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## ORDINANCE NO. 853

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA, CALIFORNIA AMENDING TITLE 9 OF THE COALINGA MUNICIPAL CODE RELATED TO ACCESSORY DWELLING UNITS, FLOODPLAIN MANAGEMENT AND DENSITY BOUNUS.

WHEREAS, Title 9 of the Coalinga Municipal code establishes regulations, requirements and standards including but not limited to: controlling the uses of land, the density of population, the uses and locations of structures, the height and bulk of structures, open spaces surrounding buildings, the areas and dimensions of lot areas and building sites, the location, size, and illumination of signs, and requiring the provision of usable open space, screening and landscaping, off-street parking and loading facilities, and;

WHEREAS, the City wishes to update Title 9 of the Municipal Code to update regulations related accessory dwelling units, floodplain management and density bonus in order to comply with state legislation related to accessory dwelling units; and

#### **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COALINGA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council finds that all the facts, findings, and conclusions set forth above in this Ordinance are true and correct.

**SECTION 2.** The City Council hereby amends Section 9-5.121 to Article 1 of Chapter 5 in Title 9 of the Coalinga Municipal Code related to Accessory Dwelling Units to read as follows:

#### ***Sec 9-5.121 - Accessory Residential Dwelling Units***

A. *Purpose and intent. This section is intended to meet the requirements of State law in providing for accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs").*

1. *This section is intended to comply with Government Code sections 65852.2 and 65852.22, as either may be amended from time to time. The standards established by this section shall be interpreted and applied consistent with the standards set forth in Government Code sections 65852.2 and 65852.22.*

2. *An ADU or JADU that complies with this section is considered an accessory use or an accessory building that does not exceed the allowable density for the lot upon which it is located.*

3. *An ADU or JADU that complies with this section is considered a residential use that is consistent with the existing general plan and zoning designations for the lot.*

4. *An ADU or JADU that complies with this section will not be considered in the application of any other local ordinance, policy, or program to limit residential growth.*

5. *ADUs and JADUs dwelling units will contribute to the needed housing to the community's housing stock and promote housing opportunities for the persons wishing to reside in the City of Coalinga.*

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6. *This section is not intended to regulate multi-generational dwelling units.*
7. *Effect of Conforming Accessory Dwelling Unit. An accessory dwelling unit that conforms to this section shall:*
- a. Be deemed an accessory use and not be considered to exceed the allowable density for the lot upon which it is located;*
  - b. Be deemed a residential use that is consistent with the City's General Plan and the zoning designations for the lot;*
  - c. Not be considered in the application of any ordinance, policy, or program to limit residential growth; and*
  - d. Not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.*
- B. *Definitions.* *The following definitions apply to the operation of this Section. To the extent these definitions conflict with definitions found elsewhere in this title, including Section 9.120.020, the definitions set forth in this Section shall control.*
- 1. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU must include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the single family or multifamily dwelling is or will be situated. An ADU may be an efficiency unit or a manufactured home, as defined.*
  - 2. "Accessory structure" means a structure permitted that is accessory and incidental to a dwelling located on the same lot.*
  - 3. "Efficiency unit" has the same meaning as defined in the California Building Code, California Code of Regulations, Title 24, Section 1207.4, which meets the following standards:*
    - a. The unit has a single living room of not less than 220 square feet of floor area for two (2) or fewer occupants and an additional 100 square feet of floor area for each additional occupant of the unit.*
    - b. The unit has a separate closet.*
    - c. The unit has a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches in front, and lighting and ventilation conforming to the California Building Standards Code.*
    - d. The unit has a separate bathroom containing a water closet, lavatory, and bathtub or shower.*

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4. *“Floor area” or “Total floor area” means the entire ground-level square footage of the structure, including the living area, as defined, and any non-habitable area within the structure, such as a garage or storage space.*

5. *“Impact fee” has the same meaning as the term “fee” is defined in Government Code section 66000(b), except that it also includes fees specified in Government Code section 66477. “Impact fee” does not include any connection fee or capacity charge.*

6. *“Junior accessory dwelling unit” or “JADU” means a dwelling unit that is no more than 500 square feet in size and contained entirely within the walls of a proposed or existing single-family residence, or other approved structure as specified in Government Code section 65852.2(e). A JADU must include the following features:*

*a. Exterior access separate from the main entrance to the proposed or existing primary dwelling or other structure.*

*b. An efficiency kitchen, which includes a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.*

*c. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure.*

7. *“Kitchen” has the same meaning.*

8. *“Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure. 3*

9. *“Multi-generational dwelling unit” means a dwelling unit, that does not include a kitchen, contained entirely within the walls of a proposed or existing single-family residence where access is not restricted between areas of the residence.*

10. *“Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards, but was a lawful improvement that did conform to the zoning standards in place at the time of the improvement.*

11. *“Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.*

12. *“Permanent provisions for cooking” has the same meaning as “kitchen.”*

13. *“Permanent provisions for sanitation” and “sanitation facilities” means a separate bathroom containing a water closet, lavatory, and bathtub or shower.*

14. *“Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.*

15. *“Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.*

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16. *“Tandem parking” means that two (2) or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.*

