



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

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, FEBRUARY 14, 2023**

TELECONFERENCE NOTICE:

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

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

CALL TO ORDER:	6:00 PM
PLEDGE OF ALLEGIANCE:	Chairman Sanchez
INVOCATION:	Vice Chairman Frantz
ROLL CALL:	Chairman Sanchez Vice Chairman Frantz Commissioner Joshan Commissioner Piuser Commissioner Wiebe

OATH OF OFFICE FOR RE-APPOINTED PLANNING COMMISSIONER BOB WIEBE TO FILL VACANCY FOR THE REMAINDER OF A FOUR-YEAR TERM, EXPIRING DECEMBER 31, 2024:

APPROVAL OF AGENDA:

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: Joint Special Meeting of October 18, 2022 and Regular Meeting of January 10, 2023.

PUBLIC COMMENT:

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

PUBLIC HEARING:

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

1. **Conditional Use Permit No. 22-129:** Planning Commission conduct a public hearing; adopt Resolution No. 23-419, a Resolution of the Planning Commission of the City of Shafter adopting Mitigated Negative Declaration, as described in Exhibit "A", for Conditional Use Permit No. 22-129 to allow the operation of a concrete recycling facility located at 370 Carsen Way, Shafter, California 93263 (Assessor's Parcel Number 091-171-32) on 10.54 acres; and adopt Resolution No. 23-420, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 22-129 to allow the operation of a concrete recycling facility located at 370 Carsen Way, Shafter, California 93263 (Assessor's Parcel Number 091-171-32) on 10.54 acres. (Planning Director Esselman)

ROLL CALL

2. **Tentative Tract No. 7421:** Planning Commission conduct a public hearing; and adopt Resolution No. 23-421, a Resolution of the Planning Commission of the City of Shafter Recommending approval of Tentative Tract No. 7421, as depicted in Exhibit "A" and conditioned per Exhibit "B", to the City Council of the City of Shafter. (Planning Director Esselman)

ROLL CALL

COMMISSIONER REPORTS:

ADJOURNMENT:

Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in a City Council Meeting, please contact the City Clerk at (661) 746-5000 at least three (3) days prior to the meeting or time the special services are needed to allow City staff in making reasonable arrangements to provide you with access to the meeting. Any public record, relating to an open session agenda item, that is distributed

within 72 hours prior to the meeting is available for public inspection in the City Clerk's Office at Shafter City Hall, 336 Pacific Ave., Shafter, CA 93263. This is to certify that this Agenda notice was posted at City Hall and Police Dept. by 5:00 p.m., February 9, 2023. Yazmina Pallares, S/S, City Clerk



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

**AGENDA
SUPPLEMENT
Regular Meeting
Shafter Planning Commission
February 14, 2023**

**THE February 14, 2023 MEETING WILL BE CONDUCTED IN COMPLIANCE
WITH AB 361**

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

1. You are strongly encouraged to observe the Planning Commission meetings live via YouTube <https://www.youtube.com/user/CityofShafter/>
2. If you wish to make a comment on a specific agenda item or public comment, please submit your comment via email by **6:00 PM on February 14, 2023** 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.

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

**MINUTES OF THE SPECIAL JOINT MEETING OF THE
SHAFTER CITY COUNCIL AND SHAFTER PLANNING COMMISSION
COUNCIL CHAMBER, 336 PACIFIC AVENUE
MEETING HELD IN-PERSON AND VIA ZOOM AND LIVESTREAM ON YOUTUBE
TUESDAY, OCTOBER 18, 2022**

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

CALL TO ORDER: 4:00 p.m.

ROLL CALL:

PRESENT (In-Person): Shafter City Council Members: Mayor Prout, Mayor Pro Tem Givens, and Council Member Espinoza. Council Member Alvarado arrived to the meeting at 4:04 p.m. ABSENT: Council Member Lopez with an excused absence. Shafter Planning Commission Members: Chairman Frantz, and Commissioners Olvera and Sanchez. ABSENT: Vice Chairman Nunlist and Commissioner Wiebe with excused absences. ALSO PRESENT: City Manager Gonzalez, Senior Planner Cuxum, Planning Director Esselman, Building Official Fidler, Public Works Director James, City Attorney Martinez, City Clerk Pallares, Community Engagement Manager Zermenio.

APPROVAL OF AGENDA:

MOVED (GIVENS) AND SECONDED (ESPINOZA) APPROVED THE SPECIAL JOINT MEETING AGENDA FOR THE CITY COUNCIL AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ESPINOZA, GIVENS, AND PROUT

NAYS: NONE.

ABSENT: ALVARADO AND LOPEZ.

ABSTENTIONS: NONE.

MOVED (OLVERA) AND SECONDED (SANCHEZ) APPROVED THE SPECIAL JOINT MEETING AGENDA FOR THE PLANNING COMMISSION AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, OLVERA, AND SANCHEZ.

NAYS: NONE.

ABSENT: NUNLIST AND WIEBE

ABSTENTIONS: NONE.

PUBLIC COMMENT:

There were no members of the public wishing to speak.

MANAGEMENT REPORTS:

1. **JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP:** City Manager Gonzalez, Planning Director Esselman, and Building Official Fidler made introductory comments. *INFORMATION FOR DISCUSSION PURPOSES ONLY. NO ACTION TAKEN.*

Chairman Frantz left the meeting at 5:00 p.m.

ADJOURNMENT:

*MOVED (GIVENS) AND SECONDED (ESPINOZA) ADJOURNED THE CITY COUNCIL MEETING AT 5:24 P.M.
MOTION CARRIED WITH NO OPPOSITION WITH COUNCIL MEMBER LOPEZ ABSENT.*

*MOVED (SANCHEZ) AND SECONDED (OLVERA) ADJOURNED THE PLANNING COMMISSION MEETING AT 5:00
P.M. MOTION CARRIED WITH NO OPPOSITION WITH VICE CHAIRMAN NUNLIST AND COMMISSIONER WIEBE
ABSENT.*

Peter Frantz, Chairman

ATTEST:

Yazmina Pallares, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
SHAFTER PLANNING COMMISSION
COUNCIL CHAMBER, 336 PACIFIC AVENUE
MEETING HELD IN-PERSON AND VIA ZOOM AND LIVESTREAM TO YOUTUBE
TUESDAY, JANUARY 10, 2023**

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

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Chairman Frantz

INVOCATION: Commissioner Sanchez

ROLL CALL:

PRESENT: Chairman Sanchez, Vice Chairman Frantz, and Commissioners Joshan and Piuser.
Also present: Planning Director Esselman and Deputy City Clerk Uribe.

OATH OF OFFICE FOR NEWLY APPOINTED PLANNING COMMISSIONERS:

1. Planning Commissioners Lovedeep Joshan and David Piuser

Deputy City Clerk Uribe administered the Oath of Office to newly appointed Commissioners Lovedeep Joshan and David Piuser. The meeting of Shafter Planning Commission continued with Planning Commissioners Frantz, Joshan, Piuser, and Sanchez.

ORGANIZATIONAL BUSINESS:

1. ELECTION OF CHAIRMAN AND VICE CHAIRMAN:

- a. Chairman Frantz opened the nominations for Chairman.

MOVED (FRANTZ) AND SECONDED (SANCHEZ) THE NOMINATION OF VICE CHAIRMAN SANCHEZ AS CHAIRMAN. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.
NAYS: NONE.
ABSENT: NONE.
ABSTENTIONS: NONE.

Commissioner Sanchez was appointed as Chairman of the Planning Commission.

- b. Chairman Sanchez opened the nominations for Vice Chairman.

MOVED (SANCHEZ) AND SECONDED (FRANTZ) THE NOMINATION OF COMMISSIONER FRANTZ AS VICE CHAIRMAN. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.
NAYS: NONE.

ABSENT: *NONE.*
ABSTENTIONS: *NONE.*

Commissioner Frantz was appointed as Vice Chairman of the Planning Commission.

APPROVAL OF AGENDA:

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

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

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: Regular Meeting of December 13, 2022.

MOVED (FRANTZ) AND SECONDED (SANCHEZ) COMMISSIONERS APPROVED THE MINUTES OF THE REGULAR MEETING OF DECEMBER 13, 2022 AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

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

PUBLIC COMMENT:

There were no members of the public wishing to speak.

PUBLIC HEARING:

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

1. **Temporary Land Use Permit No. 20-112 Extension of Time:** Planning Director Esselman made introductory comments. A notice of public hearing was properly advertised.

Chairman Sanchez opened the public hearing.

John Rohner, Lead Supervisor with SoCalGas Company, answered any questions that the Commission had.

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

MOVED (FRANTZ) AND SECONDED (SANCHEZ) COMMISSIONERS CONDUCTED A PUBLIC HEARING; FIND THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTED RESOLUTION NO. 23-418, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING A ONE (1) YEAR

EXTENSION OF TIME FOR TEMPORARY LAND USE PERMIT NO. 20-112 FOR A TEMPORARY CONSTRUCTION STORAGE YARD ON PROPERTY LOCATED AT 5511 AND 5501 E. LERDO HIGHWAY AT THE SOUTHEAST CORNER OF CARVER STREET AND E. LERDO HIGHWAY, CITY OF SHAFTER, TO EXPIRE ON JANUARY 10, 2024 AND AS SHOWN IN EXHIBIT "A". MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.

NAYS: NONE.

ABSENT: NONE.

ABSTENTIONS: NONE.

COMMISSIONER REPORTS: There were no Commissioner Reports.

ADJOURNMENT:

MOVED (FRANTZ) AND SECONDED (PIUSER) COMMISSIONERS ADJOURNED THE MEETING AT 6:12 P.M. MOTION CARRIED WITH NO OPPOSITION.

John Sanchez, Chairman

ATTEST:

Vanessa Uribe, Deputy City Clerk

DATE: February 14, 2023
TO: Planning Commission
FROM: Planning Department
SUBJECT: Conditional Use Permit No. 22-129

RECOMMENDATION:

Planning Commission conduct a public hearing; adopt Resolution No. 23-419, a Resolution of the Planning Commission of the City of Shafter adopting Mitigated Negative Declaration, as described in Exhibit "A", for Conditional Use Permit No. 22-129 to allow the operation of a concrete recycling facility located at 370 Carsen Way, Shafter, California 93263 (Assessor's Parcel Number 091-171-32) on 10.54 acres; and adopt Resolution No. 23-420, a Resolution of the Planning Commission of the City of Shafter approving Conditional Use Permit No. 22-129 to allow the operation of a concrete recycling facility located at 370 Carsen Way, Shafter, California 93263 (Assessor's Parcel Number 091-171-32) on 10.54 acres.

APPLICANT

Bryan Watson
Kern Asphalt Paving and Sealing
Company, Inc.
2000 Norris Road
Bakersfield, CA 93308

OWNER

MELA LLC
3304 Buck Owens Boulevard
Bakersfield, CA 93308

LOCATION: 370 Carsen Way, Shafter, CA 93263. See Exhibit 1.

PROJECT DATA:

1. General Plan Designation: The current land use designation of the site is I (Industrial). The properties surrounding the site are also designated I.
2. Zoning: The site is zoned IH (Industrial-Airport Approach Height). The properties surrounding the site are also zoned IH.
3. Acreage: 10.54 acres

PROJECT ANALYSIS:

Bryan Watson, representing MELA LLC, is requesting a conditional use permit (CUP) to allow the operation of a concrete and asphalt recycling facility on a 10.54-acre site located at 370 Carsen Way, Shafter, CA 93263 (see Exhibit 2).

The project will have related structures and equipment typical of a facility in an industrial designated zone. Concrete and asphalt material will be crushed and recycled at the facility. Permanent parking spaces will be paved. Loading and maneuvering areas will be maintained with a paving alternative that is all-weather surfacing. The

PUBLIC HEARING

concrete and asphalt material will be transported from Shafter and the southern part of Wasco within a 10- to 15-mile radius of the project site.

The project site is going to be developed to City of Shafter development standards, which include onsite and offsite improvements. Onsite improvements include the following:

- Paved parking areas
- Landscaping
- Chain-link fence
- Drainage basin
- Septic tank
- Restroom facility

The offsite improvements consist of the following:

- Connection to existing water line in Carsen Way
- Connection to the existing dry sewer line of Carsen Way and ending the connection at the south of Gecko Way to the southern property line

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that the closest similar use to what is being proposed is “recycling facilities (large collection facilities and processing facilities).” This use is conditionally allowed within the I zone and therefore, a CUP is required. The parcel is also currently zoned H (Airport Approach Height). Proposed projects within the H zone must also adhere to height limits and ensure compatibility with the Shafter Airport-Minter Field Master Plan and Kern County Airport Land Use Compatibility Plan. Collectively, the site is within the IH zone, a zone that combines both I and H, and where adherence to requirements of both zones outlined in Title 17 is required.

While the “recycling facilities (large collection facilities and processing facilities)” use in the Zoning Ordinance is geared more towards traditional facilities that recycle aluminum, paper, and glass, Staff has interpreted the use to also include other recyclable materials such as concrete and asphalt. Since the use requires a CUP, Staff is given the opportunity to condition the project to control the establishment of a use that has a special impact or uniqueness, such as a concrete and asphalt recycling facility, in compliance with and the spirit of the CUP process outlined in Title 17. Therefore, while the use proposed at the site is not a traditional recycling facility, the CUP process provides Staff with sufficient flexibility to properly condition the project to not result in safety and welfare concerns, while allowing the applicant the opportunity to use the site to the greatest extent possible.

According to Figure 7.1 of the Shafter General Plan, the site is located within compatibility zones C and E of the Airport Land Plans for Minter Field. Based on Table 7.A of the Shafter General Plan, the project is allowed within the C and E zones. These zones also allow for structures up to 35 feet in height. As a condition of approval, the

material pile heights will be limited to no more than 20-feet high. Therefore, the project adheres to height restrictions with the Shafter Airport-Minter Field Master Plan and Kern County Airport Land Use Compatibility Plan.

CEQA:

Based upon an initial study, Staff has determined that the project, with mitigation measures, would not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared for this project in accordance with the California Environmental Quality Act (CEQA). The MND was circulated for a 30-day public and agency review period from January 6, 2023 to February 5, 2023. The MND is provided as Exhibit 3.

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 would reduce impacts to a less-than-significant level.

Staff finds that the applicable provisions of CEQA have been complied with, and the proposal is compatible with the surrounding area, land use designation, and zoning ordinance.

FINDINGS:

1. The Planning Commission finds that the proposed use is permitted within the IH 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 IH District in which the conditional use permit is to be established.
3. The Planning Commission finds that the project is suitable for the type and intensity of the use proposed for the conditional use permit.
4. The Planning Commission finds that there is adequate provision for water, sanitation, public utilities, and services to ensure public health and safety.
5. The proposed conditional use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.
6. The Planning Commission finds that the proposed conditional use permit (CUP 22-129) is Categorically Exempt from CEQA and therefore, will not have a significant impact on the environment.
7. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

ATTACHMENTS

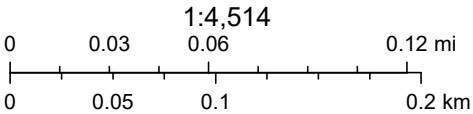
EXHIBIT

Site Map	1
Site Development Plan	2
Mitigated Negative Declaration	3
Resolution No. 23-419 (MND)	4
Resolution No. 23-420 (CUP)	5



6/16/2022, 1:48:44 PM

 Site



Esri Community Maps Contributors, City of Shafter, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,



January 6, 2023

CITY OF SHAFTER, CALIFORNIA

Mitigated Negative Declaration

Conditional Use Permit No. 22-129 (Concrete Recycling Facility)

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 22-129 (Concrete Recycling Facility)

Comment Period Begins: January 6, 2023

Comment Period Ends: February 5, 2023

Mitigation Measures

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

Air Quality Impact Mitigation Measures

1. Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Department that they will/have met all air quality control measures 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 Division that the project has complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).

Biological Resources Impact Mitigation Measures

3. Within 14 days of the start of project activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of local species. The pre-activity survey shall include walking transects to identify presence of special-status species. The pre-activity survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project site and the 250-foot buffer, where feasible. If no evidence of these special-status species is detected, no further action is required. If special-status species are identified, then the qualified biologist shall consult with the California Department of Fish and Wildlife about appropriate avoidance and minimization measures.

Cultural Resources Impact Mitigation Measures

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

Geology and Soils Impact Mitigation Measures

6. If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.
7. Prior to issuance of building permit, the applicant/developer shall submit percolation testing results to the Shafter Building Department to ensure that site soils can accommodate a future septic leech field.

INITIAL STUDY CHECKLIST

(CEQA APPENDIX G: ENVIRONMENTAL CHECKLIST FORM)

1. Project title: Conditional Use Permit No. 22-129
(Concrete Recycling Facility)
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: South of Lerdo Highway on the east side of Carsen Way
5. Project sponsor's name and address: Concrete Recycling Facility
370 Carsen Way
Shafter, CA 93263
6. General Plan Designation: I (Industrial)
7. Zoning: IH (Industrial-Airport Approach Height)
8. Description of project (describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation):

This project consists of a request for a Conditional Use Permit to allow the operation of a concrete recycling facility on a 10.54-acre site at 370 Carsen Way (APN 091-171-32). The project will have related structures and equipment typical of a concrete recycling facility in an industrial designated zone. Concrete and asphalt material will be crushed and recycled at the facility. Permanent parking spaces will be paved. Loading areas, and maneuvering areas will be maintained with a paving alternative that is all-weather surfacing. The concrete and asphalt material will be transported from Shafter and the southern part of Wasco within a 10- to 15-mile radius of the project site.

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that the closest similar use to what is being proposed is "recycling facilities (large collection facilities and processing facilities)." This use is conditionally allowed within the I zone and therefore, a

conditional use permit (CUP) is required. The parcel is also currently zoned IH (Industrial-Airport Approach Height). Proposed projects within the H zone must also adhere to height limits and ensure compatibility with the Shafter Airport-Minter Field Master Plan and Kern County Airport Land Use Compatibility Plan.

The project site is going to be developed to City of Shafter development standards which include onsite and offsite improvements. Onsite improvements include the following:

- Paved parking areas
- Landscaping
- Chain link fence
- Drainage basin
- Septic tank
- Restroom facility

The offsite improvements consist of the following:

- Connection to existing water line in Carsen Way
- Connection to the existing dry sewer line of Carsen Way and ending the connection at the south of Gecko Way to the southern property line

9. Surrounding land uses and setting:

The site is surrounded by industrial uses to the north, east, south, and west.

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agricultural & Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology/Soils | ☐ G.H.G. Emissions | ☐ Hazards/Haz. Mat. |
| ☐ Hydrology/W.Q. | ☐ Land Use/Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Res. |
| ☐ Utilities/Service Systems | ☐ Wildfire | ☐ 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

January 6, 2023

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?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. The project proposes a concrete recycling facility on a 10.54-acre site. The site is located on undeveloped land with an industrial land use designation and an industrial and airport approach height combined zoning classification. There is industrial development to the north, east, south, and west of the project site.

According to the City of Shafter General Plan, the site is not within or in the vicinity of an identified scenic vista, and no known aesthetic resources exist on or near the site. The project does not lie near or within a State Designated or Eligible State Scenic Highway (Caltrans 2022). Furthermore, development of the project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. The project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings or degradation of any historic building(s). Therefore, the project would not have a substantial adverse effect on a scenic vista.

- b) No impact. Please see response to a. above. Therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.
- c) Less than significant impact. The project is surrounded by industrial uses to the north, east, south, and west. The project would be visible from passing motorists and the surrounding industrial businesses. Changes to the visual quality and character of the project site would be

compatible with the existing industrial uses and adhere to similar industrial uses in the surrounding areas. 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 not be developed in phases. Construction of the proposed project would generally occur during daytime hours, typically from 7:00 a.m. to 7:00 p.m. All lighting would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded, focused downward, and turned off by 7:00 p.m., the potential for lighting to affect any residents adversely is minimal. Increased truck traffic and the transport of construction materials to the project site would temporarily increase glare conditions during construction. However, this increase in glare would be minimal. Construction activity would focus on specific areas on the sites, and any sources of glare would not be stationary for a prolonged period. 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
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:				
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forestland or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The 10.54-acre vacant site has an industrial land use designation and an industrial and airport approach height zoning classification. The project site is surrounded by industrial uses to the north, east, south, and west.

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" and "Vacant or Disturbed Land" (DOC 2022).

The project site is not designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. Additionally, the project and surrounding area is currently 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 project site is surrounded by industrial uses to the north, east, south, and west. The proposed project includes a request for a conditional use permit to develop a concrete recycling plant which is consistent with the surrounding land use designations.

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

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

Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☒	☐	☐
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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial amount of people?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant with mitigation incorporated. The project is located within the San Joaquin Valley Air Pollution Control District (SJVAPCD) jurisdiction, in the San Joaquin Valley Air Basin (SJVAB). Emission sources because of the project would include ground disturbance, construction-related work, and emissions from operations of the recycling concrete facility. The project qualifies as a “small project” because the project is found to be less than the established parameters established by SPAL and as such has “no possibility of exceeding criteria pollutant emission thresholds.” Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan.

As shown in the table, the SJVAPCD has established specific criteria pollutants thresholds of significance for the construction and operation of specific projects.

SJVAPCD Significance Thresholds for Criteria Pollutants	
Air Pollutant	Tons/Year
CO	100
Reactive Organic Gas (ROG)	10
Nitrogen Oxides (NOX)	10
Sulfur Oxides (SOX)	27
PM10	15
PM2.5	15

Trinity 2002.

Construction of the project would result in air pollutant emissions. Emissions from construction would result from fuel combustion and exhaust from equipment as well as

vehicle traffic, grading, and the use of toxic materials (e.g., lubricants). The following table provides estimated construction emissions because of the project.

Construction Emissions						
Construction Year	Pollutant (tons/year)					
	ROG	NOX	CO	SOX	PM10	PM2.5
Year 2022 Emissions	0.00	0.03	0.02	5.00E-05	0.02	0.01
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded?	No	No	No	No	No	No

Trinity 2002.

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

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

The following changes to default values were incorporated during the CalEEMod analysis: 1) The daily trip rate was updated to 45 trips per day via the operational details of the facility at a trip length of 15 miles, 2) the passenger vehicle trip rate was updated to 13 trips per day by conservatively assuming 2.5 trips/day/employee at the CalEEMod default trip length of 9.5 miles, and one excavator, one rubber tired loader, and one off-highway truck were added to account for operational mobile sources used onsite.

Operational Emissions						
Emissions Source	Pollutant (tons/year)					
	ROG	NOX	CO	SOX	PM10	PM2.5
Nonpermitted						
Operational Emissions	0.16	1.58	1.23	0.01	0.13	0.06
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded?	No	No	No	No	No	No
Permitted						
Operational Emissions	0.01	0.26	0.14	0.00	0.01	0.01
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded?	No	No	No	No	No	No

Trinity 2002.

As shown in the above table, unpermitted and permitted operational emissions are also not predicted to exceed SJVAPCD significance thresholds levels. With implementation of Mitigation Measures 1 and 2, the project would not conflict with or obstruct implementation of the applicable air quality plan.

