



CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA

**October 20, 2022
6:00 PM**

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

Notice is hereby given that the City Council will hold a Regular Meeting, on October 20, 2022 in the City Council Chambers, 155 West Durian Avenue, Coalinga, CA. Persons with disabilities who may need assistance should contact the City Clerk at least 24 hours prior to the meeting at 935-1533 x113. Anyone interested in translation services should contact the City Clerk at least 24 hours prior to the meeting at 935-1533 x113.

The Meeting will begin at 6:00 p.m. and the Agenda will be as follows:

1. CALL TO ORDER

1. Pledge of Allegiance
2. Changes to the Agenda
3. Council's Approval of Agenda

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. Certificate of Appreciation for Sergeant Rouch
2. Presentation of New Toyota Prius Commuter Cars for Coalinga Police Department

3. CITIZEN COMMENTS

This section of the agenda allows members of the public to address the City Council on any item within the jurisdiction of the Council. Members of the public, when recognized by the Mayor, should come forward to the lectern, identify themselves and use the microphone. Comments are normally limited to three (3) minutes. In accordance with State Open Meeting Laws, no action will be taken by the City Council this evening and all items will be referred to staff for follow up and a report.

Citizen Comments submitted in writing to the City Clerk by 5:00pm on the day of the City Council meeting shall be distributed to the City Council and included in the record, however they will not be read.

4. PUBLIC HEARINGS

1. Council Consideration of an Appeal by ST Green, Co. of a Planning Commission Decision Related to Conditional Use Permit Application CUP 22-02

Sean Brewer, Assistant City Manager

5. CONSENT CALENDAR

1. Receive Cost Estimate and Approve Safety Improvements at Intersection of Hayes/Harrison/Third Streets
2. Waive the Second Reading and Adopt Ordinance No. 853 - City Initiated Zoning Text Amendment (No. ZTA 22-01) Amending the Planning and Zoning Code Related to Accessory Dwelling Units (ADU's), Floodplain Regulations and Density Bonus
3. Approve and Authorize Assistant City Manager to Execute a Task Order with MKN and Associates to provide Design Engineering Services related to Water Improvements at the Coalinga Water Treatment Plant
4. Authorize Assistant City Manager to Renew the Contract With Precision Concrete
5. Adopt Resolution No. 4122 Approving an Amendment to the Standard Agreement for the 2020 Community Development Block Grant Program - Coronavirus Response Round 2 and 3 (CDBG-CV2 and CV3) NOFA Dated December 18, 2020
6. Code Enforcement Monthly Report for September 2022

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Discussion, Direction and Adoption of Resolution No. 4108 Updating the City's Water Shortage Regulations Related to Businesses

Sean Brewer, Assistant City Manager

2. Authorize the Mayor to sign a Letter of Support on behalf of the Coalinga City Council for Measure X, as Presented by the Committee for Excellent Coalinga-Huron Schools

Hilda Crawford, Committee for Excellent Coalinga-Huron Schools

7. ANNOUNCEMENTS

1. City Manager's Announcements
2. Councilmembers' Announcements/Reports
3. Mayor's Announcements

8. FUTURE AGENDA ITEMS

9. CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation Initiation of litigation pursuant to § 54956.9(c): 1 Case

10. CLOSED SESSION REPORT

Closed Session: A "Closed" or "Executive" Session of the City Council, Successor Agency,

or Public Finance Authority may be held as required for items as follows: personnel matters; labor negotiations; security matters; providing instructions to real property negotiators; legal counsel regarding pending litigation; and protection of records exempt from public disclosure. Closed session will be held in the Administration Building at 155 W. Durian Avenue and any announcements or discussion will be held at the same location following Closed Session.

11. ADJOURNMENT

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Council Consideration of an Appeal by ST Green, Co. of a Planning Commission Decision Related to Conditional Use Permit Application CUP 22-02

Meeting Date: Thursday, October 20, 2022

From: Marissa Trejo, City Manager

Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

Council consideration and approval of an appeal filed by the applicant, ST Green, Co for Conditional Use Permit Application CUP 22-02 which was denied by the Planning Commission on September 27, 2022 and further adopting Resolution No. 4121.

II. BACKGROUND:

On July 26, 2022, the Community Development Department received a conditional use permit application for the development of an indoor cannabis cultivation facility within the existing structures located at 9900 Cody Street. Staff reviewed the application, prepared the necessary reports and recommended approval to the Planning Commission.

On September 27, 2022, the Planning Commission conducted a public hearing to consider the conditional use permit application and after discussion and receiving public comment, the planning commission voted 2-3 in favor of the approving the application. The number of votes received to approve the project application did not meet the number needed to pass therefore the application was denied.

During the public hearing, there was concerns from some commissioners and the public about the water situation related to permitting this facility. To see the full meeting video (City of Coalinga YouTube Channel), it is available on the City's website. The minutes from the meeting have yet to be approved by the commission so they are not available at this time.

III. DISCUSSION:

Section 9-6.115 of the planning and zoning code authorizes any applicant aggrieved by the decision of the Planning Commission, may be appealed to the City Council. City Council decisions are final. The applicant filed an appeal with the City Clerk within the required ten (10) calendar days of the date of action.

The code states that the Council shall use the same standards and criteria required for the original decision to review the appeal. The Council may adopt the same decision and findings that were originally approved, or make a decision based on different findings.

Staff has provide a link to the original agenda item from the Planning Commission meeting so the Council may review the project as present to the Planning Commission. Staff as also attached a copy of the appeal request from the applicant.

Project Report: <https://coalinga.novusagenda.com/AgendaPublic/CoverSheet.aspx?ItemID=4632&MeetingID=452>


IV. ALTERNATIVES:

- Uphold the Planning Commission decision

V. FISCAL IMPACT:

The approval of this project would contribute to an increase in the city's cannabis taxes and licensing fees.

ATTACHMENTS:

File Name	Description
 Letter_of_Appeal_CUP_22-02.pdf	Applicant Appeal CUP 22-02
 CUP_22-02_Resolution_No._4121.docx	Resolution 4121 - Approval of Appeal CUP 22-02

APPEAL OF PLANNING COMMISSION DECISION

Appeal from, Planning Commission Denial of Conditional Use Permit Application (CUP 22-02) -



To: City Council of the City of Coalinga
Shannon Jensen, City Clerk
Marissa Trejo, City Manager
Sean Brewer, Assistant City Manager
155 W. Durian
Coalinga, CA 93210

Please accept this document as an appeal from the denial of application CUP 22-02 for a new Commercial Cannabis Cultivation Facility at 9900 West elm Ave by the Planning Commission on September 28, 2022.

The applicant ST Green, Co. as agent for Mohsen Torabi, and the owner of the property Ferdosee, Ranch, LLC submits that the decision of the Planning commission was in error for the following reasons:

1. **A thorough Staff Report was prepared and submitted by Mr. Sean Brewer, the Assistant City Manager recommended approval and indicated that all required findings should be made, the Planning Commission denied the application.**
2. **The Staff Report contained the following conclusions:**
 - A. **“I. RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution No/ 022P-010 with conditions approving application No. CUP 22-02 for a commercial cannabis cultivation facility located at 9900 Cody Street.” (Agenda Page 83)
 - B. **Water Use**
The facility is expected to use approximately 200,000 gallons of water per year which is less than one (1) acre foot (325,851 gallons = 1 acre foot). (Agenda Page 87)
 - C. **Wastewater Disposal**
The applicant will not introduce any toxic chemical waste or solvents into the local waste stream and will be required to disclose all products, chemicals, solvents, active ingredients that will be used as part of the cultivation process. (Agenda Page 87)
 - D. **IV. FISCAL IMPACT:**
This project will generate cannabis tax and licensing revenue to the City including business licenses taxes.

E. V. REASONS FOR RECOMMENDATION:

Site Plan Findings for Approval

According to Section 9-6.404 of the Coalinga Municipal Code, the Planning Commission shall consider the following findings to approve a site plan:

The proposed construction/alterations are in substantial conformance with the General Plan, zoning ordinance, and any applicable plans adopted by the city.

The proposed construction/alterations conform to the requirements of the applicable Zoning Districts.

The proposed construction/alteration conforms to all applicable design standards and guidelines, as adopted by the City Council.

The construction/alteration will not have significant adverse effects on the public health, safety and welfare.

F. Conditional Use Permit finding of Approval

A Conditional Use Permit shall only be granted if the Planning Commission determines that the project as submitted or as modified conforms to all of the following criteria. **If the Planning Commission determines that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established for the record.**

G. **General Plan consistency:** Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

H. **Neighborhood compatibility:** The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties;

I. **Asset for the neighborhood:** The nature, use and architectural design features of the proposed development make it attractive, functional and convenient. The proposed development enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

J. Staff feels that all of these findings have been met.

3. **The Public Opposition Relied On Inaccurate Statements As To Water Usage.** The only opposition to the application which came from a member of the general public was an erroneous claim that the project would utilize a full acre foot of water per year and thereby deprive his residential property of an equal allocation. That contention is contrary to the facts as determined by the City Staff on page 87 of the staff report. The public opposition was based on a current water shortage which may not even exist in the future and was accompanied by a threat to use water in excess of the currently recommended amount.

The fact is that the facility will utilize an irrigation water filtration and recapture system which will limit the water usage to 200,000 gallons of water per year which is only .61 acre feet annually. As indicated by the staff, at the public hearing an average home uses 1 acre foot of water per year. Thus, this project will use less than a single family residence while providing between fifteen and twenty permanent jobs for the residents of the City.

The approved cultivation plan which was submitted to the City as part of the CUP process contained the following information with respect to water use.

“E. Water Use and Conservation

One of the benefits of using a hydroponic and soil-drip system is the water savings. Generally, a hydroponic systems and drip systems, use up to two thirds(2/3) less water than traditional indoor grow, keeping our costs down and conserving water for the community and the environment. We plan to recycle our used water by deploying it to water our outdoor plants (non-cannabis) and palm trees, creating an aesthetically pleasing outdoor landscape that enriches the property and neighborhood. Finally, all dead plants will be used as mulch or compost for our outdoor plants and trees.

