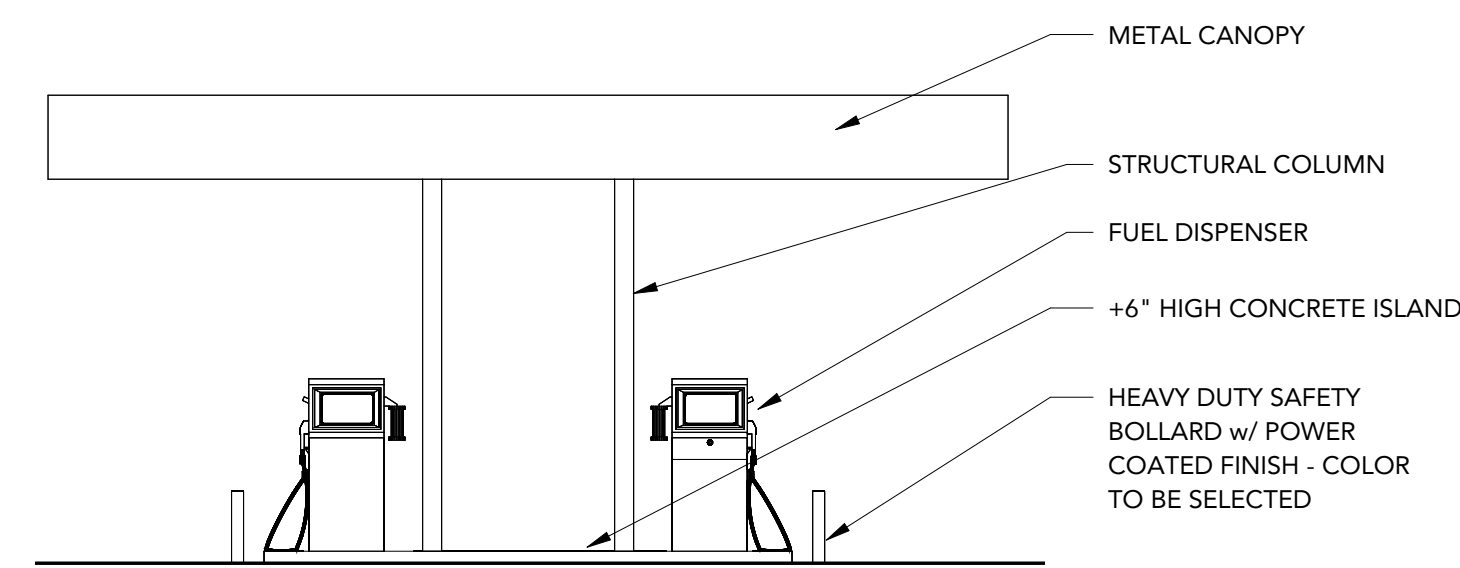
PROJECT NO. CA23-1020

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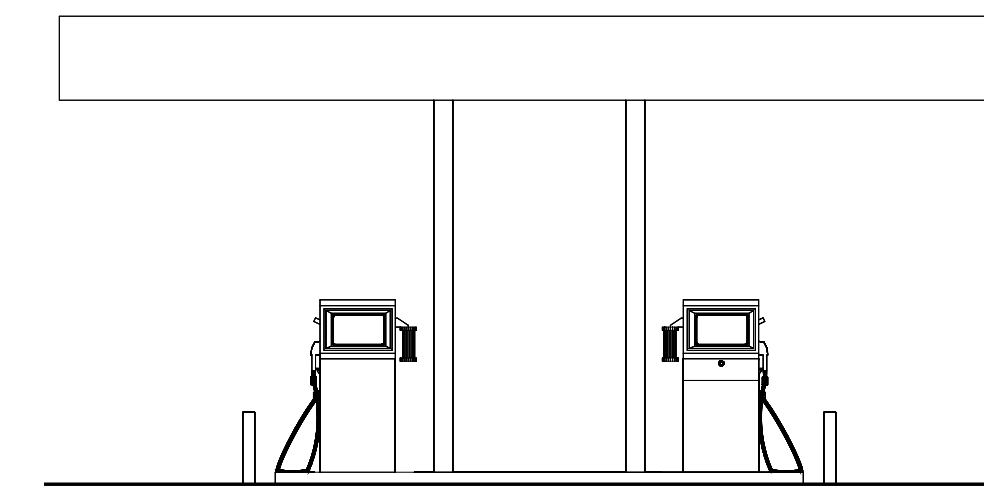
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