- b) Less than significant impact. Under Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) (SJVAPCD 2015), any project that would have individually significant air quality impacts would also be considered to have significant cumulative air quality impacts. Impacts

of local pollutants are cumulatively significant when the combined emissions from the project and other planned projects exceed air quality standards. The following table shows the project's contribution to cumulative emissions calculated for both Kern County and the greater SJVAB.

Cumulative Emissions						
	ROG	NOX	CO	SOX	PM10	PM2.5
Kern County – 2015	22,484	20,842	33,872	511	13,688	3,833
SJVAB – 2015	112,931	96,105	199,509	2,738	95,667	21,681
Proposed project	0.17	1.84	1.37	0.01	0.14	0.07
Proposed project's % of Kern	0.0008%	0.009%	0.004%	0.002%	0.001%	0.002%

Trinity 2002.

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

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

Mitigation measures in this MND require compliance with 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 which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate from the SJVAPCD Air Pollution Control Officer (APCO). The project will comply with this rule by obtaining authorization from APCO prior to commencing construction on the project.

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

example, compliance with Rule 2201 may include using Best Available Control Technology and providing emission offsets.

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

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

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

- c) Less than significant impact. Sensitive receptors are defined as locations where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside, such as schools, hospitals, nursing homes, and daycare centers. The closest school is Redwood Elementary School located 6.1 miles to the west of the project

site. The closest hospital is Omni Family Health Walk In Clinic at 5.2 miles to the west, and the closest daycare facility is Shafter Kiddie Kollege at 5.65 miles to the west. There are no other known schools, hospitals, or nursing homes within a one-mile radius of the project. Therefore, the proposed project is not expected to affect any on-site sensitive receptors and is not expected to have any adverse impact on any known sensitive receptors.

d) Less than significant impact. The SJVAPCD's GAMAQI states "An analysis of potential odor impacts should be conducted for both of the following two situations:

1. Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate and
2. Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

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

Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project;				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) Less than significant with mitigation incorporated. The 10.54-acre vacant site has an industrial land use designation and an industrial and airport approach height zoning classification. The project site is surrounded by industrial uses to the north, east, south, and west. The project site and the surrounding area have been disturbed and, as a result, the likelihood of special-status plant species to occur on the project site is very low. The limited disturbance footprint for this project and the short duration of activities also reduces the potential to effect special-status species.

It is possible for a transient species to occur on the site or nearby areas, direct and/or indirect impacts could result in impacts to transient species and therefore, a pre-construction survey must be conducted by a qualified biologist prior to the beginning of project construction.

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

- b) No impact. The California Natural Diversity Data Base (CNDDB) shows that there are no sensitive plant communities within the project site. No sensitive plant community occurs within the project site because all the land in the vicinity has been developed for industrial uses. The project does not overlap with any federally designated critical habitats. The project does not support any riparian or other sensitive natural communities, nor does it overlap with any designated critical habitat. Therefore, the project would have no impact on any riparian habitat or other sensitive natural community.
- c) No impact. 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.

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

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

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

The project is not located within a mapped wildlife movement corridor or linkage and none were observed during the survey. The project would not have any impacts to wildlife movement corridors. Therefore, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an 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?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Evaluation of Environmental Effects

- a) No impact. The site is vacant and therefore, it has been verified in the field that no structures, including potentially historic structures, are located at the project site. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.
- b) Less than significant with mitigation incorporated. There are no known archaeological resources at the site. However, there is still the potential to unearth previously unknown archeological resources at the site 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.
- c) Less than significant with mitigation incorporated. No human remains have been discovered at the project site, and no burials or cemeteries are known to occur within the area of the site. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. Implementation of mitigation that included immediately ceasing work and contacting the County coroner and Native American tribal representatives, if needed, would ensure that the proposed project would not directly or indirectly destroy previously unknown human remains. With mitigation, the project would not disturb any human remains, including those interred outside of dedicated cemeteries.

Energy

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

Evaluation of Environmental Effects

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

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.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☒	☐	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Evaluation of Environmental Effects

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

The project site is not located within an Alquist-Priolo Earthquake Fault Zone. Per the Department of Conservation, California Geologic Survey Regulatory Maps (DOC 2022), the nearest fault line is the North of Oildale premier fault, which lies approximately 8 miles east of the project site. The greatest potential for substantial geologic adverse effects in the City is posed by the San Andres Fault, which is located approximately 4 miles west of the Kings County boundary line within Monterey County. The distance from the nearest active faults precludes the possibility of fault rupture on the project site. Although the project area could potentially experience ground shaking, the magnitude of the hazard would not be severe as indicated by the General Plan and project construction will comply with the applicable local and State requirements. Therefore, the project would not directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

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

The project site lies within the vicinity of five earthquake fault lines – North of Oildale, Oildale, Pond, Oil Center, and Rio Bravo Ranch. 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 recreation park's structures 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 subsurface area soils generally consist of sandy loam. The depth-to-groundwater at the site is greater than 250 feet below ground surface (bgs), and the site is in an area of minimal rainfall. 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.

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

- iv. No impact. The project site is located on the floor of the San Joaquin Valley, west of the Sierra Nevada foothills. The topography is flat, with an elevation of approximately 355 feet above mean sea level, and no significant topological features. As such, there is no potential for rock fall and landslides to impact the project in the event of a major earthquake, as the area has no significant elevation changes. Based on the predicted maximum horizontal accelerations at the project site and the soil types, minor subsurface settlement may occur onsite during a major earthquake, and this is considered less than significant. The property is flat and there is a low potential for landslides. Therefore, the project would not expose people or structures to potential substantial adverse effects involving landslides.
- b) Less than significant impact. The Shafter area generally contains sandy loams. Due to the characteristics of the on-site soil types 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 Building Code.

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

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

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

- c) Less than significant impact. See Geology and Soils responses above. As indicated in previous responses, the site is flat and does not have slopes. Additionally, the site is not located near any 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. According to Physical and Chemical Properties of the Soils in the USDA Kern County Soil Survey, the upper five feet of the onsite soil (sandy loam) is considered to have low shrink-swell or expansion potential. In addition, the site is not located in an area of expansive soils. Compliance with applicable City of Shafter General Plan policies, Municipal Code, and the California Building Code, would reduce potential site-specific impacts to less-than-significant levels. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.
- e) Less than significant with mitigation incorporated. The project may include the use of a septic system. Prior to building permit issuance, the Shafter Building Department would require a percolation testing results to ensure the soils can accommodate a septic leech field. With mitigation, the project would not result in soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- f) Less than significant with mitigation incorporated. The General Plan confirms that the City of Shafter has received sediments from the Coast Ranges to the west, the Sierra Nevada to the east, and to a lesser degree from activity on the San Andreas Fault system. These sediments contain different species of fossils, reflecting the different periods of deposition. General Plan policy 6.6.3. includes a standard condition of approval for new development projects. The

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

Greenhouse Gas Emissions

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

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 GHG, the emission of GHG by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically would be relatively very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Therefore, a project's GHG emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis.

The project's GHG emissions were estimated and are summarized in the following table.

Estimated Annual GHG Emissions (metric tons)				
	CO2	CH4	N2O	CO2E
Year 2023 Operations	935.54	0.11	0.04	950.94

Trinity 2002.

The amount of CO2 that would be generated by the project is small in relation to the California CO2E estimates for 2020 (596 million metric tons CO2E). SJVAPCD's threshold of significance was based on achieving a 29% reduction over business-as-usual emissions by year 2020. Since the year is now 2022, this threshold is outdated, and there is currently no numerical threshold adopted to show consistency with the State's 2030 targets. The majority of the project's GHG emissions are from stationary sources and mobile sources, all of which are regulated through other agencies and would comply with regulations and requirements adopted to reduce or mitigate GHG emissions. 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. Therefore, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

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 the transport, storage, use, and/or disposal of hazardous materials such as fuels 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.

Although a concrete recycling facility will use fuel to run the heavy-duty trucks for transportation purposes of the concrete from one place to the proposed recycling facility, a concrete recycling facility does not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. 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 Shafter Highschool, Sequoia Elementary School, Redwood Elementary School, and Golden Oak Elementary School are approximately 9 miles west of the proposed concrete recycling facility. Given the distance and the intervening uses, there is a 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. The EnviroStor and Cortese lists pursuant to Government Code (GC) Section 65962.5 were reviewed. No portion of the project site is identified on either list, which provides the location of known hazardous waste concerns. Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- e) Less than significant impact. The project is located within the boundary C and E of the adopted Airport Land Use Plan for Minter Airport (Shafter 2005). The airport provides services such as flight training; supporting area agricultural and business operations; and aircraft fueling, storage, and maintenance. As is typical of most general aviation airports, the dominant type of aircraft based at Shafter Airport/Minter Field is the single-engine, propeller-driven, airplane, comprising 87% of the total (Shafter 2005). Based on Table 7.A of the Shafter General Plan, the project is allowed within boundary C and E of the Airport Land Plan. 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 continue 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 proposed project would not inhibit the ability of local roadways to continue 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?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or rive or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. Substantially increase the rate of runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
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	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk of release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. As discussed in Geology and Soils above, the project site's soil types have 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. 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. The GCWD receives all its supplies from groundwater sources. The project's projected water use has been tentatively approved by the City Public Works Director and therefore, the project site has been considered by the City against its most current Urban Water Management Plan (UWMP). By State law, current UWMPs do not need to address the Sustainable Groundwater Management Act (SGMA) or sustainable groundwater management currently. It was concluded that the City had sufficient existing capacity to service the project. Prior to obtaining a building permit, the applicant will have to obtain a water will-serve letter. As a result, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.
- c) The following discusses whether the project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces.
 - i. Less than significant impact. The project site does not contain any blue-line streams or other surface water features and therefore, the project would not alter the course of a river or stream. The project site would be graded and, as a result, the internal drainage pattern at the site would be altered from the baseline condition. Additionally, the project would result in increased impervious surfaces (i.e., building pads, sidewalks, asphalt parking area, etc.) at the site, which would reduce percolation to ground and result in greater amounts of storm water runoff concentrations at the site. If uncontrolled, differences in drainage patterns and increased impervious surfaces could result in substantial erosion or siltation on- or 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 that would result in substantial erosion or siltation on- or offsite.

- ii. Less than significant impact. Refer to response c.i above. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or 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 storm water drainage systems or provide substantial additional sources of polluted runoff.
- iv. Less than significant impact. Construction activities could potentially degrade water quality through the occurrence of erosion or siltation at the project site.

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

The project site is located outside the 500-year floodplain and is not located within a 100-year flood hazard area (FEMA 2022). Therefore, the project would not impede or redirect flood flows.

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

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

There are no nearby levees that would be susceptible to failure or flooding of the site. 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. In the event of flooding, the City would utilize the Evacuation Plan to support its Emergency Operations Plans (EOPs). With implementation of the Evacuation Plan, 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.

- 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?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental effect?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The project does not include the construction of roads or any other physical barrier. Therefore, the project would not physically divide an established community.
- b) No impact. The proposed project is consistent with the General Plan land use designation and, with the approval of this CUP, the zoning classification. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Evaluation of Environmental Effects

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

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

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

Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards from other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. The project's construction would generate temporary increases in noise levels. However, the proposed project is in an industrial land use designation and all adjacent lots are engaged in industrial activities that generate similar noise levels. Further, the proposed project site is located near State Route 99. There are no residential uses or residential land uses near the proposed project site. The project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b) Less than significant impact. The project is expected to create temporary groundborne vibration because of the construction activities (during site preparation and grading). According to the U.S. Department of Transportation, Federal Railroad Administration, vibration is sound radiated through the ground. The rumbling sound caused by the vibration is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). The background vibration velocity level in residential areas is usually around 50 VdB. A list of typical vibration-generating equipment is shown in following table, although construction of the project may not use all these equipment types.

Different Levels of Groundborne Vibration	
Vibration Velocity Level	Equipment Type
104 VdB	Pile Driver (impact), typical
94 VdB	Vibratory roller
93 VdB	Pile Driver (sonic), typical
87 VdB	Large bulldozer

87 VdB	Caisson drilling
86 VdB	Loaded trucks
79 VdB	Jackhammer
58 VdB	Small bulldozer
Note: 25 feet from the corresponding equipment	

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. Typical outdoor sources of perceptible groundborne vibration are construction equipment and traffic on rough roads. For example, if a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. Typically, groundborne vibration generated by construction activity attenuates rapidly with distance from the source of the vibration. Therefore, vibration issues are generally confined to distances of less than 500 feet (FTA 2006). There are residences located within the surrounding area of the proposed project site. Potential sources of temporary vibration during construction of the proposed project would be minimal and would include transportation and use of equipment on the site. Construction activity would include various site preparation, grading, in fabrication, and site cleanup work. Construction would not involve the use of equipment that would cause high groundborne vibration levels such as pile-driving or blasting. Once constructed, the proposed project would not have any components that would generate high vibration levels. Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

- c) Less than significant impact. As noted in the Hazards and Hazardous materials section, the project is located within the boundary C and E of the adopted Airport Land Use Plan for Minter Airport (Shafter 2005). The airport provides services such as flight training; supporting area agricultural and business operations; and aircraft fueling, storage, and maintenance. As is typical of most general aviation airports, the dominant type of aircraft based at Shafter Airport/Minter Field is the single-engine, propeller-driven, airplane, comprising 87% of the total (Shafter 2005). Based on Table 7.A of the Shafter General Plan, the project is allowed within boundary C and E of the Airport Land Plan. 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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The project does not include any new homes and no new roads are required to provide access to and around the facility. The project would develop a business with only three employees and therefore would not induce substantial growth. Therefore, the project will not induce unplanned population growth in the area, either directly or indirectly. Therefore, the project would not induce substantial population growth in an area, either directly or indirectly.
- b) No impact. See response to a. above. 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?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

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

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

- ii. Less than significant impact. Law enforcement and public protection are provided by the City of Shafter Police Department. The City's police station is located at 201 Central Valley Hwy. The project would not increase demands for public safety protection. The project applicant is responsible for constructing any infrastructure needed to serve the project. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, 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 impacts on school facilities. 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 impacts on parks and recreation facilities. 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. No impact. The proposed project does not include any impacts to other public facilities such as libraries, hospitals, or emergency medical facilities. The proposed project would comply with the objectives and policies of the General Plan. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The project is consistent with the land use designation and zoning classification for industrial use. Therefore, the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would not occur or be accelerated.
- b) No impact. As discussed in this MND, with mitigation, the development of this project for a concrete recycling facility would not have an adverse physical effect on the environment. Therefore, the project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Transportation/Traffic

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

Evaluation of Environmental Effects

- a) Less than significant impact. Although the Institute of Transportation Engineers (ITE) Trip Generation does not capture the proposed truck parking use, information was gathered from the applicant and the site plan. Based on the information gathered, the following assumptions were made:

- 23 heavy-duty trucks will make a minimum of one trip into the site and one trip out of the site.
- 14% of the heavy-duty trucks will be entering the site and 6% of the heavy-duty trucks will be exiting the site during the AM peak hours.
- 8% of the heavy-duty trucks will be entering the site and 14% of the heavy-duty trucks will be exiting the site during PM peak hours.
- The remaining heavy-duty truck trips are distributed throughout the day.
- There will be three full time employees arriving and departing from the site during the AM and PM peak hours.
- One employee round trip will occur during the off-peak hours.

Based on these assumptions and as shown in the table below, the project will generate approximately 54 daily trips. Out of the 54 daily trips, 46 will be heavy-duty trucks and the remaining trips will be employees entering and exiting the project site.

Trip Generation						
Trip Type	Variable	Daily Trips	AM Peak Trips		PM Peak Trips	
Employees (Passenger Veh)	3 (per Day)	8	3	0	0	3
Trucks (Delivery)	23 (per day)	46	6	3	4	6
Total Trips		54	9	3	4	9

R&S 2002.

Under the Vehicle Miles Traveled Analysis advisory guidelines, if a project generates fewer than 110 average daily trips, the project is presumed to create a less-than-significant impact. The project would have to adhere to all requirements regarding street, gutter, and sidewalk, as well as established roadway geometry. Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

- b) Less than significant impact. An evaluation of vehicle miles traveled (VMT) for project traffic was conducted based on applicable CEQA guidance. If a project generates fewer than 110 average daily trips, the project is presumed to create a less than significant impact. The project will generate 54 trips per day (R&S 2022). Therefore, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- c) Less than significant impact. The project will be designed to current standards and safety regulations. All site access/egress will be constructed as to comply with design and safety standards of Chapter 33 of the California Building Codes (CBC) and the guidelines of Title 24 to create safe and accessible roadways. Vehicles exiting the site will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could, impede such views, if improperly installed. Specific circulation patterns and driveway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the project area would not occur. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses.
- d) Less than significant impact. See response to c. above. The project would be required to comply with all emergency access requirements adopted and set forth in the City of Shafter Municipal Code. These requirements and all others required to be included in the project design will be verified by the City prior to project approval. Therefore, the project would not result in inadequate emergency access.

Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
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)?	☐	☐	☐	☒
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.	☐	☐	☐	☒

Evaluation of Environmental Effects

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

Utilities and Service Systems

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

Evaluation of Environmental Effects

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

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

No natural gas or telecommunication facilities are proposed for the project.

Therefore, the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

- b) Less than significant impact. Refer to the Hydrology and Water Quality responses above. Therefore, the project has sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- c) No impact. The project also proposes the construction of a septic system for the one bathroom at the site. Therefore, the project would not result in the need for a determination by the wastewater treatment provider which serves or may serve the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- d) Less than significant impact. Two franchise haulers, American Refuse and Varner Brothers, serve properties in the City. American Refuse is the franchise hauler within the city core area and will provide service to the proposed project. Solid waste that is collected is disposed of at the Shafter/Wasco Landfill and the Bakersfield Metropolitan (Bena) Landfill. These landfills are owned and operated by the Kern County Waste Management Department. The Shafter/Wasco Landfill is the City's primary landfill, while the Bena Landfill accepts some refuse from industrial uses within the City. Both facilities are designated as a Class III landfills and have the capacity to serve projected solid waste disposal needs through December 2053 and April 2046, respectively. Implementation of the project would result in the generation of solid waste on the project site, which would increase the demand for solid waste disposal. During construction these materials, which are not anticipated to contain hazardous materials, would be collected and transported away from the site. The project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of all waste generated onsite at an approved solid waste facility. 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 of construction debris would reduce operating expenses and save valuable landfill space. As stated above, the Shafter/Wasco Landfill is the City's primary landfill, while the 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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. 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 continue to accommodate emergency response and evacuation activities. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.
- b) Less than significant impact. The project site is in a region dominated by industrial development. The topography of the area is flat. The project would install the required infrastructure to meet water supply demands for fire protection services. Development of the project will not increase the need for fire protection services or expand the service area of the local Fire Department, and the project will comply with all applicable fire codes and regulations. Therefore, the project would not exacerbate wildfires and expose project

occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

- c) No impact. The Pacific Gas and Electric Company (PG&E) provides electricity to the City. The existing trunk and transmission facilities are adequate to meet present and projected demand to the project site. The project will connect to the existing PG&E transmission lines for electrical power. Therefore, the project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- d) No impact. The site is topographically flat land, as is the surrounding area. There are no slopes on or near the property and the project would not expose the people or structures to significant risks from downslope or downstream flooding or landslides due to a result of runoff, post fire instability or drainage changes. According to FEMA Flood Insurance Rate Maps the project is within an area of minimal flood hazards (FEMA 2022). 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?	☐	☒	☐	☐
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)?	☐	☒	☐	☐
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Evaluation of Environmental Effects

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

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

BIBLIOGRAPHY

1. Cal Fire. 2007. California Wildland Hazard Severity Zone Map Update. Retrieved from Local Responsibility Area (LRA) Map. Available: <http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_statewide>
2. Caltrans (California Department of Transportation). 2020. California State Scenic Highway Mapping System. Available: <<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>>.
3. DOC. 2022. CGS Information Warehouse: Regulatory Maps. Available:<<http://maps.conservation.ca.gov/cgs/informationwarehouse/>>.
4. FEMA (Federal Emergency Management Agency). 2021. FEMA Flood Map Service Center: Search By Address. Available:<<https://msc.fema.gov/portal/search#searchresultsanchor>>.
5. FTA (Federal Transit Administration). 2006. Transit Noise and Vibration Impact Assessment.
6. Kern County. 2017. Lake Isabella Flood Area. Available:<<http://esps.kerndsa.com/floodplain-management/lake-isabella-flood-area/>>.
7. R&S (Ruettgers & Schuler). 2022. Trip Generation and Vehicle miles Travelled Analysis for Proposed Concrete Recycling Facility in Shafter, CA.
8. Shafter (City of Shafter). 2005. General Plan.
9. SJVAPCD (San Joaquin Valley Air Pollution Control District). 2015. Guide for Assessing and Mitigating Air Quality Impacts. March.
10. Trinity (Trinity Consultants). 2022. Small Project Analysis Level Assessment.

