



CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

AGENDA
MONDAY, MARCH 24, 2014 – 7:00 P.M.

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

FLAG SALUTE: Mayor Matt Beekman

INVOCATION:

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the audience may address the City Council on any item of interest to the public pertaining to the City and may step to the podium, state their name and city of residence for the record (requirement of name and city of residence is optional) and make their presentation. Please limit presentations to five minutes. Since the City Council cannot take action on matters not on the agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern, which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

3.1: Approve the March 10, 2014 Regular Meeting Minutes.

3.2: Approve the Warrants Register.

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this Agenda will be made available at the City Clerk's counter at City Hall located at 7018 Pine Street, Hughson, CA.

Error! Unknown document property name.

- 3.3:** Approve Waiving the Second Reading and Adopt Ordinance No. 2014-01, Amending Hughson Municipal Code Title Chapter 2.04 – Meeting Location.
- 3.4:** Approve Waiving the Second Reading and Adopt Ordinance No. 2014-02, Amending Hughson Municipal Code Title Chapter 3.28 – Informal Bidding.
- 3.5:** Approve Waiving Second Reading and Adopt of the Ordinance No. 2014-03, Amending Hughson Municipal Code Title Chapter 9.36 – Massage Establishments.
- 3.6:** Receive and Accept the 2013 General Plan Progress Report and the Annual Progress Report on the Implementation of the Housing Element.

4. UNFINISHED BUSINESS:

- 4.1:** Accept the Progress Report on the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts and Authorize the City Manager to Execute an Agreement with the City of Turlock for the Provision of Associated Administrative and Engineering Services.
- 4.2:** Adopt Resolution No. 2014-10, Establishing the City of Hughson’s Legislative Program.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS:

- 6.1:** Consider the Adoption of the Mitigated Negative Declaration for the Seventh Street Park Project.
- 6.2:** Consider the Adoption of The Low Impact Development (LID) Manual.

7. CORRESPONDENCE: NONE.

8. COMMENTS:

- 8.1:** Staff Reports and Comments: (Information Only – No Action)

City Manager:

City Clerk:

Community Development Director:

Director of Finance:

Police Services:

City Attorney:

8.2: Council Comments: (Information Only – No Action)

8.3: Mayor’s Comments: (Information Only – No Action)

9. CLOSED SESSION TO DISCUSS THE FOLLOWING:

9.1: CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6.

Agency Negotiator: Raul L. Mendez, City Manager

Employee Organizations: Operating Engineers Local No. 3
(Skilled Trades, Professional and Technical)

Management

10. REPORT FROM CLOSED SESSION:

ADJOURNMENT:

WAIVER WARNING

If you challenge a decision/direction of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

UPCOMING EVENTS:

March 24	▪ City Council Meeting, City Council Chambers, 7:00pm
April 14	▪ City Council Meeting, City Council Chambers, 7:00pm
April 15	▪ Planning Commission Meeting, City Council Chambers, 6:00pm
April 26-27	▪ City-Wide Yard Sale Event
April 28	▪ Special City Council Meeting, Samaritan Village, 6:00pm
April 28	▪ City Council Meeting, City Council Chambers, 7:00pm
May 3	▪ City-Wide Clean Up Day, 9:00-2:00pm

RULES FOR ADDRESSING CITY COUNCIL

Members of the audience who wish to address the City Council are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.**

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

AFFIDAVIT OF POSTING

DATE: March 21, 2014 **TIME:** 5:00pm
NAME: Dominique Spinale **TITLE:** Deputy City Clerk

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson City Council shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

General Information: The Hughson City Council meets in the Council Chambers on the second and fourth Mondays of each month at 7:00 p.m., unless otherwise noticed.

Council Agendas: The City Council agenda is now available for public review at the City's website at www.hughson.org and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054.



CITY OF HUGHSON AGENDA ITEM NO. 3.1 SECTION 3: CONSENT CALENDAR

Meeting Date: March 24, 2014
Subject: Approval of the City Council Minutes
Presented By: Dominique Spinale, Deputy City Clerk

Approved By: _____

Staff Recommendation:

Approve the Regular Meeting Minutes of March 10, 2014 as presented.

Background and Overview:

The draft minutes of the March 10 meeting are prepared for the Council's review.



CITY OF HUGHSON
CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

MINUTES
MONDAY, MARCH 10, 2014 – 7:00 P.M.

CALL TO ORDER: Mayor Matt Beekman

ROLL CALL:

Present: Mayor Matt Beekman
Mayor Pro Tem Jeramy Young
Councilmember Jill Silva
Councilmember George Carr
Councilmember Harold Hill

Staff Present: Raul Mendez, City Manager
Daniel J. Schroeder, City Attorney
Darin Gharat, Chief of Police Services
Dominique Spinale, Management Analyst/Deputy City Clerk
Margaret Souza, Director of Finance
Lisa Whiteside, Finance Manager
Sam Rush, Public Works Superintendent

FLAG SALUTE: Mayor Matt Beekman

INVOCATION: Mayor Matt Beekman

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

No Public Comments.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

- 3.1: Approve the February 24, 2014 Regular Meeting Minutes.
- 3.2: Approve the Warrants Register.
- 3.3: Approve Resolution No. 2014-07, a Resolution of the City Council of the City of Hughson designating the City Manager to act on its behalf for the SDWSRF financing and sign on behalf of the City on related application documents to the CDPH, designating the City Engineer to act on its behalf in signing the Budget and Expenditure Summary and final inspections and completions, agreeing to raise user water rates as appropriate, and identifying the source of revenue for loan repayment as required by CDPH.
- 3.4: Approve the Annual Report of AB1600 Fees for Fiscal Year Ending 2013.
- 3.5: Approve Resolution No. 2014-08, in support of approving the Draft Annual Action Plan (AAP) for Fiscal Year 2014-2015.
- 3.6: Approve the Re-Appointment of Julie Strain, Karen Minyard, and Mark Fontana to the Planning Commission.

CARR/SILVA 5-0 motion passes to approve the Consent Calendar as presented.

4. UNFINISHED BUSINESS:

- 4.1: Accept the Progress Report on the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts.

City Manager Mendez advised the Council that the scope of services with the City of Turlock has been drafted and incorporated into a formal job sharing agreement. City staff is working with Turlock to develop the parameters for an agreement and hope to bring this item to Council for approval on March 24.

No action was taken on this Item.

- 4.2 Consider Resolution No. 2014-09, Approving Adjustments to the Operating Budget for Fiscal Year 2013-14.

Director Souza presented the staff report on this item.

City Clerk Spinale advised the Council of some corrections needed to the assigned resolution numbers on the Agenda and within the Resolution of this agenda item.

CARR/SILVA 5-0 motion passes to adopt Resolution No. 2014-09, Approving Adjustments to the Operating Budget for Fiscal Year 2013-14.

- 4.3:** Receive and Review the Audit for 2013-2014.

Director Souza reviewed this item with the Council, advising them that the City received an “unqualified” audit. No action was taken on this item.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING:

- 5.1:** Introduce and Waive the First Reading of Ordinance No. 2014-01, Amending Hughson Municipal Code Title Chapter 2.04 – Meeting Location.

City Attorney Schroeder presented the staff report on this item.

Mayor Beekman opened and closed the public hearing on this item. No comments were provided.

HILL/YOUNG 5-0 motion passes to Introduce and Waive the First Reading of Ordinance No. 2014-01, Amending Hughson Municipal Code Title Chapter 2.04 – Meeting Location.

- 5.2:** Introduce and Waive the First Reading of Ordinance No. 2014-02, Amending Hughson Municipal Code Title Chapter 3.28 – Informal Bidding.

City Attorney Schroeder presented the staff report on this item.

Mayor Beekman opened and closed the public hearing on this item. No comments were provided.

CARR/SILVA 5-0 motion passes to Introduce and Waive the First Reading of Ordinance No. 2014-02, Amending Hughson Municipal Code Title Chapter 3.28 – Informal Bidding.

- 5.3:** Introduce and Waive the First Reading of the Ordinance No. 2014-03, Amending Hughson Municipal Code Title Chapter 9.36 – Massage Establishments.

City Attorney Schroeder presented the staff report on this item.

Mayor Beekman opened and closed the public hearing on this item. No comments were provided.

SILVA/HILL 5-0 motion passes Introduce and Waive the First Reading of the Ordinance No. 2014-03, Amending Hughson Municipal Code Title Chapter 9.36 – Massage Establishments.

6. NEW BUSINESS: NONE.

7. CORRESPONDENCE: NONE.

8. COMMENTS:

8.1: Staff Reports and Comments: (Information Only – No Action)

City Manager: City Manager Mendez updated the Council on the Water Advisory Meeting scheduled for 3/10, the arrival of Intern Juan Padilla from CSU Stanislaus, provided an update on the Community Development Director recruitment, and updated the Council on the School 2+2 School Resource Officer position.

City Clerk:

Community Development Director:

Director of Finance:

Police Services:

City Attorney:

8.2: Council Comments: (Information Only – No Action)

Councilmember Silva advised the Council that she will be in attendance at the next School Board meeting, scheduled for March 11.

Councilmember Hill advised the Council that Turlock Government Night is scheduled for March 20 at CSU Stanislaus.

8.3: Mayor’s Comments: (Information Only – No Action)

Mayor Beekman update the Council on his attendance at the Reading to America Event held at Hughson Elementary.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: 8:01 P.M.

9.1: CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6.

Agency Negotiator: Raul L. Mendez, City Manager

Employee Organizations: Operating Engineers Local No. 3
(Skilled Trades, Professional and Technical)

Management

10. REPORT FROM CLOSED SESSION:

8:46 P.M.

No reportable action was taken.

ADJOURNMENT:

SILVA/BEEKMAN motion passes to adjourn the meeting at 8:46 P.M.

MATT BEEKMAN, Mayor

DOMINIQUE SPINALE, Deputy City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: March 24, 2014
Subject: Approval of Warrants Register
Enclosure: Warrant Register
Presented By: Lisa Whiteside, Finance Manager

Approved By: _____

Staff Recommendation:

Approve the Warrants Register as presented.

Background and Overview:

The warrant register presented to the City Council is a listing of all expenditures paid from March 11 through March 21, 2014.

Fiscal Impact:

There are reductions in various funds for payment of expenses.

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REPORT.: Mar 19 14 Wednesday
RUN....: Mar 19 14 Time: 17:39
Run By.: MARTHA SERRATO

City of Hughson
Cash Disbursement Detail Report
Check Listing for 03-14 Bank Account.: 0100

PAGE: 001
ID #: PY-DP
CTL: HUG

Check Number	Check Date	Vendor Number	Name	Net Amount	-----Payment Information----- Invoice # Description
44881	3/19/2014	ABS00	ABS PRESORT	636.30	92248 PRINTING OF UTILITY BILLS
44882	3/19/2014	AFL01	AFLAC	1,095.98	977171 AFLAC
44883	3/19/2014	ALL05	ALLIED ADMINISTRATORS	1,775.15	B40317 DELTA DENTAL APRIL 2014
44884	3/19/2014	AND00	ANDRADE, TONY	285.00	B40317 CANCELLATION REFUND
44885	3/19/2014	ARR00	ARROWHEAD MOUNTAIN SPRING	3.46	125664277 BOTTLED WATER
44886	3/19/2014	ATT01	AT&T	20.79	B40317 PHONE
44887	3/19/2014	AVA01	AVAYA, INC	125.16	732996882 PHONE
44888	3/19/2014	AWD00	AW DIRECT	453.17	B40317 FUEL TRANSFER PUMP
44889	3/19/2014	BLU00	BLUE SHIELD	10,764.00	B40317 HEALTH PREMIUMS
44890	3/19/2014	BRE01	W.H. BRESHEARS	1,706.93	246084 UNL ETH FUEL
44891	3/19/2014	CEN14	CENTRAL JANITOR'S SUPPLY	63.93	495740 DESINFECTANT SUPPLIES
44892	3/19/2014	CIT18	CITY NATIONAL BANK	238,865.99	B40317 WWTP INSTALLMENT SALE AGREEMENT
44893	3/19/2014	CLA03	CLARK'S PEST CONTROL	102.00	15140014 PEST CONTROL FOR 2/14
				57.00	15167235 PEST CONTROL 2/14
			Check Total:	159.00	
44894	3/19/2014	CON14	CONDOR EARTH TECHNOLOGIES	1,641.25	68116 SMALL MS4 SUPPORT 12/9/13
44895	3/19/2014	CRO01	CROWN DESIGNS T'S AND TOP	1,214.98	1328 CITY OF HUGHSON T-SHIRTS
44896	3/19/2014	CSJ03	CSJVRMA	20,180.00	20130556 WORKERS COMPENSATION PROG
44897	3/19/2014	EWI00	EWING IRRIGATION PRODUCTS	1,632.43	52011004 WEED KILLER USTED AT THE
44898	3/19/2014	EXP00	EXPRESS PERSONNEL SERVICE	657.60	136578630 EXTRA HELP WEEK ENDING 2/14
44899	3/19/2014	EZN00	EZ NETWORK SOLUTIONS	355.76	27511 IT SERVICES
44900	3/19/2014	GEO01	GEOANALYTICAL LABORATORY	30.00	A4A0703 LAB TESTING ARSENIC
				667.50	A4A1409 LAB TESTING
				440.78	A4A1410 LAB TESTING
				30.00	A4A2104 LAB TESTING ARSENIC
				30.00	A4A2905 LAB TEST ARSENIC
				30.00	A4B0401 LAB TESTING ARSENIC
				55.00	A4B0402 LAB TESTING
				150.00	A4B1101 LAB TESTING
				402.50	A4B1108 LAB TESTING FOR WATER TESTING
				440.78	A4B1109 LAB TESTING
				30.00	A4B1801 LAB TESTING ARSENIC
				55.00	A4B1802 LAB TESTING
				30.00	A4B2501 LAB TESTING ARSENIC
				55.00	A4B2507 LAB TESTING
				920.00	Z3J2901 LAB TESTING
			Check Total:	3,366.56	
44901	3/19/2014	HOM01	THE HOME DEPOT CRC	303.95	B40317 SUPPLIES FOR THE SR. COMM. CENTER
44902	3/19/2014	HUG03	HUGHSON CHRONICLE	276.60	104133 LEGAL #8497 NOTICE OF PUB
				313.43	104134 LEGAL #8498 NOTICE OF PUB
				218.90	104136 LEGAL # 8496 NOTICE OF PUB
			Check Total:	808.93	

44903	3/19/2014	HUG11	HUGHSON FARM SUPPLY	164.29	0501750IN	DEPT SUPPLIES FOR WATER SYSTEM
44904	3/19/2014	HUG34	VALLEY PARTS WAREHOUSE, I	9.99	111505	PAINT FOR CITY HALL STEPS
				177.37	111728	FLEET SERVICE
				10.96	111770	ANNUAL SERVICE
				50.90	111781	WHEEL BOLTS
				41.50	112609	AIR HOSE
				14.21	112702	WELL # 6 MOTOR LEADS
				12.53	112863	TULLY & FOX STREET SPILL
			Check Total:	317.46		
44905	3/19/2014	KUB00	KUBWATER RESOURCES, INC	4,081.09	3818	POLYMER
44906	3/19/2014	LEG01	LEGAL SHIELD	51.80	B40317	LEGAL SVCS
44907	3/19/2014	MOS01	MOSS, LEVY & HARTZHEIM, L	18,225.00	4989	COMPLETION OF FISCAL YEAR
44908	3/19/2014	NEU01	NEUMILLER & BEARDSLEE	1,200.00	260859	LEGAL SERVICES
				6,880.80	260860	LEGAL SERVICES
			Check Total:	8,080.80		
44909	3/19/2014	OPE01	OPERATING ENGINEERS LOCAL	414.00	B40317	LOCAL UNION #3 DUES
44910	3/19/2014	QUI03	QUICK N SAVE	61.24	B40317	CNG FUEL
44911	3/19/2014	REG00	REGIONAL GOVERNMENT SERVI	2,123.16	3950	CONTRACT SERVICES
44912	3/19/2014	SHR02	SHRED-IT CENTRAL CA	123.18	403301515	SHREDDING
44913	3/19/2014	TES00	TESCO CONTROLS, INC	2,340.75	0053653IN	WATER SYSTEM OPERATION
44914	3/19/2014	TUR12	TURLOCK, CITY OF	179.60	2014-0017	CNG FUEL
44915	3/19/2014	UNI11	UNIVAR USA, INC	472.54	SJ600744	SODIUM HYPOCHLORITE
				505.63	SJ603585	SODIUM HYPOCHLORITE
			Check Total:	978.17		
44916	3/19/2014	URB00	URBAN FUTURES INCORP	450.00	0314-015	PROFESSIONAL SERVICES
44917	3/19/2014	USA01	USA BLUE BOOK	225.28	276332	LAB SUPPLIES
44918	3/19/2014	USA02	USA MOBILITY	11.64	B40317	PAGER SERVICE
44919	3/19/2014	USH00	US HEALTHWORKS MEDICAL	108.00	2454932CA	US HEALTHWORKS
44920	3/19/2014	WIL05	WILLE ELECTRIC	698.88	567849001	STREETLIGHT REPAIR
			Cash Account Total:	324,750.66		
			Total Disbursements:	324,750.66		



CITY OF HUGHSON AGENDA ITEM NO. 3.3 SECTION 3: CONSENT CALENDAR

Meeting Date: March 24, 2014
Subject: Approve Waiving the Second Reading and Adopt Ordinance No. 2014-01, Amending Hughson Municipal Code Title Chapter 2.04 – Meeting Location.
Presented By: Raul L. Mendez, City Manager
Approved By: _____

Staff Recommendation:

Approve Waiving the Second Reading and Adopt Ordinance No. 2014-01, Amending Hughson Municipal Code Title Chapter 2.04 – Meeting Location.