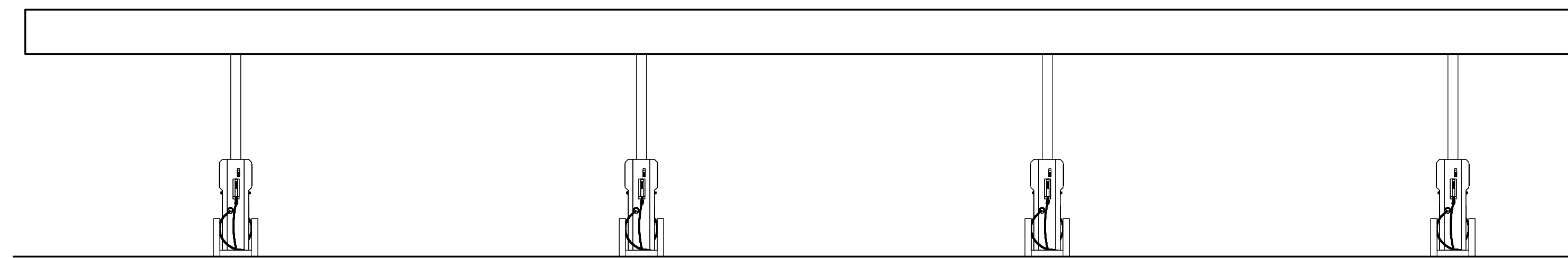
1 SOUTH ELEVATION - FUELING CANOPY
1/8" = 1'-0"



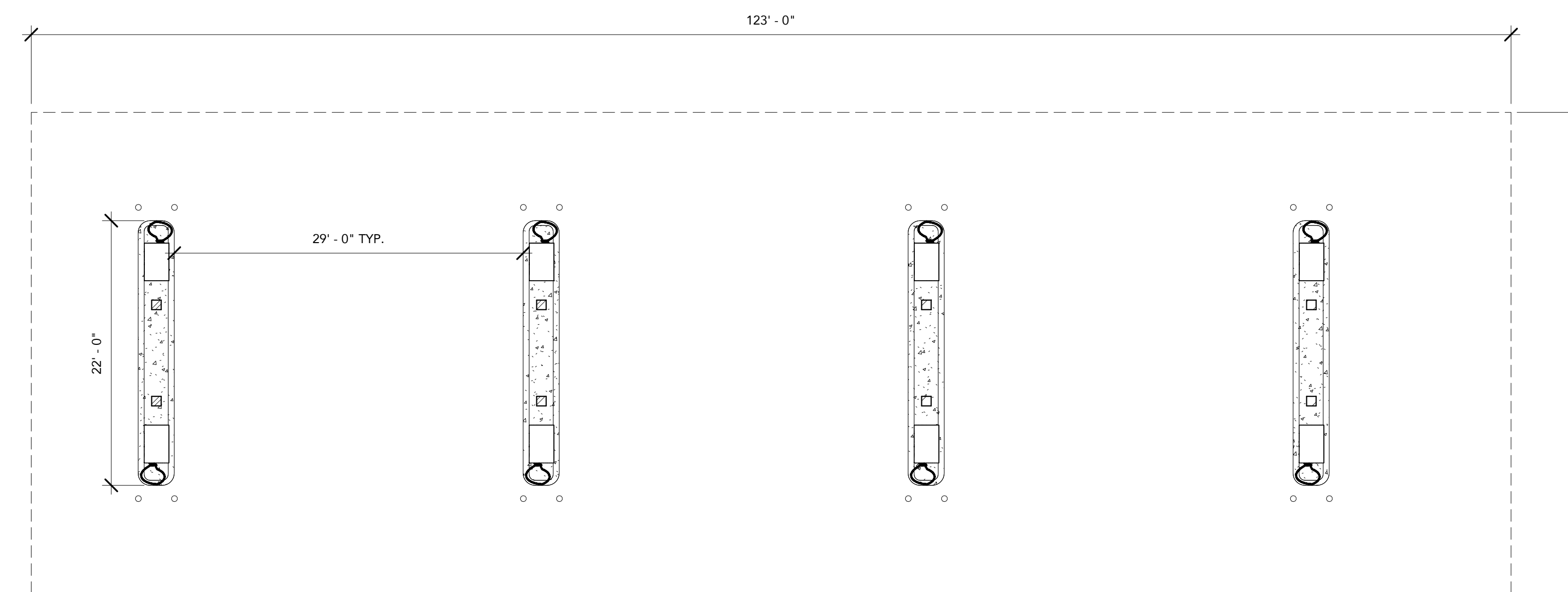
2 EAST ELEVATION - FUELING CANOPY
1/8" = 1'-0"