ATTACHMENT A
MMRP

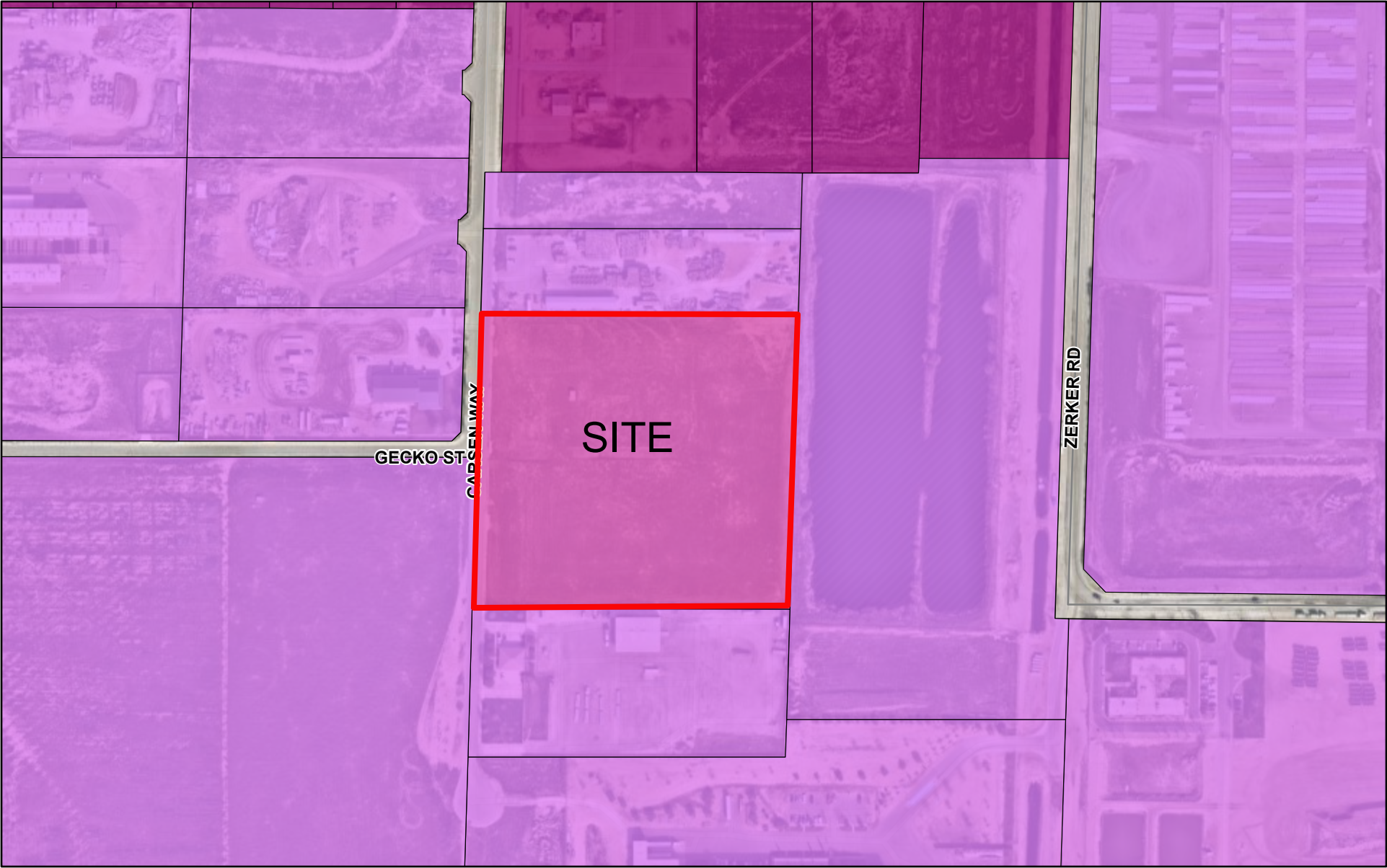
EXHIBIT “A” - Mitigation Monitoring and Reporting Program – CUP 22-129 (Concrete Recycling Facility)					
No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#1	Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Department that they will/have met all 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		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules. 3. Provide documentation to the Planning Department for the record.			
#2	Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Division that the project has 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		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules. 3. Provide documentation to the Planning Department for the record.			
#3	Within 14 days of the start of project activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of local species. The pre-activity survey shall include walking transects to identify presence of special-status species. The pre-activity survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project site and the 250-foot buffer, where feasible. If no evidence of these special-status species is detected, no further action is required. If special-status species are identified, then the qualified biologist shall consult with the California	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.			

EXHIBIT “A” - Mitigation Monitoring and Reporting Program – CUP 22-129 (Concrete Recycling Facility)					
No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Department of Fish and Wildlife about appropriate avoidance and minimization measures.	2. Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities. 3. Provide results of survey to the Planning Department for the record. 4. If special-status species found, then contact CDFW to determine avoidance and minimization measures.			
#4	If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.	During construction	Qualified Archeologist; City of Shafter Planning Department		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. If prehistoric or historic-era cultural materials are discovered, halt all work, and contact a qualified archaeologist to assess finds and recommend procedures. 3. If necessary, implement recommended procedures. 4. Provide summary of all relevant activities to the Planning Department for the record.			
#5	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.	During construction	City of Shafter Planning Department; Kern County Coroner (if needed); Native American Heritage Commission (if needed)		
		Steps to Compliance: 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.			

EXHIBIT “A” - Mitigation Monitoring and Reporting Program – CUP 22-129 (Concrete Recycling Facility)					
No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		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.			
#6	If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.	During construction	Qualified Paleontologist; City of Shafter Planning Department		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. Contract a qualified paleontologist, if needed. 3. Perform additional investigations and fossil recovery, if needed. 4. Perform significance evaluation and effectuate recommendations, if needed. 5. Provide summary of all relevant activities to the Planning Department for the record.			
#7	Prior to issuance of building permit, the applicant/developer shall submit percolation testing results to the Shafter Building Department to ensure that site soils can accommodate a future septic leech field.	Prior to building permit issuance	City of Shafter Building Department; City of Shafter Planning Department		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall submit percolation testing results to the Shafter Building Department. 3. Provide summary of all relevant activities to the Planning Department for the record.			

ATTACHMENT B
Maps

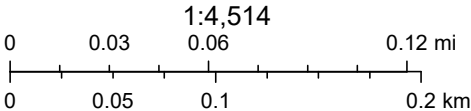
CUP NO. 22-129 (General Plan - I)



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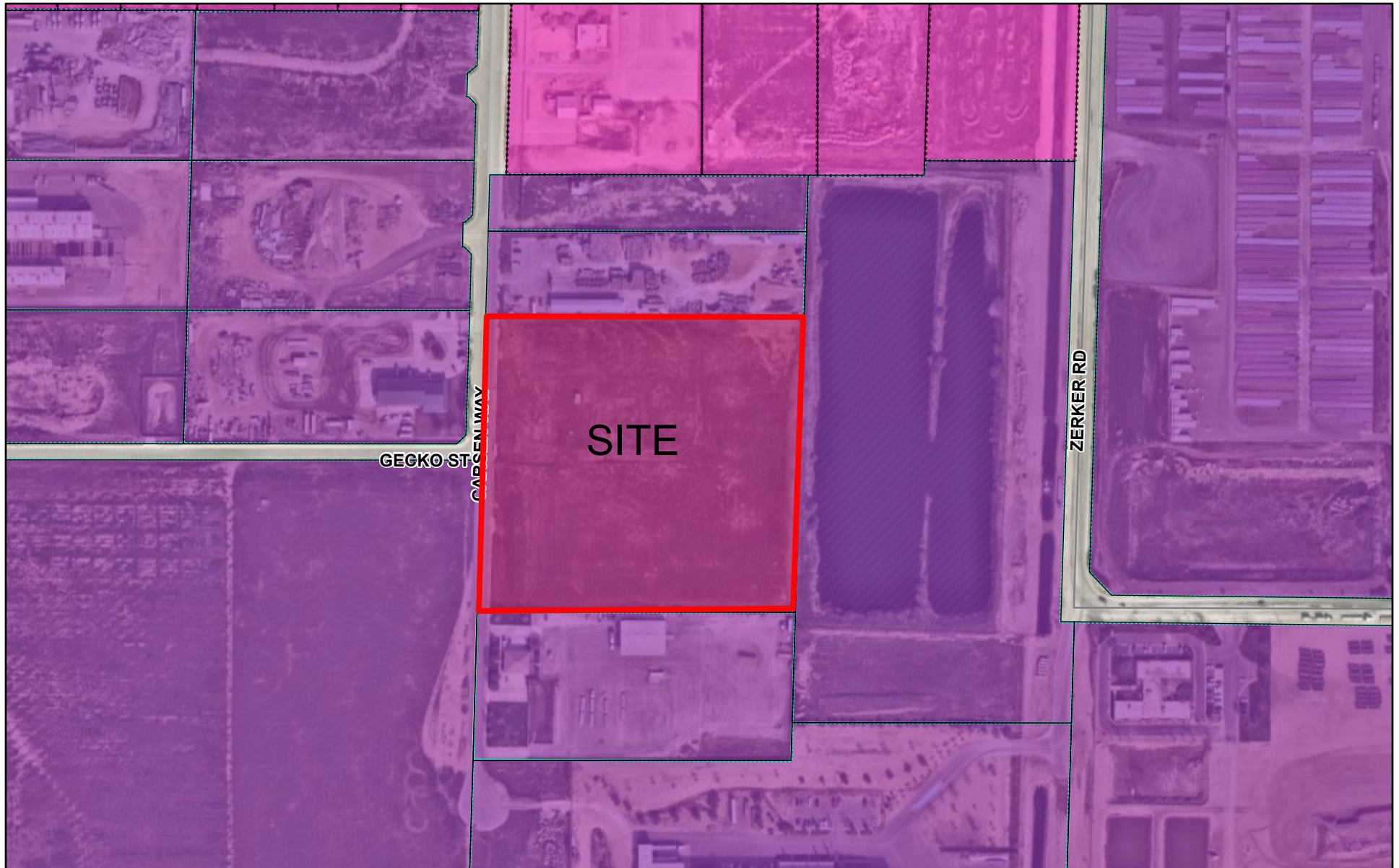
-  Override 1
-  Shafter City Limits

- | General Plan | Road Centerlines |
|---|--|
|  Business Park |  Arterial |
|  Industrial |  Local |



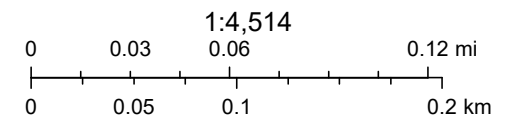
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CUP NO. 22-129 (Zoning - IH)



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- | | | | | | |
|--|---------------------|---|------------------|---|---|
|  | Override 1 |  | Road Centerlines |  | Zoning |
|  | Shafter City Limits |  | Arterial |  | Industrial - Airport Approach Height |
| | |  | Local |  | Business Park - Airport Approach Height |



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ATTACHMENT C
Site Plan

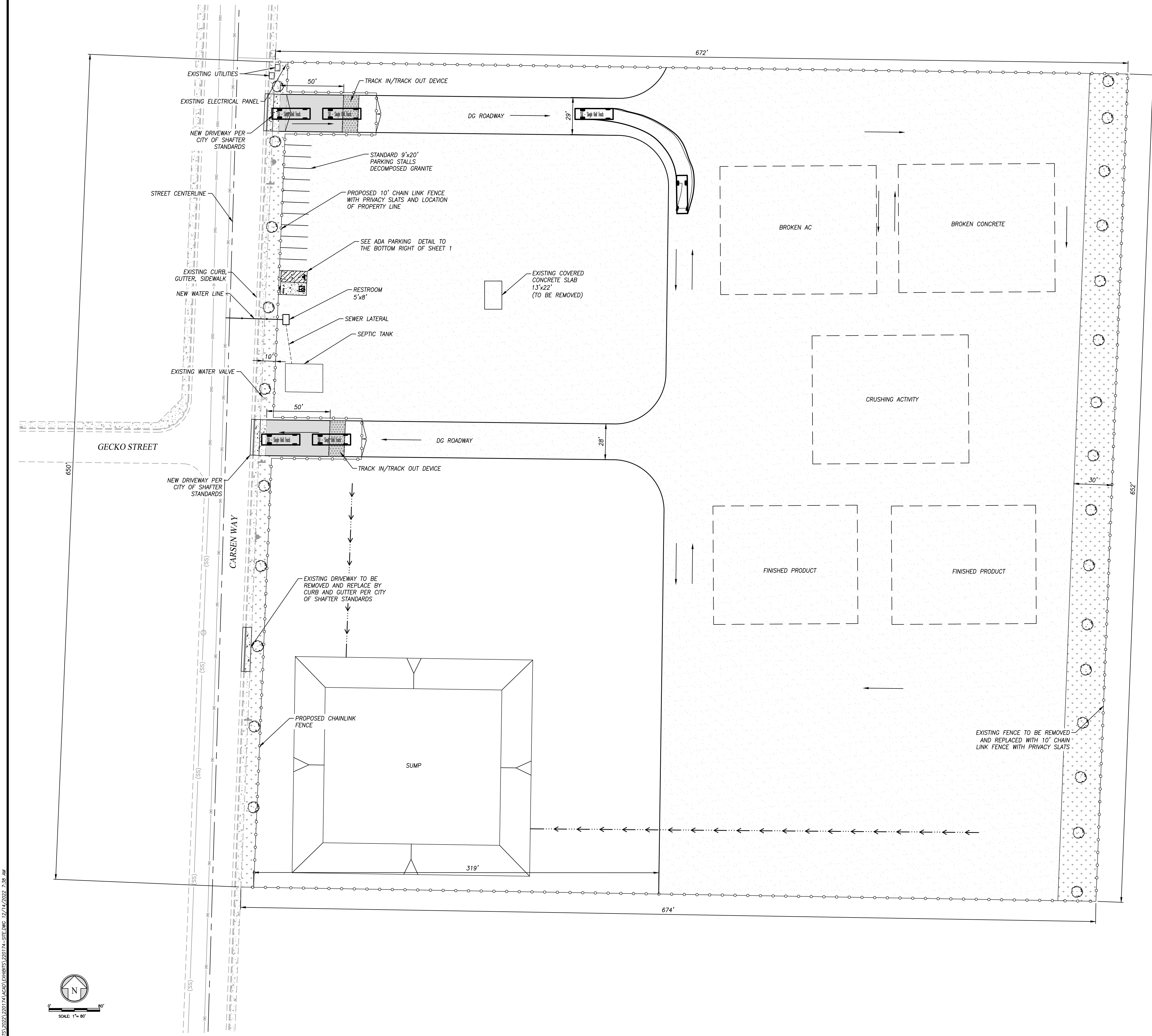
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PROJECT NO.: 220174
DRAWN BY: DT
CHECKED BY: CM
SCALE: AS SHOWN
SHEET NO.: 1 of 1

CONDITIONAL USE PERMIT

CONCRETE RECYCLING
370 CARSEN WAY, SHAFTER CA

QK
5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
BAKERSFIELD, CA 93309 WWW.QKINC.COM
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STATISTICAL INFORMATION

APN: 091-171-32-00-4
EXISTING & PROPOSED ZONING: 1H
EXISTING USE: VACANT
PROPOSED USE: INDUSTRIAL
ACREAGE: 10.54 ACRES
PROPOSED BUILDING: 1 BUILDING FOR BATHROOMS 20' MAX HEIGHT
BUILDING COVERAGE: 0.0018(302 SF)
LANDSCAPE AREA: 25,810 SF (5.6%)
PARKING SPACES REQUIRED: 12 (INCLUDING 1 VAN ACCESSIBLE STALL)
PARKING SPACES PROVIDED: 12 (INCLUDING 1 VAN ACCESSIBLE STALL)
SEWAGE DISPOSAL: SEPTIC TANK
WATER SUPPLY: CITY WATER
DRAINAGE: TO SUMP IN SOUTHWEST CORNER
SEE BASIN STORAGE CAPACITY CALCULATIONS BELOW

THIS WILL NOT BE A PHASED DEVELOPMENT.

LEGAL DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF KERN, CITY OF SHAFTER, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE OF PARCEL MAP NO. 11199, IN THE CITY OF SHAFTER, COUNTY OF KERN STATE OF CALIFORNIA, AS PER MAP RECORDED OCTOBER 18, 2005 IN BOOK 54, PAGES 95 AND 96 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE SURFACE OF SAID LAND, BUT WITH NO RIGHT OF SURFACE ENTRY, AS DISCLOSED IN DEEDS OF RECORD.

BASIN STORAGE CAPACITY CALCULATIONS:

Q=CIA

AREA (A): 10.54 ACRE = 459,123 SF

INTENSITY (I) = 1.16 IN/HR PER KERN COUNTY HYDROLOGY MANUAL
SHAFTER IDF CURVE

RUNOFF COEFFICIENT (C) = 0.85

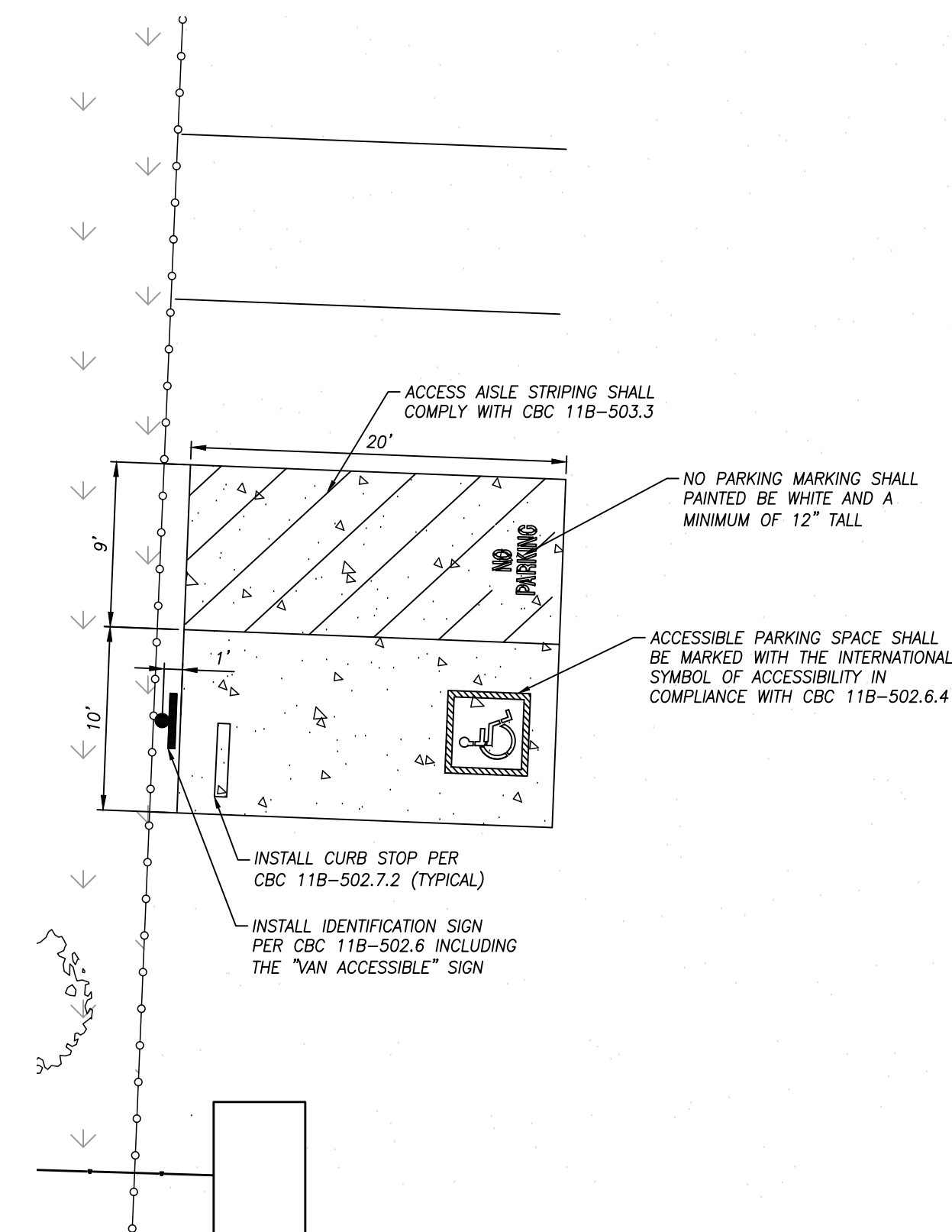
Q=CIA=10.392 CFS

2 HR STORM = 74,826 CF

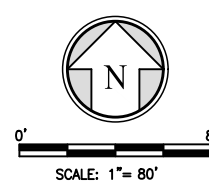
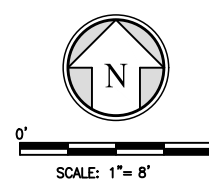
SUMP CAPACITY = 98,275 CF

LEGEND

CONCRETE
PAVEMENT
LANDSCAPING
SEWER LINE
STREET LIGHT
TREE
WATER LINE
EXISTING WATER VALVE
EXISTING PAVEMENT
GATE
EXISTING FIRE HYDRANT
EXISTING NO PARKING SIGN
PROPOSED WATER LINE
PROPOSED SEWER LINE
DECOMPOSED GRANITE ROADWAY
10' CHAIN LINK FENCE WITH PRIVACY SLATS
TRACK IN/TRACK OUT DEVICE



ADA PARKING DETAIL



RESOLUTION NO. 23-419

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER ADOPTING MITIGATED NEGATIVE DECLARATION, AS DESCRIBED IN EXHIBIT “A”, FOR CONDITIONAL USE PERMIT NO. 22-129 TO ALLOW THE OPERATION OF A CONCRETE RECYCLING FACILITY LOCATED AT 370 CARSEN WAY, SHAFTER, CALIFORNIA 93263 (ASSESSOR’S PARCEL NUMBER 091-171-32) ON 10.54 ACRES.

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on February 14, 2023, studied and considered Conditional Use Permit No. 22-129, a request to allow the operation of a concrete recycling facility located at 370 Carsen Way, Shafter, California 93263 (Assessor’s Parcel Number 091-171-32) on 10.54 acres (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”), which is attached as Exhibit “A”; 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, a timely and properly noticed public hearing for consideration of the proposed Mitigated Negative Declaration and Project as required by Government Code Section 65353 was held by the Planning Commission of the City of Shafter at a regular meeting on February 14, 2023, at which hearing evidence, oral and documentary, was admitted on behalf of said Mitigated Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 14th day of February, 2023, resolved to adopt the Mitigated Negative Declaration.

BE IT FURTHER RESOLVED that the Project is subject to mitigation measures found in Exhibit “A” for the Project located on the map as shown in Exhibit “B”, both of which are incorporated herein.

PASSED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2023.

John Sanchez, Chairman

ATTEST

Vanessa Uribe, Deputy City Clerk

EXHIBIT “A” - Mitigation Monitoring and Reporting Program – CUP 22-129 (Concrete Recycling Facility)					
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 will/have met all 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		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules. 3. Provide documentation to the Planning Department for the record.			
#2	Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Division that the project has 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		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules. 3. Provide documentation to the Planning Department for the record.			
#3	Within 14 days of the start of project activities, a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of local species. The pre-activity survey shall include walking transects to identify presence of special-status species. The pre-activity survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project site and the 250-foot buffer, where feasible. If no evidence of these special-status species is detected, no further action is required. If special-status species are identified, then the qualified biologist shall consult with the California	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.			

EXHIBIT “A” - Mitigation Monitoring and Reporting Program – CUP 22-129 (Concrete Recycling Facility)					
No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Department of Fish and Wildlife about appropriate avoidance and minimization measures.	2. Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities. 3. Provide results of survey to the Planning Department for the record. 4. If special-status species found, then contact CDFW to determine avoidance and minimization measures.			
#4	If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.	During construction	Qualified Archeologist; City of Shafter Planning Department		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. If prehistoric or historic-era cultural materials are discovered, halt all work, and contact a qualified archaeologist to assess finds and recommend procedures. 3. If necessary, implement recommended procedures. 4. Provide summary of all relevant activities to the Planning Department for the record.			
#5	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.	During construction	City of Shafter Planning Department; Kern County Coroner (if needed); Native American Heritage Commission (if needed)		
		Steps to Compliance: 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.			

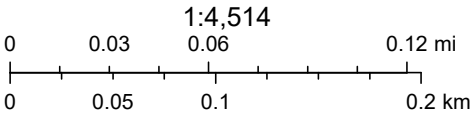
EXHIBIT “A” - Mitigation Monitoring and Reporting Program – CUP 22-129 (Concrete Recycling Facility)					
No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		3. If the County Coroner determines that the remains are Native American, the applicant/developer 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.			
#6	If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.	During construction	Qualified Paleontologist; City of Shafter Planning Department		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. Contract a qualified paleontologist, if needed. 3. Perform additional investigations and fossil recovery, if needed. 4. Perform significance evaluation and effectuate recommendations, if needed. 5. Provide summary of all relevant activities to the Planning Department for the record.			
#7	Prior to issuance of building permit, the applicant/developer shall submit percolation testing results to the Shafter Building Department to ensure that site soils can accommodate a future septic leech field.	Prior to building permit issuance	City of Shafter Building Department; City of Shafter Planning Department		
		Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. The applicant/developer shall submit percolation testing results to the Shafter Building Department. 3. Provide summary of all relevant activities to the Planning Department for the record.			