C. *Targeted Neighborhoods. ADUs and JADUs are allowed in residential zoning districts with alleys, unless the City makes express findings supported by substantial evidence that ADUs and JADUs cannot be permitted due to the inadequacy of water and/or sewer services, and/or the impact of ADUs and JADUs on traffic flow and/or public safety. ADUs and JADUs are subject to the normal requirements of the district. ADUs and JADUs are not permitted in nonresidential zoning districts where residential uses are not allowed.*

D. *Approvals. The following approvals apply to ADUs and JADUs under this section:*

1. *Building-Permit Only. If an ADU or JADU complies with each of the general requirements in subsection F below, it is allowed with only a building permit in the following scenarios:*

a. *Converted Space or Structure on Single-Family Lot. Only one ADU or JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:*

i. *Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure.*

ii. *Has exterior access that is independent of that for the single-family dwelling.*

iii. *Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.*

b. *Limited Detached on Single-Family Lot. One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies the following limitations:*

i. *The side- and rear-yard setbacks are at least four-feet.*

ii. *The total floor area is 800 square feet or smaller.*

iii. *The peak height above grade is 16 feet or less.*

c. *Converted on Multifamily Lot. Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages that satisfied the following:*

i. *If each converted, ADU complies with state building standards for dwellings.*

ii. *The ADU home shall be built using plans provided by the city.*

d. *Limited Detached on Multifamily Lot. No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies the following limitations:*

i. *The side- and rear-yard setbacks are at least four-feet.*

ii. *The total floor area is 800 square feet or smaller.*

2. *ADU Permits.*

a. *Except as allowed under subsection (D)(1) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth (in subsections E and F below).*

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- b. *Impact Fee.*
- i. *No impact fee is required for an ADU or JADU that is less than 750 square feet in size.*
  - ii. *Any impact fee that is required for an ADU that is 750 square feet or larger in size will be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the primary dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.*
  - iii. *Except as otherwise provided in this chapter, the construction of an accessory dwelling and junior accessory dwelling unit shall be subject to any applicable fees adopted pursuant to the requirements of California Government Code, Title 7, Division 1, Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).*
3. *Application Process and Timing.*
- a. *An ADU permit is considered and approved ministerially without discretionary review or hearing.*
  - b. *The City must act on an application to create an ADU or JADU within 60 days from the date that the City receives a completed application, unless either:*
    - i. *The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay; or*
    - ii. *In the case of a JADU, and the application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the city may delay acting on the permit application for the JADU until the City acts on the permit application to create the JADU will still be considered ministerially without discretionary review or a hearing.*
  - c. *Application Requirements. Applications for an accessory dwelling unit permit shall be made in writing by the property owner or his or her authorized agent, on forms provided by the Community Development Department, and accompanied by such data and information as may be necessary to fully describe the request including:*
    - i. *A to-scale and fully dimensioned site plan showing the proposed accessory dwelling unit or junior accessory dwelling unit and all existing structures on the property including patio covers, other accessory structures, fences and driveways;*
    - ii. *Elevations of the proposed accessory dwelling unit including building dimensions, material call outs and a color and materials sample board as requested by the Community Development Director;*
    - iii. *Photographs of the exterior of the primary residence as requested by the Community Development Director;*
    - iv. *Construction Plan. Construction plan and staging to minimize impacts on surrounding residential properties.*

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- d. *The filing and review fee shall be as prescribed by the Community Development Department. The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance.*
4. *Nonconforming ADUs and Discretionary Approval.*
- a. *Any proposed ADU or JADU that does not conform to the objective standards set forth in subsection E and F may be allowed by the City with the approval of the Community Development Director.*
- i. *The maximum size of an ADU subject to this subsection (D)(4) is 1,200 square feet, or three bedrooms.*
- b. *Findings. Before approval, the Community Development Director (or designee) must find that:*
- i. *The exterior design of the accessory dwelling unit is in harmony with, and maintains the scale of, the neighborhood;*
- ii. *If an exception to parking requirements is requested, the exception will not result in excessive parking congestion;*
- iii. *The site plan provides adequate open space usable and useful for both the accessory dwelling unit and the primary residence;*
- iv. *Where applicable, open space and landscaping provides for privacy and screening of adjacent properties;*
- v. *The location and design of the accessory unit maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, noise, light air, solar access or parking of adjacent properties; and*
- vi. *Windows that impact the privacy of the neighboring side or rear yard have been minimized. Major windows, access stairs, entry doors and decks are generally limited to the walls facing the primary residence or the alley, if applicable.*

E. *General ADU and JADU Requirements.* *The following requirements apply to all ADUs and JADUs that are approved:*

1. *Zoning.*
  - a. *An ADU or JADU subject to a building permit may be created on a lot in a residential zone with alley access.*
  - b. *An ADU or JADU subject to an ADU permit may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.*
2. *Fire sprinklers are required in an ADU*
3. *Rental Term. No ADU or JADU may be rented for a term that is shorter than 30 days.*
4. *No Separate Conveyance. An ADU or JADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).*
5. *Building and Construction.*
  - a. *An accessory unit shall meet the requirements of the building code that apply to detached dwellings, as appropriate.*

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*F. Specific ADU and JADU Requirements. The following requirements apply to ADUs that require an ADU permit under subsection (D)(2) above.*