The facility is expected to use approximately **200,000 gallons of water per year.**

ROOM	DAILY WATER USAGE	FIRST TIME FILL (1)	RECLAIM ED	RECOVE RY AMOUNT (2)	DAILY DISCHARG ED AMOUNT	DAILY MAKE UP AMOUNT	ANNUAL CITY WATER DEMAND
BUILDING [GALLONS]	1,599	1,676	1,561	1,171	391	470	174,000
						TOTAL DEMAND:	200,000

As can be seen from the factual information provided to and reviewed by the staff, this project is less impactful than a single new home.

4. In addition to the foregoing the Planning Commission did not set forth the specific bases for denying the application on the record as is required by law. It simply voted on the application and by a 3 to 2 vote denied it. The absence of such findings requires the City Council to review the project and the staff recommendations and make an independent judgment.

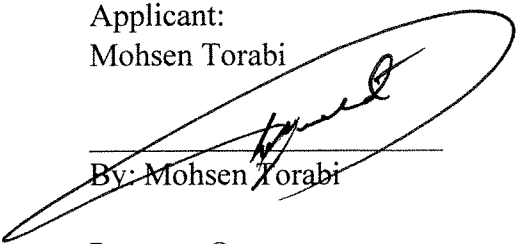
It is respectfully submitted that the Planning Commission’s denial of the Conditional Use Permit Application (CUP 22-02) was in error and that the application should be approved.

Agent for Applicant:

ST Green, Co.

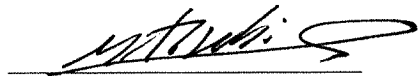
By: 

Applicant:
Mohsen Torabi



By: Mohsen Torabi

Property Owner:
Ferdosee, Ranch, LLC



By: ~~Mohsen Torabi~~, Manager
Seyed milad Torabi

RESOLUTION NO. 4121

A RESOLUTION OF THE CITY OF COALINGA CITY COUNCIL ACCEPTING AN APPEAL BY THE APPLICANT AND APPROVING CONDITIONAL USE PERMIT APPLICATION NO. 22-02 FOR THE USE OF THE EXISTING BUILDINGS AT 9900 CODY STREET TO ACCOMMODATE AN INDOOR COMMERCIAL CANNABIS CULTIVATION OPERATION

WHEREAS, the City of Coalinga Community Development Department received a Conditional Use Permit, Site Plan Review and Environmental Review Application for the remodeling of the existing buildings at 9900 Cody Street (APNs: 070-120-01, 070-120-02, and 070-120-03) to accommodate commercial cannabis indoor cultivation activities; and,

WHEREAS, the subject project requires approval of a site plan review, conditional use permit and environmental review in accordance with Title 9, Chapter 2 of the Coalinga Municipal Code; and

WHEREAS, appropriate applications were filed and deemed complete by the Coalinga Community Development Department on July 26, 2022; and

WHEREAS, the Planning Commission conducted a public hearing on September 27, 2022 to consider the proposed development and voted to deny said application; and

WHEREAS, the applicant, filed a timely appeal with City Clerk in accordance with Section 9-6-115.

WHEREAS, public hearing notices were mailed and posted on October 6, 2022 in accordance with state and local law; and

WHEREAS, the City Council has determined that this project is exempt from further environmental review under CEQA Guidelines §15301(a) as a Class 32 exemption (existing facilities), and;

WHEREAS, the subject application was reviewed for compliance with all applicable sections of the Coalinga Municipal Code; and

WHEREAS, the City Council has made the following conditional use permit findings based on the development proposal:

General Plan Consistency. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

Neighborhood Compatibility. The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties; and

Asset for the Neighborhood. The nature, use and architectural/design features of the proposed development make it attractive, functional and convenient. The proposed development

enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

WHEREAS, the City Council has made the following site plan findings based on the development proposal:

- All provisions of the Planning and Zoning Code are complied with;
- The following project is so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on surrounding property including but not limited to:
 - Facilities and improvements;
 - Vehicular ingress, egress and internal circulation;
 - Setbacks;
 - Height of buildings;
 - Location of services;
 - Fences and/or walls;
 - Landscaping.
- Proposed lighting is so arranged as to direct the light away from adjoining properties;
- Proposed signs will not by size, location, color or lighting interfere with traffic or limit visibility;
- Proposed development has adequate fire and police protection;
- Proposed development can be adequately served by city sewer and water;
- Drainage from the property can be properly handled;
- The proposed development is generally consistent with the Zoning Ordinance, the General Plan, and any other applicable plans.

NOW THEREFORE BE IT RESOLVED, that the City Council does approve the Land Use Application (No. CUP 22-02) subject to the conditions attached hereto which are also incorporated by this reference as Attachment "A" and Attachment "B".

PASSED AND ADOPTED, by the City of Coalinga City Council at their regularly scheduled meeting held on the 20th Day of October 2022.

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor/Mayor Pro-Tem

ATTEST:

City Clerk/Deputy City Clerk

Attachment "A"
CONDITIONS OF APPROVAL
APPLICATION NO. CUP 22-02

The staff is recommending approval of the proposed project to the City Council with the following conditions:

- COA-1. The approved land use permit shall become void in the event occupancy does not occur within twenty-four (24) months of the approval date.
- COA-2. Approval of the use permit may be extended for an additional period or periods of one (1) year upon a written application to the Commission before the expiration of the first approval.
- COA-3. The applicant, within 15 days of the approved application, shall provide in writing a letter agreeing to comply with all of the conditions of approval stated in the project resolution.
- COA-4. All Community Development Department and Engineering fees shall be paid in full prior to the issuance of a building permit.
- COA-5. The applicant shall file with the City, a lot line adjustment application to merge the three parcels in which this development is being undertaken.
- COA-6. Any minor alternations to the site plan shall be reviewed and approved by the Community Development Director, unless under his/her discretion warrants review and approval by the Commission.
- COA-7. The Developer is responsible for paying all applicable development impact fees as well all regional fees related to the project.
- COA-8. A final site plan shall be submitted to the Community Development Department to ensure that all conditions of approval have been incorporated.
- COA-9. *Actions voiding approval.* If the construction of a building or structure, or the use established in the building or structure is contrary to the project approval, therefore violating any provision of the Zoning Ordinance, or would require additional permits, then the original approval shall be deemed null and void.
- COA-10. *Periodic review or monitoring of conditions.* All approvals may be subject to periodic review to determine compliance with the permit and its conditions of approval. If a condition of approval specifies that activities or uses allowed under the permit are subject to periodic reporting, monitoring or assessments, it shall be the responsibility of the permit holder, property owner, or successor property owners to comply with such conditions.
- COA-11. The applicants/developers shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to

attack, set aside, void, or annul the approval of the project when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.

- COA-12. *State and Local Cannabis Laws and Regulations:* The applicant shall, at all times, remain in compliance with all State and Local laws and regulations, as amended from time to time. Failure to comply with any and all laws and regulations related to Cannabis operations shall be subject to possible revocation of their local permit and notice to the State of California of non-compliance with local authorization.
- COA-13. All improvements shall conform to City Standards and Specifications and be approved by the City Engineer.
- COA-14. The applicant shall provide smooth AC pavement transitions from new concrete driveway to existing Cody Street asphalt pavement.
- COA-15. The applicant shall furnish and install off-site Curb & Gutter, Driveway Approaches and 70-watt equal LED Street Lighting on Cody Street frontage as approved by the City Engineer. The curb & gutter shall be designed to allow existing storm water flows from the southeasterly curb return at Gayle Avenue & Cody Street to continue through the new curb & gutter and connect to the exit curb & gutter to the south.
- COA-16. The applicant shall comply with all 2019 (or most current) California Building Code (CBC) Chapter 11B ADA accessibility guidelines.
- COA-17. The applicant shall comply with all of the requirements of the Building Official.
- COA-18. The applicant shall obtain approval from the Public Works Department for the location of the trash enclosure for solid waste disposal and pick up. The trash enclosure shall be designed and installed in conformance with City of Coalinga Standards A-4 and approved by the City Engineer.
- COA-19. The applicant shall construct a 6-foot-high Wrought Iron fence along the existing public utility easement line running along the rear property line of the project development.
- COA-20. Public Sewer Facilities exist in Cody Street and are available to serve this development. The applicant shall extend a sewer lateral to the project site.
- COA-21. Public Water Facilities exist in Cody Street and are available to serve this development. The applicant shall extend a water service to the project site.
- COA-22. Public Natural Gas Facilities exist in Cody Street and are available to serve this development. The applicant shall extend natural gas service to the project site.

- COA-23. Mailboxes shall be located outside of secured areas for access by postal workers. Obtain final approval by Postmaster prior to installation.
- COA-24. The applicant shall show all existing public utility easements on the site plan.
- COA-25. The applicant shall comply with the requirements of the Police Chief for approval of the existing 6-foot-high chain link fence with razor wire ribbon crown along the project perimeter.
- COA-26. All existing fire hydrant locations shall be shown on the site plan. All fire hydrant locations shall be reviewed and approved by the Fire Chief.
- COA-27. The applicant shall furnish and install a backflow prevention device for the domestic water service behind the existing water meter. The existing backflow prevention device serving the irrigated landscape areas of the project shall be tested and certified for use.
- COA-28. Applicants shall obtain all necessary stormwater permits from the California Regional Water Quality Control Board, Central Valley Region.
- COA-29. A storm water basin shall be located on the unimproved land onsite and shall be shown on the final site plan, engineered and fenced.
- COA-30. The applicant shall provide a compacted all-weather surface (gravel, aggregate base rock) for the area south of the southerly parking lot. The compacted all weather surface shall provide for adequate turning movements for fire trucks and solid waste disposal trucks.
- COA-31. The property lies within zone "A" special flood hazard areas inundated by 100-year storm. The applicant shall comply with all federal, state and city regulations (Section 9-8.501) such as construction materials and methods, grading and excavation and other applications which control development in flood prone areas.
- COA-32. Indicate on Site Plan the Americans Disability Act path of travel from building entrances and restrooms to disabled parking stalls.
- COA-33. An occupancy permit for the existing structure(s) shown on the approved site plan shall not be issued until all proposed buildings, structures and other stated improvements are completed, or the Community Development Director authorizes its issuance upon making a finding that all on-site and off-site conditions relating to the building, structure or use have been or will be met.
- COA-34. *Screening of parking areas.* Any parking area located between a building and right-of-way, or within fifty (50) feet of and visible from a right-of-way, must be screened by a wall or berm at least two and one-half (2.5) feet high with a (3.5) foot wrought iron fencing above the wall/berm. The fence shall be placed along the 10-foot Public Utility Easement line. A screening wall meeting this requirement shall be composed of brick, stone, stucco, or other quality durable material approved by the Community Development Director, and shall include a decorative cap or top finish as well as edge detail at wall ends. Plain concrete blocks are not allowed as a screening wall material

unless capped and finished with stucco or other material approved by the Community Development Director.