Background and Overview:

During the January 27, 2014 City Council regular meeting, an inquiry was made by the Council as to the possibility of holding meetings at a location other than 7018 Pine Street. The City Attorney was directed to look into the inquiry and come back with a recommendation. During the February 10, 2014 regular meeting, City Attorney Schroeder indicated that an amendment of the HMC would be necessary to allow the City Council to meet offsite. He indicated that the HMC was silent as to the location of special meetings of the City Council and that would be an appropriate place to indicate the parameters for meetings offsite.

At the March 10 meeting, the City Council introduced and waived the first reading of this Ordinance. After the second reading, the Ordinance will be published in the newspaper and become effective in 30 days.

Fiscal Impact:

There is no significant fiscal impact associated with this item. If special meetings are held offsite, there may be related incidental costs such as rental fees, meeting preparation and additional setup and travel time.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2014 - 01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HUGHSON AMENDING MUNICIPAL CODE CHAPTER 2.04- MEETING LOCATION**

WHEREAS, the City Council of the City of Hughson previously added Chapter 2.04 to the Hughson Municipal Code, pertaining to City Council meeting time and location; and

WHEREAS, the City of Hughson desires to amend its municipal code to provide for the flexibility to hold special meetings of the City Council within the boundaries of the City of Hughson.

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

Section 1. Chapter 2.04 is amended in part to read as follows:

“2.04.020 Meeting – Location

Regular meetings of the city council shall be held in the council meeting room of the city office building located at 7018 Pine Street in the city of Hughson, Stanislaus County, California. Special meetings of the city council may be held in an alternate location provided such location is within the boundaries of the city of Hughson.”

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 4. This ordinance shall become effective thirty (30) days after its final passage.

Section 5. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on, March 10, 2014, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the foregoing ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on _____, 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE, City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.4 SECTION 3: CONSENT CALENDAR

Meeting Date: March 24, 2014
Subject: Approve Waiving the Second Reading and Adopt Ordinance No. 2014-02, Amending Hughson Municipal Code Title Chapter 3.28 – Informal Bidding.

Presented By: Raul L. Mendez, City Manager

Approved By: _____

Staff Recommendation:

Approve Waiving the Second Reading and Adopt Ordinance No. 2014-02, Amending Hughson Municipal Code Title Chapter 3.28 – Informal Bidding.

Background and Overview:

The City of Hughson has adopted the California Uniform Public Construction Cost Accounting Act which allows the City to utilize informal bidding procedures when contracting for certain types of work.

The following information summarizes the substantial changes in the informal bidding thresholds:

When Bids Are Required	Current Hughson Municipal Code	Proposed Revision to Hughson Municipal Code
No Bids Required	Projects of \$30,000 or less may be performed by: the employees of the public agency; by force account; negotiated contract; or purchase order.	Projects of \$45,000 or less may be performed by: the employees of the public agency; by force account; negotiated contract; or purchase order.
Informal Bids	Contracts for work valued at \$125,000 or less may be awarded through the Act's informal bidding procedures	Contracts for work valued at \$175,000 or less may be awarded through the Act's informal bidding procedures
Formal Bids	Contracts for work valued at more than \$125,000 must be awarded through the Act's formal bidding procedures. These procedures are similar to the procedures most agencies already use.	Contracts for work valued at more than \$175,000 must be awarded through the Act's formal bidding procedures. These procedures are similar to the procedures most agencies already use.

At the March 10 meeting, the City Council introduced and waived the first reading of this Ordinance. After the second reading, the Ordinance will be published in the newspaper and become effective in 30 days.

Fiscal Impact:

There is no fiscal impact associated with this ordinance amendment. City projects following the informal bidding procedures per the Act are historically programmed in the annual budget process or brought to the Council individually for formal consideration.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2014 - 02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HUGHSON AMENDING MUNICIPAL CODE CHAPTER 3.28- INFORMAL BIDDING**

WHEREAS, the City Council of the City of Hughson previously added Chapter 3.28 to the Hughson Municipal Code, adopting an informal bidding procedure pursuant to California Public Contract Code (“PCC”) Sections 22000 and following; and

WHEREAS, the dollar limits specified in PCC Section 22032 have increased, pursuant to notice from the California State Controller, in accordance with authority granted to him pursuant to PCC 22020;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUGHSON DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.28.010 of the Hughson Municipal Code is amended to read in full as follows:

3.28.010 APPLICATION

Contracts for Work of \$175,000.00 or less shall be governed by the Uniform Public Construction Cost Accounting Act, Division 2, Part 3, Chapter 2, of the Public Contract Code, Section 22000 et seq. and this chapter of the Hughson Municipal Code.

Section 2. Section 3.28.020 of the Hughson Municipal Code is amended to read in full as follows:

3.28.020 DEFINITIONS

For purposes of this chapter, and in accordance with the Uniform Public Construction Cost Accounting Act (“Act”) (Public Contract Code Section 22000, et seq.), the terms are defined as follows:

- A. “Public project” means any of the following:
1. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
 2. Painting or repainting of any publicly owned, leased, or operated facility.
 3. In the case of a publicly owned utility system, “public project” shall include only the construction, erection, improvement, or repair of

dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher.

B. "Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following:

1. Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
2. Minor repainting.
3. Resurfacing of streets and highways at less than one inch.
4. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
5. Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher.

C. "Work" means either a public project or maintenance work as defined above.

D. "Facility" means any plant, building, structure, ground facility, utility system, real property, streets and highways, or other public work improvement.

Section 3. Sections 3.28.030 of the Hughson Municipal Code is amended to read in full as follows:

3.28.030 WORK OF \$45,000 OR LESS

Pursuant to Public Contract Code Sections 22003 and 22032, when contracting for "maintenance work" as defined herein, or when contracting for any other work which does not fall within the definition of "Public project" of forty-five thousand dollars (\$45,000) or less may be performed by the employees of the City by force account, by negotiated contract, or by purchase order.

Section 3. Section 3.28.040 of the Hughson Municipal Code is amended to read in full as follows:

3.28.040 INFORMAL BIDDING PROCEDURES

Any Work, as defined herein, of one hundred seventy-five thousand dollars (\$175,000.00) or less may be contracted for by the informal bidding procedures set forth in this part.

Section 4. Section 3.28.090 of the Hughson Municipal Code is amended to read in full as follows:

3.28.090 BIDS RECEIVED IN EXCESS OF \$175,000.00

If all bids received are in excess of \$175,000.00, the City Council may, by passage of a resolution by a four-fifths vote, award the contract for \$187,500.00, or less, to the lowest responsible bidder, if the City Council determines that the cost estimate was reasonable.

Section 5. Section 3.28.100 of the Hughson Municipal Code is amended to read in full as follows:

3.28.100 AWARD OF CONTRACTS

Except as specified under Section 3.28.090, dealing with bids in excess of \$175,000.00, the City's Director of Public Works is authorized to award or enter into contracts pursuant to the provisions of this part. If informal bidding has been solicited, the City's Director of Public Works shall award the contract to the lowest responsible bidder. If two or more bids are the same and the lowest, the City's Director of Public Works may accept the one he or she chooses.

Section 6. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 7. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not effect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 8. This ordinance shall become effective thirty (30) days after its final passage.

Section 9. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on, _____, 2014, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the foregoing ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on _____, 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE, City Clerk



CITY OF HUGHSON AGENDA ITEM NO. 3.5 SECTION 3: CONSENT CALENDAR

Meeting Date: March 24, 2014
Subject: Approve Waiving Second Reading and Adopt of the Ordinance No. 2014-03, Amending Hughson Municipal Code Title Chapter 9.36 – Massage Establishments.
Presented By: Raul L. Mendez, City Manager
Approved By: _____

Staff Recommendation:

Approve Waiving Second Reading and Adopt of the Ordinance No. 2014-03, Amending Hughson Municipal Code Title Chapter 9.36 – Massage Establishments.

Background and Overview:

The City of Hughson desired to update its municipal code to reflect the changes to state law pertaining to the licensing and oversight of massage professionals and establishments.

At the March 10 meeting, the City Council introduced and waived the first reading of this Ordinance. After the second reading, the Ordinance will be published in the newspaper and become effective in 30 days.

Fiscal Impact:

There is no significant fiscal impact associated with this item outside of the nominal cost of printing information regarding the change to share with local establishments as needed.

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2014 -03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HUGHSON AMENDING MUNICIPAL CODE CHAPTER 9.36- MASSAGE
ESTABLISHMENTS**

WHEREAS, the City Council of the City of Hughson previously added Chapter 9.36 to the Hughson Municipal Code, pertaining to massage establishments and schools of massage; and

WHEREAS, the California legislature has adopted legislation pertaining to massage establishments, codified in Business and Professions Code Section 4600 et seq, and such statutory provisions supersede local ordinances; and

WHEREAS, the City of Hughson desires to amend its municipal code to provide for the orderly regulation of massage establishments and massage technicians in accordance with state law.

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

Section 1. Chapter 9.36 is amended in full to read as follows:

9.36.010 Purpose and intent.

It is the purpose and intent of this chapter to provide for the orderly regulation of massage establishments and massage technicians, as defined in this chapter, in the interests of the public health, safety, and welfare by providing certain minimum building, sanitation and health standards for massage establishments, and by providing certain minimum qualifications for the operators of massage establishments and for massage technicians and massage technician trainees.

9.36.020 Definitions.

Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning, and application of the words and phrases used in this chapter.

“California Massage Therapy Council (CAMTC)” means the nonprofit organization created to regulate the massage industry pursuant to Chapter 10.5 of Division 2 of the California Business and Professions Code, commencing with Section 4600.

“CAMTC Certificate” means a massage practitioner certificate issued by the CAMTC pursuant to Business and Professions Code Section 4601(b), or later enacted

amendment, or a massage therapist certificate issued by the CAMTC pursuant to Business and Professions Code Section 4601(c).

“Certified massage practitioner” or “practitioner” means any person to whom the CAMTC has issued a certificate pursuant to Business and Professions Code section 4601(b) and who provides massage services for compensation.

“Certified massage therapist” or “therapist” means any person to whom the CAMTC has issued a certificate pursuant to Business and Professions Code section 4601(c), and who provides massage services for compensation.

“Chief of police” means the chief of police of the city of Hughson.

“City manager” means the city manager of the city of Hughson or his or her designated representative.

“Massage” includes methods that are undertaken to promote wellness, relaxation, stress reduction, pain relief and postural improvement, or provide general or specific therapeutic benefits, including, but not limited to massaging, stroking, friction, kneading, rolling, vibrating, cupping, petrissage, rubbing, effleurage, tapotement and any other non-incident touching, with the hands or other parts of the body, with or without the aid of any mechanical or electrical device or appliance, and with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations commonly used in this practice. Massage services include, but are not limited to, hydrotherapy, and therapeutic application of wraps, oils, alcohol rubs, skin brushing, salt glows and similar applications of products to the skin.

“Massage establishment” means any business where any person engages in, conducts, carries on, or permits to be engaged in or conducted, for money or any other consideration, massage services or health treatments involving massage including, but not limited to, those businesses that provide massage services accessory to their principal permitted use, such as aromatherapy, beauty salon, health club, beach club, skin care salon, and day spa.

“Massage therapy act” means those provisions in Chapter 10.5 of Division 2 of the California Business and Professions Code commencing with section 4600.

“Operator” means any person who supervises, manages, directs, organizes, controls or in any other way is responsible for or in charge of the overall operation, conduct or activities of a massage business or establishment.

“Owner” means any of the following:

- A. The sole proprietor of a massage business or establishment. As used in this chapter, the term “sole proprietor” shall mean a massage business or

establishment where the owner is the only person employed by that business or establishment to provide massage therapy;

- B. Any general partner of a partnership that owns and operates a massage business or establishment; or
- C. An person who has an ownership interest in a corporation that owns and operates a massage business or establishment.

9.36.030 Permit Required.

It is unlawful for any person to perform or engage in the practice of massage for compensation within the city without possessing a valid CAMTC certificate obtained and maintained in compliance with the massage therapy act. All persons certified by the CAMTC shall have the right to perform or engage in the practice of massage consistent with the massage therapy act, the qualifications established by his or her certification, and the provisions of this chapter.

9.36.040 Deadline for compliance.

- A. Any person holding a valid permit or license issued by the city to perform or engage in the practice of massage for compensation within the city may continue to provide such massage services under that permit or license until that permit or license expires, but shall otherwise comply with the requirements of this chapter upon this chapter's effective date. Upon expiration of the permit or license issued by the city, any person who desires to continue to provide massage services for compensation within the city shall first obtain a CAMTC certificate;
- B. Any massage business or establishment legally in business prior to the effective date of this chapter may continue to operate as a massage establishment until its permit or license expires provided that all of the massage establishment's employees, agents, independent contractors, or other persons providing massage services, possess either a valid city-issued permit or license to practice massage or a valid CAMTC certificate. Upon expiration of the massage establishment's permit or license to operate, any massage business or establishment that desires to continue to operate as such shall comply with the requirements of this chapter; and
- C. All massage establishments, including its owners, operators, and employees, and all persons engaged in the practice of massage for compensation within the city, shall comply with all health and safety requirements set forth in this chapter once this chapter becomes effective.

9.36.050 City business license required.

- A. It shall be unlawful for any message establishment to operate, or any independently employed certified massage practitioner or therapist to perform or engage in the practice of massage for compensation within the city, without first obtaining a city business license;

- B. In applying for a city business license, a massage establishment owner shall fill out an application and shall file along with the completed application a copy of the current and valid CAMTC certificate possessed by every person who will be performing or engaging in the practice of massage at the massage establishment. In addition, massage establishment owners who do not possess a CAMTC certificate, and who own five percent or more of the massage establishment, are subject to a background check pursuant to Section 9.36.080, prior to the issuance of a city business license. Massage establishment operators who do not possess a CAMTC certificate shall also be subject to a background check pursuant to Section 9.36.080;
- C. In applying for a city business license, a certified massage practitioner or therapist who will be independently employed shall fill out an application and shall file along with the completed application a copy of his or her current and valid CAMTC certificate;
- D. Prior to the issuance of a city business license to any massage establishment or any independently employed certified massage practitioner or certified massage therapist, the police department shall make a reasonable investigation into the information provided in the application, and shall contact the CAMTC to verify the status of the CAMTC certificate(s) filed by the business license applicant;
- E. No city business license shall be issued to a massage establishment that will employ or contract with one or more persons to perform or engage in the practice of massage without that person or persons possessing a current and valid CAMTC certificate;
- F. No city business license shall be issued to a person who wishes to perform or engage in the practice of massage for compensation within the city and who does not possess a current and valid CAMTC certificate;
- G. The city may deny a business license to any applicant who has provided materially false information in applying for a business license; and
- H. The chief of police may order that a business license required by this chapter be revoked pursuant to the procedures set forth in Section 9.36.200.

9.38.060 Exchange of information.

The chief of police may request information from the CAMTC pertaining to any individual who possesses a CAMTC certificate and who is engaging in the practice of massage in the city. The requested information may include, but need not be limited to, the current status of the individual's CAMTC certificate, any history of disciplinary action(s) taken against the individual, the home and work addresses of the CAMTC certificate holder, and any other information that may be necessary to verify facts relevant to administering the provisions of this chapter.

9.38.070 Regulation of massage establishment.

- A. It shall be unlawful for any massage establishment or its owner(s) or operator(s) to hire or employ any person for the purpose of performing or engaging in the

practice of massage without requiring that person to possess a valid CAMTC certificate; and

- B. It shall be unlawful for any massage establishment or its owner(s) or operator(s) to allow an independent contractor to perform or engage in the practice of massage at the massage establishment if that independent contractor does not possess a valid CAMTC certificate.