3 WEST ELEVATION - FUELING CANOPY
1/8" = 1'-0"



4 NORTH ELEVATION - FUELING CANOPY
1/8" = 1'-0"



5 FLOOR PLAN - FUELING CANOPY
1/8" = 1'-0"

SHAFTER COMMERCIAL SHOPPING CENTER

CENTRAL VALLEY HWY 43
APN: 028-180-46

FLOOR PLAN /
EXTERIOR ELEVATION
- FUELING

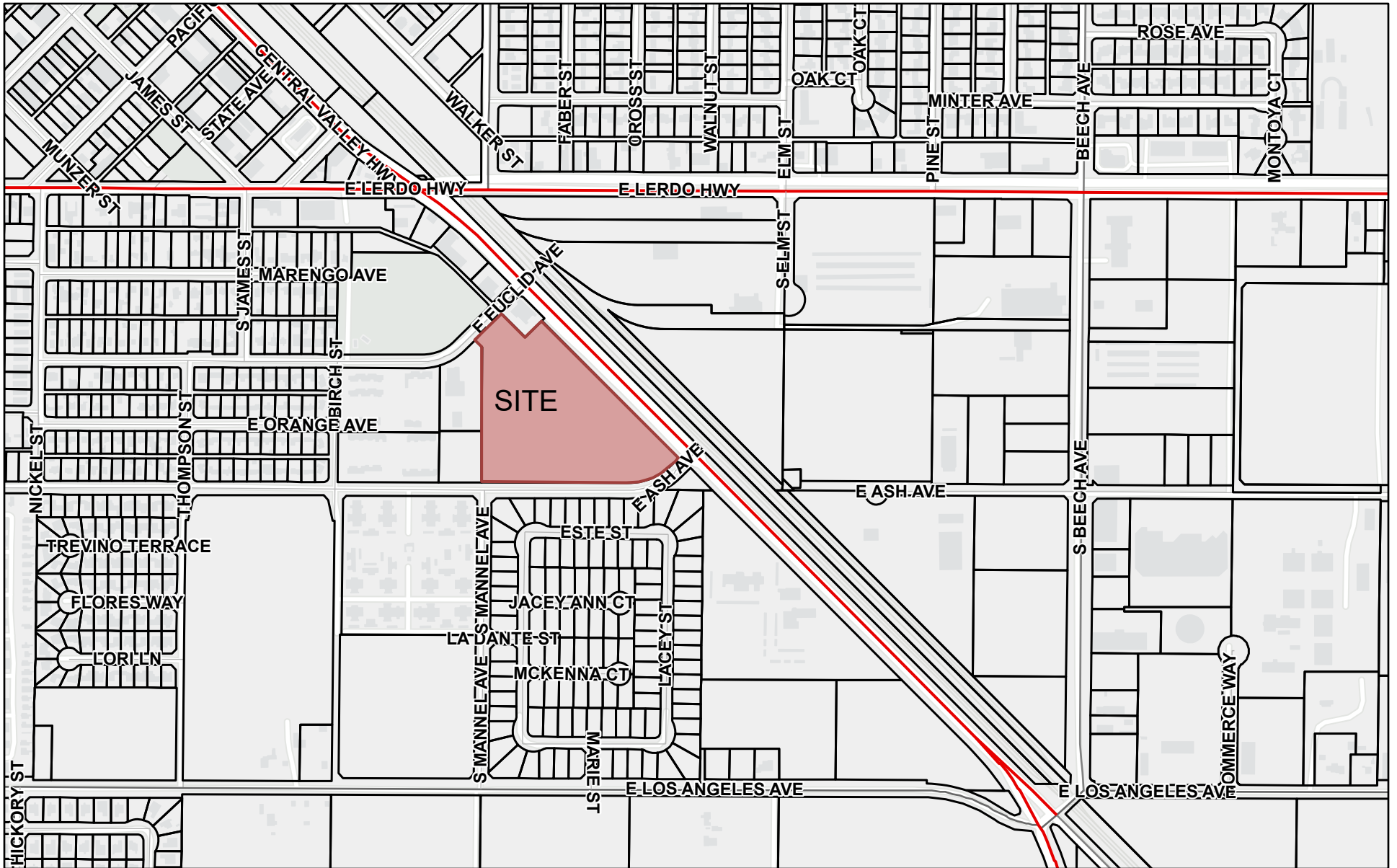
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07.18.2025	CUP REV.	