- COA-35. *Setback and screening from highways.* Any site in a Manufacturing/Business district that is fully or partially located within 200 feet of a state highway shall provide a landscaped area at least fifteen (15) feet deep between the highway right-of-way and any building or parking area for the length of the site frontage facing toward the highway. At least two (2) fifteen (15) gallon trees shall be provided for every twenty-five (25) feet of site frontage toward the highway.
- COA-36. Construction hours shall be limited to normal working hours. All construction equipment shall be properly maintained and muffled to avoid nuisances to the surrounding or neighboring property owners.
- a. Weekdays from 7:00 a.m. to 6:00 p.m.;
 - b. Saturday from 8:00 a.m. to 5:00 p.m.;
 - c. Sunday and Holidays – no construction allowed unless authorization is granted by the City Manager
- COA-37. Disposal of hazardous materials as part of construction and operations shall be in compliance with applicable Federal and State regulations. The applicant shall contract with the City of Coalinga's Franchised Solid Waste Hauler for all cannabis disposal needs in accordance with State and Local Laws. If there are services that the City's Franchised Solid Waste Hauler cannot provide, it shall be the responsibility of the owner/applicant to secure said services as approved by the applicable State agency.
- COA-38. A landscaping plan shall be submitted to the Community Development Department for review and approval. *Water efficient landscaping.* The model Water Efficient Landscaping Ordinance, as published by the California Department of Water Resources, pursuant to California Water Conservation in Landscaping Act (Government Code § 65591, et seq.), was adopted in full, by reference, and effective in the City of Coalinga commencing on January 1, 2010. A copy of the Water Efficient Landscaping Ordinance is retained on file in the Office of the City Manager, the Community Development Department, and the Office of the Coalinga City Clerk at all times. Landscaping plans must be consistent with the adopted Water Efficient Landscaping Ordinance.
- COA-39. *Shade trees.* A minimum of one shade tree for every ten (10) parking spaces shall be provided, which shall achieve fifty (50) percent canopy coverage of paved area at maturity. The shade trees shall be located so as to provide visual relief to long rows of parked vehicles, and to provide shade to pedestrian connections. Canopy-type trees should be used to provide a relatively consistent tree cover that will shade vehicles and pavement. Shade trees shall also be provided at appropriate intervals between perimeter parking spaces. The shade tree species shall be selected from a master tree list maintained by the City.
- COA-40. The conversion of the building shall be of solid wall construction to ensure that there is no issue with sight and smell from the facility. In accordance with CMC Section 9-5.128(d)(17) of the Commercial Cannabis Ordinance. Compliance with CMC Section 9-5.128(d)(17) will be verified at the time building plans are submitted and will be reviewed and approved by the Building Department and Police Chief for License

conformity and security compliance. The Police Chief shall have full authority to ensure compliance with the intent of security measures and building measures for all structures.

- COA-41. In the event that archaeological remains are encountered during grading, work shall be halted temporarily, and a qualified archaeologist shall be consulted for evaluation of the artifacts and to recommend future action. The local Native American community shall also be notified and consulted in the event any archaeological remains are uncovered.
- COA-42. The applicant shall comply with all the requirements of the Police Department and Fire Department and obtain all required local (Police, Fire, Finance), County, State, or Federal permits prior to the start of operations.
- COA-43. On-site lighting shall be provided so that the parking areas are illuminated at a level of 1.5 foot candles. A photometric plan (not a full study) shall be provided to ensure that 1.5 FC has been met. All of the regulations in section 9-4.206 of the Coalinga Planning and Zoning Code shall be met as it relates to lighting and illumination. The photometric plan shall be reviewed and approved by the Building Department prior to building permit issuance.

Attachment "B"
DEPARTMENT COMMENTS AND CONDITIONS
APPLICATION NO. CUP 22-02

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Receive Cost Estimate and Approve Safety Improvements at Intersection of
Hayes/Harrison/Third Streets
Meeting Date: Thursday, October 20, 2022
From: Marissa Trejo, City Manager
Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

There is no staff recommendation. Councilman Ramirez previously requested a future agenda item to address safety improvements at the intersection of Harrison, Hayes and 3rd Streets and Council directed staff to proceed with developing a plan and cost estimate for Option B as presented.

II. BACKGROUND:

Councilman Ramirez expressed concern for safety at the intersection of Hayes, Harrison and 3rd Street and wanted to see if there were some safety enhancements that the City could consider including but not limited to stop signs.

At the last meeting, staff discussed a couple possible solutions for improving safety at the unorthodox intersection of Harrison/3rd and Hayes for the council to consider and for staff to further design and develop a cost estimate. Council directed staff to proceed with developing a plan and cost estimate for "Option B." for their consideration.

III. DISCUSSION:

The City Engineer refined Option B based on the discussion from the last meeting. Both islands will have curb paint on the leading curb faces, and the southern splitter island will have a yellow type one object marker sign as well as channelizing lines. The City Engineer has included 3/8 gravel, river cobble, and mesa boulders as separate line items. If the Council chooses to use these hardscape items, then the islands will further stand out and their design will be consistent with the City's other median islands.

The bid item prices reflect the City's most recent bid results. The mobilization, concrete removal and disposal, HMA, Aggregate Base, and Curb bid item unit prices are inflated due to the small quantity needed. If the project is bid alongside a larger project, it may be possible to see lower unit costs for these bid items and save anywhere from \$12,000 to \$15,000.

The Engineer's preliminary cost estimate for this project is \$106,792.00 which includes a 10% contingency.

IV. ALTERNATIVES:

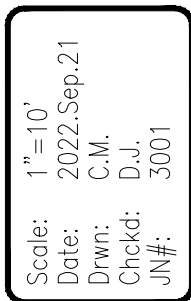
1. Do not direct staff to proceed with safety improvements;
2. Modify safety improvements.

V. FISCAL IMPACT:

The estimated cost for this project is \$106,792.00 which include the necessary design engineering needed to complete the plans and advertise for bidding. If the Council chooses to proceed with this project, it would be derived from the Measure C - Flexible Funding Account. This is an unbudgeted expense but the funds are available for this project if the Council so chooses.

ATTACHMENTS:

File Name	Description
 3rd___Hayes_Traffic_Safety_Improvements_Plan_(Rev.9-21-2022).pdf	Updated Hayes Street Plan 9-21-2022
 3001_Preliminary_Cost_Estimate.pdf	Hayes Street Cost Estimate

[illegible]



PRELIMINARY ENGINEER'S OPINION OF PROBABLE COST City of Coalinga - Hayes & 3rd Traffic Safety Improvements

JN 3001

Created: **September 19, 2022**

Revised: **September 21, 2022**

GENERAL ITEMS

Item No.	Description	Unit	Quantity	Unit Price	Extension
1	MOBILIZATION / GENERAL REQUIREMENTS	LS	1	\$4,600.00	\$4,600.00
2	WORKER SAFETY	LS	1	\$460.00	\$460.00
3	TRAFFIC CONTROL	LS	1	\$2,660.00	\$2,660.00
4	DUST CONTROL	LS	1	\$1,150.00	\$1,150.00
5	CONSTRUCTION SURVEYING	LS	1	\$2,500.00	\$2,500.00
ST-G	GENERAL ITEMS SUBTOTAL				\$11,370.00

STREET IMPROVEMENT ITEMS

Item No.	Description	Unit	Quantity	Unit Price	Extension
6	CONCRETE/PAVEMENT REMOVAL AND DISPOSAL	CY	32	\$300.00	\$9,600.00
7	HOT MIX ASPHALT TYPE A (HMA-A)	TON	9	\$500.00	\$4,500.00
8	AGGREGATE BASE CLASS II	TON	22	\$180.00	\$3,960.00
9	CONCRETE DRIVEWAY APPROACH	SF	209	\$15.00	\$3,135.00
10	CONCRETE 6" MEDIAN CURB	LF	272	\$50.00	\$13,600.00
11	CONCRETE 6" CURB & GUTTER	LF	65.5	\$60.00	\$3,930.00
12	CONCRETE CURB RAMP	SF	218.0	\$30.00	\$6,540.00
13	CONCRETE SIDEWALK	SF	216	\$15.00	\$3,240.00
14	TRAFFIC STRIPING & MARKINGS	LS	1	\$14,250.00	\$14,250.00
ST-1	STREET IMPROVEMENT ITEMS SUBTOTAL				\$62,755.00

LANDSCAPING ITEMS

Item No.	Description	Unit	Quantity	Unit Price	Extension
15	WEEDBLOCK LANDSCAPING FABRIC	SF	1,482	\$0.50	\$741.00
16	GRAVEL (3/8")	SF	575	\$3.00	\$1,725.00
17	RIVER COBBLE (2"-4")	SF	907	\$8.00	\$7,256.00
18	MESA BOULDERS (3'-4')	EA	14	\$400.00	\$5,600.00
L-1	LANDSCAPING ITEMS SUBTOTAL				\$15,322.00

PRELIMINARY ENGINEERING

Item No.	Description	Unit	Quantity	Unit Price	Extension
19	DESIGN ENGINEERING	LS	1	\$5,400.00	\$5,400.00
PE-1	PRELIMINARY ENGINEERING SUBTOTAL				\$5,400.00

CONSTRUCTION ENGINEERING

Item No.	Description	Unit	Quantity	Unit Price	Extension
20	CONSTRUCTION MANAGEMENT	LS	1	\$3,000.00	\$3,000.00
CE-1	CONSTRUCTION ENGINEERING SUBTOTAL				\$3,000.00

SUMMARY OF CONSTRUCTION COSTS

Section	Description	Subtotal
ST-G	GENERAL ITEMS SUBTOTAL	\$11,370.00
ST-1	STREET IMPROVEMENT ITEMS SUBTOTAL	\$62,755.00
L-1	LANDSCAPING ITEMS SUBTOTAL	\$15,322.00
CE-1	CONSTRUCTION ENGINEERING SUBTOTAL	\$3,000.00
	CONSTRUCTION SUBTOTAL	\$92,447.00
	10% CONTINGENCY	\$8,945.00
	CONSTRUCTION TOTAL	\$101,392.00
PE-1	PRELIMINARY ENGINEERING SUBTOTAL	\$5,400.00
	PROJECT TOTAL	\$106,792.00

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Waive the Second Reading and Adopt Ordinance No. 853 - City Initiated Zoning Text Amendment (No. ZTA 22-01) Amending the Planning and Zoning Code Related to Accessory Dwelling Units (ADU's), Floodplain Regulations and Density Bonus

Meeting Date: Thursday, October 20, 2022

From: Marissa Trejo, City Manager

Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

Waive the Second Reading and Adopt Ordinance No. 853 - Amending the Planning and Zoning Code Related to Accessory Dwelling Units, Floodplain Management and Density Bonus.