CONDITIONAL USE PERMIT NO. 22-129



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 Site



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RESOLUTION NO. 23-420

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 22-129 TO ALLOW THE OPERATION OF A CONCRETE RECYCLING FACILITY LOCATED AT 370 CARSEN WAY, SHAFTER, CALIFORNIA 93263 (ASSESSOR'S PARCEL NUMBER 091-171-32) ON 10.54 ACRES.

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on February 14, 2023, studied and considered the proposed request for a conditional use permit (CUP No. 22- 129) allow the operation of a concrete recycling facility located at 370 Carsen Way, Shafter, California 93263 (Assessor's Parcel Number 091-171-32) on 10.54 acres (the "Project") as shown in Exhibit "A"; and

WHEREAS, a timely and properly noticed public hearing for CUP No. 22-129 was held by the Planning Commission of the City of Shafter at a regular meeting on February 14, 2023, 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 IH (Industrial-Airport Approach Height) 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 IH (Industrial-Airport Approach Height) District in which the conditional use permit is to be established; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 14th day of February, 2023, approves Conditional Use Permit No. 22-129 to permit the operation of a concrete recycling facility located at 370 Carsen Way, Shafter, California 93263 (Assessor's Parcel Number 091-171-32) on 10.54 acres (the "Project") as shown in Exhibit "A", for property located at 370 Carsen

EXHIBIT 5

Way, Shafter, California 93263 (APN 091-171-32), with conditions of approval as provided in Exhibit “B”.

PASSED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2023.

John Sanchez, Chairman

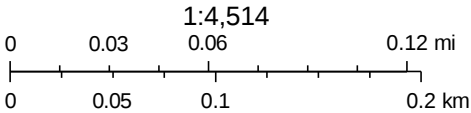
ATTEST

Vanessa Uribe, Deputy City Clerk



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 Site



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EXHIBIT B

CONDITIONAL USE PERMIT NO. 22-129 CONDITIONS OF APPROVAL

General

1. The owner(s) or project proponents (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify, and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers, and employees regarding any legal or administrative action, claim, or proceeding concerning approval of Conditional Use Permit No. 22-129 (hereinafter referred to as “CUP 22-129”) and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim, or proceeding with legal counsel paid for in the entirety by the 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 Administrative Services 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 Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electrical Code, 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, Uniform 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 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 22-129 shall not vest until all the Conditions are met. If within one (1) 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 Developer's intent to proceed with construction unless Developer applies for and receives approval of an extension of time from the City Planning Commission.
6. Construction of the development identified as CUP 22-129 shall be in substantial accordance with all City approved submittals to the City by Developer, including, but not limited to all Conditions of CUP 22-129 and Exhibit "A" (Site Plan) except as otherwise set forth in these Conditions.
7. 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.
8. The property and any proposed building(s), as well as any architectural features, shall be kept free of graffiti and shall be maintained in a clean and orderly manner.
9. The project shall be constructed as illustrated in Exhibit "A", except as otherwise set forth in these conditions of approval.

Planning

10. 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 City Planning Department shall be in violation of Chapter 14 (Sign Regulations) of the City's Zoning Ordinance.
11. A landscaping and irrigation plan for the landscaping, as shown on the Site Plan (Exhibit "A"), shall be submitted to the Planning Department for review and approval. The landscape plan shall show the size, type, and location of all plant material and planter materials. 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.
12. All on-site parking and maneuvering areas shall be constructed in accordance with Chapter 13 (Parking Requirements) of the City's Zoning Ordinance.
13. The project shall comply with the lighting standards for non-residential development per Section 10.140 of the Shafter Zoning Ordinance.
14. Unless otherwise stated, all Conditions shall be completed prior to a final inspection and prior to an occupancy permit being issued by the City.

15. CUP 22-129 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.
16. The conditional use permit shall become null and void if construction of the facility has not begun within one (1) year of the date of approval by the Planning Commission. One extension of time, not to exceed one (1) 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.
17. Any handling, treatment, storage, or use of hazardous materials shall be subject to the requirements of Section 10.110 (Hazardous materials Management) of the Shafter Zoning Ordinance.
18. Prior to certificate of occupancy issuance, the Developer shall bond for the cost of future closure cleanup provide proof of bonding to the Planning Department. The bonding may either be personal or by surety, and the amount shall be determined by a professional company with expertise in bonding for closure cleanups at the Developer’s expense.
19. Prior to certificate of occupancy issuance, the Developer shall provide the Planning Department with dust mitigation plan prepared by a qualified consultant that has been approved by the City Engineer and San Joaquin Valley Air Pollution Control District staff at the Developer’s expense.
20. Material piles shall be limited to no more than 20-feet high and shall not impede proposed truck circulation within the site. Shafter Code Enforcement shall be made aware of this condition of approval.
21. No unprocessed raw materials shall be stockpiled on the site for more than six (6) months where the six-month period begins on the date of delivery to the site.
22. No processed materials shall be stockpiled on the site for more than 18 months from the date the material was processed.
23. The Developer shall maintain records that include dates and quantities, to be made available to the City upon request, of deliveries of raw materials and removal of processed material to document the amount of time materials are retained on the project site.
24. Incidental “waste” material (e.g., rebar, wood, paper, etc.) shall be properly disposed of and regularly moved from the site.
25. The site shall be maintained and monitored to ensure that the operation does not create a public nuisance or a vector harborage.
26. The project shall not reflect glare, emit electronic interference, or produce smoke that would endanger aircraft operations at Minter Field.

27. Turf shall be excluded as part of future landscaping for the project.
28. At the time of landscape review, a water conservation concept statement summarizing water efficiency measures shall be provided to the Planning Department for review and approval.

Engineering: General

29. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer.
30. Any contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
31. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
32. 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.
33. Any above-ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing upon written request of the Developer and/or the affected utility company.
34. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the applicant.
35. No final inspection shall be approved until all required improvements have been completed by the Developer and accepted by the City.
36. All new utilities shall be underground service.
37. Prior to the issuance of a certificate of occupancy, all public improvements (street, sewer, and water) shall be constructed and approved by the City Engineer and ready for final acceptance.

Engineering: Grading and Drainage

38. Prior to review of any required improvement plans or building plans, a grading plan shall be submitted to and approved by the City Engineer.
39. 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.

40. A soils report prepared by a registered civil engineer shall be submitted along with the grading plan. The soils report shall be performed in compliance with California Uniform Building Code, Chapter 18, latest edition. In addition, all site grading, earthwork, and building design shall be performed in accordance with the recommendations of the soils report.
41. A grading permit shall be obtained from the City Building Official prior to commencement of any grading activity.
42. Prior to 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.
43. The location and frequency of soils compaction testing shall be per the City. Soil compaction testing shall be provided by the Developer.
44. Minimum slopes across any flat surface shall be 1% unless indicated otherwise by the soils report. For slopes less than 1%, surface drainage shall be channeled into a concrete v-gutter, curb, and gutter, underground storm drain, or similar drainage structure.
45. The project shall adhere to American with Disabilities Act standards.
46. The site shall be engineered to retain all storm related runoff within a drainage basin(s). No portion of the site shall drain to City right-of-way nor to adjacent property. All on-site basins shall be sized per Kern County Engineering Bulletin 11-02 dated 12/21/2011. All on-site basins shall be considered private and shall be maintained by the Developer. A 6- foot-tall chain link fence or equivalent with access and/or maintenance gates shall be constructed at the perimeter of each basin.

Engineering: Water and Sewer

47. 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.
48. 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.
49. 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.
50. Water line size, location, and materials shall be subject to the approval of the City Engineer.
51. Tie-ins to existing water mains shall be constructed in a manner approved by the City

Engineer.

52. If on-site hydrants are proposed or required, Developer shall seek approval in writing from the County Fire Marshal for hydrant locations prior to City approval of water plans.
53. Prior to the issuance of an occupancy permit, water mains and fire hydrants to be installed by Developer shall be completed, tested, and accepted (Uniform Fire Code Sections 10.502 and 10.503).
54. 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 of Shafter.
55. Water service shall utilize the City's standard for Automated Meter Reading.
56. Developer shall ensure that there is an "air gap" when filling water trucks with onsite potable water to ensure that contamination does not occur.
57. Any water trucks used onsite shall have an "air gap" or backflow prevention devices to be approved by the City Engineer.
58. The Developer shall continue the construction of dry sewer in Carsen Way south of Gecko Way to the southern property line. Alternatively, the Developer could provide a five (5) year bond for the cost of sewer work in the amount to be determined by the City Engineer, which represents a financial guarantee by the Developer and the issuing surety company to the City that all contracted work shall be completed on time and that the jobsite shall be returned to its original condition.

Engineering: Street and Traffic

59. During construction, the Developer shall maintain the project, including the adjacent streets in a dust free condition. This condition always applies, including weekends, evenings, and nighttime hours. During construction operations, cleanup of soil from public roadways shall be required, if deemed necessary, by the City Engineer.
60. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
61. Existing drive approaches that will not be used by the proposed development shall be saw cut, removed, and replaced with curb, gutter, and sidewalk. Existing and new drive approaches shall be modified or constructed to meet city's current drive approach standards and the Americans with Disabilities Act. (ADA). New improvements shall match existing improvements and/or otherwise meet the requirements of the City.

Building

62. Prior to permitting occupancy, property address shall be permanently installed and

clearly visible from the street, in a manner approved by the City's Building Official.

63. All conditions of the Kern County Fire Department shall be met prior to occupancy of the site. If no conditions are required, a letter so stating shall be submitted to the City Building Department.
64. All fire protection systems designed to meet the fire flow requirements for this project shall be approved by the fire agency having jurisdiction prior to installation of said system.
65. The fence and gates shall not exceed 10 feet in height.
66. The fence and gate shall include privacy slats locked into position and can only be removed with tools.
67. The Developer shall construct a permanent bathroom with at least one (1) fixture in accordance with Exhibit "A". The permanent bathroom shall be connected to a septic system approved by the City Building Official. Once the dry sewer in Carsen Way becomes connected to the greater City sewer system, then the septic system shall be abandoned in place and the permanent bathroom shall be connected to the sewer located in Carsen Way.
68. The Developer shall construct a septic system to be designed in accordance with the 2022 California Plumbing Code. The septic system shall include the septic tank and leaching system to be accompanied with percolation test results.

DATE: February 14, 2023
TO: Planning Commission
FROM: Planning Department
SUBJECT: Tentative Tract No. 7421

RECOMMENDATION:

Planning Commission conduct a public hearing; and adopt Resolution No. 23-421, a Resolution of the Planning Commission of the City of Shafter Recommending approval of Tentative Tract No. 7421, as depicted in Exhibit "A" and conditioned per Exhibit "B", to the City Council of the City of Shafter.

APPLICANT

QK Inc.
5080 California Avenue, Suite 220
Bakersfield, CA 93309

OWNER

Lennar Homes of California, Inc.
8080 N. Palm Avenue, Suite 11
Fresno, CA 93711

LOCATION: The project is located between the Friant/Kern Canal and Lerdo Canal, west of California State Highway 99, and north of Seventh Standard Road in Shafter, California, near the intersection of Eagle Drive and Community Drive. See Exhibits 1 through 3.

PROJECT DATA:

1. General Plan Designation: The current land use designation on the project site as well as the surrounding property is SP (Specific Plan).
2. Zoning: The current zoning on the project site as well as the surrounding property is SP (Specific Plan) within the adopted Gossamer Grove Specific Plan.
3. Acreage: 18.40 acres (gross); 13.39 acres (net)
4. Proposed Number of Lots: 97 single-family residential lots
5. Elementary School District: Norris School District
6. High School: Kern County High School District

PROJECT ANALYSIS:

The property owner, Lennar Homes of California, Inc. is requesting approval of a tentative tract map to subdivide approximately 18.40 gross acres into 97 single-family residential lots. The proposed subdivision includes residential lots ranging in size from 4,000 square feet to 7,000 square feet.

The project site is located near the intersection of Eagle Drive and Community Drive, and north of Seventh Standard Road and within the Gossamer Grove Specific Plan. The Gossamer Grove Specific Plan calls for urban-density residential

PUBLIC HEARING

development surrounded by an extensive system of landscaped walkways and trails designed to enhance walkability. The project has designated a Natural Trail along the North Kern Water District and along the Lerdo Canal which is consistent with the adjacent development (Tract No. 7346). The proposed tentative tract map has been designed to be consistent with both the lot sizes and the design elements required by the Specific Plan.

The primary local access to the Specific Plan is from Seventh Standard Road and access to this project would be from Community Drive. Community Drive and Eagle Creek Drive, west of California State Highway 99, are designated as local streets. Adjacent to Tentative Tract No. 7421, is Tract No. 7346 which is designated as Specific Plan and is currently being developed with single-family homes.

Staff notes that the high-speed rail footprint as it is currently planned by the California High-Speed Rail Authority, goes through the north and easterly portion of the proposed tract, and as a result, the infrastructure on that side of the tract is likely to be affected (See Exhibit No. 4). The infrastructure (e.g. utilities) required to support this tract is not designed to be plugged or reconfigured in a way that would facilitate the continuation of required infrastructure for the lots on that side of the tract. The City, as required by the Subdivision Map Act, sent an agency notification to the High-Speed Rail Authority; however, no comments were submitted to Staff. The applicant has been made aware that the high-speed rail footprint goes through a portion of the property.

GOSSAMER GROVE SPECIFIC PLAN CONSISTENCY:

The proposed residential project is consistent with the adopted Gossamer Grove Specific Plan and the lot size, configuration, and density meet the requirements for Planning Areas 2 and 4, as identified in the Specific Plan. The circulation plan, street configuration, trails, park, landscaping, and proposed improvements are all consistent with the Gossamer Grove Specific Plan.

MINERAL RIGHTS:

Lerdo Land Company owns 100% of the mineral rights underlying the project site. As required by state law, Lerdo Land Company is identified on the tentative tract map as the mineral rights owner. A condition requiring the establishment of three (3) drill islands in the lower two-thirds of the Gossamer Grove Specific Plan area was included as a condition of approval for the previously approved and recorded maps within the Specific Plan. The property owner has established a DI (Drilling Island) zoned area on the east side of Community Drive in Tentative Tract No. 7319 and has included two additional drilling islands in Tentative Tract No. 7388 for which zone changes to the DI have not yet been requested. The required drilling islands and DI zoning will allow oil and gas exploration and production to meet the City of Shafter's Oil and Gas production standards for drilling pursuant to Chapter 9, Title 17 of the City of Shafter Municipal Code. The drill islands are to be separated by a minimum distance 0.5 miles to ensure reasonable access is provided for the portion of the Specific Plan located south of the north section lines of Section 36, T.28S., R. 26E., M.D.B.M and Section 31, T. 28S, R. 27E, M.D.B.M. The drill islands must be established adjacent to existing public right-of-

way so they can be accessed at any time. The establishment of DI (Drill Island) zoning will ensure that no conditional use permit will be required for oil and gas exploration and production activities within the drill islands. Staff believes the drilling islands will provide reasonable surface access for oil and gas exploration and production within the specified portion of the Gossamer Grove Specific Plan. Future development north of the north section lines of Section 36, T.28S., R. 26E., M.D.B.M and Section 31, T. 28S, R. 27E, M.D.B.M. will require the developer to establish additional drill islands to provide the same reasonable surface access for mineral rights owners.

AGENCY COMMENTS:

The following agencies returned the agency form notification to Staff:

1. The Kern County Surveyor
2. The Kern County Fire Department
3. The California Department of Conservation, Geological Energy Management Division
4. The California Department of Transportation
5. The City of Shafter, GIS Coordinator

The Kern County Fire Department and the Department of Conservation provided the following comments:

The Kern County Fire Department, as the local fire authority, has determined that all new construction will require fire water flowing a minimum of 1,500 gallons per minute for two hours with 20 pound-force per square inch residual. It also required that all fired access roads to each parcel must adhere to the California Fire Code, Section 503.0, and all applicable Appendix and Ordinance sections.

The Department of Conservation noted that no known oil or gas wells are located within the project boundaries. However, in the event an oil or gas well is discovered, the applicant must notify the Geological Energy Management Division.

PUBLIC COMMENTS:

To date, no public comments on the project have been received.

CEQA:

The proposed tentative tract map includes residential development consistent with the adopted Gossamer Grove Specific Plan. Therefore, the project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code Section 65457. The project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the Gossamer Grove (previously the Coberly West) Specific Plan in 2005 (SCH No. 2004101029). The certified Program EIR adequately describes the activity of the residential development

proposed in Tentative Tract No. 7421 as adopted in the Gossamer Grove Specific Plan.

Consistent with the policies of the Shafter General Plan, biological, archaeological, traffic impact, and air impact assessments were prepared for the area covered by Tentative Tract No. 7421. The biological assessment reported no impacts from the projects. However, several avoidance measures were recommended by the biologist that have been included in the conditions of approval. The archaeological assessment reported no impacts from the projects. The archaeological assessment did not identify any paleontological resources on the project sites. The traffic assessment concluded traffic impacts identified on the street system for both the existing and future years, with and without project traffic, will be mitigated to less-than-significant or to existing year conditions. The projects will be conditioned to participate in a future Shafter Traffic Impact Fee program or agree to pay traffic fees under an existing adopted Development Agreement (Development Agreement No. 15-13).

UTILITIES:

Consistent with the requirements of the Specific Plan, a dual water system is proposed for the project. One water system provides domestic water service and the other system provides non-potable water for landscaping. The dual system will be provided to each lot with separate water lines. Oildale Mutual Water Company will maintain and provide water for both systems. Sewer service will be provided by the North of River Sanitary District. The development will also be connected to the City's fiber system with all residences constructed to accommodate fiber-to-the-home service.

FINDINGS:

1. The Planning Commission finds that Tentative Tract No. 7421, with the Conditions of Approval, is consistent with the Shafter General Plan and the Gossamer Grove Specific Plan.
2. The Planning Commission finds the proposed subdivision is in substantial conformity with the Subdivision Map Act, and with Title 16 (Subdivision Ordinance) of the Shafter Municipal Code. The proposed lots are in substantial conformance with the provisions of City Ordinances and all lots will have adequate access to public streets, water lines, fire hydrants, drainage facilities, and utilities.
3. The project's uses and design are compatible with projects adjacent to the Gossamer Grove Specific Plan.
4. The project contributes to the design qualities expected under the Gossamer Grove Specific Plan.
5. The project has demonstrated compliance with the policies of the City of Shafter 2005 General Plan.
6. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community and to ensure reasonable surface access is provided for oil and gas exploration and production within the Gossamer Grove Specific Plan.

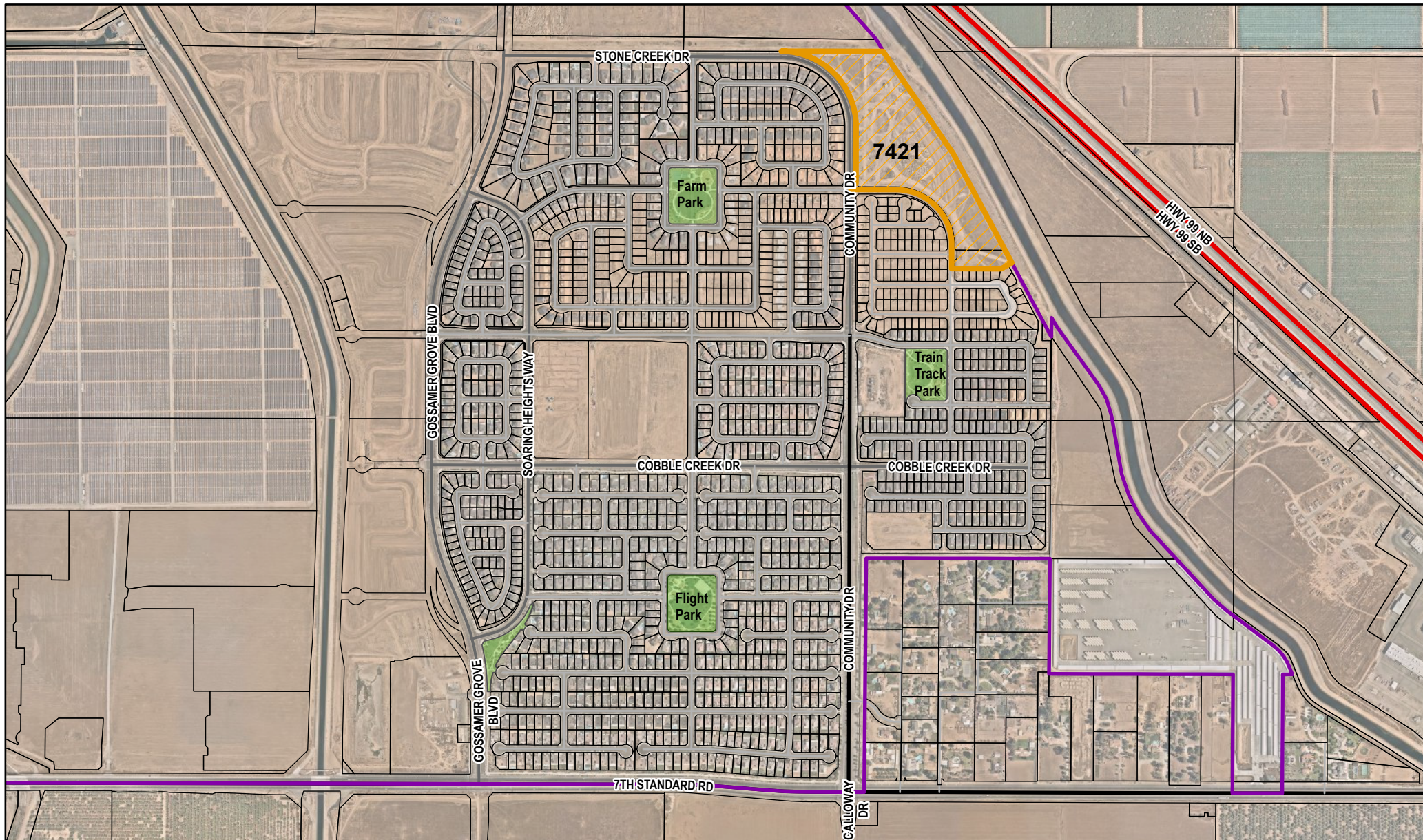
7. The project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code Section 65457.