*1. Unit Size.*

- a) If there is an existing primary dwelling, the total floor area of an attached ADU may not exceed 50 percent of the floor area of the existing primary dwelling.*
- b) The total floor area for a detached ADU may not exceed 1,200 square feet.*
- c) An attached or detached one-bedroom ADU may not be more than 850 square feet of living area.*
- d) An attached or detached ADU that provides more than one (1) bedroom may not be more than 1,000 square feet of living area.*
- e) An ADU may be an efficiency unit, as defined. A proposed ADU that does not meet the minimum requirements of an efficiency unit is not permitted.*

*2. Parking—General Requirement. Accessory dwelling units must meet the following parking standards:*

- a. At minimum at least One (1) off-street parking space per ADU is required. These spaces may be provided in setback areas or as tandem parking on a driveway. The parking space is not required to be covered.*
- b. Parking configuration, if required:*
  - i. Parking arrangements are not permitted if the Community Development Director (or designee) makes specific findings that such parking arrangements are not feasible based upon specific site or regional topographical or fire or life safety conditions.*
- c. Exceptions. Parking standards shall not be imposed on an accessory dwelling unit in any of the following circumstances:*
  - i. The accessory dwelling unit is located within one-half mile of public transit, including a public bus stop, bus station or transit station.*
  - ii. The accessory dwelling unit is located within a designated historic district.*
  - iii. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.*
  - iv. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.*
  - v. When there is an established car share vehicle stop located within one block of the accessory dwelling unit.*
- d. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.*

*3. Height.*

- a. The height of an attached ADU shall not exceed the height of the primary structure or 30 feet in height above grade, whichever is greater, measured to the peak of the structure.*

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- b. A detached ADU may not exceed 16 feet in height, above grade, measured to the peak of the structure.*
    - c. A unit above a detached garage located contiguous to an alley may not exceed 25 feet in height above grade, measured to the peak of the structure.*
  - 4. Setbacks.*
    - a. Attached and Detached Accessory Dwelling Unit. Except as provided in subsection (D)(1), an attached or detached ADU is subject to side and rear setbacks of four feet.*
    - b. Alley Adjacent Accessory Dwelling Units and Accessory Dwelling Units Adjacent to Residentially Zoned Property. Side or rear yard setbacks adjacent to an alley or residentially zoned property shall be zero feet. Parking provided off the alley shall maintain a 24-foot back out, which includes the alley.*
    - c. Garage and Accessory Building Conversion. No setback shall be required for a legally established, existing garage or accessory building that is converted to an accessory dwelling unit, provided the structure is not expanded and is subject to side and rear setbacks of four feet.*
    - d. Addition Over a Garage. A minimum side and rear setback shall apply to the newly constructed portion for an accessory dwelling unit constructed above a legally established existing garage.*
  - 5. Lot Coverage*
    - a. Lot Coverage. No ADU may cause the total lot coverage of the single-family lot to exceed 50%.*
    - b. Rear Yard Coverage. An accessory dwelling unit shall not result in more than 30% rear yard coverage as measured from the rear wall of the primary residence to the rear property line (or as measured from the average distance of the rear wall from the rear property boundary if the rear wall does not follow a straight line).*
    - c. A detached accessory dwelling unit must be ten feet away from the main residence and five feet away from any property lines.*
  - 6. Architecture Requirements.*
    - a. The materials and colors of the exterior walls, roof, and windows and doors must be the same as the appearance of the primary dwelling.*
    - b. The roof slope must be the same that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.*
    - c. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.*
    - d. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. The ADU entrance must be located on the side or rear building façade, not facing a public-right-of-way.*
    - e. Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.*



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*f. Access stairs, entry doors and decks must face the primary residence or the alley, if applicable.*

*g. A garage converted to an accessory dwelling unit shall include removal of garage door(s) which shall be replaced with architectural features, including walls, doors, windows, trim and accent details.*

*g. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the federal, state, or local register of historic places must comply with all applicable ministerial requirements imposed by the Secretary of Interior.*

*F. Occupancy and Ownership. ADUs and JADUs must comply with the following standards.*

*1. A certificate of occupancy must be issued for the primary dwelling unit before a certificate of occupancy can be issued for an ADU or JADU on the lot.*

*2. An ADU or JADU may be rented separate from the primary residence but may not be sold or otherwise conveyed separate from the primary residence.*

*3. Owner-occupancy is not required for ADUs. Owner-occupancy is required in the single-family residence in which a JADU will be permitted. The owner may reside in either the remaining portion of the structure or the newly created JADU. Owner-occupancy is not required if the owner is a governmental agency, land trust, or housing organization.*

*G. Special Provisions for Duplex Dwelling Units as Replacement Housing.*

*1. The special duplex dwelling unit provisions of this subsection shall only apply to areas within the boundaries of the City designated as a Residential Medium Density Residential (RMD) Zoning Designation.*

*2. The allowable number of new duplex dwelling units created under the provisions of this subsection shall not exceed the overall density limitations for Residential Medium Density Residential (RMD) uses, which is one dwelling unit for each six thousand (6,000) square feet of parcel area on a block-by-block basis.*

*3. A minimum parcel area of seven thousand five hundred (7,500) square feet (e.g., a typical fifty-foot (50') by one-hundred-fifty-foot (150') downtown parcel) shall be required to qualify for the specific duplex provisions of this subsection, which must meet current RMD development zoning regulations*

*4. Parcel coverage, setbacks, and other site design and building standards for the R-1 Single-Family Residential Districts shall apply to ensure that new duplex dwelling units are visually compatible with the established character of the adjoining residential neighborhood, which must meet current RMD development zoning regulations*

*5. Off-street parking, second-story limitations, and structure design shall be considered as part of the special permit review process to maintain the visual character of the area. Normally two (2) covered parking spaces shall be required for each unit, which must meet current RMD development zoning regulations.*

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6. A site plan review shall be required for duplex dwelling units and a public hearing shall be held in compliance.