9.38.080 Massage establishment owners and operators.

- A. Massage establishment owners who do not possess a current and valid CAMTC certificate, and who own five percent or more of the massage establishment, are subject to a background check prior to the city's issuance of a business license. If a massage establishment has multiple owners with a five percent or greater ownership interest in the business, each of those owners shall be subject to a background check and each owner shall be considered an "applicant" for purposes of applying for a business license;
- B. Massage establishment operators who do not possess a current and valid CAMTC certificate are subject to a background check;
- C. Massage establishment owners and operators who are subject to a background check shall complete an application that requests information regarding topics including, but not limited to, the applicant's business, occupation, employment history for the five years preceding the date of the application, and the name and address of any massage business or like establishment owned or operated by the applicant;
- D. All massage establishment owners and operators who are subject to this section shall personally appear at the police department to be fingerprinted. The police department shall conduct, or shall cause to be conducted on its behalf, a background investigation of the applicant;
- E. At the time of fingerprinting, the applicant shall pay to the police department a fingerprinting fee, and the cost of obtaining criminal history information and conducting a background investigation. Fees are set forth in the city's fee schedule in amounts established by resolution of the city council;
- F. With respect to massage establishment owners who are subject to a background check, the chief of police shall determine, based on the background investigation and the information submitted with the application, whether a business license to operate a massage establishment in the city shall be issued. If the chief of police determines that the applicant is not qualified to operate a massage establishment, the chief of police shall inform the applicant in writing and specify the reasons for the denial. The city may deny a business license to a massage establishment owner for the following reasons:
 - 1. The applicant has provided materially false information in applying for a business license.
 - 2. Within five years immediately preceding the date of the filing of the application, the applicant has been convicted of, or pled guilty to, any of the following offenses: violation of Penal Code sections 243.4, 261, 266a

through 266j, inclusive, 267, 288, 314 to 316 inclusive, 318, 647(a), 647(b), 647(d), 647(i), or 647(j); any offense requiring registration under Penal Code section 290 or Health and Safety Code section 11590; any felony offense involving the possession, possession for sale, sale, transportation, furnishing, or giving away of a controlled substance specified in Health and Safety Code sections 11054 to 11058, inclusive, as amended; any offense in another state which, if committed in California, would have been punishable as one or more of the offenses mentioned here; any offense involving the use of force or violence upon the person of another; or any offense involving theft, embezzlement, or moral turpitude.

3. The applicant has had a massage technician, massage establishment, or similar permit or license suspended within one-year or revoked within three years immediately preceding the date of the filing of the application, unless the applicant can show a material change in circumstances or that mitigating circumstances exist since the revocation or suspension.
- G. Any person aggrieved by the decision of the chief of police may appeal that decision to the city manager or designee by filing a notice of appeal within ten days of being notified of the decision. The notice of appeal shall explain the reason(s) for the appeal. As soon as practicable after receiving the notice, the city manager's office shall set a date for the city manager to hear the appeal. The city manager shall render his or her decision within thirty (30) days of the conclusion of the hearing, unless the parties agree otherwise. The city manager shall notify the appellant in writing of the decision within ten (10) days of that decision being made. The city manager's decision shall be final; and
- H. The massage establishment owner shall be responsible for notifying the city when it hires a new operator for the massage establishment. Such notification shall be in writing and provided to the city within five business days of the commencement of the new operator's employment. If the new operator is subject to a background check pursuant to this section, he or she shall have thirty days from date of hire to submit the application required by this section, to personally appear at the police department for fingerprinting, and to pay all applicable fees.

9.38.090 Responsibilities of massage establishment.

- A. For the purpose of enforcing the requirements of this chapter and of the massage therapy act, the owner(s) and operator(s) of a massage establishment within the city shall be responsible for the conduct of all employees and independent contractors working at the massage establishment while those persons are on the premises of the massage establishment or providing massage services;
- B. If the owner(s) or operator(s) of a massage establishment violates any provision of the city's municipal code, including but not limited to the provisions of this chapter, or of any state or federal law, including but not limited to the massage

therapy act, the massage establishment's license to conduct business within the city may be revoked pursuant to the procedures set forth in Section 9.38.200. In addition, the city shall report all violations to the CAMTC; and

- C. If any employee or independent contractor working at a massage establishment violates any provision of the city's municipal code, including but not limited to the provisions of this chapter, or of any state or federal law, including but not limited to the massage therapy act, the massage establishment's license to conduct business within the city may be revoked pursuant to the procedures set forth in Section 9.38.200. In addition, the city shall report all violations to the CAMTC.

9.38.100 Responsibilities of practitioners and therapists.

- A. If an independently employed certified massage practitioner or certified massage therapist violates any provision of the city's municipal code, including but not limited to the provisions of this chapter, or of any state or federal law, including but not limited to the massage therapy act, his or her license to conduct business within the city may be revoked pursuant to the procedures set forth in Section 9.38.200. In addition, the city shall report all violations to the CAMTC; and
- B. No certified massage practitioner or certified massage therapist shall engage in the practice of massage for compensation within the city under any name other than the name reflected on his or her CAMTC certificate.

9.38.110 Changes regarding massage establishment.

The owner or operator of a massage establishment must notify the city's finance department of any intention to rename, change management, or convey the massage establishment to another person.

9.38.120 Inspection of massage establishment.

- A. The city has the right to conduct reasonable inspections of any massage establishment during regular business hours to ensure compliance with the massage therapy act, this chapter, and other applicable fire and health and safety requirements;
- B. It is a violation of this chapter for a massage establishment owner, operator, employee, or representative to prohibit or interfere with any lawful inspection of the premises; and
- C. Nothing in this chapter shall prohibit the city from pursuing any and all available legal remedies to secure entry into and inspection of the premises if such entry is refused.

9.38.130 Proof of certification.

- A. Every massage establishment shall maintain on its premises evidence for review by city authorities that demonstrates that all persons providing massage services

at the business establishment, whether such persons are employees or independent contractors, are certified by the CAMTC; and

- B. Every certified massage practitioner and certified massage therapist shall display his or her CAMTC certificate at his or her place of business.

9.38.140 Massage establishment facility requirements.

All massage establishments within the city must comply with the following facility requirements:

- A. Every massage establishment shall comply with all applicable city code and state law requirements and standards, including, but not limited to, those related to health, zoning, fire, and safety;
- B. All exterior doors shall remain unlocked from the interior during business hours;
- C. No room in a massage establishment shall be equipped with tinted or “one-way” glass;
- D. Minimum lighting shall be provided in accordance with Article 220 of the National Electrical Code, and in addition, at least one artificial light of not less than forty watts shall be provided in each room where massage services are performed; and
- E. All massage establishments must comply with all state and federal laws and regulations pertaining to disabled clients.

9.38.150 Massage establishment health and safety requirements.

All massage establishment owners, operators, and employees, and all practitioners and therapists working within the city, must comply with all of the following health and safety requirements:

- A. All persons shall be fully clothed at all times in clean and professional attire;
- B. Each practitioner and therapist shall display his or her original CAMTC certificate in an open and conspicuous place in his or her place of business;
- C. Each practitioner and therapist shall have his or her CAMTC-issued identification card in his or her possession while providing massage services;
- D. It shall be unlawful for any individual to enter, or remain in, any part of a massage establishment while intoxicated or under the influence of any controlled substance. The owner or operator shall be responsible to ensure that no such person shall enter or remain in the massage establishment. Service of alcoholic beverages in a massage establishment shall be permitted only if the establishment is licensed to serve such alcohol. Alcohol consumption shall not be permitted in any room where massage services are being performed;
- E. It shall be unlawful for any certified massage practitioner or certified massage therapist to administer massage services while in the possession of, consuming, using or under the influence of, any alcoholic beverage or controlled substance;

- F. It shall be unlawful for an individual to employ any electrical, mechanical or artificial device in the massage establishment for audio and/or video recording or for monitoring the performance of massage services, or conversation or other sounds in rooms without the knowledge and consent of the affected client(s);
- G. No client of the massage establishment shall receive, and no certified massage practitioner or certified massage therapist shall administer, massage services unless the client is properly draped and covered;
- H. The client's genitals, pubic area, anus, and female breast must be fully draped by an opaque material at all times while an employee of the massage establishment is in the room with the client. No massage shall be provided to a client for sexual gratification by intentional contact, or occasional and repetitive contact, with the client's genitals, pubic area, anus, or female breasts; and
- I. No individual shall give, or assist in the giving, of any massage service to any person under the age of eighteen years, unless the parent or guardian of such minor has consented to such massage service in writing.

9.38.160 Advertising.

- A. All independently employed certified massage practitioners and certified massage therapists shall include in any advertising for massage services the name under which he or she is certified and his or her CAMTC certificate number;
- B. It shall be unlawful for any massage establishment or business or any independently employed certified massage practitioner or certified massage therapist to place, publish or distribute, or cause to be placed, published or distributed, any advertising matter that would reasonably suggest to prospective clients that any massage service of any type or any other service or activity is offered or available for purposes intended to arouse, appeal to, or gratify a prurient interest, lust, sexual, or passionate desire;
- C. It shall be unlawful for any massage establishment or business or any independently employed certified massage practitioner or certified massage therapist to advertise through any media that is classified for "adults only" or other similar classification; and
- D. It shall be unlawful for any person who does not possess a valid and current CAMTC certificate to do any of the following within the city;
 - 1. Advertise or represent to the public in any manner that he or she is certified, registered, or licensed by a governmental agency as a massage practitioner or massage therapist; or
 - 2. Hold himself or herself out as, or use the title of, "certified massage practitioner" or "certified massage therapist" or any other term such as "licensed" or "registered" that implies or suggests that he or she possesses a current and valid CAMTC certificate.

9.38.170 Exceptions.

The provisions of this chapter shall not apply, except as noted, to the following classes of individuals or businesses while engaged in the performance of their duties provided sufficient documentation verifying exempt status is furnished to the police department:

- A. Employees of state-licensed hospitals, nursing homes, and other state-permitted health care facilities while working in those facilities;
- B. Individuals holding a valid permit to practice the healing arts under the laws of the State of California, including but not limited to holders of medical degrees such as physicians, surgeons or chiropractors, osteopaths, naturopaths, podiatrists, acupuncturists, physical therapists, registered nurses and licensed vocational nurses;
- C. Barbers and cosmetologists who are licensed under the laws of the State of California while providing massage therapy within the scope of such licenses, provided that the massage therapy is limited to the neck, face, scalp, feet, and lower limbs up to the knees, hands and arms of clients; and
- D. Recognized schools of massage and their students in training provided the students administer massage therapy only under the direct personal supervision of an instructor.

9.38.180 Applicability of other ordinances.

Nothing contained in this chapter shall be construed to exempt any person from complying with the provisions of any other applicable ordinance, rule, or regulation, or to exempt a massage establishment or independently employed certified massage practitioner or certified massage therapist from the provisions of any zoning, licensing, taxing, or other building ordinance, rule, or regulation.

9.38.190 Public nuisance.

Any massage establishment operated, conducted or maintained contrary to the provisions of this chapter is unlawful and a public nuisance, and the city attorney may, in addition to or in lieu of prosecuting a criminal action, commence an action or proceeding for the abatement, removal or enjoinder thereof, in the manner provided by law, and shall take such other steps and shall apply to such court(s) as may have jurisdiction to grant such relief as will abate or remove such businesses and restrain and enjoin any person from operating, conducting or maintaining a massage establishment contrary to the provisions of this chapter.

9.38.200 Business license revocation.

- A. The city manager may revoke approvals issued under this chapter for one or more of the following reasons:

1. The applicant practiced fraud or deceit in obtaining an approval under this chapter.
 2. The massage establishment owner, operator, employee, or any person performing or engaging in the practice of massage, violated a provision or provisions of this chapter or of the massage therapy act.
 3. The facilities and operations of the massage establishment are not maintained in compliance with the provisions of this chapter, and the owner or operator has failed to promptly remedy any deficiency for which they have received notice. For purposes of this provision, "notice" means notice given personally to an owner or operator of the massage establishment; notice delivered to the massage establishment premises; or notice mailed to an address provided in the business license application.
 4. The massage establishment has employed, allowed, or permitted a person who was not certified by the CAMTC to perform massage services at the massage establishment.
 5. An independently employed certified massage practitioner or therapist is no longer in possession of a current and valid CAMTC certificate.
 6. The approval was issued in error.
- B. The chief of police shall cause a notice of revocation to be mailed by first class, postage prepaid, to the address provided in the business license application.
- C. A person who received notice of business license revocation may request a public hearing on the issue by submitting a written request for such hearing to the city clerk within ten days of receipt of the notice. As soon as practicable after receiving the hearing request, the city manager's office shall set a date for the hearing. At such hearing, all persons interested shall be given an opportunity to be heard. The public hearing shall take place before the city manager or his or her designated representative, who shall hear all facts and testimony he or she deems pertinent. The city manager shall not be limited by the technical rules of evidence.
- D. Following the revocation hearing, the city manager or his or her designated representative may find that the facts do or do not support a revocation of a business license and may order that a business license be revoked if the facts justify such determination. The city manager shall render his or her decision within fifteen days of the conclusion of the hearing, unless the parties agree otherwise. The city manager shall notify the licensee in writing of the decision. The decision of the city manager or designee shall be final.

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision

or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 4. This ordinance shall become effective thirty (30) days after its final passage.

Section 5. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council of the City of Hughson held on, _____, 2014, and by a unanimous vote of the council members present, further reading was waived.

On motion of councilperson _____, seconded by councilperson _____, the foregoing ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on _____, 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINIQUE SPINALE, City Clerk



CITY COUNCIL AGENDA
ITEM NO. 3.6
SECTION 3: CONSENT CALENDAR

Meeting Date: March 24, 2014
Subject: Acceptance of the 2013 Annual General Plan Progress Report and Annual Progress Report on Implementation of the Housing Element
Enclosures: General Plan and Implementation of the Housing Element Progress Reports
Presented By: Jim Duval, Interim Community Development Director
Approved By: _____

Planning Commission Recommendation:

Accept the 2013 Annual General Plan Progress Report and the Annual Progress Report on Implementation of the Housing Element.

Background and Overview:

Pursuant to Government Code Section 65400, the Planning Commission must provide an annual report by April 1 of each year to the City Council, the Office of Planning and Research, and the Department of Housing and Community Development on the progress made toward implementing the General Plan goals and policies during the prior year's reporting period. The Planning Commission reviewed and approved the 2013 General Plan Progress Report and Implementation of the Housing Element by adopting Resolution No. PC 2014-01.

Discussion:

Enclosed are the aforementioned annual reports for your review and acceptance.

ANNUAL PROGRESS REPORT ON THE CITY OF HUGHSON GENERAL PLAN – 2013

INTRODUCTION

The City of Hughson's Planning Commission is required by Government Code Section 65400 to present an annual report to its legislative body (City Council), the Office of Planning and Research (OPR), and the Department of Housing and Community Development (H&CD) by April 1 of each year.

The purpose for the Annual Progress Report is to assess how the General Plan is being implemented in accordance with adopted goals, policies and implementation measures; identify any necessary adjustments or modifications to the General Plan as a means to improve local implementation; provide a clear correlation between land use decisions that have been made during the 12-month reporting period and the goals, policies and implementation measures contained in the General Plan; and to provide information regarding local agency progress in meeting its share of regional housing needs.

The Annual Report must include all of the following: a) the status of the plan and progress in its implementation, b.) the progress in meeting its share of the regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, the degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 as well as, (c) the date of the last revision to the general plan.

Additionally, the Planning Commission must investigate and make recommendations to the City Council regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for the orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

GENERAL PLAN

Hughson's General Plan was adopted on December 12, 2005. The General Plan contains the seven State-required elements, which are land use, circulation, housing, conservation, open space, noise and safety. The Housing Element was adopted separately in 2004. The State allows the combining of elements or the addition of new elements as long as the required seven elements are present in some fashion. Hughson's General Plan combines the required conservation and open space elements and adds a public services and facilities element. The Hughson General Plan therefore contains the following elements:

1. Land Use; 2. Circulation; 3. Conservation and Open Space; 4. Public Services and Facilities;
5. Safety; 6. Noise and; 7. Housing.

Local governments are required to keep their General Plans current and internally consistent. There is no specific requirement that a local government update its General Plan on a particular timeline, with the exception of the Housing Element, which is required to be updated every five years. Hughson's Housing Element was updated and certified by the State Housing and Community Development Department in 2009.