ATTACHMENTS

EXHIBIT

Vicinity Map	1
Specific Plan Map	2
Tentative Tract No. 7421	3
High-Speed Rail Footprint	4
Resolution No. 23-421	5

Exhibit 1 - TENTATIVE TRACT NO. 7421



Legend

Subdivisions

Type of Map

- TRACT
- City Limits
- Parcel Boundary

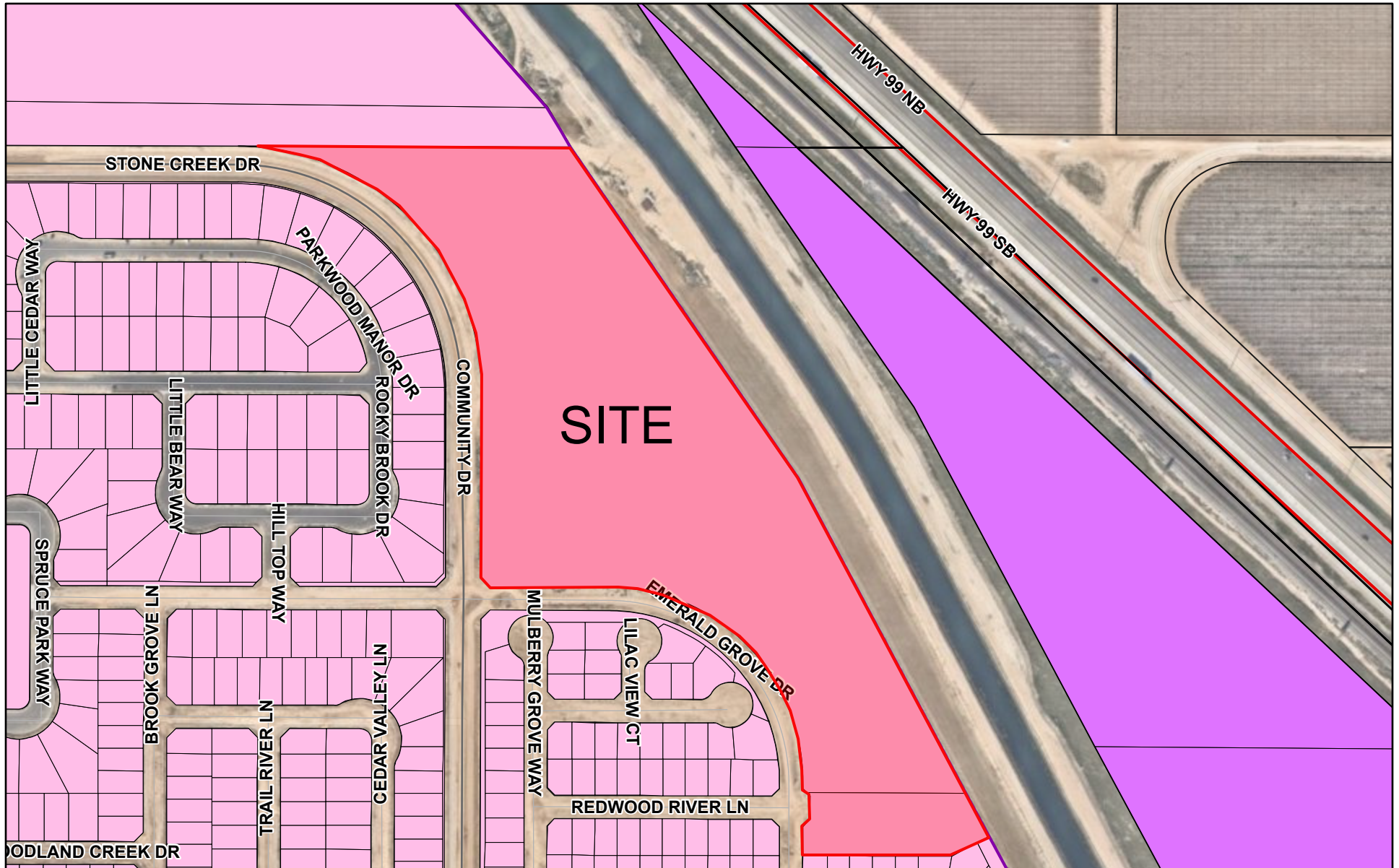
Road Centerlines

- Arterial
- Collector
- Highway
- Local

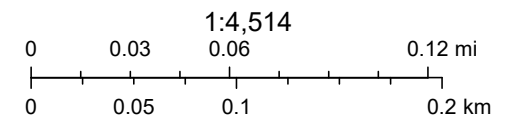
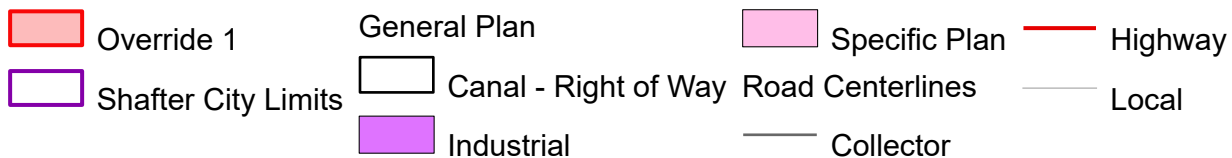
0 0.25 0.5 Miles

Scale: 1:14,000

Exhibit 2 - TENTATIVE TRACT NO. 7421 (General Plan - SP)

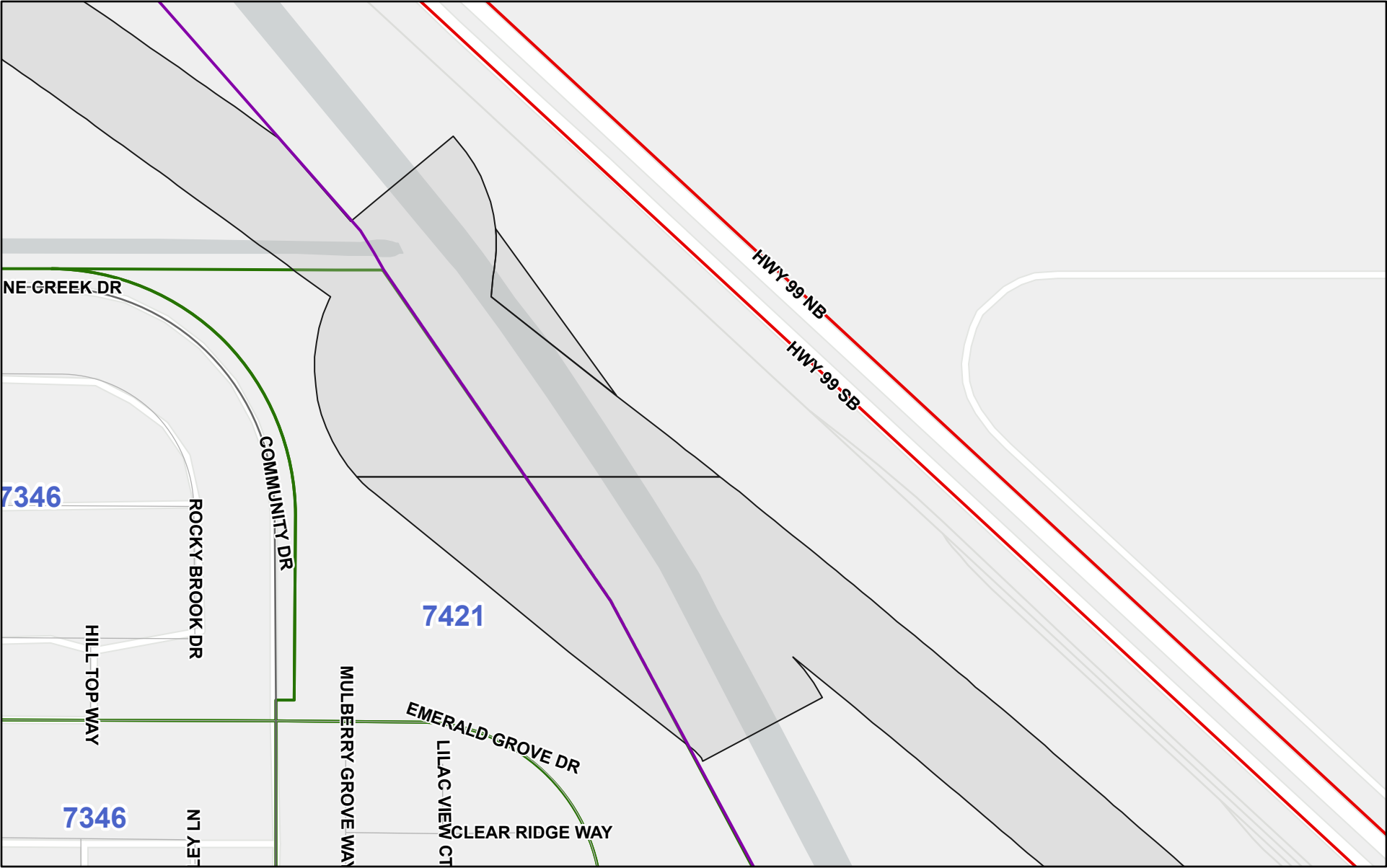


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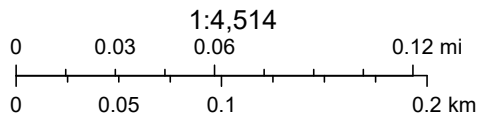
Esri Community Maps Contributors, City of Bakersfield, City of Shafter, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, City of Shafter

Exhibit No. 4 - High-Speed Rail Foot Print -Tract No. 7421



1/30/2023, 1:44:54 PM

- | | | | | |
|----------------------|---------------|-----------------|------------------|----------------------|
| Shafter City Limits | CHURCH/SCHOOL | PUBLIC BUILDING | Road Centerlines | Local |
| Community Facilities | MUSEUM | RECREATION | Collector | Subdivision Projects |
| CHURCH | PARKS | SCHOOL | Highway | TRACT |



Esri Community Maps Contributors, City of Bakersfield, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, City of Shafter

RESOLUTION NO. 23-421

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER RECOMMENDING APPROVAL OF TENTATIVE TRACT NO. 7421, AS DEPICTED IN EXHIBIT “A” AND CONDITIONED PER EXHIBIT “B”, TO THE CITY COUNCIL OF THE CITY OF SHAFTER

WHEREAS, Lennar Homes of California, Inc., 8080 N. Palm Avenue, Suite 110, Fresno, CA 93711, submitted a tentative tract map application to the City of Shafter to subdivide approximately 18.40 acres (gross) into 97 single-family residential lots within the adopted Gossamer Grove Specific Plan (previously the Coberly West Specific Plan); and

WHEREAS, Lennar Homes of California, Inc., 8080 N. Palm Avenue, Suite 110, Fresno, CA 93711, is requesting approval of Tentative Tract No. 7421 on that certain property in the City of Shafter as shown in Exhibit “A”; and

WHEREAS, the high-speed rail footprint as it is currently planned by the California High-Speed Rail Authority, goes through the north and easterly portion of the proposed tract and, as a result, the infrastructure on that side of the tract is likely to be affected (See Exhibit No. 4). The infrastructure (e.g. utilities) required to support this tract is not designed to be plugged or reconfigured in a way that would facilitate the continuation of required infrastructure for the lots on that side of the tract; and

WHEREAS, The City, as required by the Subdivision Map Act, sent an agency notification to the High-Speed Rail Authority and no comments were submitted to Staff; and

WHEREAS, the applicant has been made aware that the high-speed rail footprint goes through a portion of the property; and

WHEREAS, the Planning Commission, through its Secretary, did set Tuesday, February 14, 2023, at the hour of 6:00 p.m. in the Council Chambers of City Hall, 336 Pacific Avenue, Shafter, California, as the time and place for a public hearing before said Planning Commission on said proposal, and notice of the public hearing was given in the manner provided in Title Sixteen of the Shafter Municipal Code; and

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

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

WHEREAS, the certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 7421 as adopted in the Gossamer Grove Specific Plan (previously the Coberly West Specific Plan) under Resolution No. 05-1741; and

WHEREAS, the facts presented in the staff report and evidence at the above referenced

EXHIBIT 5

public hearing support the findings contained in this resolution; and

WHEREAS, at said public hearing held on February 14, 2023, the proposed tentative tract map was duly heard and considered and the Planning Commission found as follows:

1. All required public notices have been given. Hearing notices regarding the proposed project were mailed to property owners within 300 feet of the project area, the mineral rights owner, and published in a local newspaper of general circulation at least 10 days prior to the hearing.
2. The proposed tentative tract map is only proposing residential development consistent with the adopted Gossamer Grove Specific Plan. Therefore, the project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code Section 65457. The project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the Gossamer Grove Specific Plan (previously the Coberly West Specific Plan) in 2005 (SCH No. 2004101029). The certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 7421 as adopted in the Gossamer Grove Specific Plan.
3. The Planning Commission finds the proposed subdivision is in substantial conformity with the Subdivision Map Act and with Title 16 (Subdivision Ordinance) of the Shafter Municipal Code. The proposed lots are in substantial conformance with the provisions of the Gossamer Grove Specific Plan and all lots have adequate and proper access to public streets, sanitary sewer, water lines, fire hydrants, drainage structures and utilities.
4. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community and to ensure reasonable surface access is provided for oil and gas exploration and production within the Gossamer Grove Specific Plan.
5. Urban services are available for the proposed development. The project is within an area to be served by all necessary utilities and waste disposal systems. Improvements proposed as part of the project will deliver utilities to the individual lots or parcels to be created.
6. The proposed subdivision (Tentative Tract No. 7421), together with the provisions for its design and improvement, is consistent with the City of Shafter General Plan. The proposed density and intensity of development are consistent with the adopted Gossamer Grove Specific Plan. Proposed road improvements are consistent with the Circulation Program. The overall design of the project, as conditioned, is consistent with the goals and policies of all elements of the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular meeting on the 14th day of February 2023, resolved to recommend to the City Council approval of Tentative Tract Map No. 7421 (Exhibit “A”), as described in Planning Commission Resolution No. 23-421 (Exhibit 5), with conditions of approval as shown in Exhibit “B”.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered forthwith by

the City Clerk to the City Council of the City of Shafter.

PASSED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2023.

John Sanchez, Chairman

ATTEST

Vanessa Uribe, Deputy City Clerk

Exhibit A - TENTATIVE TRACT NO. 7421

TENTATIVE TRACT NO. 7421

MERGER AND RE-SUBDIVISION OF LOT 172 OF TRACT MAP NO. 7332, PHASE 2 RECORDED JULY 28, 2020, IN BOOK 64 OF MAPS, PAGES 67 THROUGH 78, IN THE OFFICE OF THE KERN COUNTY RECORDER AND THE REMAINDER OF LOT 84 OF TRACT MAP NO. 7314, PHASE 1 RECORDED MARCH 26, 2019, IN BOOK 63 OF MAPS, PAGES 48 THROUGH 54, IN THE OFFICE OF THE KERN COUNTY RECORDER, AS SHOWN ON TRACT NO. 7319, PHASE 3 RECORDED JULY 8, 2021, IN BOOK 65 OF MAPS, PAGES 4 THROUGH 6, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN THE NORTH HALF OF SECTION 31, TOWNSHIP 28 SOUTH, RANGE 27 EAST, M.D.M., IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA. SEPTEMBER 2022

GENERAL NOTES:

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

ALL LOTS ARE TO HAVE A PEDESTRIAN EASEMENT (PE) VARYING FROM 1' TO 9'.

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

ALL NATURE TRAILS, PRIMARY PASEOS AND SECONDARY PASEOS TO BE IN ACCORDANCE WITH THE GOSSAMER GROVE SPECIFIC PLAN AND THE CITY OF SHAFTER STANDARDS.

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

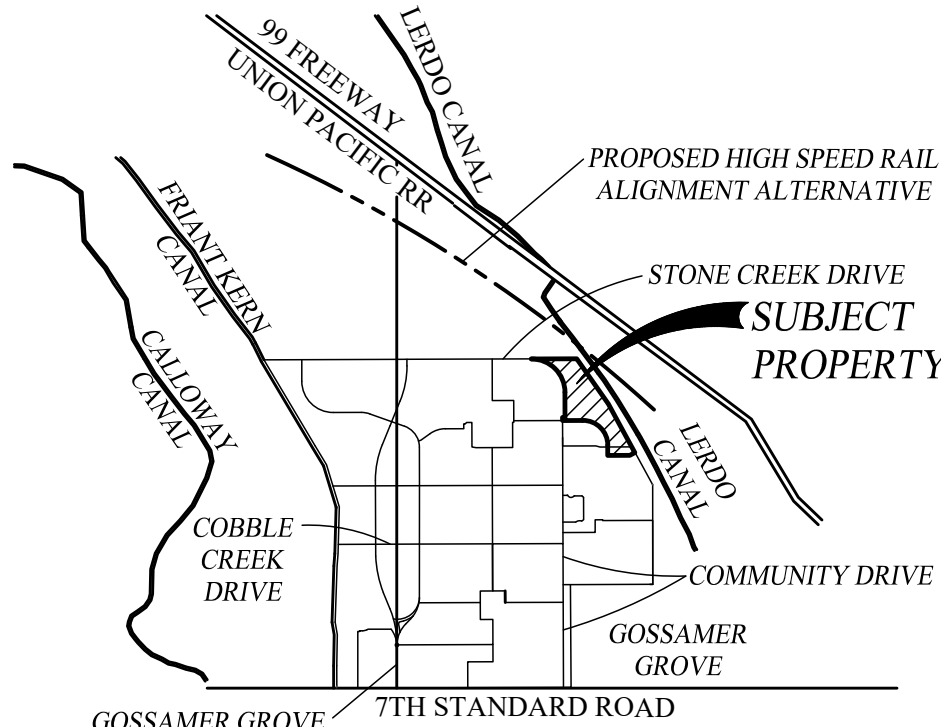
SUBDIVISION TO BE SERVED BY DUAL WATER SYSTEM FOR BOTH POTABLE RESIDENTIAL WATER AND NON-POTABLE WATER FOR LANDSCAPING. NON-POTABLE WATER TO BE PROVIDED BY OILDALE MUTUAL WATER COMPANY AT A LATER DATE. NO WELLS CURRENTLY EXIST ON PROPERTY.

DRAINAGE FROM THE PROJECT SITE WILL BE DIRECTED TO AN OFFSITE REGIONAL BASIN LOCATED IN THE SOUTH PORTION OF LOT LINE ADJUSTMENT NO. 18-67 PER DOCUMENT NO. 218076247 OF KERN COUNTY OFFICIAL RECORDS, RECORDED JUNE 19, 2018.

THERE ARE NO FUTURE SIGNALS.

EASEMENTS:

- 1 WATER PIPELINE EASEMENT IN FAVOR OF OILDALE MUTUAL WATER COMPANY PER DOCUMENT NO. 0209017742 OF OFFICIAL RECORDS, RECORDED FEBRUARY 9, 2009.
- 2 EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES IN FAVOR OF THE CITY OF SHAFTER PER DOCUMENT NO. 221104649 OF OFFICIAL RECORDS, RECORDED JUNE 3, 2021.
- 3 WATER PIPELINE EASEMENT IN FAVOR OF OILDALE MUTUAL WATER COMPANY PER DOCUMENT NO. 221175820 OF OFFICIAL RECORDS, RECORDED SEPTEMBER 16, 2021.
(THAT PORTION OF SAID EASEMENT WITHIN LOT 52 TO BE ABANDONED BY SEPARATE DOCUMENT PRIOR TO RECORDATION OF TRACT NO. 7421 FINAL MAP. THE EXISTING FACILITIES, WITHIN SAID EASEMENT, WILL BE CONTAINED WITHIN LOTS 'A' AND 'B' AND THE RIGHT-OF-WAY OF SPRING MANOR DRIVE AND RIVERFAWN COURT.)
- 4 EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES IN FAVOR OF THE CITY OF SHAFTER PER TRACT NO. 7332, PHASE 2, BOOK 64 OF MAPS, PAGES 67 THROUGH 78, KCR.



VICINITY MAP

NOT TO SCALE

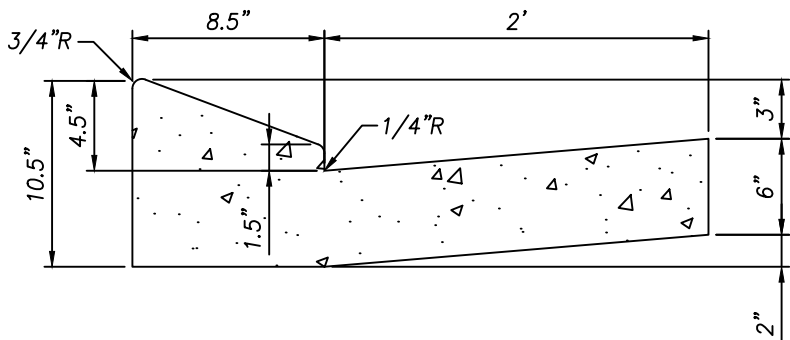
TABLE A

NON-BUILDABLE LETTER LOTS

LETTER	AREA
A - LANDSCAPE/NATURE TRAIL/PUE/PE	2.23 AC
B - LANDSCAPE/PUE/PE	8,124 SF

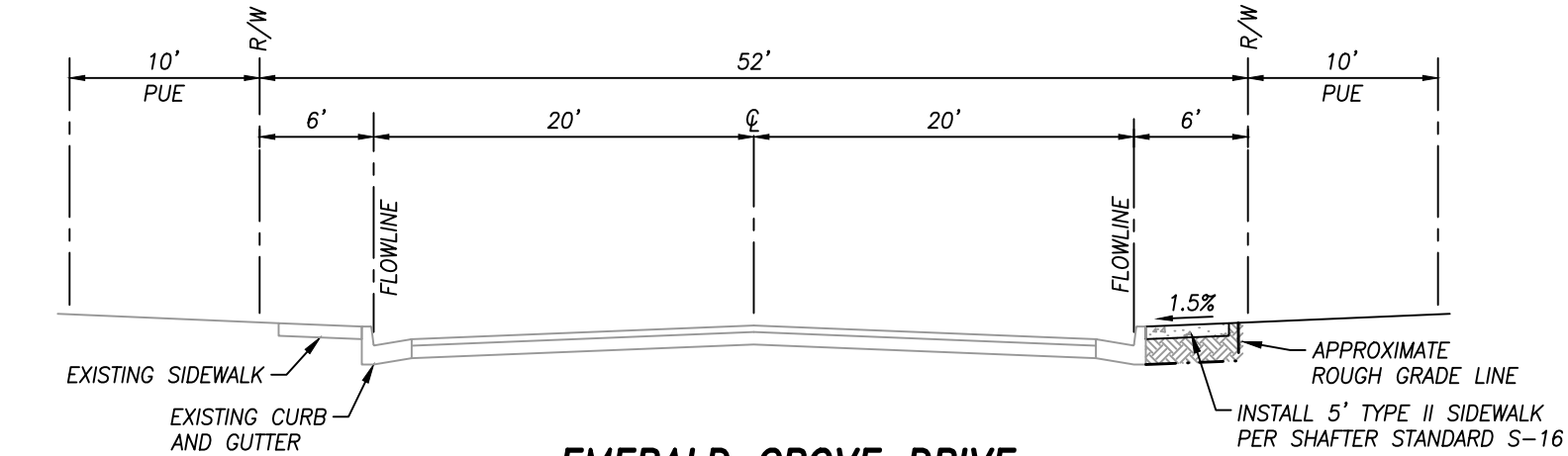
TOTAL SITE DATA:

LOT SIZES:	PA-2 LDR	4,000-7,000 S.F. MINIMUM PER THE GOSSAMER GROVE SPECIFIC PLAN
NUMBER OF LOTS	99	
NUMBER OF BUILDABLE LOTS	97	
NUMBER OF LANDSCAPE LOTS	2	
AREAS GROSS	18.40 ACRES GROSS	
AREAS NET	13.39 ACRES NET	
NET DENSITY:	PA-2 LDR: 97 LOTS 13.39 ACRES NET 7.2 DU/AC	4-7.5 DU/AC PER THE GOSSAMER GROVE SPECIFIC PLAN
EXISTING USE	AGRICULTURE	
PROPOSED USE	SINGLE FAMILY RESIDENTIAL	
EXISTING/PROPOSED ZONING	GOSSAMER GROVE SPECIFIC PLAN	
EXISTING/PROPOSED LAND USE DESIGNATION:	PA-2 LDR	
ASSESSOR PARCEL NUMBERS	482-370-06 & 482-370-08	
WATER	OILDALE MUTUAL WATER COMPANY	
SEWER	CITY OF SHAFTER/NORTH OF THE RIVER	
ELECTRICITY	PACIFIC GAS & ELECTRIC	
GAS	SOUTHERN CALIFORNIA GAS COMPANY	
TELEPHONE	AT&T	
CABLE	CHARTER COMMUNICATIONS (SPECTRUM)	
FIBER	CITY OF SHAFTER	
SCHOOL DISTRICTS:	NORRIS SCHOOL DISTRICT	
ELEMENTARY	NORRIS SCHOOL DISTRICT	
JR. HIGH	KERN COUNTY HIGH SCHOOL DISTRICT	
HIGH SCHOOL		



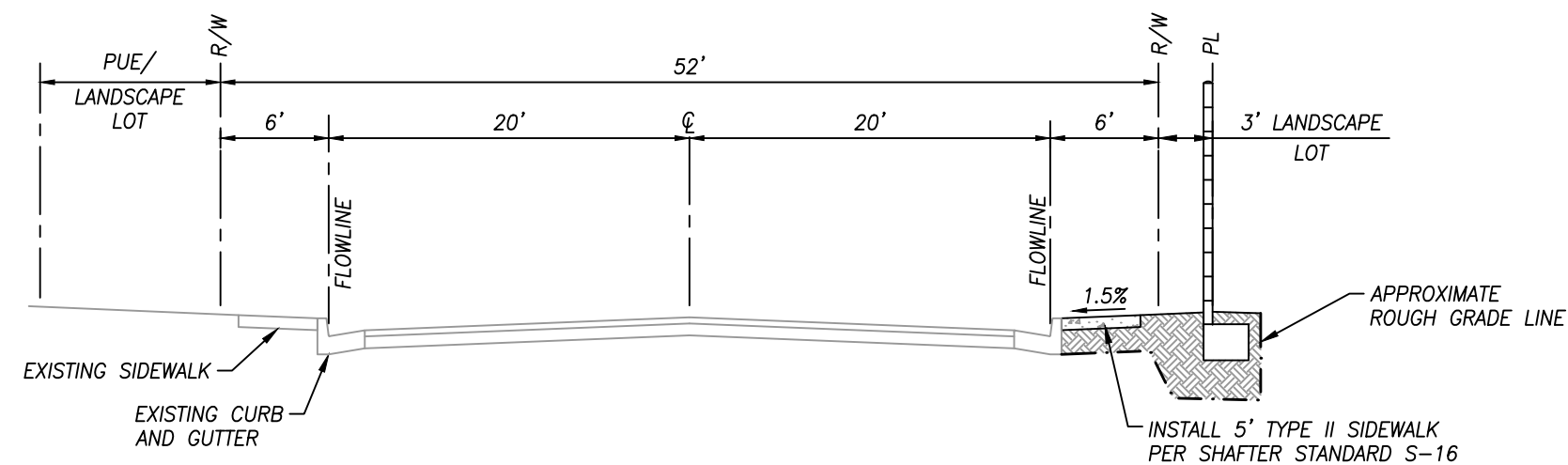
MODIFIED CURB AND GUTTER

DIMENSION ARE IN INCHES
NTS



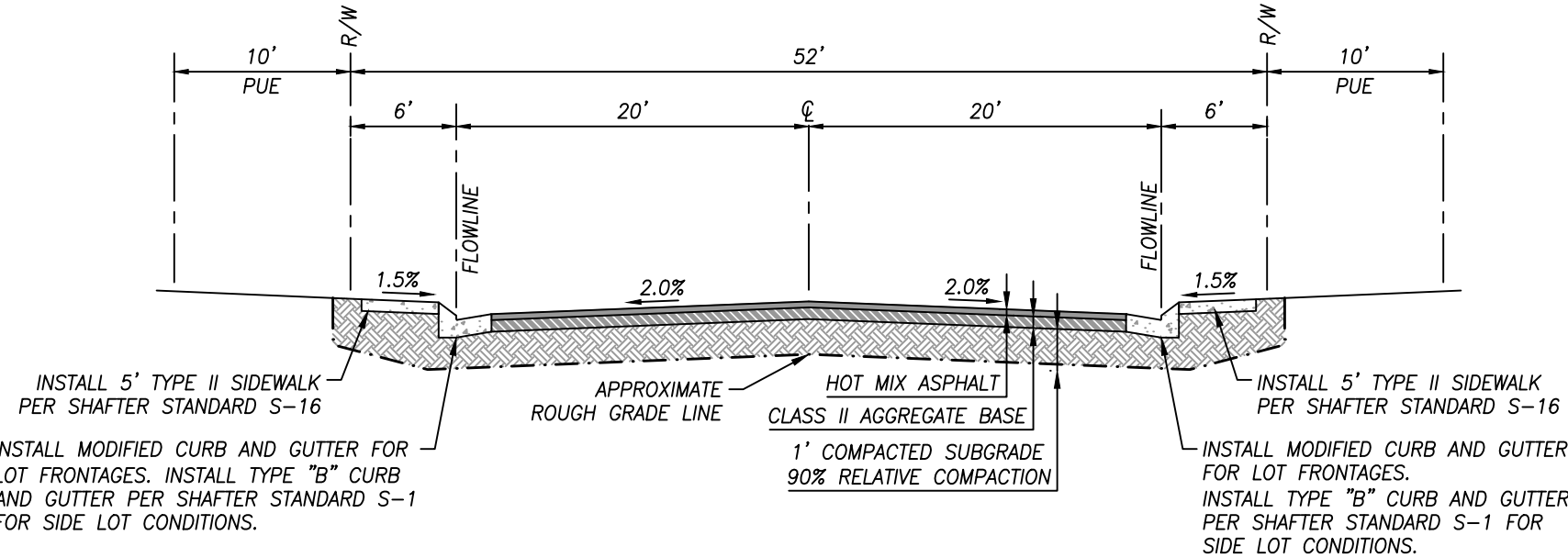
EMERALD GROVE DRIVE

LOOKING NORTH AT LOT 97
NTS



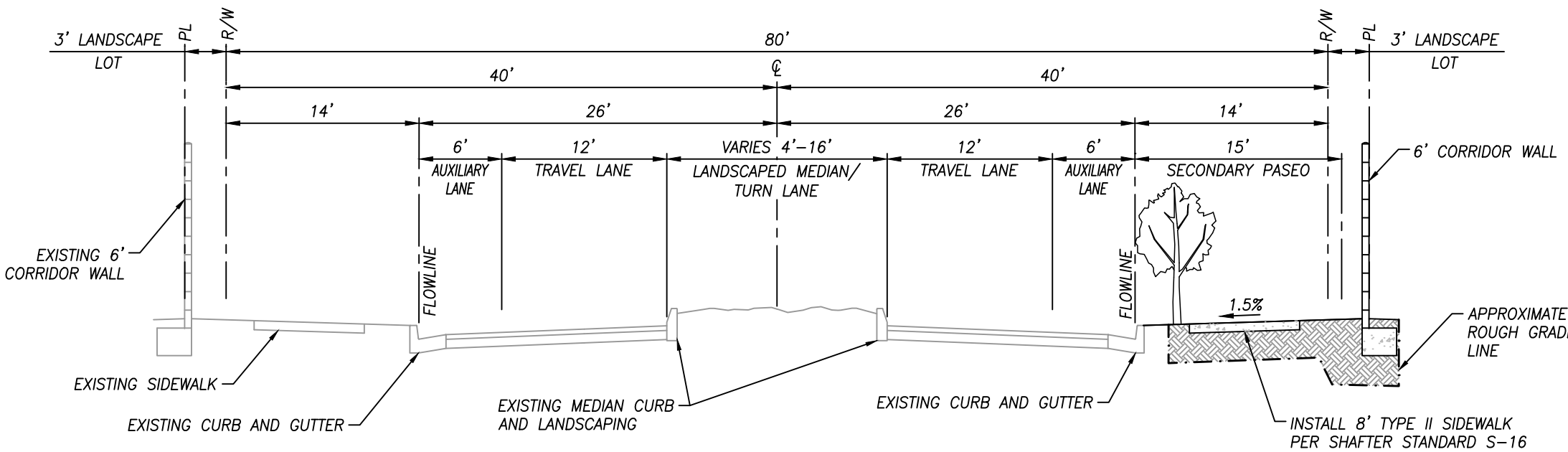
EAGLE CREEK DRIVE & EMERALD GROVE DRIVE

LOOKING NORTH AND WEST
NTS



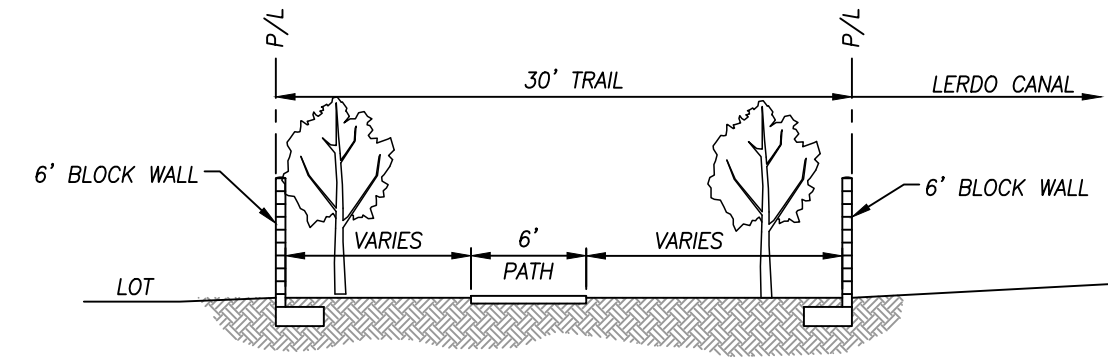
LOCAL STREET

NTS



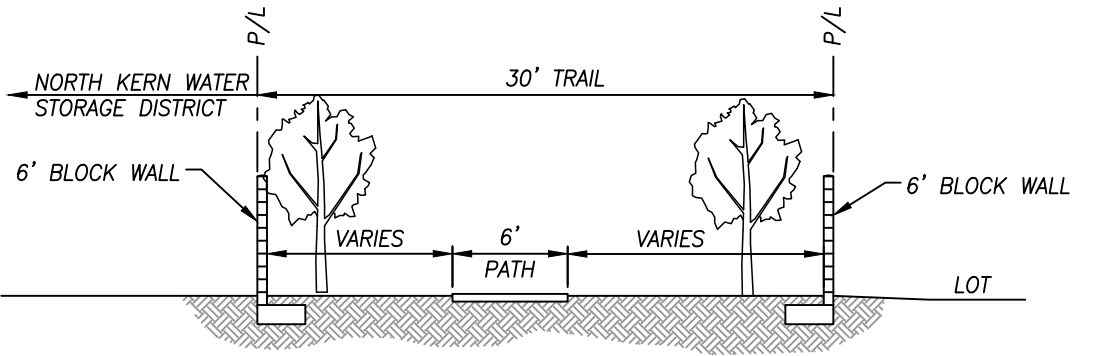
COMMUNITY DRIVE & STONE CREEK DRIVE (COLLECTOR) CROSS SECTION

LOOKING NORTH AND WEST
NTS



NATURE TRAIL ALONG LERDO CANAL

LOOKING NORTH
NTS



NATURE TRAIL ALONG NORTH
KERN WATER STORAGE DISTRICT

LOOKING EAST
NTS

OWNER:
LENNAR HOMES OF CALIFORNIA, INC.
8080 N. PALM AVE., STE. 110
FRESNO, CA 93711
(559) 447-3400

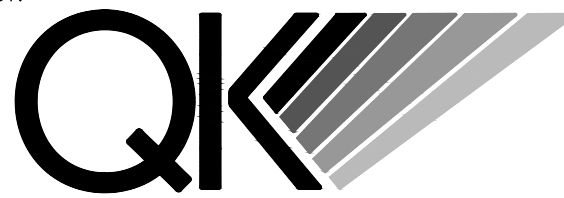
SUBDIVIDER:
LENNAR HOMES OF CALIFORNIA, INC.
8080 N. PALM AVE., STE. 110
FRESNO, CA 93711
(559) 447-3400

MINERAL RIGHTS OWNERS:
LERDO LAND COMPANY
P.O. BOX 1444
BAKERSFIELD, CA 93302



PROJECT SURVEYOR:

Kristie M. Achee, P.L.S. 8189
12/01/2022
DATE



TENTATIVE TRACT NO. 7421

LEGEND:

- () R1 RECORD PER TRACT NO. 6761 RECORDED IN BOOK 59 OF MAPS, PAGES 42-45, K.C.R., OR CALCULATED THEREFROM.
- () R2 RECORD PER TRACT NO. 7314, PHASE 1, RECORDED IN BOOK 63 OF MAPS, PAGES 48-54, K.C.R., OR CALCULATED THEREFROM.
- () R3 RECORD PER TRACT NO. 7332, PHASE 2, RECORDED IN BOOK 64 OF MAPS, PAGES 67-78, K.C.R., OR CALCULATED THEREFROM.
- () R4 RECORD PER TRACT NO. 7319, PHASE 2, RECORDED IN BOOK 65 OF MAPS, PAGES 1-3, K.C.R., OR CALCULATED THEREFROM.
- () R5 RECORD PER TRACT NO. 7319, PHASE 3, RECORDED IN BOOK 65 OF MAPS, PAGES 4-6, K.C.R., OR CALCULATED THEREFROM.
- () R6 RECORD PER DOCUMENT NO. 221104649, O.R., OR CALCULATED THEREFROM.
- DOC. DOCUMENT
- K.C.R. KERN COUNTY RECORDER
- O.R. OFFICIAL RECORD
- SECTION LINE/MID-SECTION LINE
- SUBDIVISION BOUNDARY

EASEMENTS:

- ① WATER PIPELINE EASEMENT IN FAVOR OF OILDALE MUTUAL WATER COMPANY PER DOCUMENT NO. 0209017742 OF OFFICIAL RECORDS, RECORDED FEBRUARY 9, 2009. (40' X 86')
- ② EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES IN FAVOR OF THE CITY OF SHAFTER PER DOCUMENT NO. 221104649 OF OFFICIAL RECORDS, RECORDED JUNE 3, 2021.
- ③ WATER PIPELINE EASEMENT IN FAVOR OF OILDALE MUTUAL WATER COMPANY PER DOCUMENT NO. 221175820 OF OFFICIAL RECORDS, RECORDED SEPTEMBER 16, 2021. (50' WIDE)
(THAT PORTION OF SAID EASEMENT WITHIN LOT 52 TO BE ABANDONED BY SEPARATE DOCUMENT PRIOR TO RECDATION OF TRACT NO. 7421 FINAL MAP. THE EXISTING FACILITIES, WITHIN SAID EASEMENT, WILL BE CONTAINED WITHIN LOTS 'A' AND 'B' AND THE RIGHT-OF-WAY OF SPRING MANOR DRIVE AND RIVERFAWN COURT.)
- ④ EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES IN FAVOR OF THE CITY OF SHAFTER PER TRACT NO. 7332, PHASE 2, BOOK 64 OF MAPS, PAGES 67 THROUGH 78, K.C.R.

LINE TABLE				
LINE #	REF #	BEARING	DISTANCE	
L1	R4&R5	N62°27'11"E	92.51	
L2	R4&R5	N89°11'48"W	356.00	
L3	R5&R6	N00°48'12"E	164.50	
L4	R3,R5&R6	N89°11'48"W	326.61	
L5	R3	N00°48'12"E	50.00	
L6	R3	N89°11'48"W	40.00	
L7	R3	N00°48'12"E	405.21	
L8	R3	N89°12'12"W	645.91	

CURVE TABLE			
CURVE #	REF #	LENGTH	RADIUS
C1	R3,R5&R6	628.32'	400.00'
C2	R3	848.29'	540.00'



PROJECT SURVEYOR:

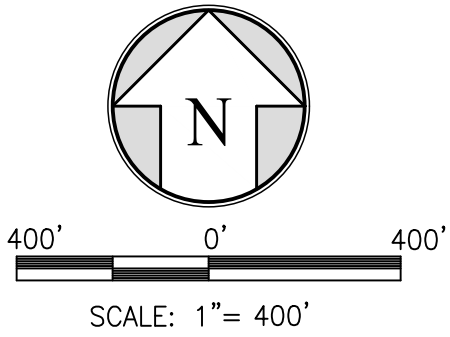
Kristie M. Achee, P.L.S. 8189
DATE 12/01/2022

BY:



5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
BAKERSFIELD, CA 93309 WWW.QKINC.COM

MERGER AND RE-SUBDIVISION OF LOT 172 OF TRACT MAP NO. 7332, PHASE 2 RECORDED JULY 28, 2020, IN BOOK 64 OF MAPS, PAGES 67 THROUGH 78, IN THE OFFICE OF THE KERN COUNTY RECORDER AND THE REMAINDER OF LOT 84 OF TRACT MAP NO. 7314, PHASE 1 RECORDED MARCH 26, 2019, IN BOOK 63 OF MAPS, PAGES 48 THROUGH 54, IN THE OFFICE OF THE KERN COUNTY RECORDER, AS SHOWN ON TRACT NO. 7319, PHASE 3 RECORDED JULY 8, 2021, IN BOOK 65 OF MAPS, PAGES 4 THROUGH 6, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN THE NORTH HALF OF SECTION 31, TOWNSHIP 28 SOUTH, RANGE 27 EAST, M.D.M., IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA. SEPTEMBER 2022



TENTATIVE TRACT NO. 7421

MERGER AND RE-SUBDIVISION OF LOT 172 OF TRACT MAP NO. 7332, PHASE 2 RECORDED JULY 28, 2020, IN BOOK 64 OF MAPS, PAGES 67 THROUGH 78, IN THE OFFICE OF THE KERN COUNTY RECORDER AND THE REMAINDER OF LOT 84 OF TRACT MAP NO. 7314, PHASE 1 RECORDED MARCH 26, 2019, IN BOOK 63 OF MAPS, PAGES 48 THROUGH 54, IN THE OFFICE OF THE KERN COUNTY RECORDER, AS SHOWN ON TRACT NO. 7319, PHASE 3 RECORDED JULY 8, 2021, IN BOOK 65 OF MAPS, PAGES 4 THROUGH 6, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN THE NORTH HALF OF SECTION 31, TOWNSHIP 28 SOUTH, RANGE 27 EAST, M.D.M., IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA. SEPTEMBER 2022

LEGEND:

- K.C.R. KERN COUNTY RECORDER
- NATURE TRAIL, PASEO AND LANDSCAPE EASEMENT
- PROPOSED DIRECTION OF STREET FLOW
- SHEET DIVISION
- SUBDIVISION BOUNDARY
- XXX TOTAL BUILDABLE LOTS



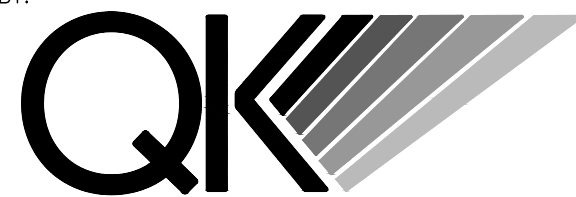
LOT & STREET OVERVIEW



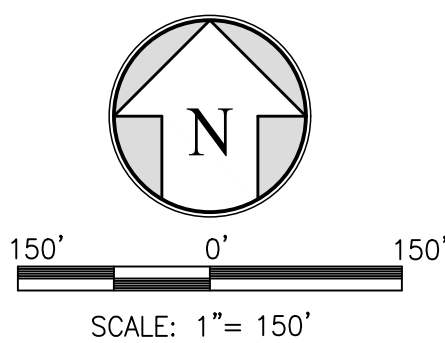
PROJECT SURVEYOR:

Kristie M. Achee, P.L.S. 8189

12/01/2022
DATE

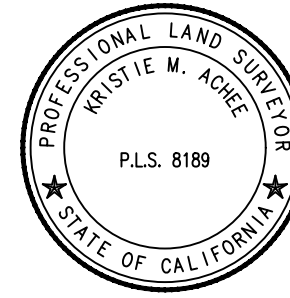
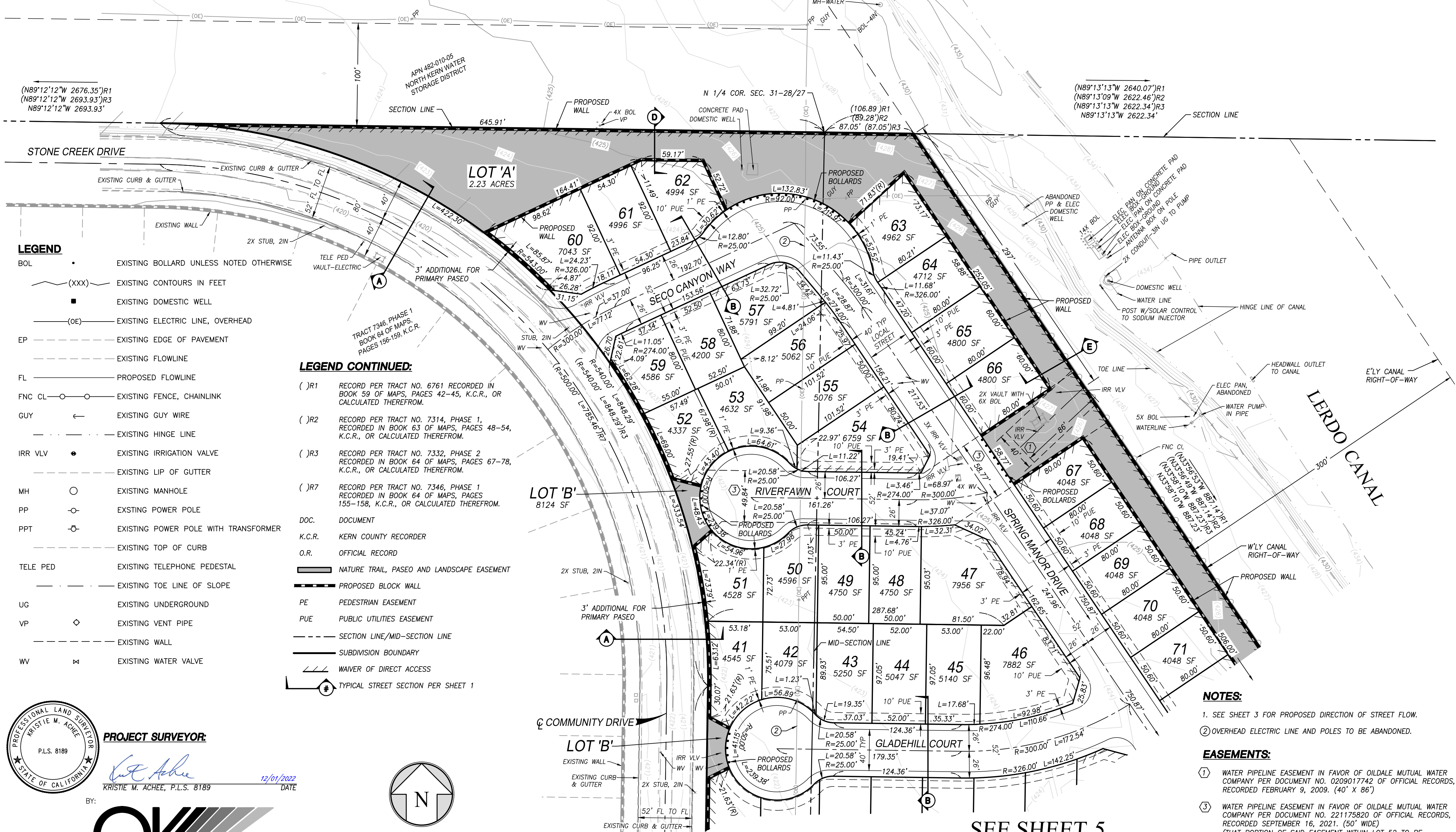