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CHECKED BY: EH

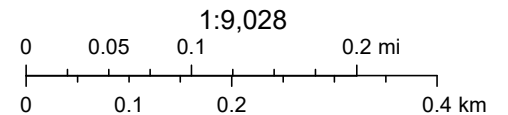
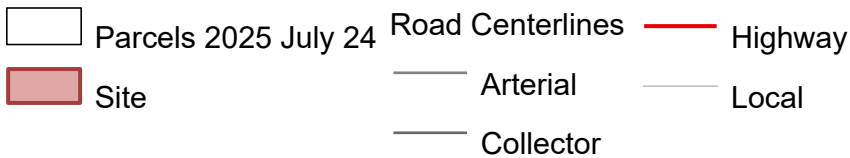
PROJECT NO. CA23-1020

SHEET

CUP-9



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EXHIBIT C

CONDITIONAL USE PERMIT NO. 24-151 CONDITIONS OF APPROVAL

General

1. The owner(s) or project proponent(s) (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify, and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers, and employees regarding any legal or administrative action, claim, or proceeding concerning approval of Conditional Use Permit No. 24-151 (hereinafter referred to as “CUP 24-151”) 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 its entirety by Developer, but subject to the City’s reasonable approvals. Developer shall also reimburse the City, its agents, legislative bodies, officers, and employees for any judgments, amounts paid in settlements, court costs, and attorneys’ fees which the City, its agents, legislative bodies, officers, and employees may be required to pay or otherwise pay because of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer’s obligations under these conditions of approval (hereinafter referred to as “Conditions”).
2. Developer, or general contractor, shall submit a list of all contractors and/or subcontractors performing work on this project to the City’s Planning Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City prior to the commencement of work.
3. Developer shall comply with all provisions of the City’s Zoning Ordinance, Subdivision and Engineering Design Manual, the latest adopted California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code, and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits. Identification of specific sections of any of the City documents does not negate the Developer’s responsibility to conform to unmentioned sections of the City’s Zoning Ordinance, Subdivision and Engineering Design Manual, California Building Code, and all other applicable ordinances, resolutions, standards, and requirements of the City.
4. Until all portions of the project have been completed, all vacant and undeveloped land within the boundaries of the project area shall be maintained in a weed-free, clean, and orderly manner by Developer. Should said property not be so maintained, City shall notify Developer that the property is to be cleaned within fourteen (14) days of receipt of said notice. If Developer does not comply within the required time frame, City may then clear the land and bill Developer for expenses incurred and Developer shall promptly pay the City for such expenses.

5. Approval of CUP 24-151 shall not vest until all Conditions are met. If within one year after the approval by the City, the development has not been initiated, the procedures and actions which have taken place up to that time shall be null and void and the development project shall be subject to the processing of new permits if it is the Developer's intent to proceed with construction unless Developer applies for and receives approval of an extension of time from the City Planning Commission. One extension of time, not to exceed one additional year, may be granted by the Planning Department not less than 30 days prior to the date of expiration. PLEASE NOTE: This will be the only notice given for the above specific expiration date. The Developer is responsible for initiating an extension request.
6. Construction of the development identified as CUP 24-151 shall be in substantial accordance with all City approved submittals to the City by Developer, including, but not limited to all Conditions of CUP 24-151 and Exhibit "A" (Site Plan) except as otherwise set forth in these conditions of approval.