II. BACKGROUND:

The State legislature enacted accessory dwelling unit (ADU) legislation in 2017, 2018, and 2020 to reduce regulatory barriers and costs, streamline approval, and expand the potential capacity for ADUs in response to California's housing shortage. A summary of the State laws and changes are summarized and attached to this report. The State ADU laws preempt local ordinances and cities must implement these laws with limited exceptions. As a result, the City's existing ordinance is unenforceable under State law and staff has been applying the State's requirements to all ADU applications.

On July 26, 2022 the Planning Commission conducted a public hearing and - adopted Resolution No. 022P-005, recommendation to the City Council for Approval of a City Initiated Zoning Text Amendment (No. ZTA 22-01).

On August 4, 2022 and September 1, 2022, the City Council continued the public hearing to make changes related to garage conversions and permitted locations for ADU's. Staff has highlights and made some minor changes to the ordinance based on the Councils direction. The attached ordinance has incorporated the requested changes by the City Council.

On October 6, 2022 the City Council introduced and waived the first reading of the above ordinance moving it to adoption at the next meeting.

III. DISCUSSION:

What are Accessory Dwelling Units and Junior Accessory Dwelling Units?

An accessory dwelling unit (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone single-family home or multi-family development. ADUs are also referred to as accessory apartments, secondary suites, and granny units/flats. ADUs can be converted portions of existing homes (i.e., internal ADUs), additions to new or existing homes (i.e., attached ADUs), or new stand-alone structures or

converted portions of existing stand-alone accessory structures (i.e., detached ADUs).

ADUs come in a variety of types as illustrated in the graphic below. Existing residences can accommodate ADUs through garage conversions, which is converting an existing garage into living space, attaching a new ADU to an existing home, or retrofitting an existing home by dividing the home either on a second floor, or a portion of an existing floor. Other examples include new detached units, an addition above an existing or new garage, as well as converting existing detached accessory structures.

Internal, attached, and detached ADUs all have the potential to increase housing availability consistent facilitating better use of the existing housing stock. Along with ADUs, Junior ADUs are another type of dwelling unit that is required by State law. Junior ADUs allow for the repurposing of an existing space in a single-family residence by incorporating a small kitchen, such as a wet-bar, and an exterior entrance to allow its use as a connected, but private living space within a larger residence. There are a few primary distinctions between a Junior ADU and an ADU as follows:

- Can only be located within an existing or proposed single family residence such as RMD Zoning Designation with alley access. - Council wishes to change to all residential zoning districts.
- JADU's must be no greater than 500 square feet in size.
- ADU's must be no greater than 1,200 square feet in size
- Must have its own separate entrance.

The proposed ADU ordinance amendment would bring the City's ordinance into compliance with State law and includes the following revisions:

- Allow for the development of a Junior ADU fully contained within the residence, in addition to, a detached ADU on residentially zoned lots with an existing or proposed single family residence.
- Only permitted in residential zoned properties with alley access. Council wishes to change to all residential districts.
- Further reduce parking standards for ADUs and allow required parking in setback areas (e.g., in a driveway).
- Reduce side and rear setbacks for ADUs from 5-feet to 4-feet.
- Increase building to 16-feet to allow ADUs to be constructed.
- No impact fees on ADUs of 750 square feet or less.
- 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.

An updated copy of Ordinance No. 853 is attached for the City Council's review and consideration.

General Plan/Zoning Consistency: The proposed zoning text amendment is consistent with the general plan policies and implementation measures including zoning consistency for residential uses. These changes further enhance the general plan and intent of the zoning code.

Public Notification: On July 11, 2022 public hearing notices were posted and emailed to local paper in accordance with local and state regulations.

Environmental Determination: This text amendment has been reviewed in accordance with CEQA and staff has determined that this ordinance change would not have a detrimental effect on the health, safety and welfare of the community and fall under Section 15061(b)(3) - General Rule Exemption.

IV. ALTERNATIVES:

None determined at this time.

V. FISCAL IMPACT:

The following standard findings must be made for each Zoning Ordinance amendment:

1. The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
2. The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
3. If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
4. The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

ATTACHMENTS:

File Name	Description
❏ Summary_of_State_ADU_Legislation.docx	Summary of ADU State Legislation
❏ Ordinance_No._853_-_ADU-FP-DB_Updated_9-1-2022.docx	Ordinance No. 853 - ADU, Floodplain, Density Bonus

Summary of State ADU Legislation

Accessory Dwelling Unit Legislation 2016-2020		
Bill Number	Date Enacted	Summary of ADU Changes
SB 1069	01/01/2017	<p>Reduced parking to once space per bedroom or unit</p> <p>Allowed off-street parking to be tandem or in setback areas</p> <p>Eliminate Parking requirements if ADU meets the following:</p> <ul style="list-style-type: none"> 1/2 mile from public transit part of an existing residence or existing accessory structure within one block of a car share in an area where on-street permits are required but not offered to the ADU <p>Prohibits agencies from requiring new or separate utility connections</p> <p>Prohibits agencies from charging new connection fees when located within an existing residence or accessory structure</p> <p>Requires agencies to charge fees must be proportionate to the burden of services</p> <p>Fire sprinklers not required if they are not required in the primary residence.</p> <p>Total prohibition not permitted unless jurisdiction extreme hardship (i.e. lack of water, sewer capacity)</p>
AB 2299	01/01/2017	<p>A municipality must approve an ADU through a building permit if comply with the following:</p> <ul style="list-style-type: none"> lot is zoned for SFR or MFR uses and contains an existing SFR ADU is either attached to the existing unit, or located within the living area of the existing unit or detached on the same lot increased floor area of an ADU does not exceed 50% of the existing living area of an SFR with a max. 1,200 sf <p>Elimination of setback requirements for an existing garage that is converted into an ADU</p>
AB 2406	01/01/2017	<p>Allows for Junior ADUs to be developed, when an ordinance is adopted that are under 500 square feet in size and completely contained within an existing residential unit with the following requirements:</p> <ul style="list-style-type: none"> 1 JADU per SFR zoned lot with an existing residence Primary unit or JADU must be owner occupied Entirely within residential structure and have its own separate entrance May share bath with primary unit or have its own bath Prohibits parking as a condition of a permit Prohibits connection fees from being charged

SB 229	01/01/2018	<p>Allows for ADUS in single family and multi-family residential zones that allow residential uses</p> <p>Allows for replacement parking anyone on the lot where a garage, carport, or covered parking structure is converted into an ADU</p> <p>Requires municipalities to submit ADU regulations to HCD for review and approval</p>
AB 494	01/01/2018	<p>ADUs may not be sold separately, but can be rented</p> <p>No setback is required if a portion of a garage is converted into an ADU</p>

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.*

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.*

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 all residential zoning districts, 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.*
 - 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.*

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. **Garage conversions are only permitted on detached accessory structures located in the rear of the main structure. No conversion of attached garages is permitted.***
 - 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 when in the rear yard.*
 - 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.

f. Access stairs, entry doors and decks must face the primary residence, side yard 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.

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.

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- (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;*
 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.

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;*
 - (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 a 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>
Note: 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.

Mayor/Mayor Pro-Tem, City of Coalinga

ATTEST:

City Clerk/Deputy City Clerk

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Approve and Authorize Assistant City Manager to Execute a Task Order with MKN and Associates to provide Design Engineering Services related to Water Improvements at the Coalinga Water Treatment Plant

Meeting Date: Thursday, October 20, 2022

From: Marissa Trejo, City Manager

Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

City Council Approval and Authorization for the Assistant City Manager to Execute a Task Order with MKN and Associates to provide Design Engineering Services related to water improvements at the Coalinga Water Treatment Plant.

II. BACKGROUND:

For the last several years, the Coalinga WTP has experienced excessive raw water particulate matter/debris (particularly during low usage/drought conditions of the Coalinga Canal). In September 2022, coagulant (aluminum sulfate) dosages upstream of the flocculation/sedimentation trains have been as high as 120 mg/L to remove substantially high raw water particulate matter/debris from the Coalinga Canal causing the city to look at alternative methods to raise the pH.

III. DISCUSSION:

The City has been approved by the waterboard to utilize a temporary sodium hydroxide storage and injection system to raise the pH and alkalinity downstream of the product water clearwell. The City is seeking to implement a permanent sodium hydroxide storage and injection facility. MKN proposes to provide preliminary design services to prepare the City to bid a project for the construction of a permanent facility at the WTP.

IV. ALTERNATIVES:

Do not approve the scope of work.

V. FISCAL IMPACT:

MKN has proposed to perform the scope of work for the above task on a not to exceed budget of \$67,941. This will be funded from the professional services fund of the water treatment plant. Although this is not a budgeted item, it is absolutely necessary to ensure safe and reliable drinking water is provided to the community considering the declining water quality the city is receiving from the canal.

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> Scope_20220919_Coalinga_WTP_Upgrades_TO_14_Sodium_Hydroxide_Storage_and_Injection_System_Design.pdf	MKN Scope of Work and Task Order



September 23, 2022

Anthony Uribe
City of Coalinga
(Submitted Electronically)

RE: Proposal for WTP Upgrades - Task Order #14 – Sodium Hydroxide Storage and Injection System Design

Dear Anthony,

MKN & Associates, Inc. (MKN) is pleased to submit a scope and fee of design services for the City of Coalinga (City) Water Treatment Plant (WTP) Upgrades – Task Order #14 – Sodium Hydroxide Storage and Injection System Design.