The following represents the progress the City has made toward implementing the goals and guiding policies of the General Plan during the reporting period. The list is organized to correspond with the elements of the Hughson General Plan.

1. LAND USE

Amendments

There were no amendments to the Land Use Element in 2013.

Progress

- A. On January 28, 2013 the City Council adopted Ordinance 2013-01 adding Chapter 16.50 Farmland Preservation Program.
- B. On March 27, 2013 the Planning Commission approved Design Review for Hughson Investment Group located at 6748 E. Whitmore Avenue, Marketplace Shopping Center.

C. On May 21, 2013 the Planning Commission recommended approval of Vesting Tentative Map No. 2013-01. Two residential parcels.

2. CIRCULATION

Amendments

There were no amendments to the Circulation Element in 2013.

Progress

A. On April 8, 2013, the City Council awarded the 4th Street Sidewalk Infill Project to add sidewalks and necessary paving and other appurtenances.

B. On April 16, 2013 the Planning Commission and on May 13, 2013 the City Council adopted the Design Manual for Living Streets. The major goal of the manual is to make streets safer for pedestrians and bicyclists.

C. On May 21, 2013 the City Council adopted Ordinance amendment to the Municipal Code Title 16.28.020 and added Section 16.32.140 relating to street design.

D. On August 26, 2013 the City of Hughson entered into a cost-sharing agreement with Stanislaus County for road maintenance on Charles Road, north of Hatch Road.

E. On August 26, 2013 the City Council received the Pavement Condition Report.

3. CONSERVATION AND OPEN SPACE

Amendments

There were no amendments to the Conservation and Open Space Element in 2013.

Progress

A. On January 28, 2013 the City Council adopted Ordinance 2013-01 adding Chapter 16.50 Farmland Preservation Program.

B. On October 28, 2013 the City Council adopted the Urban Forest plan and Resource Guide.

C. On November 19, 2013 the Planning Commission and on December 9, 2013 the City Council adopted the Climate Action Plan to provide strategic measures and actions for the: reduction of water, natural gas and electricity consumption; reduction of solid waste sent to landfills; assistance in making land use decisions, conservation of farmland, encouragement in walking and bicycling, reduction of vehicle miles – thereby reducing greenhouse gas emissions.

4. **PUBLIC SERVICES AND FACILITIES**

Amendments

There were no amendments to the Public Services and Facilities Element in 2013.

Progress

A. On May 28, 2013 the City Council adopted resolution authorizing application submittal to Safe Drinking Water State Revolving Loan Fund program for funds to assist in the Well No. 7 replacement project.

B. On October 28, 2013 the City Council authorized a lease with United Samaritan Foundation and Stanislaus County to provide various social service programs including Temporary Assistance for Needy Families (TANF), Medi-Cal and Food Stamps.

5. **SAFETY**

Amendments

There were no amendments to the Safety Element in 2013.

Progress

A. On April 8, 2013, the City Council awarded the 4th Street Sidewalk Infill Project to add sidewalks and necessary paving and other appurtenances.

B. On December 9, 2013 the City Council adopted 2013 California Building Code, as well as the appendices of the CalGreen Standards, Tiers One and two.

6. **NOISE**

Amendments

There were no amendments to the Noise Element in 2013.

Progress

There is nothing to report regarding progress on the Noise Element in 2013.

7. **HOUSING**

Amendments

There were no amendments to the Housing Element in 2013.

Progress

A. Pursuant to State law, the Stanislaus County Council of Governments is responsible for the development of the Regional Housing Needs Allocation (RHNA) throughout Stanislaus County. Hughson's RHNA for the years 2007 through 2015 is projected to be 282 housing units. Building permits issued for homes in the period from January 2007 and through January 2013 number 147. It is unlikely the city will see the construction of an additional 135 housing units in the next two years.



Table A2
2013 Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired
pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary



Table A2

**2013 Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported in Table A)**

	Single Family	2 - 4 Units	5+ Units	Second Unit	Mobile Homes	Total
No. of Units Permitted for Moderate						0
No. of Units Permitted for Above Moderate						0

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Table B
Regional Housing Needs Allocation Progress
 Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	2014	2015	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Extremely Low	Deed Restricted	33									0	32
	Non-deed restricted		1								1	
Very Low	Deed Restricted	33									0	33
	Non-deed restricted										0	
Low	Deed Restricted	46									0	46
	Non-deed restricted										0	
Moderate	Deed Restricted	54									0	13
	Non-deed restricted				3		22	16			41	
Above Moderate		116	27	16	5	11	12	20	14		105	11
Total RHNA by COG. Enter allocation number:		282										
Total Units ▶ ▶ ▶			28	16	8	11	34	36	14		147	
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶												135

Note: units serving extremely low-income households are included in the very low-income permitted unit totals.

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**Table C
Program Implementation Status**

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.
--------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-1-1	The City staff will coordinate with California Department of Housing and Community Development (HCD) staff to apply for the funding that is made available through Proposition 1C. For example, in partnership with an interested non-profit developer, apply to the MHP program for the development of low-income housing. Finally, as affordable units are developed, apply for the Workforce Housing Rewards Program.	Apply for funding as it becomes available	Staff continues to search for interested developers to build and maintain affordable housing.
Program 1-1-2	The City of Hughson is a member of the Stanislaus County Consortium for CDBG entitlement funds.	Annually, subject to available funds	We receive CDBG funds as a part of the county consortium.
Program 1-2-1	The Redevelopment Agency did set aside 20 percent of the gross tax increment revenues received from the Redevelopment Project into a low-to-moderate income housing fund for affordable housing activities. Those funds were designated for low-to moderate income housing rehabilitation programs including financing, infrastructure improvements, land acquisitions, and construction.	Sunsetting.	Funds are no longer available from this program.
Program 1-3-1	Provide technical assistance to developers, nonprofit organizations, or other qualified private sector interests in the application and development of projects for federal and state financing.	Ongoing as projects are submitted to planning and building department	The City continues to develop strategies to attract affordable housing developers.
Program 1-4-1	Continue to use HOME funds to assist first time homebuyers.	Open	The City does not currently have an open HOME grant to provide down payment assistance.
Program 1-5-1	The city will continue to explore the feasibility of an inclusionary requirement for the development of affordable	Explore inclusionary	City staff continues to evaluate developing an inclusionary zoning program city-wide.

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Name of Program	Objective	Timeframe	Status of Program Implementation
	housing.	housing options by 2015	
Program 1-6-1	The City will continue to research and seek out developers to build affordable multifamily housing in Hughson through the Low Income Housing Tax Credit (LIHTC) program	Annually	The City continues to respond to low-income housing projects.
Program 1-7-1	Offer deferrals or reductions in zone change fees for affordable multifamily projects, in order to have sufficient low cost land available to meet the City’s low-and very low-income Regional Housing Needs Allocation	Ongoing	The City evaluates the deferral or reduction of zone change fees for affordable multifamily projects.
Program 1-7-2	<p>Transitional and supportive housing provides temporary housing, often with supportive services to formerly homeless persons for a period that is typically between six months and two years. The supportive services, such as job training rehabilitation, and counseling, help individuals gain life skills necessary for independent living.</p> <p>Currently, the City permits transitional housing by right in the High Density Residential (R-3) zoning district, and in the General Commercial (C-2) zoning district subject to a conditional use permit. Pursuant to Senate Bill 2, the City must explicitly allow both supportive and transitional housing types in all residential zones. The City currently defines transitional housing in the Zoning code, but will update it Zoning Code to include the definition of supportive housing as defined in the Health and Safety Code Sections 50675.2 and 50675.14. Both transitional and supportive housing types will be allowed as a permitted use subject to only the same restrictions on residential uses contained in the same type of structure.</p>	Ongoing	Due to staff shortages, the update to Hughson’s Zoning Ordinance to address Program 1-7-2 has not been completed. Program 1-7-2 ensures the City of Hughson will be compliant with SB 2 and Health and Safety Code Sections 50675.2 and 50675.14.
Program 1-7-3	<p>Assembly Bill 2634 requires the quantification and analysis of existing and projected housing needs to extremely low-income households and requires Housing Elements to identify zoning to encourage and facilitate supportive housing and single room occupancy units (SROs).</p> <p>Currently, single room occupancy units are included under</p>	Ongoing	Due to staff shortages, the update to Hughson’s Zoning Ordinance to address Program 1-7-3 has not been completed. Program 1-7-3 ensures the City of Hughson will be compliant with AB 2634.

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Name of Program	Objective	Timeframe	Status of Program Implementation
	<p>the definition of “boarding and rooming houses”. To ensure zoning flexibility that allow for the development of SROs, the City will update its Zoning Code to allow for SROs in all zones where boarding and rooming houses are allowed. SROs will continue to be allowed with a conditional use permit in the Multiple Family Residential Zone (R-3) and in the General Commercial Zone (C-2). The conditions for these units will continue to be minimal and will only require review by the Planning Director.</p>		
Program 1-7-4	<p>The City continues to provide a comprehensive listing of the current housing developments in the City which have units reserved for low-income, senior, and disabled households.</p>	Updated annually	<p>The list is available on request. Currently housing available within the city limits is administered by the Stanislaus County Housing Authority.</p>
Program 1-7-5	<p>State Law requires group residential facilities of six or fewer persons to be permitted in all residential zones. Currently Residential Care Homes with 6 or fewer persons are permitted with a conditional use permit.</p> <p>The City will revise the current regulations to meet state law requirements. The City will amend the Zoning Code to allow for Residential Care Homes by right in all residential zones and will allow larger group homes of 7 or more persons in the residential zones with a conditional use permit. Additionally, to further comply with SB 520, the City will amend the Zoning Code to define the definition of family as “One or more persons living together in a dwelling unit”.</p>	Immediately	<p>Due to staff shortages, the update to Hughson’s Zoning Ordinance to address Program 1-7-5 has not been addressed. Program 1-7-5 ensures the City of Hughson will be compliant with SB 520.</p>
Program 1-7-6	<p>Farmworker housing is defined in Sections 17021.5 and 17021.6 of the Health and Safety Code as any employee housing consisting of no more than 36 beds in a group quarters, or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use designation. For the purpose of all local ordinances, employee housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. The permitted</p>	Immediately	<p>Due to staff shortages, no progress has been made on this program. The City will continue its efforts to implement this program.</p>

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Name of Program	Objective	Timeframe	Status of Program Implementation
	occupancy in employee housing in an agricultural zone shall include agricultural employees who do not work on the property where the employee housing is located. To comply with Sections 17021.5 and 17021.6 of the Health and Safety Code the City will amend the Zoning Code to allow for farmworker housing in the R-1 zone by right.		
Program 1-8-1	Identify specific incentives, zoning actions, and reporting procedures that can be implemented to encourage and monitor the development of affordable and special needs housing opportunities. Identify the demographics and specific needs of the City's population. Determine the City's role for ensuring the construction of affordable housing projects and financing to developers.	Ongoing	Due to staff shortages, no progress has been made on this program. The City will continue its efforts to implement this program.
Program 1-8-2	Continue to permit persons with disabilities of any age to locate in senior citizens independent living facilities that are funded with federal funds according to federal law.	As these types of facilities become available.	No senior independent living facilities that are federally funded are currently available in the City of Hughson. The City will continue to permit persons of any age to locate in senior citizen independent living facilities that are funded with federal funds according to federal law.
Program 1-8-3	Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and stream line the permit review process. The City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and procedures based on the guidelines from the California Housing and Community Development Department (HCD). This information will be available through postings and pamphlets at the City and on the City's website.	Ongoing	Due to staff shortages, no progress has been made on this program. At this time, all persons applying for permits are treated equally with regard to the application process. The City will continue to have information available to those who need it.
Program 1-8-1	Identify specific incentives, zoning actions, and reporting procedures that can be implemented to encourage and monitor the development of affordable and special needs housing opportunities. Identify the demographics and specific needs of the City's population. Determine the City's role for ensuring the construction of affordable housing projects and financing to developers.	Ongoing	Due to staff shortages, no progress has been made on this program. This is a continuing need and it is appropriate for the City to continue its efforts.

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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 1-9-1	Work with the Housing Authority of Stanislaus County.	Ongoing, as funding becomes available	The City continues to work with the Stanislaus Housing Authority. No vouchers are currently available. However, used vouchers can become available in certain situations such as renters buying a home. The vouchers would be available to people on the waiting list.
Program 1-9-2	Continue to work with the Stanislaus Economic Development and Workforce Alliance (the "Alliance") to provide sufficient detail on employment growth and housing production to ensure affordability to a broad spectrum of City residents.	Ongoing	The City is currently working with the Alliance to track commercial and industrial development in Hughson. These demographics are made available on the City's website as well as in brochures to help attract developers of retail and affordable housing to Hughson.
Program 1-10-1	The City will continue to be responsible for implementing the State's energy conservation standards (e.g., Title 24 Energy Standards). This includes checking of building plans and other written documentation showing compliance and the inspection of construction to ensure that the dwelling units are constructed according to those plans. Applicants for building permits must show compliance with the state's energy conservation requirements at the time building plans are submitted.	Ongoing	The City requires projects to comply with energy conservation standards.
Program 1-10-2	The City will annually ensure that local building codes are consistent with state mandated or recommended green building standards.	Ongoing	The City has adopted Tiers One and Two of CalGreen Standards.
Program 1-10-3	The City will continue to partner with PG&E to promote energy saving programs such as, the California Alternate Rates for Energy (CARE), the Relief for Energy Assistance through Community Help (REACH) and the Family Electric Rate Assistance (FERA).	Ongoing	The City will continue to coordinate with PG&E to promote energy saving programs.
Program 2-1-1	To preserve affordability, allow developers to "piggyback" or file concurrent applications (i.e., rezones, tentative tract maps, conditional use permits, variance requests, etc.) if consistent with applicable processing requirements.	Ongoing	The City allows filing of concurrent applications.
Program 2-1-2	To preserve affordability, provide incentives (i.e., density bonus units, fee reductions, fee deferral, fast-tracking, etc.) to developers of residential projects who agree to provide	Ongoing	The Hughson Zoning Ordinance includes a density bonus provision that provides incentives for the production of housing for very low-income and low-income households.

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Name of Program	Objective	Timeframe	Status of Program Implementation
	the specified percentage of units mandated by state law at a cost affordable to very low and/or low-income households.		
Program 2-2-1	The City will establish an annual review of the newly adopted citywide Design Guidelines (adopted July 2009) to ensure that they do not create a constraint to the development of multi-family housing in Hughson. The City will commit to amending the guidelines as appropriate to address or mitigate any identified constraints. The intent of the Design Guidelines is to ensure design compatibility with the existing neighborhoods and community and not to add a constraint to the development of multi-family housing in the community. The City will, on an annual basis, review and update as necessary its design review guidelines.	Bi-annually	The Guidelines are used when an appropriate development proposal is submitted.
Program 2-3-1	To ensure that the development community (both nonprofit and for-profit) is aware of the housing programs, technical assistance, and funding available, the City will publish and make available, to developers, housing development agencies, and City Residents, the City's Housing Element and updates, Annual Action Plan, Annual Redevelopment Agency Report, and respective notices. Provide and annual funding application workshop for interested agencies and developers.	Annually	The Housing Element is available on the City of Hughson website. Public meetings involving annual reports are held every year before final submissions to the appropriate agencies.
Program 2-4-1	The City will continue to have sufficient capacity to meet the additional housing needs of the City of Hughson based on the construction of the 750,000 – gallon water storage.	Evaluate as part of each Housing Element update	The water tank infrastructure was constructed primarily to insure proper fire flows. The installation of new Well #8 is complete and will help provide adequate water capacity. The well is also a treatment facility for removing arsenic from the water supply. Additional well design and distribution systems are under consideration.
Program 2-5-1	The City will continue to determine the transportations needs of its citizens and services as necessary.	Annually	The City of Hughson works with START, the County's bus system that serves Hughson. The City will continue to evaluate the transportation needs of its citizens.
Program 2-5-2	Apply for funding, such as PTA grant, to aid in the development of a public transportation system for the City.	As funding is available.	No activity has occurred. The City will continue to its effort to implement this program.
Program 3-1-1	The City will provide information regarding vacant land to for-profit and nonprofit developers and other housing providers.	Ongoing	The City updates the vacant land inventory for residential development as part of the Housing Element annual progress report.
Program 3-2-1	To ensure the development of housing that has, to extent	Ongoing	The General Plan Land Use Policies promotes commercial

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Name of Program	Objective	Timeframe	Status of Program Implementation
	possible, a support structure of shopping, services, and jobs within easy access, the City will encourage the development of well planned and designed projects that provides compatible residential, commercial, industrial, institutional, or public uses within a single project or neighborhood.		development integrated with residential neighborhoods with good access for pedestrians and bicyclists and industrial development that will provide jobs for the area.
Program 3-3-1	Monitor the amount of land zoned for both single-family and multifamily development and initiate zone changes as necessary to accommodate affordable housing.	Quarterly	The 2009 Housing Element provides an inventory of 97 acres of land zoned for single family development (R-1) land and 35 acres of land zoned for multiple family development (R-2 and R-3). There is sufficient inventory of residential land and no zone changes are needed.
Program 3-4-1	The City will continue to allow lot consolidation to combine small residential lots into one large lot to accommodate affordable housing production. Provide incentives such as fee waivers and fast tracked timing to developers who provide affordable housing. In addition, where opportunities exist, the City will allow lot consolidation in the low density residential (R-1) and medium density residential (R-2) zones.	Ongoing	The Hughson Zoning Ordinance does not have a lot size requirement in the R-2 and R-3 Zones which would impede consolidation of small residential lots. No lot consolidation projects have been proposed. The City will continue to provide affordability incentives to developers.
Program 3-5-1	Contact landowners within the Sphere of Influence that have land which is appropriate for residential zoning for possible annexation, in order to meet the very low-and low-income housing needs. Initiate annexation and zoning processes on suitable land.	Annually	Currently the City has sufficient vacant land for an affordable project, however should the need arise the City stands ready to initiate processes needed to facilitate an affordable project.
Program 3-6-1	Allow for second units to be constructed with minimal restrictions and in accordance with AB 1866.	As projects are processed through the Planning Department	Hughson's Zoning Ordinance allows for second units in the R-1 Zone provided lot size will accommodate it. The ordinance in effect during our previous Housing Element did not allow for this.
Program 4-1-1	Continue to seek funding for public facilities such as community facilitated loans and public works grants.	Annually	The City continues to seek infrastructure funding.
Program 4-2-1	Supply energy conservation awareness brochures in all public meeting places.	Ongoing, at all public meetings.	The City supplies energy conservation awareness brochures in all public meeting places.
Program 4-3-1	The City will provide technical and financial assistance to all eligible homeowners and residential property owners to rehabilitate existing dwelling units through grants or low	Annually, with Consortia	The City will continue to use CDBG and other housing rehabilitation funds.