Planning

7. All drive-through lanes shall accommodate one-way traffic only and provide stacking space for a minimum of six vehicles waiting for service.
8. The drive-through areas shall be kept free of trash and debris.
9. Prior to establishing any signs associated with the project, the Developer shall obtain a Sign Permit from the Planning Department. The application shall include a site plan depicting type, size, colors, and location of all proposed signs. Sign placement shall meet all required setbacks from the public right of way. Any sign established without approval by the Planning Department shall be in violation of Chapter 14 (Sign Regulations) of the City's Zoning Ordinance.
10. No new construction, or improvements to the property, shall be permitted without first obtaining the proper permits from Planning, Building, and Engineering Departments of the City.
11. The property and any proposed building, as well as any architectural features, shall be kept free of graffiti and shall be maintained in a clean and orderly manner.
12. A landscaping and irrigation plan shall be submitted to the Planning and Engineering Departments. Said approved landscape and irrigation plan shall be implemented prior to receiving a Certificate of Occupancy for any portion of the project site and such landscaping shall be continually maintained in a healthy, neat, and orderly manner. The landscape and irrigation plan shall show that at least 10% of the parking areas are covered in landscaping in compliance with City standards.
13. All on-site parking and maneuvering areas shall be constructed in accordance with Chapter 13 (Parking Requirements) of the City's Zoning Ordinance.
14. The project shall comply with the lighting standards for non-residential development per Section 10.140 of the Shafter Zoning Ordinance.
15. The project shall comply with screening requirements per Section 10.290 of the City's Zoning Ordinance.

16. The project shall comply with drive-in, drive-through, fast food, and take-out restaurants requirements per Section 11.150 of the City's Zoning Ordinance.
17. The project shall comply with service stations standards per Section 11.220 of the City's Zoning Ordinance.
18. Unless otherwise stated, all Conditions shall be completed prior to a final inspection and prior issuance of an occupancy permit.
19. CUP 24-151 shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the Developer and returned to the Planning Department.
20. The Developer shall obtain City approval of a proposed Tract Map and associated Covenants, Conditions, & Restrictions (CC&Rs) for the Tract Map and shall record a Final Tract Map and CC&Rs with the Kern County Assessor-Recorder's Office, prior to issuance of any Certificate of Occupancy. Additional rights of way easements or dedications necessary for street and/or public utility improvements shall be granted to the City of Shafter, prior to or concurrently with said Final Map recordation.
21. Developer shall provide a security plan to the Shafter Police Department for review and approval.
22. Only the uses identified within the approved application and site plan are allowed under the approval of CUP No. 24-151. This CUP does not grant approval of any other land use activities or operations not previously applied for as part of this procedure, which may also be subject to other permitting or entitlement processes.
23. Noncompliance with the Conditions set forth in approving CUP No. 24-151, or any other applicable codes or ordinances of the City of Shafter, shall render CUP No. 24-151 subject to withdrawal and cancellation.
24. The site plan as shown in Exhibit "A" of Resolution No. 25-473 is preliminary and used exclusively in the processing of CUP No. 24-151 as it includes basic information, such as building placement, access points, general landscaping, utilities connections, zoning considerations, etc. of sufficient detail to approve the CUP only. Submittal of a final site plan to the Planning, Building, and/or Engineering Department(s) shall be required that is comprehensive and sufficiently detailed to obtain necessary permits and approvals for construction.
25. Prior to grading plan approval, the Developer shall submit documentation to the Planning Department that they are compliant with air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District. Such documentation shall include compliance with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).
26. Within 14 days of the start of project activities, a pre-activity survey shall be conducted by a qualified biologist. The pre-activity survey shall include walking transects. The pre-activity survey shall be conducted by no greater than 30-foot transects for 100% coverage of the project site and the 250-foot buffer, where feasible. If no evidence of special-status

species is detected, no further action is required. If evidence of special-status species are detected, then all project activities shall cease and the California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Service (USFWS) shall be consulted on next steps, which can include, but are not limited to, establishment of buffer zones, use of approved passive relocation techniques, additional focused surveys, and/or ongoing construction monitoring.

27. The following avoidance and mitigation measures shall be implemented during all phases of the project to reduce the potential for impact to special-status wildlife species from the project:

- Project-related vehicles shall observe a daytime speed limit of 20 miles per hour (mph) throughout the site in all project areas, except on City roads and state and federal highways.
- All project activities shall occur during daylight hours, but if work must be conducted at night, then a night-time construction speed limit of 10 mph should be established.
- Off-road traffic outside of designated project areas should be prohibited.
- To prevent inadvertent entrapment of animals during construction of the project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed.
- Before holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted before proceeding with the work.
- In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or USFWS and CDFW should be contacted for guidance.
- All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for animals before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until USFWS and CDFW have been consulted.
- All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
- No pets, such as dogs or cats, should be permitted on the project site.
- Project-related use of rodenticides and herbicides should be restricted.
- A representative shall be appointed by the applicant/developer who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative should be identified during the employee education program, and their name and telephone number should be provided to USFWS and CDFW.
- Upon completion of the project, all areas subject to temporary ground disturbances (including storage and staging areas, temporary roads, pipeline corridors, etc.) shall be recontoured, if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is

disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated.