Project Background

For the last several years, the Coalinga WTP has experienced excessive raw water particulate matter/debris (particularly during low usage/drought conditions of the Coalinga Canal). In September 2022, City staff indicated that coagulant (aluminum sulfate) dosages upstream of the flocculation/sedimentation trains have been as high as 120 mg/L to remove substantially high raw water particulate matter/debris from the Coalinga Canal. Furthermore, given that the raw water pH of the Coalinga Canal has been historically observed to range from 8.5 to 9.0 throughout the last several years, significant aluminum sulfate dosages are required to lower the pH downstream of the rapid mix chamber. Under these water quality conditions, pH downstream of the filtration units ranges from 6.0 to 6.5. Based on MKN's past evaluations of the general inorganic chemistry of the WTP's product water samples, it is expected that such low pH values in the product water are expected to induce corrosion in the City's water distribution infrastructure.

The WTP is not currently equipped with chemical storage and injection facilities to adjust the pH and alkalinity downstream of the product water clearwell. City staff have indicated that a temporary sodium hydroxide storage and injection system will be implemented to raise the pH and alkalinity downstream of the product water clearwell. The City is seeking to implement a permanent sodium hydroxide storage and injection facility with the following objectives:

- prevent corrosion of water supply infrastructure
- minimize lead and/or copper corrosion from premise plumbing
- ensure optimal distribution system water quality conditions for maintaining stable monochloramine concentrations



- maintain an adequate product water pH value that complies with the City's current water supply permit
- ease of access and maintenance of a new chemical storage and injection facility
- cost-effective integration of the new sodium hydroxide facility with nearby infrastructure (i.e., reuse of existing control panels, excess space within the chloramine building for dosing pumps, etc.)

Per California Code of Regulations Surface Water Treatment requirements, redundant pH adjustment injection equipment will need to be installed to minimize downtime if any of the primary injection equipment experiences failure or needs to be taken offline. MKN will work closely with City staff to develop practical chemical facility layouts that consider operation of the proposed sodium hydroxide system and nearby chloramination chemical storage and injection systems in accordance with the current 2019 California Fire Code (CFC).

It is anticipated that design of a permanent sodium hydroxide storage and injection facility will consist of the following (to be refined with City staff at project kickoff meeting):

- One (1) insulated and heat-traced fiberglass reinforced plastic or high-density polyethylene storage tank (size to be determined) with appropriate NFPA area signage
- One (1) duplex mechanically-actuated diaphragm pump dosing skid with a local hand-off-auto control panel (pre-wired)
- Schedule 80 PVC/CPVC pipe and fittings with flexible polyethylene tubing connections (insulated and heat-traced)
- Reinforced concrete spill containment and tank fill structures (to be sized per 2019 CFC regulations) with chemically-resistant coatings and access stairs (recessed or at-grade, to be determined)
- Metal canopy with LED lighting (attached to spill containment structure)
- Emergency eyewash station and utility washdown hose rack (using nearby WTP utility water line)
- Electrical and controls wiring and conduit
- Integration of new controls into the existing WTP SCADA system

The City has been granted conditional approval by the Division of Drinking Water (DDW) to operate a temporary sodium hydroxide storage and injection system. MKN will work closely with City and DDW staff to obtain permitting for installation of a permanent sodium hydroxide storage and injection facility at the WTP. Following the City's approval of the Preliminary Engineering Report and 30% Plans, MKN will submit the deliverable to the



DDW for review and comment. It is expected that the DDW will also review the subsequent design submittals prior to construction.

Scope of Work

Task Group 100 – Project Management, Meetings and QA/QC

Task 101 – Project Management and QA/QC

Overall project management, which includes supervision of in-house staff, planning and monitoring of contract budget and schedule, and coordination with the City and MKN's project team will be conducted by MKN's Project Manager.

MKN will provide senior technical review and implement our quality assurance and quality control (QA/QC) measures throughout the project.

Task 102 – Meetings

MKN has included the following meetings as part of this scope of services:

- **Project Kickoff Meeting** – In-person meeting to review the project scope, schedule and budget.
- **Progress Review Meetings (2)** – Progress reviews by video conference meetings.

Deliverables:

- Meeting Agenda and Minutes (3 meetings)

Task 103 – Data Review

MKN will review previously obtained data (i.e., treated water (post-clearwell) water quality, as-built drawings, field-measured dimensions, recent field photographs and videos, previous meeting notes, etc.). MKN will verify all necessary and relevant information with City Staff prior to proceeding with subsequent tasks.

Task Group 200 – Preliminary Engineering and 30% Plans

Task 201 – Preliminary Engineering Report and 30% Plans

Per the City's previous request, a single WTP Upgrades Preliminary Engineering Report (containing design criteria and summaries of several treatment plant upgrades projects) will be amended with each task order. Text, tables, and figures presenting design criteria and summaries for each project component will be succinct.

The report will state the design criteria and project constraints, present preliminary equipment sizing and layout information, and include budgetary capital, operations, and maintenance cost opinions. The report will present the following information:

- Water quality history at the clearwell effluent to establish the following:
 - treated water quality objectives to minimize downstream corrosion impacts and maintain adequate chloramine residuals within the distribution system
 - evaluation of key distribution system and lead/copper corrosion control parameters pertaining to pH and/or alkalinity adjustments (i.e., Langelier



Saturation Index, Calcium Carbonate Precipitation Potential, Ryznar Index, etc.)

- a range design chemical dosing rates using historical and anticipated water quality conditions (post-clearwell)
- Evaluation of existing electrical and controls infrastructure in the existing chloramination building to integrate the new chemical storage and injection facility
- Operating objectives for the new sodium hydroxide storage and injection system and operational parameters, included (but not limited to):
 - Design chemical dosing rates under varied flow conditions;
 - Design storage volume
 - Chemical injection backpressures (anticipated to range between 125 to 150 psi, to be confirmed)
 - Safety and fire-protection requirements in accordance with the 2019 CFC
- Description of miscellaneous piping, valving, metering, and drainage control structures.
- Establishment of necessary clearances for operational and maintenance activities (i.e., equipment replacements, chemical fill events, etc.).
- A description of electrical requirements including a process schematic including alarms and telemetry system for remote operation and data logging
- Identification of site constraints and the most appropriate mitigation measures (including associated costs).
- Potential impacts to upstream and downstream WTP processes
- Identification of overhead and underground utilities and restrictions (i.e., power, communication, and water utilities).
- Description of other site improvements to be included in the design
- Evaluation of site security, lighting for low-visibility conditions, and operator safety.
- Layout of the recommended sodium hydroxide storage and injection facility on the project site.
- Engineer's estimate of probable construction/installation, operations and maintenance costs.
- Design and construction schedule, lead times for equipment.

MKN will submit the draft report for City review and comment. MKN's project manager and project engineer will attend a draft report review meeting with City to address comments and discuss the next steps in the project.

MKN will incorporate comments received from the City into the Final Preliminary Engineering Report and submit the final report to the City.

MKN will also prepare 30% design plans that will include preliminary piping, mechanical, structural, electrical, and controls improvements required to install the sodium hydroxide storage and injection facility.



Deliverables:

- Draft Preliminary Engineering Report and 30% Plans (electronic MS Word .DOC and Adobe .PDF files)
- Final Preliminary Engineering Report and 30% Plans (Adobe .PDF files)
- 30% Specifications List
- Construction Cost Estimate (Adobe .PDF files)

Task Group 300 – Detailed Design

Task 301 - 90% Plans, Specifications, and Cost Estimate

MKN will incorporate the draft and final Engineering Report deliverable review comments from City and prepare 90% construction plans, specifications components including bid proposal items and quantities, explanation of bid items, technical specifications and an engineer's cost opinion for construction of Sodium Hydroxide Storage and Injection System Project. Technical specifications will be developed in 2014 CSI format and plans will be prepared in AutoCAD. The City will review the contents of each submittal and provide comments for incorporation into subsequent submittals. The following design plans are anticipated to be included in the 90% design deliverable:

- General (4 Sheets)
- Civil (3 Sheets)
- Process (3 Sheets)
- Structural (3 Sheets)
- Electrical and Instrumentation (5 Sheets)

Deliverables:

- 90% Plans (electronic Adobe .PDF files, 24" x 36")
- 90% Technical Specifications (electronic Adobe .PDF files)
- 90 % Front-End Bidding Documents (electronic MS Word .DOC files)
- Engineer's opinion of probable construction cost (electronic Adobe .PDF file)

Task 302 – Final Plans, Specifications, and Cost Estimate

MKN will incorporate 90% review comments from the City and prepare final construction plans; specifications components including bid proposal items and quantities, explanation of bid items, and technical specifications; and an engineer's cost opinion for construction of the Sodium Hydroxide Storage and Injection System Project. MKN will assemble the bid specifications by incorporating the bid proposal items and quantities, explanation of bid items, and technical specifications. The following design plans are anticipated to be included in the final design deliverable:



- General (4 Sheets)
- Civil (3 Sheets)
- Process (3 Sheets)
- Structural (3 Sheets)
- Electrical and Instrumentation (5 Sheets)

Deliverables:

- Final stamped and signed plans (electronic Adobe .PDF files, 24" x 36")
- Final stamped and signed technical specifications (electronic Adobe .PDF files)
- Final Front-End Bidding Documents (electronic MS Word .DOC files)
- Engineer's opinion of probable construction cost (electronic Adobe .PDF file)

It is assumed the City Engineer (Tri-City Engineering) will review and prepare the Final Front-End Bidding Documents for bid advertisement.

Task Group 400 – Bid Phase Support

Task 401 – Bid Phase Support Services

The City will coordinate with Tri-City Engineering to advertise the plans and bid specifications. MKN will attend a pre-bid meeting and provide to the City written responses to bidder questions through the bid period. MKN will prepare and provide conformed plans and specifications incorporating any changes resulting from the bid period.