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TENTATIVE TRACT NO. 7421

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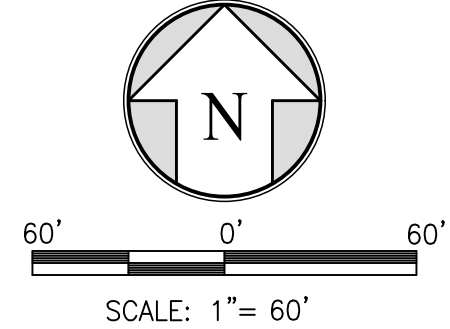
PROJECT SURVEYOR:

Kristie M. Achee, P.L.S. 8189
DATE: 12/01/2022

BY:



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SEE SHEET 5

NOTES:

1. SEE SHEET 3 FOR PROPOSED DIRECTION OF STREET FLOW.
2. OVERHEAD ELECTRIC LINE AND POLES TO BE ABANDONED.

EASEMENTS:

1. WATER PIPELINE EASEMENT IN FAVOR OF OILDALE MUTUAL WATER COMPANY PER DOCUMENT NO. 0209017742 OF OFFICIAL RECORDS, RECORDED FEBRUARY 9, 2009. (40' X 86')
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SHEET 4 OF 6

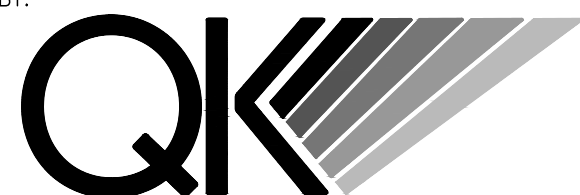
LEGEND

BOL	•	EXISTING BOLLARD UNLESS NOTED OTHERWISE
CBOX	■	EXISTING CHRISTY BOX
(XXX)	---	EXISTING CONTOURS IN FEET
(OE)	---	EXISTING ELECTRIC LINE, OVERHEAD
EP	---	EXISTING EDGE OF PAVEMENT
FH	⋈	EXISTING FIRE HYDRANT
	---	EXISTING FLOWLINE
FL	---	PROPOSED FLOWLINE
FNC CL	○	EXISTING FENCE, CHAINLINK
	---	EXISTING HINGE LINE
IRR VLV	•	EXISTING IRRIGATION VALVE
	---	EXISTING LIP OF GUTTER
	---	EXISTING LIGHT, STREET
PP	○	EXISTING POWER POLE
	+	EXISTING SIGN, STREET NAME
	---	EXISTING TOP OF CURB
TELE PED	---	EXISTING TELEPHONE PEDESTAL
	---	EXISTING TOE LINE OF SLOPE
	---	EXISTING WALL
WV	⋈	EXISTING WATER VALVE
()R1		RECORD PER TRACT NO. 6761 RECORDED IN BOOK 59 OF MAPS, PAGES 42-45, K.C.R., OR CALCULATED THEREFROM.
()R2		RECORD PER TRACT NO. 7314, PHASE 1, RECORDED IN BOOK 63 OF MAPS, PAGES 48-54, K.C.R., OR CALCULATED THEREFROM.
()R3		RECORD PER TRACT NO. 7332, PHASE 2, RECORDED IN BOOK 64 OF MAPS, PAGES 67-78, K.C.R., OR CALCULATED THEREFROM.
()R5		RECORD PER TRACT NO. 7319, PHASE 3, RECORDED IN BOOK 65 OF MAPS, PAGES 4-6, K.C.R., OR CALCULATED THEREFROM.
()R6		RECORD PER DOCUMENT NO. 221104649, O.R., OR CALCULATED THEREFROM.
()R7		RECORD PER TRACT NO. 7346, PHASE 1, RECORDED IN BOOK 64 OF MAPS, PAGES 155-158, K.C.R., OR CALCULATED THEREFROM.
DOC.		DOCUMENT
K.C.R.		KERN COUNTY RECORDER
O.R.		OFFICIAL RECORD
	---	NATURE TRAIL, PASEO AND LANDSCAPE EASEMENT
	---	PROPOSED BLOCK WALL
PE		PEDESTRIAN EASEMENT
PUE		PUBLIC UTILITIES EASEMENT
	---	SECTION LINE/MID-SECTION LINE
	---	SUBDIVISION BOUNDARY
	---	WAIVER OF DIRECT ACCESS
#		TYPICAL STREET SECTION PER SHEET 1



PROJECT SURVEYOR:

Kristie M. Achee, P.L.S. 8189
DATE: 12/01/2022



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TENTATIVE TRACT NO. 7421

MERGER AND RE-SUBDIVISION OF LOT 172 OF TRACT MAP NO. 7332, PHASE 2 RECORDED JULY 28, 2020, IN BOOK 64 OF MAPS, PAGES 67 THROUGH 78, IN THE OFFICE OF THE KERN COUNTY RECORDER AND THE REMAINDER OF LOT 84 OF TRACT MAP NO. 7314, PHASE 1 RECORDED MARCH 26, 2019, IN BOOK 63 OF MAPS, PAGES 48 THROUGH 54, IN THE OFFICE OF THE KERN COUNTY RECORDER, AS SHOWN ON TRACT NO. 7319, PHASE 3 RECORDED JULY 8, 2021, IN BOOK 65 OF MAPS, PAGES 4 THROUGH 6, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN THE NORTH HALF OF SECTION 31, TOWNSHIP 28 SOUTH, RANGE 27 EAST, M.D.M., IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA. SEPTEMBER 2022

NOTES:

- SEE SHEET 3 FOR PROPOSED DIRECTION OF STREET FLOW.
- OVERHEAD ELECTRIC LINE AND POLES TO BE ABANDONED.

SEE SHEET 4



WELL:

- W NATURAL GAS CORPORATION OF CALIFORNIA "KAISER LERDO" 1, A.P.I. NO. 029-78467, (1,000 FEET SOUTH AND 2,535 FEET WEST FROM THE NE CORNER SEC. 31-28/27) PLUGGED & ABANDONED DRY HOLE JUNE 1986

EASEMENTS:

- 2 EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES IN FAVOR OF THE CITY OF SHAFTER PER DOCUMENT NO. 221104649 OF OFFICIAL RECORDS, RECORDED JUNE 3, 2021.
- 4 EASEMENT FOR STREET AND PUBLIC UTILITY PURPOSES IN FAVOR OF THE CITY OF SHAFTER PER TRACT NO. 7332, PHASE 2, BOOK 64 OF MAPS, PAGES 67 THROUGH 78, KCR.

SEE SHEET 6

MERGER AND RE-SUBDIVISION OF LOT 172 OF TRACT MAP NO. 7332, PHASE 2 RECORDED JULY 28, 2020, IN BOOK 64 OF MAPS, PAGES 67 THROUGH 78, IN THE OFFICE OF THE KERN COUNTY RECORDER AND THE REMAINDER OF LOT 84 OF TRACT MAP NO. 7314, PHASE 1 RECORDED MARCH 26, 2019, IN BOOK 63 OF MAPS, PAGES 48 THROUGH 54, IN THE OFFICE OF THE KERN COUNTY RECORDER, AS SHOWN ON TRACT NO. 7319, PHASE 3 RECORDED JULY 8, 2021, IN BOOK 65 OF MAPS, PAGES 4 THROUGH 6, IN THE OFFICE OF THE KERN COUNTY RECORDER, LOCATED IN THE NORTH HALF OF SECTION 31, TOWNSHIP 28 SOUTH, RANGE 27 EAST, M.D.M., IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA.

SEPTEMBER 2022

	(XXX)	EXISTING CONTOURS IN FEET
FL		PROPOSED FLOWLINE
FNC CL		EXISTING FENCE, CHAINLINK
		EXISTING HINGE LINE
IRR VLV		EXISTING IRRIGATION VALVE
SP		EXISTING STAND PIPE
		EXISTING TOE LINE OF SLOPE
WV		EXISTING WATER VALVE

DOC. DOCUMENT
K.C.R. KERN COUNTY RECORDER
O.R. OFFICIAL RECORD

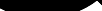
 TYPICAL STREET SECTION PER SHEET 1

② IRREVOCABLE OFFER OF DEDICATION TO THE CITY OF
SHAFTER FOR STREET AND PUBLIC UTILITIES PER
DOCUMENT NO. 221104649 OF OFFICIAL RECORDS,
RECORDED JUNE 3, 2021.

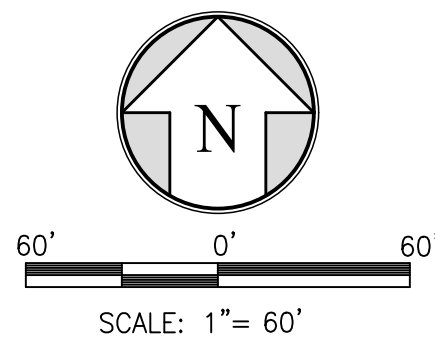
1. SEE SHEET 3 FOR PROPOSED DIRECTION OF STREET FLOW.



Kristie M. Achée
KRISTIE M. ACHEE, P.L.S. 8189



5080 CALIFORNIA AVE., STE. 220 TEL: (661) 616-2600
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SHEET 6 OF 6

ATTACHMENT “B”

CONDITIONS OF APPROVAL TENTATIVE TRACT NO. 7421

GENERAL

1. The owner(s) or project proponents (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers and employees regarding any legal or administrative action, claim or proceeding concerning approval of Tentative Tract No. 7421 and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City's reasonable approvals. Developer shall also reimburse the City, its agents, legislative bodies, officers and employees for any judgments, amounts paid in settlements, court costs and attorneys' fees which the City, its agents, legislative bodies, officers and employees may be required to pay or otherwise pay as a result of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer’s obligations under these conditions of approval (hereinafter referred to as “Conditions”).
2. The developer/applicant or the developer/applicant’s engineer shall submit a list of all contractors and/or subcontractors performing work on this project to the City Administrative Services Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City of Shafter.
3. The following disclosure shall be given as part of transfer of properties: “All your real property is near property used for agricultural operations, you may be subject to inconveniences or discomforts arising from such operations on any 24-hour basis. Said discomforts may include, but not be limited to equipment noises, odors from manure or other chemicals, and dust or smoke. The City has determined that the use of real property for agricultural operations is a high priority and favored use to the City and Kern County and will not be considered a nuisance for those inconveniences or discomforts arising from agricultural operations, provided such operations are consistent with accepted customs, standards, and laws.”
4. Until all portions of the tentative tract have been developed, all vacant and undeveloped land, not being actively farmed, shall be maintained in a weed-free and clean manner by the developer/applicant/property owner. Should said property not be so maintained, the City shall notify property owner that the property is to be cleaned within thirty (30) days of receipt of said notice. If property owner does not comply within the required time frame, City may then clear the land and bill the property owner for expenses incurred.

5. Unless a final map is recorded, this tentative tract shall expire twenty-four (24) months from the date of approval by the City Council, unless an extension is granted by the City Council. Should an extension be requested, Developer, not less than sixty (60) days prior to the expiration date, shall submit to the City, the applicable processing fees and a completed application requesting an extension of the map approval in accordance with the provisions of City Code and the Subdivision Map Act. PLEASE NOTE: This will be the only notice given for the above specific expiration date. The applicant is responsible for initiating an extension request.
6. All construction and development shall be consistent with the City of Shafter Gossamer Grove Specific Plan and Tract No. 7421.

PLANNING

7. Prior to initiating any grading or earthmoving within Tentative Tract No. 7421, the developer shall provide the City of Shafter Planning Department with written confirmation from the San Joaquin Valley Air Pollution Control District that the proposed development is in compliance with the requirements of the District's Rule 9510.
8. The developer/applicant shall be required to permanently maintain all landscaping, except for landscaping included in the Landscape and Lighting Maintenance District, including the replacement of any trees or shrubs that do not survive.
9. Approved street names are as follows: Community Drive, Eagle Creek Drive, Emerald Grove Drive, Seco Canyon Way, Riverfawn Court, Gladehill Court, Castle Hill Court, Redwood River Lane, and Spring Manor Drive.
10. Approved access shall be provided for each lot in accordance with City standards.
11. All roof-mounted air conditioning equipment shall be located on the rear portion of the roof ridge line in such a manner as to be screened as much as practical from view from public streets.
12. With the exception of model houses, as provided in Section 3.080, Chapter 3, Title 16 (Subdivision Ordinance) of the Shafter Municipal Code, no building permit shall be issued by the City of Shafter until Tract No. 7421 has been recorded pursuant to the requirements of Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Shafter Municipal Code.
13. If Condition No. 138 is initiated by the developer and executed by the City of Shafter, no building permit shall be issued until wet utilities have been installed, an all-weather surface roadway is completed on the subject property, and survey stakes or other form of temporary documentation will be provided for, and approved by the Building and Safety Inspector, to verify building location. Missing stakes or other temporary documentation will result in delays in inspection schedule.

14. All existing dry hole, idle, and active oil wells, as identified by the California Department of Conservation/Division of Oil, Gas, and Geothermal Resources (CDC-DOGGR), shall be plotted as details on the final map.
15. The following note shall appear on the final map and all grading and construction plans:
 - a. If during grading or construction, any plugged, abandoned, or unrecorded oil or gas wells are uncovered or damaged, the California Department of Conservation/Division of Oil, Gas, and Geothermal Resources (CDC-DOGGR) shall be contacted to inspect and approve any remediation required.
 - b. If any abandoned water wells are located within the development or discovered during excavation or grading, the Kern County Public Health Department - Environmental Health Services Program must be contacted to obtain information for the proper permitting and destruction procedures.
16. During grading operations, all activity shall be restricted to periods of low wind to reduce dust emissions. Verification of compliance will be the responsibility of the City of Shafter Building Inspection Division.
17. The developer of Tract No. 7421 shall comply with all San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) requirements while grading and developing the site. It is the developer's responsibility to contact the SJVUAPCD to determine with which requirements/rules the developer must comply.
18. The recommendations of the archaeological and traffic studies shall be implemented by the developer during construction and development of Tentative Tract No. 7421.
19. The following avoidance and minimization measures recommended in the biological assessment, prepared by QK and dated October 7, 2022, shall be implemented by the developer during construction and development:
 - a. Project construction activities should be limited to daylight hours.
 - b. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers
 - c. Pets should not be permitted on the Project site during construction.
 - d. Prior to the initiation of ground disturbing activities, a qualified biologist should conduct a species-specific awareness training session with all personnel that will be working on the Project site. The training session should consist of a brief presentation by persons knowledgeable in San Joaquin kit fox biology and legislative protection to explain endangered species concerns to personnel involved in the Project. The training session should include the following: a description of the species that could potentially be found on the Project site and their habitat needs; an explanation of the status of the species and their protection under the Endangered Species Act(s); and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the Project site.

- e. A pre-construction survey should be conducted 14 to 30 days prior to ground breaking to ensure that no special-status species have moved onto the Project site and could be subject to Project-related impacts.
- f. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the Project site.
- g. It is highly recommended that all equipment staged at the Project site be checked every morning to ensure no special-status species have taken refuge in the equipment overnight.
- h. To prevent inadvertent entrapment of special-status species or other animals during construction of the Project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed.
- i. Some special-status species, such as kit fox and burrowing owls, are attracted to den-like structures such as pipes and may enter stored pipes becoming trapped or injured. All pipes, culverts, or similar structures with a diameter of 3 inches or greater that are stored at the Project site for one or more overnight periods shall be thoroughly inspected for special-status species before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a special-status species is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the agency approved biologist, the pipe may be moved once to remove it from the path of activity, until the fox has escaped.
- j. The USFWS and CDFW should immediately be notified if a dead, injured, or entrapped San Joaquin kit fox is found. Work in the immediate area should be temporarily halted until further notice from USFWS and CDFW. Any entrapped San Joaquin kit fox shall be permitted to escape.
- k. Pre-construction clearance survey of the project area and a 100-foot buffer of the project area shall be conducted no more than 14 days prior to the start of ground disturbance activities. If more than 30 days lapse between the time of the pre-construction survey and the start of ground-disturbing activities, another pre-construction survey must be completed. If known kit fox dens are found in the project area, a no work zone of 100-foot radius will be observed. Potential or atypical dens will require a 50-foot radius no work zone. Natal dens within the project area will require USFWS and CDFW consultation.
- l. If burrowing owls are present on the construction sites (within 250-feet of the construction sites) during the breeding season (April 15 through July 15), and appear to be engaged in nesting behavior, a fenced buffer shall be installed according to standard recommendations (CDFW 1995) between the nesting site or active burrow and any earthmoving activity or other potential disturbance.
- m. Should active nests for tree nesting species be observed, avoidance measures may be required to ensure that nest abandonment does not occur. Typically, avoidance buffers are required by CDFW and USFWS up to 500 feet for raptor nests and up to 250 feet for other bird nests to avoid "take" (i.e., disturbance causing nest abandonment, or death). A biological monitor shall be present to monitor any nests present when work is conducted within the respective standard avoidance buffer areas.

20. Tract Map No. 7421 shall be subject to Development Agreement No. 15-13, as adopted by Ordinance No. 669 for traffic impact fees, or as it may be amended by the City Council.
21. All utilities shall be designed and constructed in such a way as to allow for them to be extended into any future residential development areas north, west, or south of Tract 7421 with minimal disruption to residents within the Gossamer Grove development.
22. The drive approaches on the following lots shall be installed as specified:
 - a. *Lot 11 – southeast corner of lot on Spring Manor Drive*
 - b. *Lot 12 - west side of lot on Castle Hill Court*
 - c. *Lot 29 – west side of lot on Castle Hill Court*
 - d. *Lot 30 - northeast corner of lot on Spring Manor Drive*
 - e. *Lot 33 – southeast corner of lot on Spring Manor Drive*
 - f. *Lot 34 - west side of lot on Gladehill Court*
 - g. *Lot 46 - west side of lot on Gladehill Court*
 - h. *Lot 54 - northeast corner of lot on Spring Manor Drive*
 - i. *Lot 57 – southeast corner of lot on Spring Manor Drive*
 - j. *Lot 58 - west side on Seco Canyon Way*
 - k. *Lot 59 – east side on Seco Canyon Way*
 - l. *Lot 60 – east side on Seco Canyon Way*
 - m. *Lot 88 – north side on Spring Manor Drive*
 - n. *Lot 89 – east side on Redwood River Lane*
 - o. *Lot 97 – east side on Red River Lane*

BUILDING

23. Prior to issuing a certificate of occupancy for any building, building address(es) shall be permanently installed and be clearly visible from the street.
24. No final inspection or issuance of a certificate of occupancy shall be approved for any lot until all required improvements have been completed by the developer/applicant and accepted by the City.
25. Developer shall pay all development fees and impact fees adopted by the City in effect at the time of issuance of any building permits.
26. Developers shall comply with the latest California Building Code, Mechanical Code, Plumbing Code, Electrical Code, Fire Code and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits.
27. Prior to issuance of each building permit for houses within Tentative Tract 7421, developer shall submit a site plan to the City Planning Department for review and approval. The site plan shall reference the floor plan layout and building elevations, for each of the single-family residences to be constructed within Tentative Tract 7421.
28. Private drives constructed of Portland cement concrete shall be constructed at a minimum width of 16 feet from the edge of public roadway pavement to the garage of each home.

29. A landscaping plan, including design of a permanent irrigation system, shall be submitted to and approved by the Planning Director. Said approved landscape and irrigation plan shall be implemented prior to receiving a final inspection for any house constructed within the subdivision. All landscaping is subject to the requirements for landscaping contained herein these conditions and with City Standards. Landscaping shall include an irrigation system for both the front-yard and the street side-yard (where applicable) provided the street side-yard is not obscured from sight from an adjacent street by fencing, for each lot within the subdivision. Landscaping shall comply with current State guidelines for residential landscaping.
30. Fiber Optic Installation for Dwelling Units: Owner agrees to install in each dwelling unit the following fiber optic requirements:
- a. Install a dedicated City Fiber Enclosure adjacent to the other utility enclosures or a Common Communication Enclosure (collectively "Utility Enclosure") for the proposed communications utilities (phone, cable, fiber, etc.). The enclosure type shall be Benner-Nawman 14326W-UL or as approved by the City. The Utility Enclosure may face the garage exterior or interior and shall include one 120-volt, 15-amp convenience receptacle mounted inside the enclosure on either side wall with the outlets facing horizontally. The receptacle power shall be protected by a ground fault circuit interrupter (GFCI).
 - b. Install a wireless-transparent 28-30 inch or 42-inch Structured Media Enclosure ("Media Enclosure") of type Legrand 30" ENP3050 or 42" ENP4250, Leviton 30" 49605-30W, Primex Verge 30" P3000 or 42" P4200 or as approved by the City in a master bedroom closet wall or a laundry room wall furthest from the water supply and maintain a minimum 48-inch horizontal clearance between and 24-inch clearance above any metallic appliances or accessories. The enclosure shall include one 120-volt, 15-amp convenience receptacle located inside the enclosure.
 - c. Install a conduit pathway from the Utility Enclosure to the Media Enclosure with a minimum of one (1) 1-inch diameter non-metallic, flexible conduit which shall maintain a minimum 36-inch bend radius and protrude a minimum of 6-inches into the enclosures. The conduit shall be marked with orange Tyvek or plastic tags, labeled "City Fiber Use Only" and "661-746-5000", tie wrapped to the conduit in plain view within the enclosures.
 - d. Install a continuous conduit without breaks or couplings from the existing City Fiber Distribution Enclosure located in the right-of-way ("Distribution Enclosure") to the bottom side of the Utility Enclosure. The conduit shall be installed a minimum of 36-inches below grade, protrude a minimum of 12-inches into the Utility Enclosure, be orange in color, and be factory labeled "City of Shafter 661-746-5000". If the conduit does not have an integrated tracer wire, a continuous external #12 AWG solid-conductor tracer wire with high-density polyethylene insulation rated for direct burial shall be installed along with the conduit leaving a minimum 15-feet of slack coiled in the Distribution Enclosure and 3-feet of slack coiled in the Utility Enclosure. The conduit and tracer wire shall be inspected by a City of Shafter Public Works Department representative before shading and backfilling.