- Any project personnel who are responsible for inadvertently killing or injuring an animal(s) should immediately report the incident to their representative. This representative shall contact CDFW (and USFWS in the case of San Joaquin kit fox) immediately in the case of a dead, injured, or entrapped special-status wildlife species.
- The Sacramento Fish and Wildlife office and CDFW Region 4 office shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project-related activities. The CDFW shall be notified in the case of accidental death to any other special-status wildlife species. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
- New sightings of special-status species shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where a San Joaquin kit fox was observed should also be provided to the USFWS.

28. Prior to the initiation of construction activities, all personnel shall attend a Worker Environmental Awareness Training program developed by a qualified biologist. The program shall include information on the life histories of special-status species with potential to occur on the project, their legal status, course of action should these species be encountered on-site, and avoidance and mitigation measures to protect these species.
29. If prehistoric or historic-era cultural materials or paleontological resources are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist and/or paleontologist 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. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. If the qualified archaeologist and/or paleontologist determines that the discovery represents a potentially significant cultural or paleontological 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.
30. 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.

Engineering: General

31. Developer shall remove and replace any existing public or private improvement that may become damaged during any phase of construction, as required by the City Engineer or Caltrans.
32. Developer shall stripe the drive-through in accordance with requirements of the City Engineer to ensure safe vehicular movements.
33. Any contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer or Caltrans prior to commencing any such work.
34. Developer shall relocate and/or install all necessary infrastructure to provide utilities for the proposed project.
35. 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.
36. 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 or Caltrans. Such approval will be made in writing, upon written request of the Developer and/or the affected utility company.
37. Any obstructions, including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the Developer.
38. No final inspection shall be approved until all required improvements have been completed by the Developer and accepted by the City.
39. All new utilities shall be underground service.
40. Prior to the issuance of any Occupancy Permit for the proposed development, all public improvements (street, sewer, water) shall be constructed and approved by the City Engineer and ready for final acceptance.
41. Developer shall extend fiber optic infrastructure to all buildings within the project in compliance with City standards.
42. Developer shall place streetlights and hydrants throughout the project site in compliance with City standards.
43. Developer shall construct a block wall or wrought iron fence with metal screening along the entire western perimeter of the project site and along the southern perimeter from the southwest corner of the site to the proposed westernmost access point along the south perimeter of the site, prior to issuance of a Certificate of Occupancy. The block wall or wrought iron fence with metal screening shall be 6 feet tall with layout of the wall taking into consideration the line-of-sight requirements at the entrances on Euclid Avenue and E. Ash Avenue.

Engineering: Grading and Drainage

44. Developer shall provide a drainage study to the City Engineer for review and approval.
45. Prior to reviewing any required improvement plans, a grading plan shall be submitted to and approved by the City Engineer. Rainfall collected on the site shall be directed to onsite drainage inlets, and basin. Runoff shall not be allowed to cross property lines to adjacent properties or Central Valley Highway.
46. The grading plan for the project shall be prepared by a registered civil engineer and submitted to the City Engineer for review and approval. All grading shall conform to the California Uniform Building Code, latest edition, approved by the City and City adopted standards and specifications. Storm drain protection and disposal of water into and from the affected property shall be by method approved by the City Engineer.
47. A grading permit shall be obtained from the City Building Official prior to commencement of any grading activity.
48. Prior to the issuance of a building permit, the Developer's engineer shall state by letter that all required grading has been done in accordance with the approved grading plan.
49. Prior to the issuance of a building permit, the Developer's engineer shall include a properly sized onsite drainage basin (with a 6-foot-high block wall or wrought iron fence with metal screening surrounding it) capable of capturing all onsite surface stormwater runoff from the project site.
50. Project shall adhere to ADA standards.

Engineering: Water and Sewer

51. Developer shall provide a sewer feasibility study, with the likelihood that the development of a sewer lift station will likely be required to accommodate the project, to the City Engineer for review and approval.
52. Developer shall submit water and sewer improvement plans to the City Engineer for review and approval. Tie-ins to existing water mains or sewer mains or manholes shall be constructed as directed by the City Engineer.
53. Developer shall construct public sewer and water systems in accordance with City Standards and Specifications for the subject property. All on-site water and sewer systems shall be considered private.
54. No portion of the development shall be served by a septic system.
55. Developer shall submit detailed drawings for all existing and proposed utility connections to the City Engineer for review and approval prior to issuance of a building permit. No permanent structures shall be constructed over proposed or existing utility easements.