H. ADUs and Regional Housing Needs Assessment. Subdivisions and multifamily housing developments developed or zoned at densities of ten (10) or more dwelling units per acre, with the ability of each lot or dwelling to construct an ADU, shall be counted in the City's Housing Element as adequate sites for affordable housing, as provided in Government Code section 65583.1(a).

I. Other. Nothing in this section shall be construed to prohibit the City from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains an ADU or JADU, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes an ADU or JADU.

**SECTION 3.** The City Council hereby amends Article 5 of Chapter 8 of Title 9 of the Coalinga Municipal Code related to Floodplain Management to read as follows:

**Sec. 9-8.501. Standards of construction.**

(a) In all areas of special flood hazards the following are required:

(1) Anchoring.

- a. All new construction and substantial improvements of structures, including manufactured homes and Accessory Dwelling Units or Junior Accessory Dwelling Units (ADU's or JADU's), shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b. All manufactured homes and ADU's and JADU's shall meet the anchoring standards of Section 9-8.504.

(2) Construction materials and methods.

- a. All new construction and substantial improvements shall be constructed:
  1. With flood resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation;
  2. Using methods and practices that minimize flood damage;
  3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and
  4. If within zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

(3) Elevation and flood proofing (See Section 9-8.202, Definitions for "Basement", "Lowest floor", "New construction", "Substantial damage" and "Substantial improvement").

- a. Residential construction, new or substantial improvement, shall have the lowest floor, including basement;

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1. *In an AO zone, elevated above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least two (2) feet above the highest adjacent grade if no depth number is specified. (The State of California recommends that in AO zones without velocity the lowest floor be elevated above the highest adjacent grade to a height exceeding the depth number specified in feet on the FIRM by at least two (2) feet, or elevated at least four (4) feet above the highest adjacent grade if no depth number is specified.)*
  2. *In an A zone, elevated to or above the base flood elevation, said base flood elevation shall be determined by one of the methods on Section 9-8.403(a)(2) of this chapter. (The State of California recommends the lowest floor be elevated at least two (2) feet above the base flood elevation, as determined by the community.)*
  3. *In all other zones, elevated to or above the base flood elevation. (The State of California recommends the lowest floor be elevated at least two (2) feet above the base flood elevation.) Upon completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor and verified by the Community Building Inspector of the City to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.*
- b. *Nonresidential construction, whether new construction or substantial improvement, shall either be elevated to conform with Section 9-8.501(a)(3)a. of this article or, together with attendant utility and sanitary facilities;*
1. *Be flood proofed below the elevation recommended under Section 9-8.501(a)(3)a. of this article so that the structure is watertight with walls substantially impermeable to the passage of water;*
  2. *Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects buoyancy; and*
  3. *Be certified by a registered professional engineer or architect that the standards of Section 9-8.501(a)(3)b. of this article are satisfied. Such certification shall be provided to the Floodplain Administrator.*
- c. *All new construction and substantial improvement with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must exceed the following minimum criteria:*
1. *Have a minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices, provided that they permit the automatic entry and exit of floodwater; or*
  2. *Be certified by a registered professional engineer or architect.*
- d. *Manufactured homes shall also meet the standards in Section 9-8.504.*

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**Sec. 9-8.502. Standards for utilities.**

- (a) *All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:*
  - (1) *Infiltration of floodwaters into the systems; and*
  - (2) *Discharge from systems into floodwaters.*
- (b) *On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.*

**Sec. 9-8.503. Standards for subdivisions.**

- (a) *All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood.*
- (b) *All subdivision plans will provide the elevation of proposed structure(s) and pad(s). If the site is filled above the base flood elevation, the lowest floor and pad elevations shall be certified by a registered professional engineer or surveyor and provided to the Floodplain Administrator.*
- (c) *All subdivision proposals shall be consistent with the need to minimize flood damage.*
- (d) *All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.*
- (e) *All subdivisions shall provide adequate drainage to reduce exposure to flood hazards.*
- (f) *All new subdivisions proposals and other proposed development, including proposals for manufactured and ADU's and JADU's home parks and subdivisions, greater than fifty (50) lots or five (5) acres, whichever is the lesser, shall:*
  - (1) *Identify the special flood hazard areas (SFHAA) and base flood elevations (BFE).*
  - (2) *Identify the elevations of lowest floors of all proposed structures and pads on the final plans.*
  - (3) *If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a letter of map revision based on fill (LOMR-F) to the Floodplain Administrator:*
    - a. *Lowest floor elevation.*
    - b. *Pad elevation.*
    - c. *Lowest adjacent grade.*

**Sec. 9-8.504. Standards for manufactured homes.**

- (a) *All manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on the community's flood insurance rate map, on sites located:*
  - (1) *Outside of a manufactured home park or subdivision;*
  - (2) *In a new manufactured home park or subdivision;*