Deliverables:

- Addenda, RFI responses, and clarifications as needed
- Conformed plans (electronic Adobe .PDF files, 24" x 36")
- Conformed specifications (electronic Adobe .PDF files)

Additional Services

While not included in our initial Scope of Services, MKN can perform the following additional services if requested by the City and following an amendment to the agreement for professional services. At this time, we do not anticipate that these services will be required to complete the preliminary design phase of this project.

- Utility potholing
- Assistance with pre-purchasing equipment, including preparation of separate bid packages
- Engineering services during construction
- Construction administration/management

Schedule

The anticipated schedule for the project is included in **Table A**.



Table A. Anticipated Project Schedule	
Deliverable	Deliverable Date (Time Period Following Notice-to-Proceed)
Draft Basis of Design Report and 30% PS&E (Time to Complete TO #14 Work)	8 weeks
Final Basis of Design Report and 30% PS&E (Time to Complete TO #14 Work)	2 weeks
90% PS&E	8 weeks
Final PS&E	3 weeks

Preparation of the Draft and Final Basis of Design Report Deliverables assume concurrent preparation of other Draft and Final Basis of Design/30% PS&E Deliverables from Task Order #11 in a single Basis of Design Report document.

Fee Estimate

MKN proposes to complete this work on a time and materials basis with a budget not to exceed the value provided in the Fee Estimate (included as **Exhibit B**) and is based on the 2022 MKN rate schedule, (included as **Exhibit C**).

Should you have any questions or wish to discuss any of the information presented herein, please do not hesitate to contact me at your convenience. My phone number is (559) 500-4750 x1102 and email is hliang@mknassociates.us.



Sincerely,

Henry Liang, PE
Principal

Stefanos Word, PE, ENV SP
Project Engineer

Enclosures:

- Exhibit A – Anticipated Drawing Sheet List
- Exhibit B – Fee Estimate
- Exhibit C – Rate Schedule

		ANTICIPATED DRAWING LIST				<div>Requisition No. : --</div> <div>Document No. : F-F-011</div> <div>Sheet No. : 1</div> <div>Rev. No. : A</div>				
		CITY OF COALINGA - WTP UPGRADES -SODIUM HYDROXIDE STORAGE AND FEED SYSTEM DESIGN				<div>Current Design Phase : 30</div> <div>PIC : HWL</div> <div>PM : JEH</div> <div>Prepared By: SGW</div> <div>Reviewed By: : HWL</div>				
SHEET	SHEET TITLE/DESCRIPTION		SHEET NO.	ASSIGNED FIRM	INCLUDE IN 30% SUBMITTAL?	INCLUDE IN 90% SUBMITTAL?	REMARKS			
GENERAL										
1	COVER SHEET/TITLE SHEET/SHEET INDEX		G-001	MKN	YES	YES				
2	ABBREVIATIONS AND LEGEND		G-002	MKN	YES	YES				
3	GENERAL NOTES		G-003	MKN	NO	YES				
4	PROCESS FLOW DIAGRAM AND DESIGN CRITERIA		G-004	MKN	YES	YES				
CIVIL										
5	SITE LAYOUT, CONSTRUCTION AND STAGING PLAN		C-101	MKN	YES	YES				
6	YARD PIPING PLAN		C-102	MKN	YES	YES				
7	CIVIL DETAILS - I		C-501	MKN	NO	YES				
PROCESS										
8	SODIUM HYDROXIDE STORAGE AND INJECTION - PLAN AND SECTIONS - I		D-101	MKN	YES	YES				
9	SODIUM HYDROXIDE STORAGE AND INJECTION - SECTIONS AND DETAILS		D-102	MKN	NO	YES				
10	PROCESS DETAILS - I		D-501	MKN	NO	YES				
STRUCTURAL										
11 - 13	3 SHEETS ANTICIPATED		--	ZSDE	NO	YES				
ELECTRICAL & INSTRUMENTATION										
14	ELECTRICAL SYMBOLS AND LEGENDS		E-001	MSO	YES	YES				
15	SODIUM HYDROXIDE STORAGE AND INJECTION - P&ID		E-101	MKN/MSO	YES	YES				
16	CONDUIT LAYOUT		E-102	MSO	NO	YES				
17	CHLORAMINATION CONTROL PANEL MODIFICATIONS - I		E-103	MSO	NO	YES				
18	CHLORAMINATION CONTROL PANEL MODIFICATIONS - II		E-104	MSO	NO	YES				
19	ELECTRICAL AND INSTRUMENTATION DETAILS		E-105	MSO	NO	YES				
A	9/12/2022	ISSUED FOR REVIEW				SGW	HWL	HWL	COALINGA	
REV	DATE	DESCRIPTION				PREPARED	CHECKED	APPROVED	CLIENT DATE	

City of Coalinga
WTP Upgrades - Task Order #14 - Sodium Hydroxide Storage and Injection System



	Project Director	Principal Engineer	Project Engineer I/Senior Scientist	Assistant Engineer I	Senior Designer	Total Hours (MKN)	Labor (MKN)	ODCs (MKN)	Structural (ZSDE)	Electrical & Controls (MSO Technologies)	Geotechnical (Salem)	Non-Labor Costs	Total Fee
Hourly Rates	235	205	170	125	150								
Task Group 100 – Project Management, Meetings and QA/QC													
Task 101 – Project Management and QA/QC	2	20				22	\$4,570	\$ 137	\$ -	\$ -	\$ -	\$137	\$ 4,707
Task 102 – Meetings	2	2		2		6	\$1,130	\$ 34	\$ -	\$ -	\$ -	\$34	\$ 1,164
Task 103 – Data Review		2	4	4		10	\$1,590	\$ 48	\$ -	\$ -	\$ -	\$48	\$ 1,638
Subtotal	4	24	4	6	0	38	\$ 7,290	\$ 219	\$ -	\$ -	\$ -	\$ 219	\$ 7,509
Task Group 200 – Preliminary Engineering													
Task 201 – Preliminary Engineering Report and 30% Plans	2	8	16	24	24	74	\$11,430	\$ 343	\$ -	\$ 4,752	\$ 4,395	\$9,489	\$ 20,919
Subtotal	2	8	16	24	24	74	\$ 11,430	\$ 343	\$ -	\$ 4,752	\$ 4,395	\$ 9,489	\$ 20,919
Task Group 300 – Detailed Design													
Task 301 - 90% Plans, Specifications, and Cost Estimate	2	4	24	32	32	94	\$14,170	\$ 425	\$ 4,693	\$ 4,752	\$ -	\$9,870	\$ 24,040
Task 302 – Final Plans, Specifications, and Cost Estimate	2	2	8	16	8	36	\$5,440	\$ 163	\$ 2,347	\$ 4,752	\$ -	\$7,262	\$ 12,702
Subtotal	4	6	32	48	40	130	\$ 19,610	\$ 588	\$ 7,040	\$ 9,504	\$ -	\$17,132	\$ 36,742
Task Group 400 – Bid Phase Support													
Task 401 – Bid Phase Support Services		2	4	8	4	18	\$2,690	\$ 81	\$ -	\$ -	\$ -	\$81	\$ 2,771
Subtotal	0	2	4	8	4	18	\$ 2,690	\$ 81	\$ -	\$ -	\$ -	\$ 81	\$ 2,771
TOTAL BUDGET	10	40	56	86	68	260	\$41,020	\$ 1,231	\$ 7,040	\$14,256	\$ 4,395	\$26,921	\$ 67,941



2022 FEE SCHEDULE FOR
PROFESSIONAL SERVICES

ENGINEERS AND TECHNICAL SUPPORT STAFF

Engineering Technician	\$90/HR
Administrative Assistant	\$100/HR
CAD Technician I	\$115/HR
CAD Design Technician II	\$140/HR
Senior Designer	\$155/HR
Assistant Engineer I	\$125/HR
Assistant Engineer II	\$145/HR
GIS Specialist	\$150/HR
Planner	\$170/HR
Senior Planner	\$190/HR
Project Engineer I/ Senior Scientist	\$170/HR
Project Engineer II	\$180/HR
Senior Project Engineer I	\$190/HR
Senior Project Engineer II	\$198/HR
Project Manager	\$200/HR
Principal Engineer	\$220/HR
Project Director	\$250/HR

CONSTRUCTION MANAGEMENT SERVICES

Construction Inspector	\$162/HR
Assistant Resident Engineer	\$169/HR
Resident Engineer	\$184/HR
Construction Inspector	\$197/HR
Construction Manager	\$201/HR
Principal Construction Manager	\$236/HR

Routine office expenses such as computer usage, software licenses and fees, telephone charges, office equipment and supplies, incidental postage, copying, and faxes are included as a 3% fee on labor cost.

The foregoing Billing Rate Schedule is effective through December 31, 2022 and will be adjusted each year after at a rate of 2 to 5%.

DIRECT PROJECT EXPENSES

Outside Reproduction	Cost + 10%
Subcontracted or Subconsultant Services	Cost + 10%
Travel & Subsistence (other than mileage)	Cost
Auto Mileage	Current IRS Rate - \$.58.5/mi.

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Authorize Assistant City Manager to Renew the Contract With Precision Concrete
Meeting Date: October 20, 2022
From: Marissa Trejo, City Manager
Prepared by: Larry Miller, Public Works and Utilities Coordinator

I. RECOMMENDATION:

City Manager and Assistant City Manager recommend Council authorize the Assistant City Manager to renew the contract with Precision Concrete Cutting.

II. BACKGROUND:

On April 21, 2021, the City Council authorized a contract with Precision Concrete. This contract was not to exceed \$179,366. The new contract would cover the remaining districts to be completed.

III. DISCUSSION:

Precision Concrete Cutting offers services to cleanly remove lifts in sidewalks that do not exceed 1.5". Their survey completed in 2021 listed hundreds of locations throughout the city that could benefit from this service.

In 2021, Precision Concrete Cutting completed work in Districts 2 and 4. This work included removing trip hazards that did not exceed 1.5". Public Works is looking to complete the remaining Districts this fiscal year.

The contract amount is stated to not exceed \$179,366 but will likely incur a lesser cost. This is due to other simultaneous projects that may improve areas within the remaining Districts. Staff will work to ensure that these do not overlap, and as a result the cost to shave sidewalks will not be at the stated amount. Rather they will be some lesser amount. To what extent is not yet known, as the other sidewalk projects are still being scoped.