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Name of Program	Objective	Timeframe	Status of Program Implementation
	interest loans. The City will also continue to apply for and use CDBG and other housing rehabilitation funds.	funding.	
Program 4-4-1	Expand rehabilitation program eligibility to include rental properties.	Sunsetting	The State has removed the opportunity to use redevelopment as a funding source for rental property rehabilitation. We currently have no other open rehab grant programs.
Program 5-1-1	Require that all recipients of locally administered housing assistance funds acknowledge their understanding of fair housing and affirm their commitment to the laws.	Ongoing	The City require recipients of locally administered housing assistance funds to acknowledge their understanding of fair housing
Program 5-1-2	Acquire and maintain fair housing materials, including all pertinent resource, posters, and information available through the Department of Fair Employment and Housing (DFEH) and Housing and Urban Development (HUD) to educate on a variety of fair housing issues. Develop informational flyers and brochures in Spanish and in English that highlight (1) disability provisions of both federal and state fair housing laws and (2) familial status discrimination to be distributed at all types of outreach events including health fairs and City-sponsored events. Distribute materials to public locations such as the library and senior center, multifamily housing, and City Hall.	Ongoing	Information on fair housing laws is available at City Hall. The City staff and recipients of locally administered housing assistance funds are informed about fair housing laws.
Program 5-1-3	Continue to refer all housing discrimination referrals to the City Principal Planner who will work with the complainant and refer complaints to the State Fair Employment and Housing Commission.	Ongoing	The City has protocols to deal with events due to housing discrimination. None has been received.
Program 5-1-4	Conduct regular workshops on the fair housing laws, as they pertain to race, disability, family size, and income discrimination and protection, to educate property owners, managers, and real estate professionals.	Ongoing	No activity has occurred. The City will continue to its effort to conduct workshops on fair housing laws.
Program 6-1-1	The City will continue to support the Housing Authority of the County of Stanislaus to provide housing assistance to very low-, low-, and moderate-income households. The City will maintain membership in the Housing Authority to qualify City residents for the Housing Choice Voucher Program and other existing housing assistance programs administered by the Housing Authority. Provide information on the availability of Housing Authority programs to qualified residents.	Immediate and ongoing	The City is a member of the Stanislaus Housing and Support Services Collaborative and will continue to work with the Housing Authority.

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Name of Program	Objective	Timeframe	Status of Program Implementation
Program 6-2-1	Continue to establish cooperative agreements with a nonprofit housing organization as a support agency to the City.	Immediate and ongoing	The City will continue to work with and maintain agreements with nonprofit agencies.
Program 6-3-1	The City will cooperate with large employers and major commercial and industrial developers to identify and implement development that can balance employment in the City with the housing growth. Develop housing opportunities that are affordable to the incomes of jobs within the City. Consider the effects of new development as proposed. The City will coordinate annual workshop with employers, members of the housing community, and City officials to identify the City's housing and commercial needs.	Annually	No activity has occurred. The City strongly supports development that will create jobs in the community. The City will continue to identify housing and commercial needs.
Program 6-4-1	Monitor the completion and implementation of the goals and policies set by the Housing Element. Continue to update and amend codes and policies as necessary.	Annually	The preparation of the Annual Progress Report helps the City monitor the policies of the Housing Element.



CITY OF HUGHSON AGENDA ITEM NO. 4.1 SECTION 4: UNFINISHED BUSINESS

Meeting Date: March 24, 2014
Subject: Progress Report on the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts and Authorization for the City Manager to Execute an Agreement with the City of Turlock for the Provision of Administrative and Engineering Services Associated with the Hughson Lighting and Landscaping Districts and Benefit Assessment Districts
Enclosure: Draft Agreement between the City of Turlock and City of Hughson for Administrative and Engineering Services.
Presented By: Raul L. Mendez, City Manager
Approved By: _____

Staff Recommendations:

1. Accept the progress report on the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts.
2. Authorize the City Manager to execute an agreement with the City of Turlock for the provision of administrative and engineering services associated with the Hughson Lighting and Landscaping Districts and Benefit Assessment Districts

Background:

On August 12, 2013, the City Council held a public hearing to consider the annual review of special assessment districts for Fiscal Year 2013-2014. After the public hearing, the City adopted resolutions approving the annual report, confirming the assessment and ordering the levy for the City of Hughson Lighting and Landscaping Districts and Benefit Assessment Districts for Fiscal Year 2013-2014.

The City of Hughson ("City") utilizes special financing districts to provide various services and improvements to the property owners within the City. These are currently comprised of two types of assessments, Lighting and Landscaping Districts and Benefit Assessment Districts. Each Lighting and Landscaping District (LLD) was formed and the annual assessments are levied pursuant to the Lighting and Landscaping Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "1972 Act"). Each Benefit Assessment District (BAD) was formed and the annual assessments are levied pursuant to the Benefit

Assessment Act of 1982 (the "1982 Act"), Part 1 of Division 2 of the California Government Code.

During the August 12, 2013 public hearing and a subsequent special meeting held on September 16, 2013, the City Council expressed concerns regarding the condition of the City's special assessment districts. Specifically, those special assessment districts with low or negative reserve balances were discussed at length along with others with structural operating deficits. The Council directed staff to develop a short term and long term strategy to strengthen the fiscal stability of each district.

During the September 23, 2013 regular meeting, the City Council had an opportunity to discuss concerns with NBS Local Government Solutions who had been working with the City of Hughson since 2005. At that meeting, information was shared by NBS Local Government Solutions regarding the preparation and work needed to develop the required Engineer's Report and the process for establishing the annual assessments. The dialogue focused on the Engineer's Reports not only establishing the appropriate assessment level as provided for by State law but also being an accurate depiction of the fiscal condition of each respective district. The City Manager indicated that the special assessment districts would be a priority moving forward and staff would work on a variety of improvement areas. Technical administrative and engineering support was also discussed and City staff was directed to explore other options including partnering with the County or a local municipality.

Progress Report:

Administrative/Engineering Services – City staff, working with the City of Turlock Municipal Services Department, has prepared a draft agreement to formalize the provision of administrative and engineering services for Hughson's special assessment districts (lighting and landscaping districts and special assessment districts). Although development took longer than anticipated, the draft agreement, through the scope of services, will set the parameters for the new partnership for the period of April 1, 2014 through June 30, 2015 with the option to extend through an amendment. Upon execution, City staffs will begin meeting to complete all critical tasks by the required deadline for the annual assessments for Fiscal Year 2014-2015. An estimated schedule of work is contained in the draft agreement. Authorization to execute the agreement on the City of Hughson's behalf by the City Manager is necessary at this time to ensure that the item can be considered by the Turlock City Council during their regular meeting on April 22, 2014.

Energy Efficiency – City staff has been contacted by Chevron Energy Solutions regarding their engineering analysis of a potential energy efficiency and renewable energy project. Chevron Energy Solutions representatives have requested to meet with City staff to present their findings and results the first week in April. Based on that discussion, City staff will determine the opportune time to schedule an informational presentation on the project to the Hughson City Council. It is likely that the initial presentation and discussion can occur during the next regular meeting of the City Council or April 14, 2014.

Fiscal Impact:

The current Lighting and Landscaping Districts and Benefit Assessment Districts provide the City of Hughson with funding annually to provide specific services and improvements to properties within their respective approved boundaries. For Fiscal Year 2013-2014, annual assessments are expected to generate a total of \$199,295.42, an increase of 5% when compared to the prior fiscal year, for associated labor, administration, utilities, equipment, materials, and preparation of the annual Engineer's Report.

AGREEMENT
between the
City of Turlock
and the
City of Hughson

1. PARTIES AND DATE

This Agreement is entered into as of April 1, 2014, and between the **City of Turlock**, California, a chartered municipal corporation ("Turlock"), and the **City of Hughson**, a municipal corporation ("Hughson"). Turlock and Hughson are sometimes individually referred to as a "Party" and collectively as "Parties."

2. RECITALS

- A. Hughson requires administrative and engineering services associated with its special assessment districts (benefit assessment districts and landscape and lighting districts).
- B. Turlock has administrative and engineering staff that Hughson has determined possesses the necessary educational and experiential qualifications to provide the required service.
- C. Turlock is willing to provide the services of its administrative and engineering staff on the terms and conditions as set forth in this Agreement.
- D. Now, therefore, in consideration of the promises, covenants, and conditions herein contained, the Parties agree as follows:

3. CONTRACT EMPLOYMENT

- A. Turlock agrees to provide the administrative and engineering services to Hughson on a per hour basis as needed over the course of the 2014-2015 Fiscal Year.
- B. The services provided by Turlock will be rendered by Turlock staff from Turlock City Hall and other City of Turlock facilities, as appropriate and necessary. City of Turlock and City of Hughson buildings and facilities will be available for meetings as necessary.
- C. The services by Turlock are to be rendered under consultation with and direction of Hughson. Turlock shall not be considered as contracting with Hughson for the provision of municipal services or functions within the meaning of Government Code Section 54980 et seq.
- D. The services by Turlock staff are being furnished as those of an independent contractor, and Turlock staff shall not be an employee of Hughson.

4. ADMINISTRATIVE PROVISIONS

- A. Turlock staff shall act as the administrative/engineering support staff for Hughson with duties, authority and responsibilities as defined by Hughson [in Exhibit A].
- B. Both Parties will prepare an annual work schedule to be mutually agreed to regarding services rendered for the fiscal year.
- C. The Parties recognize that workload requirements at either Turlock or Hughson may require temporary adjustments in work schedule, and the Parties will mutually cooperate to accommodate such requirements.
- D. Turlock staff will remain full-time employees of Turlock. Turlock will provide employee benefits, general employer supervision, and related administrative overhead, and Turlock will be responsible for the payment of all applicable employment taxes, insurance, pension and related employment benefits.
- E. The files and records of each Party shall be maintained only at the offices of that Party.

5. COMPENSATION

- A. Hughson agrees to provide compensation to Turlock for services rendered during the term of this Agreement in accordance with the cost methodology contained in Exhibit A.
- B. Hughson agrees to reimburse Turlock for staff travel time to the City of Hughson associated with services rendered pursuant to this Agreement. All such reimbursement will in accordance with Exhibit A attached hereto.
- C. Hughson agrees to compensate Turlock for services performed on a quarterly basis and within 30 days receipt of the invoice submitted by Turlock to Hughson.
- D. Invoices submitted for payment by Turlock to Hughson shall contain, at a minimum, the number of hours, the name of the administrative and/or engineering staff utilized, the name of the project or projects and a brief description of the tasks performed.
- E. Turlock shall notify Hughson in writing of any changes to the estimated staffing costs at least 60 days before such changes are implemented.

6. MISCELLANEOUS PROVISIONS

A. Term

- (1) The Term shall be for a period commencing April 1, 2014, and continuing until June 30, 2015. The Parties may extend the Term by a written amendment to this Agreement.
- (2) This Agreement may be terminated by either Party, through their City Manager, upon 30 days written notice to the other Party. In the event of termination, all finished or unfinished documents and other materials pertaining to this Agreement shall become the property of Hughson. If this Agreement is terminated as provided herein, Turlock will be compensated for billings incurred prior to the termination date, in accordance with the costs provisions set forth in Exhibit A.

B. Indemnification

- (1) Turlock shall fully indemnify, defend and hold Hughson and its officers and employees harmless from and against any claims, demands, liability, damages, costs, and expenses, including, without limitation, bodily injury, death or personal injury of any person or property damage of any nature whatsoever, arising out of: a breach of Turlock's obligations under this Agreement.
- (2) Hughson shall fully indemnify, defend and hold Turlock and its officers and employees harmless from and against any claims, demands, liability, damages, costs, and expenses, including, without limitation, bodily injury, death or personal injury of any person or property damage of any nature whatsoever, arising out of: a breach of Hughson's obligations under this Agreement.
- (3) These indemnification provisions shall survive termination of the Agreement.

C. Severability

If any clause, sentence, part, section, or portion of this Agreement is found by a court of competent jurisdiction to be illegal or unenforceable, such clause, sentence, part, section, or portion so found shall be regarded as though it were not part of this Agreement and the remaining parts of this Agreement shall be fully binding and enforceable by the Parties hereto.

D. Jurisdiction and Venue

This Agreement shall be construed in accordance with the laws of the State of California, and the Parties agree that venue shall be in Stanislaus County, California.

E. Notice

Any notice, amendments, or additions to this Agreement, including change of address of either party during the term of this agreement, which Hughson or Turlock shall be required, or may desire to make, shall be in writing and shall be sent by prepaid first class mail or hand-delivered to the respective Parties as follows:

(1) If to Turlock:

Roy Wasden
City Manager
City of Turlock
156 S Broadway Avenue
Turlock, CA 95380

(2) If to Hughson:

Raul Mendez
City Manager
City of Hughson
7018 Pine Street
Hughson, CA 95326

F. No Third Party Beneficiaries

The execution and delivery of this Agreement shall not be deemed to confer any rights upon, nor obligate any of the Parties to this Agreement to, any person or entity other than the Parties hereto.

G. Counterparts; Facsimile Signatures

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute but one and the same instrument. A facsimile signature shall be deemed an original signature.

H. Exhibits;

All documents referenced as exhibits in this Agreement are hereby incorporated in this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail.

I. Entire Agreement

This Agreement represents the entire agreement of the Parties, and no representations have been made or relied upon except as set forth herein. This Agreement may be amended or modified only by a written, fully executed agreement of the Parties.

J. Headings and Titles

The captions of the articles or sections of this Agreement are only to assist the parties in reading this Agreement and shall have no effect upon the construction or interpretation of any part hereof.

7. EXECUTION

IN WITNESS WHEREOF the Parties have executed this Agreement as of the day and year first above written.