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- (3) In an expansion to an existing manufactured home park or subdivision; or*
    - (4) In an existing manufactured home park or subdivision on a site upon which a manufactured home has incurred substantial damage (see "substantial damage" definition) as a result of a flood, shall be elevated on a permanent foundation such that the lowest floor is elevated to or above base flood elevation (the State of California recommends at least two (2) feet above the base flood elevation) and be securely fastened to an adequately anchored foundation system to resist flotation, collapse and lateral movement.*
  - (b) All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within zones A1-30, AH, and AE on the community's flood insurance rate map that are not subject to the provisions of 9-8.504(a) will be securely fastened to an adequately anchored foundation to resist flotation collapse and lateral movement, and will be elevated so that either:*
    - (1) The lowest floor of the manufactured home is at or above the base flood elevation (the State of California recommends at least two (2) feet above the base flood elevation); or*
    - (2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade.*
    - (3) Upon completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor, and verified by the community building inspector, to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.*
  - (c) Manufactured homes placed within manufactured home parks or subdivisions shall meet the standards in Section 9-8.504. All manufactured homes in special flood hazard areas shall meet the anchoring standards in Section 9-8.501(a), construction materials and methods requirements in Article 5.501.1 and flood openings requirements in Section 9-8.504(a).*

***Sec. 9-8.505. Standards for recreational vehicles.***

- (a) *All recreational vehicles placed on sites within zones A1-30, AH and AE on the community's flood insurance rate map will either:*
- (1) *Be on the site for fewer than 180 consecutive days, and be fully licensed and ready for highway use; a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions; or*
  - (2) *Meet the permit requirements of Article 4 of this chapter and the elevation and anchoring requirements for manufactured homes in Section 9-8.504(a).*

***Sec. 9-8.504 -Standards for Accessory Dwelling Units***

***(a) ADU Building Standards.***

1. *The ADU shall not exceed a single story, unless constructed above an attached or detached garage, or the height limit of the applicable zoning district, whichever is more restrictive.*
2. *The floor area of the ADU together with the floor area of the primary dwelling unit shall not cause the parcel coverage for the subject site to exceed the maximum allowable lot coverage for the applicable zoning district.*
3. *The development of the ADU shall be subject to the property development standards for the subject zoning district in which the ADU is located.*
4. *Both attached and detached ADUs must be architecturally compatible, having similar materials and style of construction, with the primary dwelling and consistent with the established character of the adjoining residential neighborhood. The design and size of the ADU shall conform to all applicable standards of the building, health, and other codes adopted by the City. (Refer to Table 2-3 in Division 2 of this title for residential lot coverage requirements.)*
5. *Attached ADUs shall be compatible with and made structurally a part of the primary dwelling (e.g., share a common wall with the primary dwelling, rely partially on the primary dwelling for structural support, or be attached to the primary dwelling).*
6. *Detached ADUs shall comply with building and fire code separation standards, and be compatible with the materials and colors of the primary dwelling.*
7. *No passageway is required in conjunction with the construction of an ADU.*
8. *Approval by the County Health Officer and City Public Utilities Director is required where a private water well and/or private sewage disposal system is being used.*
9. *Fire sprinklers are required for ADUs if fire sprinklers are required for the primary residence.*

10. *A new or separate utility connection directly between the ADU and the utility is not required unless the ADU is constructed with a new single-family home or a new detached structure.*

*(b) JADU Building Standards. JADUs shall comply with the following:*

- 1. A JADU must include a separate entrance from the main entrance to the proposed or existing single-family residence.*
- 2. A JADU must include at least an efficiency kitchen, which includes a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.*
- 3. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure.*
- 4. A JADU shall not be considered a separate or new dwelling unit for purposes of any fire or life protection ordinance or regulation, or for purposes of providing water, sewer, or power, including a connection fee.*
- 5. Deed Restriction. A JADU shall not be permitted unless a deed restriction, which shall run with the land, is recorded for the applicable lot, and filed with the City along with the permit application, and must do both of the following:*
  - 6. Prohibit the sale of the JADU separate from the sale of the single-family residence, and include a statement that the deed restriction may be enforced against future purchasers.*
  - 7. Restrict the size and attributes of the JADU that conform with this section.*

*(c) Multifamily ADUs. The following ADUs are permitted within a residential or mixed-use zone on a lot that has an existing multifamily dwelling:*

- 1. One (1) or more ADUs, up to 25 percent of the existing multifamily dwelling units, constructed within the portions of the existing multifamily dwelling structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.*
- 2. Up to two (2) detached ADUs, subject to a height limit of 16 feet and four-foot rear yard and side setbacks.*

***Sec. 9-8.506. Floodways.***

- (a) Located within areas of special flood hazards established in Section 9-8.302 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:*
- (1) Encroachments, including fill, new construction, substantial improvement and other new development, are prohibited unless certification by a registered professional engineer or architect is provided, demonstrating that encroachments will not result in any increase in the base flood elevation during the occurrence of the base flood discharge.*

- (2) *If subsection (a) of this section is satisfied, all new construction, substantial improvement and other proposed new development shall comply with all other applicable flood hazard reduction provisions of this article 5.*

**SECTION 4.** The City Council hereby amends Article 13 of Chapter 6 in Title 9 of the Coalinga Municipal Code related to Density Bonus to read as follows:

**Sec. 9-6.1301. – Residential Density Bonus**

*As required by Government Code Section 65915, this chapter offers density bonuses and incentives or concessions for the development of housing that is affordable to the types of households and qualifying residents identified in Section 9.26.020 (Eligibility for bonus, incentives, or concessions). This chapter is intended to implement the requirements of Government Code Section 65915 et seq. and the Housing Element of the General Plan. As used in this Chapter and when otherwise required by Government Code section 65915 et seq., “housing development” means a development project for five or more residential units, including mixed-use developments, that meets the requirements of Government Code section 65915(i).*

*In order to be eligible for a density bonus and other incentives or concessions as provided by this chapter, a proposed housing development shall comply with the following requirements and shall satisfy all other applicable provisions of this Development Code.*

*A. Resident requirements. A housing development proposed to qualify for a density bonus shall be designed and constructed so that it includes at least any one of the following:*

- 1. Ten percent (10%) of the total number of proposed units are for lower-income households, as defined in Health and Safety Code Section 50079.5; 2*
- 2. Five percent (5%) of the total number of proposed units are for very low-income households, as defined in Health and Safety Code Section 50105;*
- 3. The project is a senior citizen housing development as defined in Civil Code Sections 51.3 and 51.12, or is a mobile home park that limits residency based on age requirements for housing older persons in compliance with Civil Code Sections 798.76 and 799.5;*
- 4. Ten percent (10%) of the total dwelling units in a common interest development as defined in Civil Code Section 4100 are for persons and families of moderate income, as defined in Health and Safety Code Section 50093; provided, that all units in the development are offered to the public for purchase;*
- 5. Ten percent (10%) of the total number of proposed units of housing for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541 of the Government Code, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act; or*
- 6. Twenty percent (20%) of the total number of proposed units for lower income students in a student housing development that meets the requirements, as defined by Government Code Section 65915.*
- 7. One hundred percent (100%) of the total units, exclusive of a manager's unit or units, are for lower income households, as defined by Health and Safety Code Section 50079.5, except that up to*



twenty percent (20%) of the total units in the development may be for moderate income households, as defined in Health and Safety Code Section 50053.

*B. Applicant selection of basis for bonus: For purposes of calculating the amount of the density bonus in compliance with Section 9.26.030 (Allowed density bonuses), the applicant who requests a density bonus shall elect whether the bonus shall be awarded on the basis of subsection (A)(1), (2), (3), or (4), (5), (6), or (7) of this section. A preliminary application submitted pursuant to Section 9.50.055 shall include the number of bonus units requested pursuant to this section.*

*C. Bonus units shall not qualify as a project. A density bonus granted in compliance with Section 9.26.030 (Allowed density bonuses) shall not be included when determining the number of housing units that is equal to the percentages required by subsection A of this section.*

*D. Minimum project size to qualify for density bonus. The density bonus provided by this chapter shall be available only to a housing development of five (5) or more dwelling units.*

*E. Condominium conversion projects. A condominium conversion project for which a density bonus is requested shall comply with the eligibility and other requirements in Government Code Section 65915.5.*

#### **Sec. 9-6.1302. -Accessory Dwelling Units allowed density bonuses**

*The Director shall determine the amount of a density bonus allowed in a housing development in compliance with this section. For the purposes of this chapter, “density bonus” means a density increase over the otherwise maximum allowable residential density under the applicable Land Use Plan designation and zoning district as of the date of preliminary or final application by the applicant to the City.*

*A. Density bonus. A housing development that complies with the eligibility requirements shall be entitled to density bonuses as follows, unless a lesser percentage is proposed by the applicant:*

*1. Bonus for units for lower-income households. A housing development that is eligible for a bonus in compliance with the criteria (1) (ten percent (10%) of units for lower-income households) shall be entitled to a density bonus calculated as follows in Table 1:*

*2. Bonus for units for very low-income households. A housing development that is eligible for a bonus in compliance with the criteria (2) (five percent (5%) of units for very low-income households) shall be entitled to a density bonus calculated as follows in Table 1:*

*3. Bonus for senior citizen development. A housing development that is eligible for a bonus in compliance with (3) (senior citizen development or mobile home park) shall be entitled to a density bonus of twenty percent (20%).*

*4. Bonus for moderate-income units in common interest development. A housing development that is eligible for a bonus in compliance with (4) (ten percent (10%) of units in a common interest development for persons and families of moderate income) shall be entitled to a density bonus calculated as follows in Table 1:*

**Table 1: Density Bonus Standards for Developments of 5 or more units.**

EXPAND

No.	Target Development Type	Target Units Provided	"Sliding Scale", or Increase of Density Bonus for every 1% increase in Target Units provided	Density Bonus that may be granted	Number of Incentives and Concessions that may be granted
A.	Very Low Income housing units	Min. 5% very low income units	2.5%	Min. 20% up to max. of 35%	1 for 5% 2 for 10% 3 for 15% very low income units
B.	Low Income housing units	Min. 10% low income units	1.5%	Min. 20% up to max. of 35%	1 for 10% 2 for 20% 3 for 30% lower income units
C.	Moderate Income housing units in a common interest development (i.e. Condominium or Planned Development)	Min. 10% moderate income units	1%	Min. 20% up to max. of 35%	1 for 10% 2 for 20% 3 for 30% moderate income units
D.	Senior Housing (age 55+)	Min. 35 senior units	N/A	20%	N/A
E.	Land Donation of min. 1 acre and zoned to permit at least 40 units. Other State Density Bonus law requirements apply.	Min. 10% of very low income units	1%	Min. 15%, up to max. of 35%. (may be combined with other Development Types A to D to 35%)	In conformance with Development Type
F.	Conversion of apartments to condominiums (Government	Min. 33% low or moderate income units,	N/A	Up to 25% increase above the existing number of	N/A