IV. ALTERNATIVES:

Do not authorize the Assistant City Manager to renew the contract with Precision Concrete Cutting.

V. FISCAL IMPACT:

The contract amount would be drawn from TDA Article III and Measure C Flexible Funding. This amount is not to exceed \$179,366.

ATTACHMENTS:

File Name

Description

No Attachments Available

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Adopt Resolution No. 4122 Approving an Amendment to the Standard Agreement for the 2020 Community Development Block Grant Program - Coronavirus Response Round 2 and 3 (CDBG-CV2 and CV3) NOFA Dated December 18, 2020

Meeting Date: Thursday, October 20, 2022

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

The City Manager recommends the City Council adopt Resolution No. 4122 approving an amendment to the City's CDBG-CV Business Assistance Program Agreement (20-CDBG-CV2-3-00008) and authorize the City Manager to execute all necessary HCD documents.

II. BACKGROUND:

On June 5, 2020 the City submitted an application for the 2020 CDBG CV-1 Grant in the amount of \$86,343 to assist local residents with rent, mortgage and utility payments and an additional \$65,253 of Program Income for a total of \$151,596 in Substances Assistance. The City received authorization to incur costs on January 13, 2021. Concurrently, the City also submitted an application for the 2020 CDBG CV2-3 Grant in the amount of \$314,194 to assist local businesses impacted by COVID-19 with recovery and was granted authorization to incur costs starting on June 20, 2021.

As of April 5, 2022, no business has been assisted under the City's Business Assistance program, despite ongoing marketing. Currently \$185,375.83 in remaining funds exist. Within this same time frame the City has been able to provide rent, mortgage and/or utility assistance to 51 households in Coalinga fully expending \$151,596 of funds awarded.

Additional demand exists to aid Coalinga's household with rent, mortgage, and/or utilities; however, no other programs are available. There are no pending applications for business assistance, nor has there been any interest shown since the inception of the program.

At the September 15, 2022 Council Meeting, the Council adopted Resolution No. 4117 approving the Subsistence Payment activity be amended to repurpose funding for Subsistence Payment activity to ensure full expenditure of the grant prior to the expiration date of November 3, 2023.

III. DISCUSSION:

Upon submission of the amendments to HCD, the City was notified of the State's request to update the resolution for the amendment with the final figures of \$258,856.40 from the CV contracts.

The attached Resolution No. 4122 now reflects the previously missing final figures, which is highlighted in

yellow.

IV. ALTERNATIVES:

Do not adopt Resolution No. 4122 approving the amendment with the final contract figures.

V. FISCAL IMPACT:

No fiscal impact.

ATTACHMENTS:

File Name	Description
▯ RESO#4122_CDBG-CV2_3_Amend_Transfer_Business_Asst_Funds_to_Rent__Mortg__Utility_Subistence_Paymentsto_102022.pdf	Resolution No. 4122

RESOLUTION NO. 4122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT FOR THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM-CORONAVIRUS RESPONSE ROUND 2 AND 3 (CDBG- CV2 AND CV3) NOFA DATED DECEMBER 18, 2020

BE IT RESOLVED by the City Council of the City of Coalinga as follows:

SECTION 1:

The City Council has reviewed and hereby approves the submission to the State of California ("State") of one or more amendments to its existing CDBG-CV2 and CV3 Standard Agreement with the State numbered 20-CDBG-CV2-3-00008 (the "Standard Agreement") pursuant to the State's December 2020 CDBG-CV2 and CV3 Notice of Funding Availability (NOFA). The reviewed and approved amendment(s) are presented in Section 2 of this Resolution.

SECTION 2:

The following amendments to the Standard Agreement have been reviewed and approved by the City Council with acknowledgement that all provisions of the Standard Agreement other than those shown in the tables below shall remain unmodified.

Existing Section Reference (if applicable):
Existing Provision: Provide Business Assistance to income eligible business owners/and or create/retain job for those with incomes at or below 80% of the County AMI, for the purpose of aiding businesses impacted by COVID-19 within the City of Coalinga.
Amended Provision: Provide Subsistence payments (rent, mortgage, and/or utilities) to low-income households/individuals impacted by COVID-19 living within the City of Coalinga. Reallocation of funds will allow for \$258,856.44 in Subsistence payment assistance.

SECTION 3:

The City acknowledges compliance with all state and federal public participation requirements with respect to the proposed amendments to the Standard Agreement described in Section 2 above.

SECTION 4:

The City hereby authorizes and directs the City Manager, or designee*, to execute and deliver all applications and/or amendments and act on the City's behalf in all matters pertaining to all such applications and/or amendments.

SECTION 5:

If an amendment to the Standard Agreement is approved as contemplated above, the City Manager, or designee*, is authorized to enter into, execute, and deliver an amendment to the Standard Agreement and any and all other documentation which may be required by the State from time to time for the purposes of this grant.

SECTION 6:

If an amendment to the Standard Agreement is approved, the City Manager, or designee*, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with this grant.

PASSED AND ADOPTED by the City Council of the City of Coalinga at a regular meeting held on this **20th day of October, 2022**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSTENT:

APPROVED:

Ron Ramsey, Mayor

ATTEST:

Shannon Jensen, City Clerk

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Code Enforcement Monthly Report for September 2022
Meeting Date: Thursday, October 20, 2022
From: Marissa Trejo
Prepared by: Yaneth Ibarra, Code Enforcement Officer

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

	File Name	Description
▣	September_2022.pdf	Code Enforcement Report 2022

Code Enforcement Activity

September 2022	Notices	Pending	Cited	Completed
Broken Fence				
Broken Window				
Dead Trees	2	1	1	
Fence +6ft				
Furniture				
Grafitti				
In-Op Vehicles	6	5		1
Junk Trash Debris	25	19	1	5
Mud Spill				
Over Grown Weeds				
Over Hanging Palm Trees	47	12	10	25
Pool Maintance				
Roosters and Chickens				
RV on the street				
RV on Unimproved Surface	2			2
Tires/Junk Alley				
Trash Cans in front of yard				
Vehicles on Lawn	5	2		3
Vehicles on Unimproved Surface				
Total	87	39	12	36
72 Hour Parking Warning	10	2	3	8
Vehicle Tows				
Water Conservation	53		5	

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Discussion, Direction and Adoption of Resolution No. 4108 Updating the City's Water Shortage Regulations Related to Businesses
Meeting Date: October 20, 2022
From: Marissa Trejo, City Manager
Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

There is no recommendation as this was a request from Councilman Singleton.

II. BACKGROUND:

Resolution No. 4108 declared a water emergency and additionally included water shortage regulations from watering days, hours, limitation of watering front yard turf, and penalties. These all still remain in full effect.

III. DISCUSSION:

At the October 6, 2022 City Council meeting, Councilman Singleton requested a future agenda item to discuss watering restrictions for businesses. Staff has prepared options on an updated Resolution (4108) related to one day a week watering or no watering for commercial/institutional and industrial water users.

Staff does not have a recommendation on this request by Councilman Singleton. Council is expected to discuss this request at the meeting.

IV. ALTERNATIVES:

None.

V. FISCAL IMPACT:

None, determined at this time.

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> RESO#4108_Continuing_Water_Conservation_Emergency__Updating_Water_Shortgage_Regs__Auth_Purchase_of_Water_080422_.pdf	Existing Resolution No. 4108 (Adopted 8-4-2022)
<input type="checkbox"/> Resolution_No_4108_-_Updated_Per_Singleton_October_2022.docx	Updated Resolution (4108) with Options

RESOLUTION NO. 4108

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA CONTINUING THE
PROCLAIMED WATER CONSERVATION EMERGENCY, UPDATING ITS WATER SHORTAGE
REGULATIONS, AND AUTHORIZING THE PURCHASE OF WATER DUE TO EXEPECTED
SHORTFALL**

WHEREAS, California is in a second consecutive year of dry conditions, resulting in drought conditions throughout most of the State, worse than the drought of 2015; and

WHEREAS, warm temperatures and dry soils in Spring 2021 depleted the expected runoff from the Sierra-Cascade snowpack greater than previously projected low volumes; and

WHEREAS, on May 10, 2021, the governor issued a proclamation of a State of Emergency regarding extreme drought conditions in California; and

WHEREAS, the City of Coalinga is solely dependent on surface water provided through the Central Valley Project under the City's contract with the United States Bureau of Reclamation (USBR); and

WHEREAS, USBR notified the City on May 18, 2022, that the City must decrease its water usage to Public Health and Safety (PHS) needs only, effective April 1, 2022; and

WHEREAS, the City's water requirements exceed the PHS-calculated volume and therefore the City must demonstrate extraordinary water conservation to receive additional water above the PHS volume, pursuant to USBR's Municipal and Industrial Water Shortage Policy; and

WHEREAS, On July 1, 2021 the City Council proclaimed a Water Conservation Emergency is hereby proclaimed for the City of Coalinga until the City at a future date determines the water emergency is over; and

WHEREAS, the City Council has determined that extreme conservation must continue through the 2022/2023 water year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coalinga as follows:

1. The Water Conservation Emergency Proclamation is hereby continued for the City of Coalinga until the Council removes such proclamation by subsequent resolution; and,
2. The City shall impose additional water restrictions and penalties beyond those provided in Section 6-4C.07 of the City's Municipal Code (Exhibit A).
3. The City Council Authorizes staff to purchase water on behalf of the City for its expected shortfall at a cost not to exceed \$2,500 an acre foot.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Coalinga held on the 4th day of August 2022, by the following vote:

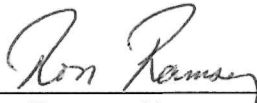
AYES: Ramirez, Singleton, Horn, Adkisson

NOES: Ramsey

ABSTAIN: None


ABSENT: None

APPROVED:



Ron Ramsey, Mayor

ATTEST:



Shannon Jensen, City Clerk

EXHIBIT A
City of Coalinga Water Conservation Emergency Restrictions
Effective August 4, 2022 (Until Repealed by Resolution)

As of August 4, 2022, the City Council of Coalinga has extended its Water Conservation Emergency Proclamation for all Coalinga water customers. The following water restrictions are mandatory because of extreme, drought-related water shortages from the United States Bureau of Reclamation and possible consequences of exceeding its allocated allotment.