“Turlock”

“Hughson”

CITY OF TURLOCK

CITY OF HUGHSON

By: _____
City Manager

By: _____
City Manager

FORM:
By: _____
City Attorney

FORM:
By: _____
City Attorney

ATTEST:
By: _____
City Clerk

ATTEST:
By: _____
City Clerk

EXHIBIT A

SCOPE OF SERVICE - ADMINISTRATION/ENGINEERING

FY 2013/14 Core Service (Cost Based per District) for 18 Districts

- Meetings and Schedule
- Review 2013/14 Engineer's Reports
- Database Development
- Assessment Computation and Rate Analysis
- Engineer's Report Preparation/Discussion
- Noticing and Resolution Coordination
- Levy Submittal

Time and Materials not to exceed \$110.00* per District

FY 2014/15 Core Service (Cost Based per District) for 18 Districts

- Expert Resource
- Meetings and Schedule
- Review Existing Engineer's Reports
- Database Development
- Budget Review
- Assessment Computation and Rate Analysis
- Engineer's Report Preparation/Discussion
- Noticing and Resolution Coordination
- Levy Submittal
- Final Engineer's Report/Signature by Registered Professional Engineer

Time and Materials not to exceed \$110.00* per District

Optional Services (Cost Based on Hourly Rate) Formation of Assessment Districts

- Proposition 218 Ballot Procedure/Compliance
- Assessment Diagram

\$750.00 Formation of Assessment Districts Includes:

Review and sign Engineer's Reports
Review Assessment Language on Final Map
Calculate Assessments and Draft Engineer's Report
Prepare Ballot and Mail out
Prepare Resolution Documents and Draft Staff Reports

Other Considerations

The fees are a not-to-exceed amount without prior written authorization, and billed on a time and material basis. The proposal is based on the assessment district annual reports and resolutions, provided by the City of Turlock, to be similar to the format currently utilized for the City of Turlock's annual assessment district annual reports.

*Based on the hourly rate in Exhibit B

EXHIBIT A (CONTINUE)

City of Turlock Personnel – Hourly Rate Schedule:

Utilities Specialist	\$12.49/hr
Staff Services Assistant	\$46.98/hr
Regulatory Affairs Manager	\$104.62/hr
Director of Municipal Services	\$135.27/hr
City Engineer	\$129.68/hr

Proposed Project Schedule for Fiscal Year 2014-2015 (Annual Assessments)

March 2014	Make out schedule of events for the Benefit Assessment Districts & confer with City of Hughson on any changes made in the last year. Print out Engineer's Report Print out List of APN's Print out Assessor's Map
April 1, 2014	City of Hughson to provide data for the Landscape & Lighting Districts and the Benefit Assessment Districts
May	Prepare council documents (Directing the filing of Annual Report) City Council Meeting on May 12, 2014
June	Prepare council documents (Considering intention to levy & collect the assessments) City Council Meeting on June 9, 2014
July	Prepare council documents (Confirming assessments & reports & levying assessments for the fiscal year) City Council Meeting (Public Hearing) on July 14, 2014 , Turlock City Engineer to attend the Public Hearing
August 2014	File report with County using their format.



CITY OF HUGHSON AGENDA ITEM NO. 4.2

SECTION 4: UNFINISHED BUSINESS

Meeting Date: March 24, 2014
Subject: Approval to Adopt Resolution No. 2014-10, Establishing the City of Hughson's Legislative Program
Presented By: Raul L. Mendez, City Manager
Approved By: _____

Staff Recommendation:

Adopt Resolution No. 2014-10, establishing the City of Hughson's Legislative Program.

Background:

On May 23, 2011, the Hughson City Council considered adoption of the Hughson Legislative Program. The City Council discussed the proposed Legislative Program that contained General Principles (Home Rule, Annexation, Right of Way and Unfunded Mandates) and focused on the following policy areas: Environmental/Utilities and Public Works/Transportations/Telecommunications. City staff was directed to include language to "authorize the Mayor" and define "urgency matters" into the resolution and bring it back for consideration. The Hughson Legislative Program was not brought back for City Council consideration until now with the clarifying language incorporated.

A legislative program is a tool that the City Council and staff can utilize to support the City of Hughson's adopted Goals and Objectives. Through its development, the City can identify issues and priorities that may be addressed through legislative advocacy while doing it in a way that is cost-effective and efficiently utilizes City resources. To assure its alignment with the Goals and Objectives and other City Council priorities, the legislative program can be re-evaluated throughout the year and adjusted, as necessary. At a minimum, City staff intends to bring the Legislative Program back to the City Council annually at the beginning of the calendar year.

Adoption of a legislative program enables City Council and staff to react to most legislative issues as they arise throughout the year in a timely manner. The document can also be provided to State and Federal representatives so they are made aware of the issues that are important to Hughson and can advocate on those issues on the City's behalf.

The proposed City of Hughson's Legislative Program is consistent with that considered by the City Council back in 2011. City Council action to establish the program is recommended. The City Council is also encouraged to discuss other policy areas that are deemed important for future consideration and incorporation. Based on this discussion and direction provided, City staff can proposed amendment language during the next review.

Historically, the City of Hughson has conducted legislative advocacy through its work by designated members of the City Council with organizations such as the League of California Cities (LOCC) and the California Local Agency Formation Commission (CALAFCO). Due to limited staffing resources, this model has served the City of Hughson well. Occasionally, the City of Hughson is asked to consider taking positions of support or opposition on Federal and State Legislation and such requests are handled on a case-by-case basis by the Hughson City Council through its regular or special meetings.

Moving forward and based on prior City Council discussion on this item, the City Manager will work with the Mayor and Mayor Pro Tem to review such requests and bring forth legislation deemed appropriate for consideration by the full City Council. Matters not brought forward will be shared with the City Council in a quarterly legislative report by the City Manager in a regular meeting. The work by designated members on the Hughson City Council on the LOCC and LAFCO will continue as traditionally done. This approach will ensure that staffing resources are utilized wisely to only conduct related work and analysis on those legislative matters consistent with the adopted Hughson Legislative Program.

Fiscal Impact:

Implementation of the City of Hughson's Legislative Program will occur through existing staff and budgeted allocations. Fiscal impacts that may arise will be incorporated into the City's annual budget process.



City of Hughson Legislative Program

General Principles

Home Rule

We support self-governance by locally elected officials as provided for in the State's Constitution. Specifically, we feel local governments should control their rights of way, have condemnation authority, be immune from tort liability, and be free to voluntarily cooperate with other public and private entities, as well as State government, to ensure the best level of service for our citizens. We do not support actions at the state level that erode representative democracy or local self-determination.

Annexation

The ability of the City of Hughson to promote and plan for growth is inherent to the ultimate success of our community and Stanislaus County. We support the ability of cities to use their annexation powers as they are currently established in state statute. We oppose any change that limits the authority of cities to grow through annexation.

Rights-of-Way

We oppose any legislation that would restrict the ability of cities to control public property and rights-of-way or the ability of cities to franchise those entities that use the rights-of-way including the implementation of statewide franchises.

Unfunded Mandates

We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, an appropriate level of funding should accompany such mandates.

Environmental/Utilities

Strategy: Infrastructure

- Support federal and state funding targeted towards regional and interregional water resource planning efforts and related land use planning.
- Support measures, which increase water supply through recharging and strengthen the City's rights for use of surface water.
- Support a fiscally and environmentally responsible reauthorization of the Safe Drinking Water Act.
- Support measures that will fund water management improvements.

Strategy: Livable Community

- Support legislation that provides direct funding for conservation and demand reduction projects in city facilities; seek grant or loan funding for essential services (i.e. police/fire, water/wastewater) to purchase new or replace existing back-up generators that are more energy efficient and less polluting.

Strategy: Government Operations

- Support measures that improve water quality within the city/region without lowering MCLs or requiring more monitoring.
- Oppose mandatory groundwater management unless it is reasonable and the management reflects the representative views of all agencies which will be regulated, particularly local government.
- Support legislation that provides local government and agency flexibility in meeting air quality requirements for existing backup generators for sewer, water and storm-pumping facilities.
- Support legislation and increased funding for juvenile crime prevention and abatement programs.
- Support legislation that will reimburse agencies responsible for identifying, tagging and removing waste from illegal drug labs.
- Support legislation that would make Bureau of Narcotics Enforcement Task Force labs available to our jurisdiction for evidence process and drug lab clean-up.
- Support legislation that facilitates local law enforcement ability to acquire the needed Federal Homeland Security funds.
- Support legislation enhancing sentencing and eliminating sentencing consolidation or reductions for those convicted of auto theft.

Public Works/Transportation/Telecommunications**Strategy: Infrastructure**

- Support development of state programs that would provide funding for construction of new transportation infrastructure and upgrades within communities experiencing explosive residential growth.
- Support legislation that provides additional funds for infrastructure or which provides options for financing developer requirements.
- Support legislation that enhances resources for local jurisdiction to maintain and operate their infrastructure.
- Support legislation to fund telecommunication planning and implementation.
- Support legislation to fund GIS to better manage regional resources, respond to emergencies and plan for growth.

Strategy: Planning for the Future

- Support State and Federal legislation to reaffirm home rule in oversight and reevaluation of telecommunication entities, using public right-of-ways and affecting conditions addressed by local planning and land use policies.

Strategy: Government Operations

- Support legislation that provides increased local control over spending on streets and highways.
- Support legislation that provides additional funding to assist public transit systems in meeting air quality standards.
- Support State legislation that protects current City revenues:
 - SLESF (Supplemental Law Enforcement Services Fund)
 - Vehicle License Fees, Property Taxes, Sales Taxes

CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2014-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
APPROVING THE HUGHSON LEGISLATIVE PROGRAM**

WHEREAS, a Legislative Program is a tool that the City Council and staff can utilize to support the goals and objectives of the City; and

WHEREAS, development of a Legislative Program provides the opportunity to identify issues and priorities that may be addressed through legislative advocacy; and

WHEREAS, adoption of a Legislative Program enables the City Council and staff to react quickly to most legislative issues as they arise and the document can be provided to State and Federal representatives so they are made aware of the issues that are important to Hughson; and

WHEREAS, legislative issues received by the City of Hughson will be discussed by the Mayor and City Manager and determined whether appropriate for formal City Council consideration and action; and

WHEREAS, the City Council authorizes the Mayor, or designee, to sign letters on behalf of the City Council on proposed legislation based on the adopted Hughson Legislative Program and analysis provided by City staff; and

WHEREAS, the Mayor has the authority on behalf of the City Council to respond to legislative items consistent with the adopted Hughson Legislative Program and considered urgent which is defined as requiring response prior to the next available City Council meeting; and

WHEREAS, the City Manager will be directed to report on such legislative activity on a quarterly basis; and

NOW, THEREFORE BE IT RESOLVED that the following items are approved and adopted by the City Council of the City of Hughson:

1. The City Council approves and adopts the Hughson Legislative Program.
2. The City Council authorizes the Mayor and the City Manager to review legislative matters received by the City and to determine whether such items should be considered by the City Council.
3. The City Council authorizes the Mayor, or designee, to sign letters on behalf of the City Council on proposed legislation consistent with the adopted Hughson Legislative Program.
4. The City Council authorizes the Mayor to respond to urgent legislative items on behalf of the City Council provided the legislative items are consistent with the adopted Hughson Legislative Program.

5. The City Manager is directed to report to the City Council on such legislative activity on a quarterly basis.

PASSED AND ADOPTED by the City Council of the City of Hughson at a regular meeting held on the 24th of March, 2014 by the following roll call vote:

AYES:

NOES:

ABSTENTION:

ABSENT:

MATT BEEKMAN, Mayor

ATTEST:

DOMINQUE SPINALE, Deputy City Clerk



CITY COUNCIL AGENDA
ITEM NO. 6.1
SECTION 6: NEW BUSINESS

Meeting Date: March 24, 2014
Subject: Adoption of a Mitigated Negative Declaration for the Seventh Street Park Project
Presented By: Jim Duval, Interim Director of Community Development
Approved By: _____

Planning Commission Recommendation:

Adopt the Mitigated Negative Declaration for the Seventh Street Park Project.

Background and Overview:

The City has made application for grant funding under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. The application is proposing acquisition of approximately twenty-nine (29) acres owned by the School District at the corner of Seventh Street and Whitmore Avenue here in Hughson. Approximately two-thirds of this acreage is proposed for development under the grant application as well.

California Environmental Quality Act - CEQA

Since the proposed project met the definition of a project under California environmental laws, an Initial Study was prepared. Following preparation of the Initial Study, it was determined that the project could significantly affect the environment and a Draft Mitigated Negative Declaration was prepared. This document says, in brief, that with mitigation measures, the impact to the environment can be reduced to less than significant levels.

The purpose of the Negative Declaration is to inform decision-makers, other interested agencies, and the public of potential environmental effects of the proposed project. The review and comment period has been established to enable interested parties to evaluate environmental consequences and to examine implement methods of eliminating or reducing any adverse impacts caused by the project. While CEQA requires that consideration be given to avoiding

environmental damage, the City must balance any potential environmental effects against other public objectives, including economic and social goals.

Discussion:

Project Location

The proposed park site is located at the corner of Seventh Street and Whitmore Avenue. Both of these streets are designated as four-lane collectors in the City's adopted Streets Master Plan. The planned entrance to the proposed facility is on Seventh Street to avoid adding traffic congestion in front of the High School, where it may endanger children.

Project Description

The proposed project consists of acquisition and development for park and recreational purposes of approximately 29 acres. Six acres are within the city limits and approximately 23 acres are within the City's sphere of influence. If the grant application is successful, the City will annex all the parcels into city limits to avoid payment of property taxes.

Agency and Public Review

The environmental document was sent to the following agencies for review and comment:

- ✓ Stanislaus County Chief Executive Office
- ✓ Hughson Unified School District
- ✓ Hughson Fire Protection District
- ✓ Turlock Irrigation District
- ✓ Pacific Bell Engineering
- ✓ Pacific Gas and Electric
- ✓ Hughson Post Office
- ✓ Stanislaus County Department of Planning and Community Development
- ✓ Stanislaus County Department of Public Works
- ✓ Stanislaus County Department of Environmental Resources
- ✓ Stanislaus County Agricultural Commissioner's Office
- ✓ Stanislaus Council of Governments
- ✓ Stanislaus County Fire Protection Bureau
- ✓ Neumiller and Beardslee
- ✓ Charter Communications
- ✓ San Joaquin Valley Unified Air Pollution Control District

The 30 day response period for public comment opened on January 21, 2014 and closed on February 20, 2014. The project was heard before the Hughson Planning Commission on March 18, 2014. No additional public comments were presented. The Planning Commission adopted the Mitigated Negative Declaration prepared for the 7th Street Park Project.

CITY OF HUGHSON
PLANNING COMMISSION
RESOLUTION NO. PC 2014-02

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HUGHSON RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE
DECLARATION FOR THE SEVENTH STREET PARK PROJECT TO THE
HUGHSON CITY COUNCIL**

WHEREAS, the City of Hughson has made application for grant funding through the State of California Department of Parks and Recreation; and

WHEREAS, the potential grant funding will be used to acquire up to 29.05 acres of land located at Whitmore Avenue and 7th Street for future parkland for the Hughson and surrounding communities; and

WHEREAS, if successful, the grant will allow purchase of real property, all of which may not be within the city limits but may be subsequently annexed; and

WHEREAS, in April 2010, an Initial Study was prepared for the proposed project which indicated it could have impacts on the environment, and a Mitigated Negative Declaration (MND) was subsequently prepared that included measures to reduce environmental impacts to less than significant; and

WHEREAS, the MND was recommended to the City Council for adoption by the Planning Commission in 2010, and has been updated and revised by staff to be again recommended to the City Council for adoption; and

WHEREAS, NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Hughson, based on the whole record before it and after having reviewed the documents submitted and considered the information contained therein, and utilizing its own independent judgment and analysis does hereby recommend adoption of the Mitigated Negative Declaration for the Seventh Street Park Project to the City Council of the City of Hughson.

PASSED AND ADOPTED by the Hughson Planning Commission at a regular meeting thereof, held on March 18, 2014, by the following vote:

AYES: **FONTANA, SARTAIN, MINYARD, and Chair STRAIN**

NOES: **NONE**

ABSTENTIONS: **NONE**

ABSENT: **PATEL**

JULIE STRAIN, Chair

ATTEST:

JIM DUVAL, Secretary



MITIGATED NEGATIVE DECLARATION
CITY OF HUGHSON
SEVENTH STREET PARK PROJECT

February 2010



Lead Agency:

City of Hughson
7018 Pine Street
Hughson, CA 95326

Contact Person:

Jim Duval
Interim Community Development Director
Phone: (209) 883-4054

SECTION THREE – EVALUATION OF ENVIRONMENTAL IMPACTS

Introduction

This Initial Study section provides a typical evaluation of the environmental impacts from the project. For each topic the following is provided:

- 1) A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) For impacts falling into the "No Impact" category, the checklist indicates whether the impact is potentially significant, less than significant with mitigation, or less than significant without mitigation. "Potentially Significant Impact" is appropriate if there is evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries (after mitigation) when the determination is made, an EIR is required.
- 3) Earlier analyses are used where, pursuant to tiering, a program EIR, or another CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, the discussion identifies whether earlier analysis is used, which impacts were adequately analyzed in an earlier document pursuant to applicable legal standards, and describes the mitigation measures that were incorporated or refined from the earlier document to address site-specific conditions for the project.
- 4) The explanation of each issue identifies the significance criteria or threshold, if any, used to evaluate each question, and the mitigation measure identified, if any, to reduce the impact to a less than significant level.