	<i>Code Section 65915.5)</i>	<i>or 15% to low income</i>		<i>apartments proposed for conversion</i>	
<i>G.</i>	<i>Housing Development with child care facility</i>	<i>N/A</i>	<i>N/A</i>	<i>Additional density bonus of residential square footage, that is greater than or the same as the square footage of the child care facility</i>	<i>One incentive or concession that contributes significantly to the economic feasibility of the construction of the child care facility may be granted in lieu of the density bonus.</i>
<b>Note:</b> All density calculations resulting in fractional units shall be rounded up. Development Type D, Senior Housing, includes any mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.					

5. Bonus for transitional foster youth, disabled veterans, or homeless persons development. A housing development that is eligible for a bonus in compliance with (5) (transitional foster youth, disabled veterans, or homeless persons) shall be entitled to a density bonus of twenty percent (20%)

6. Bonus for lower income students in a student housing development. A housing development that is eligible for a bonus in compliance with (6) (lower income students in student housing) shall be entitled to a density bonus of thirty-five percent (35%).

7. Bonus for units for lower-income and moderate-income households. A housing development that is eligible for a bonus in compliance with (7) (lower-income and moderate-income households) shall be entitled to a density bonus of eighty percent (80%) of the number of units of lower income households. If the housing development is located within one-half mile of a major transit stop, there shall be no maximum controls on density.

a. A housing development that receives a waiver from maximum controls on density shall not be eligible for, and shall not receive, a waiver or reduction of any other development standards, other than a height increase of up to three additional stories, or 33 feet, as expressly provided in Section 9.26.040(C)(4).

b. "Major transit stop" means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods, and also includes major transit stops that are included in the applicable regional transportation plan.

8. Density bonus for land donation. When an applicant for a tentative map, parcel map, or other residential development approval donates land to the City in compliance with this subsection, the applicant shall be entitled to a density bonus for the entire development, as follows; provided, that nothing in this subsection shall be construed to affect the authority of the City to require a developer to donate land as a condition of development.

a. Basic bonus. The applicant shall be entitled to a fifteen percent (15%) increase above the otherwise maximum allowable residential density under the applicable Land Use Plan designation and zoning district for the entire development, and an additional increase as follows:

b. Increased bonus. The increase identified in the table above shall be in addition to any increase in density required by subsections (A)(1) through (7) of this section up to a maximum combined mandated density increase of thirty-five percent (35%) if an applicant seeks both the increase required in compliance with this subsection (A)(8), as well as the bonuses provided by subsections (A)(1) through (7) of this section.

c. Eligibility for increased bonus. An applicant shall be eligible for the increased density bonus provided by this subsection if all of the following conditions are met:

(1) The applicant donates and transfers the land no later than the date of approval of the final map, parcel map, or residential development application.

(2) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low-income households in an amount not less than ten percent (10%) of the number of residential units of the proposed development.

(3) The transferred land is at least one acre in size, or of sufficient size to permit development of at least forty (40) units; has the appropriate Land Use Plan designation; is appropriately zoned for development as affordable housing; and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible.

(4) No later than the date of approval of the final map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low-income housing units on the transferred land, except that the City may subject the proposed development to subsequent design review to the extent authorized by Government Code Section 65583.2(i) if the design is not reviewed by the City before the time of transfer.

(5) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Section 9.26.070 (Continued availability), which shall be recorded on the property at the time of dedication.

(6) The land is transferred to the City or to a housing developer approved by the City. The City may require the applicant to identify and transfer the land to the approved housing developer.

(7) The transferred land shall be within the boundary of the proposed development or, if the City agrees, within one-quarter (1/4) mile of the boundary of the proposed development.

**Sec. 9-6.1303. - Accessory Dwelling Units allowed incentives or concessions**

A. Applicant request and City approval.

1. *An applicant for a density bonus in compliance with this chapter may submit to the City a proposal for the specific incentives or concessions that the applicant requests in compliance with this section, and may request a meeting with the City Manager or designee. The applicant may file a request either before filing a final application for City approval of a proposed project or concurrently with a final application for project approval. A preliminary application submitted shall include any incentives, concessions, waivers, or parking reductions requested pursuant to this section.*

2. *The City Manager or designee shall grant an incentive or concession request that complies with this section unless the City Manager or designee makes either of the following findings in writing, based upon substantial evidence:*

a. *The incentive or concession is not required to provide for affordable housing costs or for rents for the targeted units to be set (Unit cost requirements); or*

b. *The incentive or concession would have a specific adverse impact upon public health and safety or the physical environment, or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.*

B. Waiver of standards preventing the use of bonuses, incentives, or concessions. *An applicant may submit to the City a proposal for the waiver or reduction of development and zoning standards that would otherwise inhibit the utilization of a density bonus on a specific site, including minimum parcel size, side setbacks, and placement of public works improvements. The applicant shall show that a waiver or modification of development standards is necessary to make the housing units economically feasible.*