- i. After backfilling, the conduit shall be mandrel tested between the Distribution Enclosure and the Utility Enclosure. All conduits 1/2-inch or larger shall require mule tape or equivalent installed. Mule tape shall be slack (no tension) and fastened to the plug or cap. Innerducts and Microducts shall have the pull string completely removed before being tested with a ball bearing. The testing process shall be witnessed by a City of Shafter Public Works Department representative.
 - ii. Couplings shall be used to repair damaged or short conduit only if approved by the City. Conduit couplings shall be an air-tight, water-tight, push-on compression fitting approved by the City. Tracer wire couplings shall be an air-tight, water-tight, twist or compression connector approved by the City. Coupling integrity shall be inspected by a City of Shafter Public Works Department representative.
- e. Category 6 Unshielded Twisted Pair (CAT 6 UTP) cable (or as approved by the City) shall be installed according to industry standards and the requirements below and shall not be pinched, stapled, bent sharply, or crossing any sharp, unprotected edges:
 - i. Install minimum of three (3) cables from the Utility Enclosure to the Media Enclosure.
 - ii. Install the following connection points terminated to a CAT 6-rated 8P8C (RJ-45) jack within a single-gang low voltage wall box, using the ANSI/TIA-568 T568A termination standard:
 - 1. Minimum of two (2) connection points to every entertainment center, kitchen, master bedroom, kitchenette, office, den, etc.
 - iii. Install one (1) or more Wi-Fi Access Point (WAP) ceiling mounting locations (as approved by the City) on each floor such that no exterior wall is more than 30-feet from any WAP mounting location. Each WAP mounting location shall include a single-gang, low voltage wall box through which a single CAT 6 UTP cable with a minimum three (3) feet of slack shall be terminated with a CAT 6-rated 8P8C (RJ-45) plug for connecting to a WAP.

ENGINEERING

- 31. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer. The contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
- 32. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
- 33. A ten (10) foot public utility easement, as shown on the tentative map, shall be provided in the front of all lots and on the street side of all corner lots as requested by the utility companies and the City Engineer. Width may be reduced to 8 feet with City Engineer approval. Easements shall be granted with the final map.

34. Pedestrian easements shall be provided wherever sidewalks and other public walking paths are to be constructed outside the proposed public rights-of-way. The minimum width of the pedestrian easements shall be one (1) foot.
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. Such approval will be made in writing, upon written request of the applicant 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 applicant and accepted by the City.
39. All new utilities shall be underground service.
40. Prior to the issuance of a Certificate of Occupancy on any lot of Tract No. 7421, all required improvements shall be completed and accepted by the City of Shafter. Required improvements shall be those improvements necessary to provide adequate City Services to the subject lot as determined by the City Engineer.
41. All improvements shall be complete within one (1) year from the date of filing of the final map for the development, unless a time extension is granted by the City Engineer. Timing of improvements shall be subject to approval of the City Engineer.
42. Type and location of centralized mail delivery units shall be determined by the postal service. If the postal service requires special easements for the placement of the delivery units, then said easements shall be shown on the final map.
43. All road, landscaping, trail, sidewalk, block wall, and paseo improvements, required by and consistent with Tentative Tract 7421 and the Gossamer Grove Specific Plan, shall be constructed by the developer and approved by the City of Shafter prior to recordation of the final map or shall be included as a public improvement in the subdivision improvement agreement. Wall plans, materials, and dimensions shall be consistent with the requirements of the Gossamer Grove Specific Plan and Tentative Tract 7421 and shall be approved by the City of Shafter prior to construction. Timing of improvements shall be subject to approval of the City Engineer.
44. Developer shall place the entire subdivision within a new or add to an existing Landscape/Lighting Maintenance District prior recordation of the final map and prior to acceptance of improvements by the City of Shafter. The maintenance district shall be set-up to cover the cost of street lighting, drainage basin maintenance, landscaping

maintenance, and park maintenance, as well as all administrative costs associated with the City of Shafter's management of the District.

- a. The developer shall be required to cover the cost of street lighting, maintain all landscaping, park maintenance, including the replacement of any trees or shrubs that do not survive, within public right-of-way and landscape easements for a period of one (1) year after final inspection of the landscape improvements, or until such time as the maintenance district is formed, whichever shall occur last.
 - b. Developer shall be fully responsible for the formation, and formation cost of the Landscape/Lighting District, as directed by the City Engineer.
 - c. Developer shall be fully responsible for paying the cost of water for all landscaping and electricity for the street lights until such time as the maintenance district is formed.
45. Engineered plans and building permits are required for all block walls greater than 6-feet in height.
46. Developer shall design and install a system of conduits, terminal enclosures, distribution enclosures, splice enclosures, connection points, and hand holes for a fiber optic network to each buildable lot within the development. Design and material specifications are available from the City of Shafter. Plans shall be submitted and approved by the City of Shafter, prior to recordation of the final map, showing the proposed utility trench and all appurtenant hardware. The design shall include the following minimum specifications:
 - a. A combination of fiber optic conduits shall minimally include 4" SDR-11 HDPE, 2" SDR-11 HDPE, 7-Way bundled HPDE innerduct with attached tracer wire, and direct-bury HDPE Microduct with attached tracer wire. Fiber optic conduits may be joint trenched with other utility company pipes and/or conduits.
 - b. All underground fiber optic conduits, innerduct bundles, Microducts, etc. shall be factory-labeled "City of Shafter 661-746-5000". Conduits shall be identified by a permanent marking, with the address number of the residence they serve, within the distribution enclosures.
 - c. All underground fiber optic conduit paths shall have tracer wire. If the conduit does not have an integrated tracer wire, a continuous external #12 AWG solid-conductor tracer wire with high-density polyethylene insulation rated for direct burial shall be installed along with the conduit leaving a minimum 15-feet of slack coiled in the endpoint enclosures.
 - d. The ends of all fiber optic conduits, innerducts, and Microducts shall be plugged or capped to prevent dirt, debris, or foreign objects from entering.
 - e. After backfill and compaction, all conduits shall be checked for obstructions, and re-excavated and repaired or replaced as required. Conduits 1/2-inch or larger shall require mule tape or equivalent installed. Mule tape shall have a minimum 2' slack

at each end which shall be fastened to a tie-off loop on the inside of the plug or cap. Mule tape tie-off and tension check to be witnessed shall be witnessed by a City of Shafter Public Works Department representative. Innerducts and Microducts shall be mandrel tested while being witnessed by a City of Shafter Public Works Department representative.

f. A combination of underground utility enclosures shall minimally include 36"W x 60"L x 36"D polymer concrete enclosures with dual torsion covers, 36"W x 36"L x 24-36"D and 24"W x 36"L x 24-36"D High Density Polyethylene (HDPE) enclosures.

g. All underground utility enclosures shall be factory-stamped "City Fiber".

47. Prior to construction, all improvement plans and landscaping plans shall be approved by the City of Shafter.
48. The side-yard fences along public streets shall consist of a masonry block retaining wall, or other material as approved by the City Engineer, topped with a wooden fence. Sufficient area behind the sidewalk shall be provided to accommodate the installation of community mailboxes, where required by the US Postal Service.
49. The final subdivision map proposed for recordation shall be in substantial conformance with the approved tentative map.
50. The final subdivision map shall be drawn to tie the project to the existing monuments in Seventh Standard Road.

ENGINEERING: GRADING & DRAINAGE

51. Prior to review of any required improvement plans, both a drainage/hydrology study and a grading plan shall be submitted to and approved by the City Engineer. A master grading plan covering Tentative Tract 7421 shall be submitted and approved. Future development plans shall be based upon the approved master plan. Any deviation from the approved master plan will require the approval of the City Engineer.
52. The drainage/hydrology study and hydraulic analysis for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. The study shall demonstrate that any potential run-off will not impact surrounding properties. The study shall focus on the project property and any affected adjacent properties.
53. A soils report, prepared by a registered civil engineer shall be submitted along with the grading plan. Soils report shall be performed in compliance with the latest edition of California Building Code, Chapter 18. In addition, all site grading, earthwork and building design shall be performed in accordance with the recommendations of the soils report.
54. A grading permit shall be obtained from the City prior to commencement of any grading activity.

55. Prior to issuance of a building permit, the developer shall file a “Rough Grade Certificate” with the City in accordance with the City Engineering Design Standards. Rough Grade Certificate shall be accompanied by certified soil compaction test data from an acceptable materials testing company and a certificate that the rough grade is in substantial conformance with the approved grading plan and Chapter 33 of the California Building Code. Developer to obtain “Rough Grade Certificate” form from the City.
56. Prior to final approval, acceptance of work, or issuance of Certificate of Occupancy, the developer’s engineer shall file a “Final Grade Certificate” stating that all required grading has been done in accordance with the approved grading plan. Developer to obtain “Final Grade Certificate” form from the City.
57. The location and frequency of soils compaction testing shall be per the City Engineer. Soils compaction testing shall be provided by the developer/owner.
58. Minimum slopes across any flat surface shall be 1%. For slopes less than 1%, surface drainage shall be channeled into a concrete v-gutter, curb and gutter, underground storm drain, or similar drainage structure.
59. All building pads shall provide a minimum of 2% slope away from each house to an earth swale, and a minimum of 1% from the highest point in the swale to the street. A four-inch landscape drain may be used to replace the earth swale. The minimum pad height shall be twelve (12) inches above the adjacent curb.
60. Street side corner lots shall not have their side yard slope (finish grade to back of sidewalk) exceed 4 horizontal: 1 vertical. If maximum slope is exceeded, side yard shall be retained in an approved manner.
61. Wood retaining structures shall not be approved. Developer shall use masonry, keystone, concrete, or other approved material.
62. Engineered off-site drainage plans for Tentative Tract 7421 shall be submitted to and approved by the City of Shafter prior to recordation of the final map. The approved drainage facilities shall be constructed and approved by the City of Shafter prior to issuance of building permits.
63. All storm drain pipes and manholes shall be installed with the street paving. Catch basin shall be installed per city standards.
64. Drainage Basin:
 - a. Developer shall utilize the existing drainage basin constructed on Lot 3 of Tract No. 6761. Developer shall provide calculations showing estimated storm flows from Tract 7421 are consistent with previous studies the developer used to size storm drain outfalls that Tract No. 7421 will utilize.

- b. All covenants, conditions, and restrictions contained within the document entitled "Statement of Covenants Affecting Land Development for Temporary Storm Drainage Facilities on Lot 3 of Tract Map No. 6761," Document No. 0216047535 recorded 4/18/2016 are in effect.
- 65. The number and location of cross gutters allowed, if any, will be determined during the grading and drainage review process. The minimum grade for allowed cross gutters shall be 0.6%.
- 66. Grading onto adjacent property shall not be done without written permission from the adjacent property owner.
- 67. The Office of the City Engineer shall be notified 24 hours in advance of the placement of any fill material.
- 68. Fill and/or import material shall be subject to the approval of the soils engineer.
- 69. Developer is responsible for the grading of lot pad areas to within 0.1-foot of the design elevations.
- 70. All areas in the site on which structures are to be placed must be compacted to 90% relative density, for a minimum distance of 5-feet in all directions from the foundations of the structure.
- 71. All fill material shall be moisture conditioned to at least 2% above optimum moisture and compacted to 90% relative density, as determined by test methods referenced in California Building Code, appendix Chapter 33, Section 3305, and so certified by test and report from the soils engineer.
- 72. The design engineer shall exercise sufficient supervisory control during grading operations to ensure compliance with the plans, specifications, and code within his purview.
- 73. The placement of fill shall be in 6-inch maximum lifts, compacted with heavy compaction equipment approved by the City Engineer, unless specifically recommended otherwise in the preliminary soils report.
- 74. Compaction in proposed pavement areas should be per City standards and should extend to a minimum distance of 2-feet beyond the outside edges of pavement.
- 75. All cut and fill slopes shall not be steeper than 2 horizontal to 1 vertical.
- 76. All fill areas to be cleared of all vegetation and other unsuitable materials for a structural fill and the areas shall be scarified to a depth of 6-inches, unless specifically noted otherwise in the preliminary soils report.
- 77. All slopes in excess of three (3) feet shall be prepared and maintained to control against erosion.

78. Grading work shall be supervised as engineered grading in accordance with Chapter 33 of the California Building Code.
79. During grading, reasonable searching should be performed for concealed subsurface obstructions. All abandoned subsurface obstructions should be removed. If terminus of any abandoned piping is outside the project limits, the piping should be removed within the project and properly capped at the project boundary.
80. Developer's attention is directed to the provisions of SJVAPCD's Regulation VIII - Fugitive PM 10 Prohibitions, which requires the submission of a Dust Control Plan for certain construction projects. Developer shall comply with all applicable SJVAPCD rules and regulations including the submission of a Dust Control Plan as may be applicable. Current SJVAPCD rules and regulations are available online at <http://www.valleyair.org/rules/1ruleslist.htm>.
81. It shall be the Developer's responsibility to prevent a dust nuisance from originating from the site of the work as a result of his operations. Preventative measures to be taken by the Contractor shall include but shall not be limited to the following:
 - a. Water shall be applied to all unpaved areas as required to prevent the surface from becoming dry enough to permit dust formation.
 - b. Paved surfaces over which vehicular traffic is permitted to travel shall be kept free of dirt.
 - c. Temporary suspension of the work, either as a result of order by the Engineer or as a result of conditions beyond the control of the Contractor shall not relieve the Contractor from his responsibility for dust control as set forth herein.
82. Any temporary drainage basin serving the subdivision shall be surrounded with a chain link fence.

ENGINEERING: WATER/FIRE

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

natural trail areas and not along residential property frontages. This requirement is subject to the approval of Oildale Mutual Water.

85. To the greatest extent possible, wet utilities (sewer, water, storm drain) shall be installed between the flowlines on all streets.
86. Fire protection shall be provided per Kern County Fire Department Standards for the type of development. A Certificate of Approval shall be obtained by the applicant from the Kern County Fire Department. Evidence of this Certificate of Approval shall be provided to the City prior to acceptance of the water system by the City.
87. Prior to installation, all water improvement plans shall be reviewed and approved by the Kern County Fire Department.
88. Water line size, location and materials shall be subject to the approval of the City Engineer. Minimum water line size shall be in accordance with the Subdivision and Engineering Design Manual.
89. Whenever possible, the water system shall be looped to minimize dead ends.
90. Separate dual water services shall be installed for each residential property.
91. No permanent structures shall be constructed over proposed or existing utility easements.
92. Prior to issuance of a building permit, water mains and fire hydrants to be installed by applicant shall be completed, tested, and accepted (UFC 10.502, 10.503).
93. The developer shall provide AWWA approved fire hydrants that comply with Kern County Development Standards (Clow 850 or equivalent).
94. The required fire hydrants shall be placed a maximum of 660 feet apart throughout the tract for firefighting purposes. Final hydrant locations shall be approved by Kern County Fire prior installation.
95. The developer shall install reflective markers to identify hydrant locations pursuant to California Health and Safety Code 13060.
96. The required fire hydrants shall provide a minimum fire flow of 500 gallons per minute for one hour at 20 psi residual pressure.
97. The water system for the required fire hydrants shall be looped, if practicable.
98. The developer shall install the required water, access and street signs prior to issuance of any building permit.
99. A fire flow test shall be performed and approved by the Kern County Fire Department prior to issuance of any building permit and before any Certificates of Occupancy are issued.

The Kern County Fire Department shall be contacted for a fire flow test and approval prior to the commencement of construction.

ENGINEERING: SEWER

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

ENGINEERING: STREET & TRAFFIC

108. Developer shall construct and provide right-of-way for all streets, curb, gutter, cross gutter, drainage facilities, sidewalks, walls, landscaping, street lights, drive approaches, intersections, and other related improvements consistent with Tentative Tract 7421 and the Gossamer Grove Specific Plan. Developer shall submit street improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and shall include: Preliminary soils report, preliminary engineer's estimate of construction costs; and plan check and inspection fees.
109. Additional rights of way easements or dedications necessary for street and/or public utility improvements located outside the tract boundary shall be granted to the City of Shafter prior to map recordation.
110. The drawings shall include all proposed public street pavement, curb, gutter, driveways, street lights, cross gutter, catch basins, striping, signage, traffic signals, and sidewalks

along the perimeter of all streets adjacent to or within the project site. Said improvements shall be constructed as per the street improvement plans approved by the City Engineer in a manner consistent with the Subdivision and Engineering Design Manual.

111. All local streets shall be developed as full-width streets in accordance with standards and specifications of the Gossamer Grove Specific Plan and the City of Shafter, as approved by the City Engineer. All local streets shall be fifty-two (52) feet full right-of-way with forty (40) feet flowline to flowline.
112. Additional Street Requirements:
 - a. Developer intends to continue to use a modified 4.5-inch wedge shaped curb along home frontages similar to City of Fresno Standard P-9. City of Shafter agrees to the use of this 4.5-inch wedge shaped curb provided developer supplies a slip form for a 4.5-inch wedge shaped curb that is consistent with the City of Shafter standard 6-inch curb. Final dimensions are subject to City of Shafter approval. This modified curb shall be used on residential lot frontages only.
113. Should a street transition to another street with a ninety (90) degree turn occur, that transition shall be a street knuckle and shall be shown on the final tract map and in the street improvement plans.
114. Cul-de-sac and street knuckle dimensions and radii to conform to the Subdivision and Engineering Design Manual and/or as approved by the City Engineer. The use of off-set cul-de-sacs is approved provided they meet the requirements of the City of Shafter.
115. Street signs shall be installed per City standards as required by the City Engineer.
116. During construction, the developer shall maintain the project, including all adjacent streets in a dust free condition. This condition applies at all times including weekends, evenings, and night time hours. During construction operations, cleanup of soil from the public roadways shall be required, if deemed necessary, by the City Engineer.
117. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be at a depth as approved by the City Engineer.
118. Driveway approaches shall be constructed in a manner consistent with the requirements for residential approaches as set forth in the City's Subdivision and Engineering Design Manual or as permitted by the City Engineer.
119. Sidewalk, including curb, shall be five (5) feet wide and shall be placed behind the curb, or as specified by the Gossamer Grove Specific Plan. Transitions at intersections and wheelchair ramps shall be provided and installed per the City's Subdivision and Engineering Design Manual.
120. Monument and monument covers shall be set per City Standards.

121. Temporary turnarounds, if required, including right-of-way, shall be granted, designed, and installed per the Subdivision and Engineering Design Standards.
122. Property line locations shall be marked with a chiseled line on the top of curb for all property lines. The location of all sewer laterals shall be indicated on the top or face of curb with a stamped "S".
123. Street lighting shall be installed in accordance with the City Engineering and Subdivision Design Manual as directed by the City Engineer. Developer shall coordinate with Pacific Gas & Electric to ensure that the street lights are established under the LS-2A rate schedule.
124. Secondary access easements shall be provided at the request of the City Engineer. Within any given phase of development, secondary access easements and improvements shall be provided in a manner approved by the City Engineer. Access roads shall be twelve (12) feet in width and shall consist of three (3) inches of Class II aggregate base over six (6) inches of native material compacted to 90% relative maximum density.
125. A waiver of direct access shall be dedicated and shown on the final map as follows:
 - a. Lots 1-10, west side against Emerald Grove Drive and/or Eagle Creek Drive
 - b. Lots 13-21, south side against Emerald Grove Drive and/or Eagle Creek Drive.
 - c. Lots, 21, 22, 40, 41, 51,52, 59, 60, west side against Lot B.
 - d. Lot 57, north line along Seco Canyon Way
 - e. Lot 54, south line along Riverfawn Court
 - f. Lot 47, east line along Spring Manor Drive
 - g. Lot 46, east line along Spring Manor Drive
 - h. Lot 33, north line along Gladehill Court.
 - i. Lot 30, south line along Castle Hill Court
 - j. Lot 11, north line along Castle Hill Court,
 - k. Lot 1, south line along Redwood River Lane
 - l. Lot 89, west line along Spring Manor Grove
 - m. Lots 91 through 97, south line along tract boundary
 - n. Lot 97, west line along the Emerald Grove Drive.
 - o. Along the full perimeter of Lot A except where Lot A touches Emerald Grove Drive, Stone Creek Drive, Seco Canyon Way, Spring Manor Drive, Red River Lane, and the north tract boundary of Tract 7319-Phase 2

ENGINEERING: LANDSCAPING

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

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

128. Landscaping Enclosure:

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

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

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

131. Natural trails proposed for Tract 7421 shall have tread path composed of a minimum of six (6) feet wide decomposed granite or some other ADA compliant surfacing. Path of natural trail shall gently meander between the walls in a manner approved by the City. Trail grade shall be 0.50 ft higher than landscape grade. Cross slope in the tread path shall not exceed ADA standards. Grade from the tread path to the landscaped grade shall not exceed 4:1

132. Natural Trails shall be lit to an average foot-candle of 0.5 foot-candle. The purpose is to provide a minimum amount of light for usage at night. Natural trails may be lit with a combination of pole mounted lights, bollards, or similar devices. Wall mounted lights will be prohibited. Pole mounted lights shall not direct light into the residential lots or structures. Lighting shall be located near the natural trail edges so as to not be obscured by landscaping, proposed or future.

133. Landscaping within the natural trails shall be approved by the City. Separate plan sets shall be provided for Natural Trail landscaping in a manner similar to public landscaping along arterials, collectors, or other public areas. Plans shall show locations of water and electrical services necessary to serve the landscaping and lighting needs of these areas.

134. Natural trails shall be equipped with a minimal quantity of benches, trash receptacles, water fountains, picnic tables, etc. Details shall be worked out with the City during Natural trail plan approval.

135. Fencing constructed along the Lerdo Canal boundary shall be masonry wall. Height shall be 6 foot minimum.
136. Bollards or other effective obstruction shall be placed where the natural trails touch public street improvements. Bollards shall also be required at the ends of culdesacs where openings in the masonry are proposed.
137. Developer shall deed the public landscaping lots and public trail lots (Lots A & B) to the City of Shafter within 60 days of Notice of Completion for Tract 7421.

ENGINEERING: SUBDIVISION IMPROVEMENT AGREEMENT

138. The developer shall furnish the City of Shafter acceptable security to guarantee the construction of public improvements in accordance with all applicable provisions of the City of Shafter Municipal Code and the State Subdivision Map Act. The developer may enter into a subdivision improvement agreement with the City of Shafter for public improvements that are not completed at the time of Final Map approval.