Environmental Checklist and Discussion

	Potentially Significant <u>Impact</u>	Less Than Significant With Mitigation <u>Incorporation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
--	------------------------------------------------------	-----------------------------------------------------------------------------------	----------------------------------------------------	-----------------------------

3.1 Aesthetics

Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Response:

Impact #3.1.1 - Scenic Resources and Visual Character (a, b, c): The site of the proposed Park is located on undeveloped orchard land adjacent to a residential subdivision on the west, as well as future planned residential development on the south and east. The proposed Park will have predominantly grass surfaces with ornamental shade tree coverage which will enhance the visual character of the site.

Conclusion: There are no scenic vistas, scenic resources or state designated scenic highways within the Project. The proposed Project is consistent with urban development and will not degrade the visual character or quality of the site and its surroundings. As there are no scenic resources within the vicinity of the Project, the impact is less than significant.

Mitigation Measures: None are required.

Impact #3.1.2 - New Source of Light or Glare (d): Development of the park includes lighted ballfields. The effects of this lighting could result in a loss of darkness in the night sky that may be noticeable to residents in the area; some sky glow and light ‘spillage’ could occur.

Conclusion: There are residences across Seventh Street from the Project area. Future planned nearby residences may also experience a change in the night sky due to the project. The impact is considered to be potentially significant.

Mitigation Measure #3.1.2: All lighting shall be hooded and directed on site to prevent glare onto surrounding properties and roadways.

Effectiveness of Measure: The implementation of this measure will reduce Project light and glare impact to less than significant.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the construction contractor and the applicant. Monitoring shall be performed by the City and the construction manager.

	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Potentially Significant Impact			

3.2 Agricultural Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.2.1 - Agricultural Farmland (a), (b), (c): The proposed Project is located upon land designated for Public Facility Use in the General Plan. The Project site and surrounding areas are currently designated for development.

Conclusion: There will be the loss of approximately 29 acres of agricultural land.

Mitigation Measures: The loss of agricultural land will be mitigated with the purchase of preservation easements. Landscape buffers will be planted on the sides adjacent to other agricultural lands.

Potentially Significant <u>Impact</u>	Less Than Significant With Mitigation <u>Incorporation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
---------------------------------------------	------------------------------------------------------------------------	-------------------------------------------	---------------------

3.3 Air Quality

Where available, the significance criteria established by the applicable air quality management of air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations or hazardous emissions? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.3.1 – Particulate Matter (PM₁₀) and Fine Particulate Matter (PM_{2.5}) Construction Emissions (a), (b), (c), (d): Project construction will result in activities that generate dust which may create a nuisance if left unmitigated. Grading, earthmoving and excavation are the activities that generate the most PM₁₀ and PM_{2.5} emissions. Construction activities associated with project development include site preparation, soil excavation, grading, drilling, equipment traffic on paved and unpaved surfaces, and the construction of well structures.

Because prediction of PM₁₀/PM_{2.5} generation depends on a large number of variables which may change from project to project or from day to day, the SJVAPCD has recommended a

qualitative, rather than a quantitative, approach to assessing impact significance for PM₁₀/PM_{2.5} construction activity emissions.

The air district has developed a menu of PM₁₀/PM_{2.5} control options that define the minimum content of a construction dust control program. The control measures are required under Regulation VIII. Regulation VIII (Table 3.3-1) control measures reduce the amount of PM₁₀/PM_{2.5} emissions generated from fugitive dust sources.

Regulation VIII, Rule 8021 was last amended in August 2004. Rule 8021 was adopted by the SJVAPCD to limit dust emissions from construction, excavation and other earthmoving activities. Prior to the start of construction activities, the owner/operator will be required to file a Dust Control Plan with the SJVAPCD in accordance with Section 6.3 of Rule 8021. In addition to other measures, the SJVAPCD reported an 87% control in reducing PM₁₀ emissions when properly using water as a control measure according to a UC Davis Study conducted in 1994.

Conclusion: PM₁₀/PM_{2.5} emissions generated during construction constitute a temporary, potentially significant impact, possibly exposing residents downwind to elevated PM₁₀ concentrations and contributing to the regional PM₁₀/PM_{2.5} emission burden.

Mitigation Measure #3.3.1: From the perspective of the SJVAPCD, compliance with Regulation VIII (Table 3.3-1) will constitute sufficient mitigation to reduce PM₁₀ impacts to a level below significance.

Table 3.3-1
Mandatory Control Measures for Construction, Excavation, Extraction,
and Other Earthmoving Activities

A. Pre-Activity:
A1: Pre-water site sufficient to limit Visible Dust Emissions (VDE) to 20% opacity
A2: Phase work to reduce the amount of disturbed surface area at any one time.
B. During Active Operations:
B1: Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity
B2: Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control measure B1 above shall also be implemented.
B3: Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface.
C. Temporary Stabilization During Periods Of Inactivity:
C1: Restrict vehicular access to the area
C2: Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 0.5 acres or more of disturbed surface area remains unused for seven or more days, the area must comply with the conditions for a stabilized surface area as defined below:
<u>Stabilized Surface:</u> any disturbed surface area or open bulk material storage pile that is resistant to wind blown fugitive dust emissions. A surface is considered to be stabilized if it meets at least one of the following conditions:
▪ A visible crust; or
▪ A threshold friction velocity (TFV) for disturbed surface areas corrected for non-erodible elements of 100 centimeters per second or greater; or

-
- A flat vegetative cover of at least 50 percent that is attached or rooted vegetation; or unattached vegetative debris lying on the surface with a predominant horizontal orientation that is not subject to movement by wind; or
 - A standing vegetative cover of at least 30 percent that is attached or rooted vegetation with a predominant vertical orientation; or
 - A standing vegetative cover that is attached or rooted vegetation with a predominant vertical orientation that is at least 10 percent and where the TFV is at least 43 centimeters per second when corrected for nonerrodible elements; or
 - A surface that is greater than or equal to 10 percent of non-errodible elements such as rocks, stones, or hard-packed clumps of soil.

D. Speed Limitations and Posting of Speed Limit Signs

D1: Limit the speed of vehicles traveling on uncontrolled unpaved access/haul roads within construction sites to a maximum of 15 miles per hour.

D2: Post speed limit signs that meet State and Federal Department of Transportation standards at each construction site's uncontrolled unpaved access/haul road entrance. At a minimum, speed limit signs shall also be posted at least every 500 feet and shall be readable in both directions of travel along uncontrolled unpaved access/haul roads.

E. Wind Generated Fugitive Dust Requirements

E1: Cease outdoor construction, excavation, extraction, and other earthmoving activities that disturb the soil whenever VDE exceeds 20% opacity. Indoor activities such as electrical, plumbing, dry wall installation, painting, and any other activity that does not cause any disturbances to the soil are not subject to this requirement.

E2: Continue operation of water trucks/devices when outdoor construction excavation, extraction, and other earthmoving activities cease, unless unsafe to do so.

Effectiveness of Mitigation Measure: The mitigation measure will reduce PM10/PM2.5 emissions generated during construction, and assure that they remain at less than significant levels.

Implementation/Monitoring: The mitigation measure shall be implemented by the construction contractor and the applicant. Monitoring shall be the responsibility of the SJVAPCD.

Impact #3.3.2 – Construction Emissions (Carbon Monoxide (CO), Reactive Organic Gases (ROG), Nitrogen Oxide (NOx), Particulate Matter (PM₁₀), & Fine Particulate Matter (PM_{2.5}) (a), (b), (c), (d): Several pieces of diesel-powered heavy equipment typically operate during the site preparation phase of the Project.

Conclusion: Impacts by construction activities associated with the proposed Project will temporarily increase emissions and will degrade local air quality. This impact is regarded as potentially significant unless mitigation measures are implemented.

Mitigation Measure #3.3.2: To minimize emissions and thus reduce construction impacts, the following shall be implemented:

1. The idling time of all construction equipment used at the site shall not exceed ten minutes.

2. The hours of operation of heavy-duty equipment shall be minimized.
3. All equipment shall be properly tuned and maintained in accord with manufacturer's specifications.
4. When feasible, alternative fueled or electrical construction equipment shall be used at the project site.
5. The minimum practical engine size for construction equipment shall be used.
6. When feasible, electric carts or other smaller equipment shall be used at the project site.
7. Gasoline-powered equipment shall be equipped with catalytic converters.

Effectiveness of Measures: These mitigation measures will reduce Project construction exhaust emissions, and assure that they remain at less than significant levels.

Implementation/Monitoring: The mitigation measures shall be implemented by the construction contractor and the applicant. Monitoring shall be the responsibility of the SJVAPCD.

Impact #3.3.3 – Odor Emissions (e): Operation of the project will not produce or result in any odor emissions.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Global Warming/Climate Change

“Global warming” is the term coined to describe very widespread climate change characterized by a rise in the Earth's ambient average temperatures with concomitant disturbances in weather patterns and resulting alteration of oceanic and terrestrial environs and biota. The predominant opinion within the scientific community is that global warming is currently occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of “greenhouse gases” (GHG).

When sunlight strikes the Earth's surface, some of it is reflected back into space as infrared radiation. When the net amount of solar energy reaching Earth's surface is about the same as the amount of energy radiated back into space, the average ambient temperature of the Earth's surface would remain more or less constant. Greenhouse gases disturb this equilibrium by absorbing and retaining infrared energy, trapping heat in the atmosphere—the “greenhouse gas effect.” The belief is that global warming is now occurring because natural carbon cycle processes (such as photosynthesis) are unable to absorb sufficient quantities of carbon dioxide and other GHG, and cannot keep the level of these gases under control. It is believed that a combination of factors related to human activities, such as deforestation and an increased emission of GHG into the atmosphere, is causing global warming.

Water vapor is the most predominant GHG, and is primarily a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans. The predominant types of anthropogenic greenhouse gases (those caused by human activity), are

- carbon dioxide (CO₂), largely generated by combustion activities such as coal and wood burning and fossil fuel use in vehicles but also a byproduct of respiration and volcanic activity;
- methane (CH₄), known commonly as “natural gas,” is present in geologic deposits and is also evolved by anaerobic decay processes and animal digestion. On a ton-for-ton basis, CH₄ exerts about 20 times the greenhouse gas effect of CO₂;
- nitrous oxide (N₂O), produced in large part by soil microbes and enhanced through application of fertilizers. N₂O is also a byproduct of fossil fuel burning: atmospheric nitrogen, an inert gas that makes up a large proportion of the atmosphere, is oxidized when air is exposed to high-temperature combustion. N₂O is used in some industrial processes, as a fuel for rocket and racing engines, as a propellant, and as an anesthetic. N₂O is one component of “oxides of nitrogen” (NOX), long recognized as precursors of smog-causing atmospheric oxidants.
- chlorofluorocarbons (CFCs), synthetic chemicals developed in the late 1920s for use as improved refrigerants (e.g., “Freon™”). It was recognized over two decades ago that this class of chemicals exerted powerful and persistent greenhouse gas effects. In 1987, the Montreal Protocol halted production of CFCs.
- hydrofluorocarbons (HFCs), another class of synthetic refrigerants developed to replace CFCs;
- perfluorocarbons (PFCs), used in aluminum and semiconductor manufacturing, have an extremely stable molecular structure, with biological half-lives tens of thousands of years, leading to ongoing atmospheric accumulation of these GHGs.
- sulfur hexafluoride (SF₆) is used for insulation in electric equipment, semiconductor manufacturing, magnesium refining and as a tracer gas for leak detection. Of any gas evaluated, SF₆ exerts the most powerful greenhouse gas effect, almost 24,000 times as powerful as that of CO₂ on a ton-for-ton basis.

In an effort to address the perceived causes of global warming by reducing the amount of anthropogenic greenhouse gases generated in California, the state enacted the Global Warming Solutions Act of 2006 (Codified as Health & Safety Code Section 38501 et seq.). Key provisions include the following:

- Codification of the state's goal by requiring that California's GHG emissions be reduced to 1990 “baseline” levels by 2020.

- Set deadlines for establishing an enforcement mechanism to reduce the GHG emissions:
 - By June 30, 2007, the California Air Resources Board ("CARB") was required to publish "discrete early action" GHG emission reduction measures. Discrete early actions are regulations to reduce greenhouse gas emissions to be adopted by the CARB and enforceable by January 1, 2010;
 - By January 1, 2008, CARB was required to identify what the state's GHG emissions were in 1990 (set the "baseline") and approve a statewide emissions limit for the year 2020 that is equivalent to 1990 levels. (These statewide baseline emissions have not yet been allocated to regions, counties, or smaller political jurisdictions.) By this same date, CARB was required to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions.
 - By January 1, 2011, CARB must adopt emission limits and emission reduction measures to take effect by January 1, 2012.

As support for this legislation, the Act contains factual statements regarding the potential significant impacts on California's physical environment that could be caused by global warming. These include, an increase in the intensity and duration of heat waves, the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

On August 24, 2007, California also enacted legislation (Public Resources Code §§ 21083.05 and 21097) requiring the state Resources Agency to adopt guidelines for addressing climate change in environmental analysis pursuant to the California Environmental Quality Act. By July 1, 2009, the Governor's Office of Planning and Research (OPR) is required to prepare guidelines for the mitigation of greenhouse gas emissions, and transmit those draft regulations to the Resources Agency. The Resources Agency must then certify and adopt the guidelines by January 1, 2010.

Because it is believed that global warming is being caused by human activities on the entire planet, it would be highly speculative to conclude that this project would have a direct adverse impact on global climate. CARB has not adopted GHG emission limits and emission reduction measures and because CEQA guidelines have not been established for the evaluation and mitigation of greenhouse gas emissions, there is an absence of regulatory guidance to assist any lead agencies in determining whether a particular project will have a significant impact on global warming.

Potentially Significant <u>Impact</u>	Less Than Significant With Mitigation <u>Incorporation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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3.4 Biological Resources

Would the project:

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant <u>Impact</u>	Less Than Significant With Mitigation <u>Incorporation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

Impact #3.4.1 – Biological Resources (a, b, c, d, e, f): The proposed site of the new Park provide no native habitat for plants or animals. The Project site is currently an active farming operation and does not include any wetlands or migratory corridors, nor does it conflict with any habitat conservation plans or tree preservation policies.

Conclusion: There is no impact.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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3.5 Cultural Resources

Would the project:

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Response:

Impact #3.5.1 – Disturbance of Cultural Resources (a, b, c, d): There are no known historical structures or resources within the project area. However, the Project will include excavation and grading where subsurface cultural resources may be discovered.

Conclusion: Construction activities and improvements have the potential to disturb or destroy unknown cultural resources. As such, there is a potentially significant impact.

Mitigation Measure #3.5.1: In the event presently unknown archaeological or historical resources are discovered during development of specific projects, work shall be terminated until such time that a certified archaeological/historical consultant can investigate the findings. In such a case, the investigating archaeologist/historian shall determine appropriate future actions that must be taken prior to continuation of all affected project(s) pursuant to Appendix K of the CEQA Guidelines.

Effectiveness of Measure: Implementation of this measure will reduce the Project’s cultural resources impact to less than significant.

Implementation/Monitoring: Monitoring shall be performed by the City and construction manager.

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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3.6 Geology/Soils

Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems when sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Response:

Impact #3.6.1 – Seismic Ground Shaking, Landslides, and Ground Failure (a): According to the City of Hughson General Plan 2005, the risk of damage related to seismic activity is low and there are no known active or potentially active faults crossing or within 15 miles of the proposed Project site.

Conclusion: Damage to the structures associated with the Project could occur if such structures are not constructed to withstand anticipated maximum ground-shaking events. All Project related construction will conform to the latest requirements for seismic design code standards. Therefore the impact is less than significant.

Mitigation Measures: None are required.

Impact #3.6.2 – Soil Erosion (b): The Project site is flat and major grading for the storm water retention basin will occur on the site interior, while minor grading for sidewalks and curbs will conform to NPDES and City of Hughson storm water discharge protection requirements. All soils shall be maintained on site, therefore no erosion will occur.

Conclusion: The impact is considered less than significant.

Mitigation Measures: None are required.

Impact #3.6.3 – Soils (c, d): The City of Hughson General Plan 2005 Safety Element determined that land within the City is not subject to significant settlement, nor is the Project site in an area subject to a high potential for liquefaction. The Project will be designed by an engineer to resist any seismic related impacts, including liquefaction.

Conclusion: The impact is less than significant.

Mitigation Measures: None are required.

Impact #3.6.4 – Wastewater Disposal (e): The Project will connect to the City wastewater system when facilities needing waste disposal are constructed.