C. Number of incentives. *The applicant shall receive the following number of incentives or concessions:*

1. One incentive or concession. *One incentive or concession for a project that includes at least ten percent (10%) of the total units for lower-income households, at least five percent (5%) for very low-income households, or at least ten percent (10%) for persons and families of moderate income in a common interest development.*

2. Two (2) incentives or concessions. *Two (2) incentives or concessions for a project that includes at least twenty percent (20%) of the total units for lower-income households, at least ten percent (10%) for very low-income households, or at least twenty percent (20%) for persons and families of moderate income in a common interest development.*

3. Three (3) incentives or concessions. *Three (3) incentives or concessions for a project that includes at least thirty percent (30%) of the total units for lower-income households, at least fifteen percent (15%) for very low-income households, or at least thirty percent (30%) for persons and families of moderate income in a common interest development.*

4. Four (4) incentives or concessions. *Four (4) incentives or concessions for projects where one hundred percent (100%) of the total units, exclusive of a manager's unit or units, are for lower income households except that up to twenty percent (20%) of the total units in the development may be for moderate-income households. If the project is located within one-half*

*mile of a major transit stop, the applicant shall also receive a height increase of up to three (3) additional stories, or 33 feet.*

*a. "Major transit stop" means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods, and also includes major transit stops that are included in the applicable regional transportation plan.*

*D. Type of incentives. For the purposes of this chapter, concession or incentive means any of the following:*

*1. A reduction in the site development standards of this Development Code (e.g., site coverage limitations, setbacks, reduced parcel sizes, and/or parking requirements (Parking requirements in density bonus projects), or a modification of architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission in compliance with Health and Safety Code, that would otherwise be required, that results in identifiable, financially sufficient, and actual cost reductions;*

*2. Approval of mixed use land uses not otherwise allowed by this Development Code in conjunction with the housing development, if nonresidential land uses will reduce the cost of the housing development, and the nonresidential land uses are compatible with the housing project 8 and the existing or planned development in the area where the project will be located;*

*3. Other regulatory incentives proposed by the applicant or the City that will result in identifiable, financially sufficient, and actual cost reductions; and/or*

*4. In its sole and absolute discretion, a direct financial contribution granted by the Council, including writing down land costs, subsidizing the cost of construction, or participating in the cost of infrastructure.*

*E. Effect of incentive or concession. The granting of a concession or incentive shall not be interpreted, in and of itself, to require a General Plan amendment, Zoning Map amendment, or other discretionary approval.*

*F. Exceptions. Notwithstanding the provisions of this Chapter, nothing in this section shall be interpreted to require the City to:*

*1. Grant a density bonus, incentive, or concession, or waive or reduce development standards, if the bonus, incentive, concession, waiver, or reduction would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.*

*2. Grant a density bonus, incentive, or concession, or waive or reduce development standards, if the bonus, incentive, concession, waiver, or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources.*

**Sec. 9-6.1303. -Density bonus agreement**

A. Agreement required. An applicant requesting a density bonus shall agree to enter into a density bonus agreement (referred to as the “agreement”) with the City in the City’s standard form of agreement.

B. Agreement provisions.

1. Project information. The agreement shall include at least the following information about the project:

a. The total number of units approved for the housing development, including the number of designated dwelling units;

b. A description of the household income group to be accommodated by the housing development, and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with HUD guidelines;

c. The marketing plan for the affordable units;

d. The location, unit sizes (square feet), and number of bedrooms of the designated dwelling units;

e. Tenure of the use restrictions for designated dwelling units of the time periods required (Continued availability);

f. A schedule for completion and occupancy of the designated dwelling units;

g. A description of the additional incentives and concessions being provided by the City;

h. A description of the remedies for breach of the agreement by the owners, developers, and/or successors-in-interest of the project; and

i. Other provisions to ensure successful implementation and compliance with this chapter.

2. Minimum requirements. The agreement shall provide, at minimum, that:

a. The developer shall give the City the continuing right-of-first-refusal to lease or purchase any or all of the designated dwelling units at the appraised value;

b. The deeds to the designated dwelling units shall contain a covenant stating that the developer or successors-in-interest shall not assign, lease, rent, sell, sublet, or otherwise transfer any interests for designated units without the written approval of the City;

c. When providing the written approval, the City shall confirm that the price (rent or sale) of the designated dwelling unit is consistent with the limits established for low and very low-income households, as published by HUD;

d. The City shall have the authority to enter into other agreements with the developer, or purchasers of the designated dwelling units, to ensure that the required dwelling units are continuously occupied by eligible households;

*e. Applicable deed restrictions, in a form satisfactory to the City Attorney, shall contain provisions for the enforcement of owner or developer compliance. Any default or failure to comply may result in foreclosure, specific performance, or withdrawal of the certificate of occupancy;*

*f. In any action taken to enforce compliance with the deed restrictions, the City Attorney shall, if compliance is ordered by a court of competent jurisdiction, take all action that may be allowed by law to recover all of the City's costs of action including legal services; and*

*g. Compliance with the agreement will be monitored and enforced in compliance with the measures included in the agreement.*

**SECTION 5.** Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

**SECTION 6.** Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Coalinga ordinance.

**SECTION 7.** Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

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Mayor/Mayor Pro-Tem, City of Coalinga

ATTEST:

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City Clerk/Deputy City Clerk