56. Water line size, location, and materials shall be subject to the approval of the City Engineer.
57. Developer shall seek approval in writing from the County Fire Marshal for hydrant locations prior to City approval of water plans.
58. Prior to the issuance of an occupancy permit, water mains and fire hydrants to be installed by Developer shall be completed, tested, and accepted (UFC 10.502, 10.503).
59. Depending on the type of facility to be built, the City may require backflow prevention devices at the meter prior to any private plumbing connections. Developer to ensure any required backflow prevention devices are approved, supplied, installed, and tested in accordance with the City.
60. All water services shall utilize the City's standard for Automated Meter Reading.
61. Developer shall restrict left-turn ingress and egress movements at the driveway through a raised median on SR 43 and direct those movements to the signalized State Route 43 and E. Ash Avenue intersection. Developer shall ensure that (1) adequate storage is available at the State Route 43 and E. Ash Avenue signal for relocated left turns and (2) physical channelization is designed to prevent prohibited left turn maneuvers at the driveway along State Route 43 to the satisfaction of the City Engineer and Caltrans..

Engineering: Street and Traffic

62. Developer shall provide a traffic study to the City Engineer for review and approval.
63. During construction, the Developer shall maintain the project, including the 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 public roadways shall be required, if deemed necessary, by City Engineer.
64. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
65. Developer shall provide an earthen mound within landscaped areas near the proposed drive-throughs or shall install a low, decorative-block wall (or an approved alternative) so that headlights of vehicles within the drive-throughs do not result in light spill over onto State Route 43 (Central Valley Highway), possibly causing safety concerns for traffic on the Highway.
66. All construction within State Route 43 (Central Valley Highway) Right of Way shall be subject to California Department of Transportation (Caltrans) standards, requirements, and permitting.
67. If necessary, the Developer shall install "NO PARKING" signs at the back of sidewalk along all portions of Central Valley Highway as directed by Caltrans. Signs shall be shown on the site grading or paving plan.
68. Prior to grading plan approval, the Developer shall either pay or bond for 43.51% of the cost to install traffic signals at the E. Ash Avenue and State Route 43 intersection. The

design of the traffic signals shall be approved by the City Engineer and Caltrans and shall meet Caltrans design standards.

69. Developer, as recommended by Caltrans during the CEQA review for the project, shall restrict left-turn ingress and egress movements at the driveway along State Route 43 through a raised median on State Route 43 and direct these movements to a signalized State Route 43 and E. Ash Avenue intersection.
70. Developer shall provide 1) adequate storage at the State Route 43 and E. Ash Avenue intersection for relocated left turns and 2) physical channelization that is designed to prevent prohibited left turn movements at the driveway along State Route 43 to the satisfaction of the City Engineer and Caltrans.
71. Developer shall provide a stopping site distance analysis per the Caltrans Highway Design Manual (HDM) Topic 201 for right turn movements at the State Route 43 driveway to the City Engineer and Caltrans for review and approval.
72. All improvements on State Route 43 shall comply with Caltrans HDM, Standard Plans, and Traffic Operations Policy Directives.

Building

73. All conditions of the Kern County Fire Department (KCFD) shall be met prior to the issuance of any Occupancy Permit. KCFD, as part of the CEQA review, has determined that all new construction will require fire water flowing a minimum 1,500 gallons per minute for two hours with 20 pounds per square inch residual, all fire access roads must meet specifications set forth in Section 503.2 of the California Fire Code, any structures that exceed 10,000 square feet shall require fire sprinklers and a fire alarm to be installed, commercial fire suppression hood system permits are required within commercial buildings or tenant spaces, and any aboveground flammable liquid tanks in excess of 125 gallons shall require permitting through the Kern County Fire Department.
74. Developer shall coordinate with American Refuse on the location and standards for refuse storage throughout the project.
75. All conditions from Kern County Environmental Health shall be met prior to use of the facility, including, but not necessarily limited to, the possible need for secondary containment, Spill Prevention Control and Countermeasure (SPCC) Plan, Hazardous Materials Business Plan, and registering with CERS for the service station.