Water Conservation Emergency Restrictions

- Residential (including rural residential) Watering – No watering of turf/grass in the front yard. Trees and shrubs may be watered enough to keep them alive.
 - All other residential landscaping shall be held to the following ONE DAY PER WEEK watering schedule:
 - No water customer shall sprinkle, water, or irrigate any shrubbery, trees, lawns, grass, groundcovers, plants, vines, gardens, vegetables, flowers, or any other landscaped or vegetated areas on between the hours of 6:00 a.m. and 9:00 p.m.
 - ODD Address – may water on TUESDAYS
 - EVEN Address – may water on THURSDAYS
- Commercial/Industrial/Institutional Watering
 - No watering on non-functional turf is permitted (per Governor's Executive Order)
 - All other watering shall ONLY occur on Wednesdays.
 - No water customer shall sprinkle, water, or irrigate any shrubbery, trees, groundcovers, plants, vines, gardens, vegetables, flowers, or any other landscaped or vegetated areas on between the hours of 6:00 a.m. and 9:00 p.m.
 - 30% reduction in water use is encouraged.

Additional Restrictions

- No restaurants or other public place which serves food shall serve drinking water to any customer unless expressly requested by the customer.
- Hand-held hose washing is strictly prohibited for sidewalks, walkways, driveways, parking areas, patios, porches and verandas.
- Decorative fountains must recirculate water.

Penalties

- No water customer of the City shall knowingly use, or permit the use of, water in a manner contrary to any provisions of this chapter, or in an amount in excess of that use permitted by the provisions of this chapter.

- Unless otherwise provided, any water customer violating any restriction shall be guilty of an infraction, and each day or portion thereof such violation is in existence shall be a new and separate offense.
 - Any water customer determined to be guilty of a violation shall receive a verbal notice followed up with a written notice.
 - Any water customer determined to be guilty of a second violation shall be issued an infraction, punishable by a fine of not more than one hundred (\$100.00).
 - For a third violation, during any period of declared water conservation emergency, an infraction, punishable by a fine not more than five hundred dollars (\$500.00).
 - For a fourth violation, during any period of declared water conservation emergency, an infraction, punishable by a fine not more than one thousand dollars (\$1,000.00), and placement of a flow restrictor. In addition, the City may discontinue water services.
- In addition to the above remedies, the City Manager, or his or her designee, is empowered to enforce any or all of the following penalties:
 - Place a flow restricting device upon the water service;
 - Lock off of a water meter;
 - Remove a water meter;
 - Shut off the service connection.
- All costs or expenses incurred by the City for enforcement of this section shall be borne by the water customer. No water service shall be limited or discontinued until the City Manager or his or her designee provides a written notice of intent to so limit or discontinue such service and the reasons for such decision, and further, provides such water customer notice of the right to request an administrative review and hearing pursuant to the procedures set forth in Section 6-4.26 of the Municipal Code, except that any reference to "citation" in that section shall instead be deemed a reference to a "notice of intent" as described in this section. A written notice of intent shall be provided either by first class mail, by personal service on the water customer, or by posting said notice in a conspicuous place on the property wherein the violation occurred. Notwithstanding any other provision of this Code, there shall be no right to further administrative review or appeal.

RESOLUTION NO. 4108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA CONTINUING THE PROCLAIMED WATER CONSERVATION EMERGENCY, UDATING ITS WATER SHORTAGE REGULATIONS, AND AUTHORIZING THE PURCHASE OF WATER DUE TO EXEPECTED SHORTFALL

WHEREAS, California is in a second consecutive year of dry conditions, resulting in drought conditions throughout most of the State, worse than the drought of 2015; and

WHEREAS, warm temperatures and dry soils in Spring 2021 depleted the expected runoff from the Sierra-Cascade snowpack greater than previously projected low volumes; and

WHEREAS, on May 10, 2021, the governor issued a proclamation of a State of Emergency regarding extreme drought conditions in California; and

WHEREAS, the City of Coalinga is solely dependent on surface water provided through the Central Valley Project under the City's contract with the United States Bureau of Reclamation (USBR); and

WHEREAS, USBR notified the City on May 18, 2022, that the City must decrease its water usage to Public Health and Safety (PHS) needs only, effective April 1, 2022; and

WHEREAS, the City's water requirements exceed the PHS-calculated volume and therefore the City must demonstrate extraordinary water conservation to receive additional water above the PHS volume, pursuant to USBR's Municipal and Industrial Water Shortage Policy; and

WHEREAS, On July 1, 2021 the City Council proclaimed a Water Conservation Emergency is hereby proclaimed for the City of Coalinga until the City at a future date determines the water emergency is over;

WHEREAS, the City Council has determined that extreme conservation must continue through the 2022/2023 water year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coalinga as follows:

1. The Water Conservation Emergency Proclamation is hereby continued for the City of Coalinga until the Council removes such proclamation by subsequent resolution; and,
2. The City shall impose additional water restrictions and penalties beyond those provided in Section 6-4C.07 of the City's Municipal Code (Exhibit A).
3. The City Council Authorizes staff to purchase water on behalf of the City for its expected shortfall at a cost not to exceed \$2,500 an acre foot.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Coalinga held on the 20th day of October 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Mayor/Mayor Pro-Tem

ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A

City of Coalinga Water Conservation Emergency Restrictions

Effective October 20, 2022 (Until Repealed by Resolution)

As of October 20, 2022, the City Council of Coalinga has extended its Water Conservation Emergency Proclamation for all Coalinga water customers. The following water restrictions are mandatory because of extreme, drought-related water shortages from the United States Bureau of Reclamation and possible consequences of exceeding its allocated allotment.

Water Conservation Emergency Restrictions

- Residential (including rural residential) Watering – No watering of turf/grass in the front yard. Trees and shrubs may be watered enough to keep them alive.
 - All other residential landscaping shall be held to the following ONE DAY PER WEEK watering schedule:
 - ALL Watering Shall occur on MONDAYS irrespective of ADDRESS
 - No water customer shall sprinkle, water, or irrigate any shrubbery, trees, lawns, grass, groundcovers, plants, vines, gardens, vegetables, flowers, or any other landscaped or vegetated areas on between the hours of 6:00 a.m. and 9:00 p.m.
- Commercial/Industrial/Institutional Watering
 - No watering on non-functional turf is permitted (per Governor's Executive Order)
 - All other watering shall ONLY occur on Monday's.
 - No water customer shall sprinkle, water, or irrigate any shrubbery, trees, groundcovers, plants, vines, gardens, vegetables, flowers, or any other landscaped or vegetated areas on between the hours of 6:00 a.m. and 9:00 p.m.
 - 30% reduction in water use is encouraged.

ALTERNATIVE OPTION BASED ON FUTURE AGENDA ITEM REQUEST FROM COUNCILMAN SINGLETON

OPTION 1: No outdoor watering for commercial/industrial/institutional water customers.

Additional Restrictions

- No restaurants or other public place which serves food shall serve drinking water to any customer unless expressly requested by the customer.
- Hand-held hose washing is strictly prohibited for sidewalks, walkways, driveways, parking areas, patios, porches and verandas.
- Decorative fountains must recirculate water.

Penalties

- No water customer of the City shall knowingly use, or permit the use of, water in a manner contrary to any provisions of this chapter, or in an amount in excess of that use permitted by the provisions of this chapter.
- Unless otherwise provided, any water customer violating any restriction shall be guilty of an infraction, and each day or portion thereof such violation is in existence shall be a new and separate offense.
 - Any water customer determined to be guilty of an violation shall receive a verbal notice followed up with a written notice.
 - Any water customer determined to be guilty of a second violation shall be issued as and infraction, punishable by a fine of not more than one hundred (\$100.00).
 - For a third violation during any period of declared water conservation emergency an infraction, punishable by a fine not more than five hundred dollars (\$500.00).
 - For a fourth violation during any period of declared water conservation emergency an infraction, punishable by a fine not more than one thousand dollars (\$1,000.00), and placement of a flow restrictor. In addition, the City may discontinue water services.
- In addition to the above remedies, the City Manager or his or her designee is empowered, to enforce any or all of the following penalties:
 - Place a flow restricting device upon the water service;
 - Lock off of a water meter;
 - Remove a water meter;
 - Shut off the service connection.
- All costs or expenses incurred by the City for enforcement of this section shall be borne by the water customer. No water service shall be limited or discontinued until the City Manager or his or her designee provides a written notice of intent to so limit or discontinue such service and the reasons for such decision, and further, provides such water customer notice of the right to request an administrative review and hearing pursuant to the procedures set forth in Section 6-4.26 of the Municipal Code, except that any reference to "citation" in that section shall instead be deemed a reference to a "notice of intent" as described in this section. A written notice of intent shall be provided either by first class mail, by personal service on the water customer, or by posting said notice in a conspicuous place on the property wherein the violation occurred. Notwithstanding any other provision of this Code, there shall be no right to further administrative review or appeal.

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Authorize the Mayor to sign a Letter of Support on behalf of the Coalinga City Council for Measure X, as Presented by the Committee for Excellent Coalinga-Huron Schools

Meeting Date: Thursday, October 20, 2022

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

II. BACKGROUND:

Measure X flyer attached.

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

	File Name	Description
▣	MEASURE_X.pdf	Measure X Flyer

The Children of Coalinga-Huron Schools Need Our YES Vote on Measure X!

Measure X will provide the funds needed to make critical facility improvements at local Coalinga-Huron schools.

Measure X will:

- ✕ Replace deteriorating plumbing systems and improve drinking water quality
- ✕ Repair or replace leaky roofs
- ✕ Make health, safety and security improvements
- ✕ Replace outdated heating, ventilation, and air-conditioning systems; and
- ✕ Construct new classrooms to reduce student overcrowding

Measure X makes financial sense and protects taxpayers.

- ✓ Measure X will not increase the tax rate property owners are currently paying.
- ✓ All funds must be spent locally and cannot be taken by the state.
- ✓ By law, spending must be reviewed and annually audited by an independent citizens' oversight committee.
- ✓ Funds can only be spent to improve local schools, not for teacher or administrator salaries.

Measure X is endorsed by:

Local Civic Leaders, Community and Parent Organizations, Elected Officials, Parents, Community Members, and Business Leaders.