Conclusion: The impact is considered less than significant.

Mitigation Measures: None are required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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3.7 Hazards/Hazardous Materials

Would the project:

- | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

Impact #3.7.1 – Release of Hazardous Materials (a, b): The project will not involve the use or transport of hazardous materials during construction or operation.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.7.2 – Hazards Within ¼ mile from Schools (c): The project does not include the use or release of hazardous materials.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.7.3 – Hazardous Sites (d): There are no hazardous waste sites in the immediate vicinity of the proposed project.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.7.4 – Airports (e, f): The Project is not located within an airport land use plan. The Project is not located in the vicinity of a private airstrip.

Conclusion: There is no impact.

Mitigation Measures: There are none required.

Impact #3.7.5 – Emergency Plans (g): The project would not impair implementation of the adopted emergency response plan or emergency evacuation plan.

Conclusion: There is no impact

Mitigation Measures: There are none required.

Impact #3.7.6 – Wildland Fires (h): There are no wildlands or flammable brush, grassy or dry tree areas in the Project area.

Conclusion: There is no impact.

Mitigation Measures: There are none required.

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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3.8 Hydrology/Water Quality

Would the project:

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

Impact #3.8.1 – Water Quality (a, f): The proposed Project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.

Conclusion: There are no impacts.

Mitigation Measures: None are required.

Impact #3.8.2 – Groundwater Supply (b): The proposed Project will be placed upon a site that is currently irrigated by flood irrigation techniques. The per acre use of water using this technique is similar in water volume to that of single family residential land use patterns. The Project will not require flood irrigation techniques and therefore will use less water than the current use.

Conclusion: The proposed Park will not have a significant impact on the groundwater basin. The basin is not at risk of overdraft.

Mitigation Measures: No mitigation is required.

Impact #3.8.3 – Stream Alteration (c, d, e): There are no streams located within close proximity to the Project site.

Conclusion: The Project will not alter the existing drainage pattern of the site areas or increase the rate or amount of surface runoff or result in substantial erosion or siltation on or off the sites.

There is no impact.

Mitigation Measures: None are required.

Impact #3.8.4 – Stormwater Drainage (e): The project will not alter existing drainage patterns. Storm drain collection piping will serve the Project.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.8.5 – Flooding (g, h): The project site is not located within a 100-year floodplain.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.8.6 - Dam Failure Inundation (i): According to the City of Hughson General Plan 2005 Safety Element, there is a slight risk in Hughson of flooding related to dam inundation from failure of the Don Pedro Dam on the Tuolumne River. The dam is maintained by the Turlock Irrigation District. Flooding would only occur in the event of dam failure, and would affect the entire city and the surrounding areas. To minimize the risk of dam failure, the California Department of Water Resources Division of Safety of Dams inspects the Don Pedro Dam on an annual basis for safety. The chances of this dam failing while at capacity are considered remote.

Conclusion: The impact is less than significant.

Mitigation Measure: None are required.

Impact #3.8.7 - Seiche/Tsunami (j): There is no potential for seiche or tsunami due to the lack of a significant water body near the site. The Project site is flat, therefore eliminating the possibility for mudflow.

Conclusion: There is no impact.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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3.9 Land Use/Planning

Would the project:

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.9.1 – Divide Established Community (a): No change in surrounding land uses will occur as a result of the project.

Conclusion: The project does not impede growth or divide the community. There is no impact.

Mitigation Measures: None are required.

Impact #3.9.2 – Land Use Plan (b): The Project does not involve any change to, or conflict with, applicable land use plans, policies, or regulations.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.9.3 – Conservation Plan (c): The project site is not within an adopted habitat conservation plan.

Conclusion: No significant impacts will result.

Mitigation Measures: None are required.

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.10 Mineral Resources

Would the project:

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.10.1 – Mineral Resources (a,b): There are no known mineral resources within the Project area. The Project will not result in a loss of mineral resources.

Conclusion: There are no impacts.

Mitigation Measures: None are required.

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.11 Noise

Would the project result in:

- | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.11.1 – Construction Noise Impacts on Sensitive Receptors (d): Construction of the Project will create short-term noise that may adversely impact sensitive receptors. The Noise Element of the City of Hughson General Plan 2005 prescribes noise standards to ensure that noise sensitive areas are not adversely affected from noise sources. The Noise Element has established that internal noise impacts shall not exceed 45 decibels.

Typical construction equipment would include tractors, forklifts, and miscellaneous equipment (e.g., pneumatic tools, generators and portable air compressors). Noise levels generated by this type of construction equipment at various distances from the noise source are shown in Table 3.11-1.

**Table 3.11-1
Estimated Construction Noise Levels**

Construction Equipment	Typical Noise Level (dBA) (distance from source)		
	50 feet	100 feet	1.0 mile
Pneumatic tools	85	79	45
Truck (e.g., dump, water)	88	82	48
Concrete mixer (truck)	85	79	45
Scraper	88	82	48
Bulldozer	87	81	47
Backhoe	85	79	45
Portable air compressor	81	75	41

Noise levels generated from construction activities decrease with increasing distance from the noise source; generally, noise levels reduce by six decibels for every doubling of distance from the source.

Conclusion: Construction activities will be temporary in nature and will only occur during the daytime hours. The City enforces the Noise Ordinance from 10:00 p.m. to 7:00 a.m. Monday through Friday and from 10:00 p.m. to 8:00 a.m. on Saturday, Sunday, and holidays. Construction noise impacts could result in annoyance or sleep disruption for nearby residents if nighttime operations were to occur or if equipment is not properly muffled or maintained. Construction noise will be a temporary and less than significant impact.

Mitigation Measure: None are required.

Impact #3.11.2 – Operations Noise Impacts on Sensitive Receptors (a, b, c, d, e, f): The project includes a skatepark, amphitheater type seating for entertainment purposes, and several sport complexes including a baseball facility capable of holding tournaments. The Project will increase noise levels in the neighboring vicinity.

Conclusion: The noise generated by the Project will not exceed the thresholds established by the City’s Noise Element. The impact is less than significant.

Mitigation Measures: None are required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.12 Population and Housing

Would the project:

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.12.1 – Population Growth and Displacement (a, b, c): The proposed Project does not include the development or removal of any residential structures. The Project is in response to a need for additional park facilities in the City of Hughson.

Conclusion: There is no impact.

Mitigation Measures: None are required.

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.13 Public Services

Would the project:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impact, in order to maintain acceptable service ratios for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

Impact #3.13.1 – Fire Protection Services (a): Fire protection services are provided to the Project site by the Hughson Fire Protection District. District staff consists of a full-time Fire Chief and 25 to 30 volunteers.

Conclusion: The project will not create a significant demand for additional fire services.

Mitigation Measures: None are required.

Impact #3.13.2 – Police Protection (a): Police protection services are already provided to the Project site by the Stanislaus County Sheriff’s Department.

Conclusion: The project will not create a demand for additional police protection services.

Mitigation Measures: None are required.

Impact #3.13.3 – School Facilities (a): Primary educational services within the City are provided by the Hughson Unified School District.

Conclusion: The project will not create a demand for additional school facilities.

Mitigation Measures: None are required.

Impact #3.13.4 – Park Facilities (a): The Project does not include the construction of residential uses which would require new parks. Existing park facilities will be positively impacted by this project.

Conclusion: There is no significant impact.

Mitigation Measures: None are required.

Impact #3.13.5 – Other Public Facilities (a): The Project does not include any other impacts to public facilities.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.14 Recreation

Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.14.1 – Recreational Facilities (a, b): See Impact #3.13.4

Conclusion: See Impact #3.13.4

Mitigation Measures: None are required.

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.15 Transportation/Traffic

Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Conflict with adopted polices, plans, or programs supporting alternative transportation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

Impact #3.15.1 – Transportation/Traffic: The project will potentially alter traffic conditions in the City by attracting more automobiles to the site than the existing orchard. However, these impacts were analyzed and addressed in the City’s 2005 General Plan. Pedestrian and bicycle access to the site will be encouraged to the highest extend feasible.

Conclusion: During construction, the contractor will implement a traffic control plan. There is no impact.

Mitigation Measures: None are required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.16 Utilities/Service Systems

Would the project:

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Response:

Impact #3.16.1 – Water and Wastewater (a, b, e) The Project will not require the use of, or

construction of new wastewater facilities.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.16.2 – Stormwater (c): The Project will not alter existing drainage conditions. Storm drain collection piping will serve the Project and a large storm drainage retention basin is part of the project design.

Conclusion: There is no impact.

Mitigation Measures: None are required.

Impact #3.16.3 – Water Supply (d): See Impact #3.8.2

Conclusion: See Impact #3.8.2

Mitigation Measures: None are required.

Impact #3.16.4 – Solid Waste (f, g): The Project will use solid waste facilities as determined by the City's contract solid waste hauler. Sufficient capacity exists in a number of local landfills. The Project's impacts on solid waste were considered in the 2005 General Plan.

Conclusion: There is no impact.

Mitigation Measures: None are required.

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
-----------------------------------------------	----------------------------------------------------------------------------	---------------------------------------------	----------------------

3.17 Mandatory Findings of Significance

Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Response:

- a) The project will not have any impacts on wildlife species, rare or endangered plant species or eliminate major periods of California history or prehistory.

- b) The Project is in response to a need for additional park facilities within the City of Hughson in accordance with General Plan polices. There will be no impact to long term environmental goals.
- c) CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects.

Due to the nature of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable.

- d) The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in project design to reduce all potentially significant impacts to less than significant.

3.18 Determination

I find that although the proposed project could have potentially adverse impacts, the design features and the mitigation measures adopted by the City of Hughson will reduce such impacts to a less than significant level.

A MITIGATED NEGATIVE DECLARATION will be prepared.

 JIM DUVAL
 Interim Director of Community Development

 Date



CITY COUNCIL AGENDA
ITEM NO. 6.2
SECTION 6: NEW BUSINESS

Meeting Date: March 24, 2014
Subject: Adoption of the Low Impact Development (LID) Manual for the City of Hughson
Enclosures: Low Impact Development (LID) Manual for the City of Hughson
Presented By: Jim Duval, Interim Community Development Director

Approved By: _____

Planning Commission Recommendation:

Adopt the Low Impact Development (LID) Manual for the City of Hughson.

Background and Overview:

The City of Hughson, in partnership with Stanislaus County and the other eight cities in the County, was awarded a Sustainable Communities Planning grant to develop a model planning tool for inclusion in the Stanislaus County Planners Toolbox project. Each jurisdiction was responsible for development of a model planning tool of their choosing. As you recall, the City of Hughson received funding for the development of a Climate Action Plan. This was approved at your November meeting and forwarded to the City Council for adoption.

The City of Riverbank chose to prepare a Low Impact Development (LID) Strategies document for implementation in its jurisdiction. Planning staff has taken this document and tailored it for implementation in the City of Hughson. The Draft L.I.D. is attached for your review.

Discussion:

The City of Hughson General Plan 2005-2025 identifies ten (10) different land use categories. L.I.D. opportunities and applications will vary across these different land uses. However, for the purpose of this manual, land uses have been distilled into the following three simple categories:

- Greenfields;
- Infill areas; and,
- Special conditions

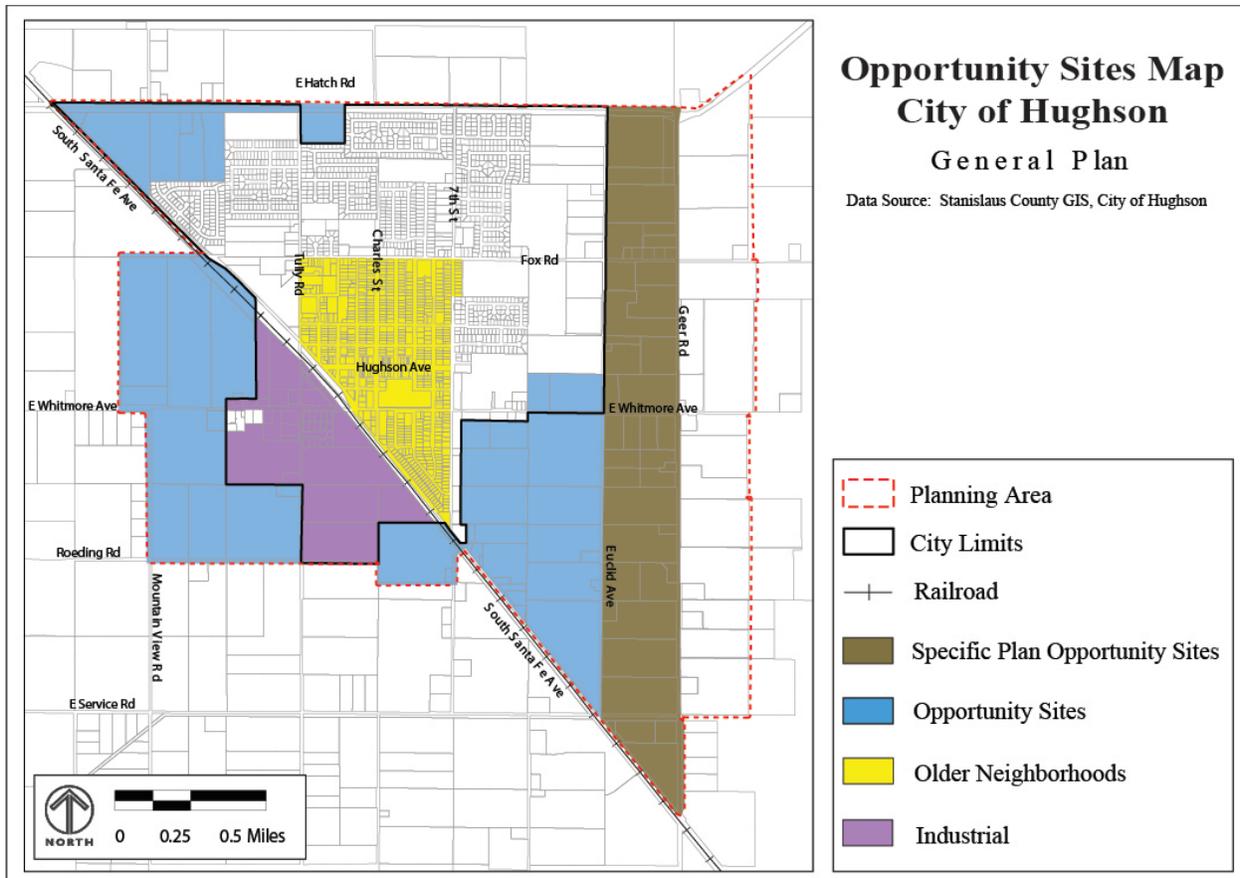
The purpose of developing these categories is to assist in identifying and understanding the opportunities and constraints associated with each.

Greenfield lands are those areas that are undeveloped or are in a substantially natural state. The majority of the land within the Hughson Planning Area outside of city limits would be classified greenfields (e.g. rural residential parcels, agricultural land, and undisturbed natural areas).

Infill areas that have the most opportunity for redevelopment within the City include vacant lots and older neighborhoods in need of revitalization or necessary improvements. Though implementation of LID practices can be more challenging in redevelopment areas, they can provide water quality benefits by removing pollutants and sediment.

Special conditions might be an area between the public right-of-way and adjacent improved lands that historically experience flooding and where collection infrastructure is non-existent or is of a size that cannot efficiently receive the stormwater.

The figure illustrated below identifies areas that may be more or less likely to experience development or redevelopment over the next thirty (30) years. By analyzing the City's growth patterns, in conjunction with other planning data (such as the Downtown Specific Plan), these areas fit within the categories of greenfields, infill areas, and special conditions.



Land planning and drainage design should be integrated to emphasize water conservation and the use of onsite naturalized features to protect water quality and downstream receiving water bodies.

LID stormwater treatment standards appropriate for the local conditions will be used to guide new development and redevelopment projects. This guidance ensures more thoughtful and responsible stormwater management, stormwater pollution prevention, reduction of community infrastructure costs, and environmental enhancement in drainage designs.

In addition to stormwater management treatment, the implementation of LID practices can augment groundwater recharge. Neighborhoods will also benefit from landscape aesthetics, natural resource conservation, and habitat creation – all of which can provide stormwater treatment functions.

The specific LID techniques and design guidance provided in this manual were developed by overlaying these potential development areas with the specific physical (e.g. soil, hardpan) and drainage conditions. The intent is to provide stormwater management techniques that are specific to the conditions that designers and developers will encounter in the Hughson area.

There have been limited LID standards or manuals developed specific to the unique conditions in the central valley. These conditions include seasonal rainfall patterns, arid climate, hardpan soils, groundwater tables, and native vegetation. This manual provides targeted design guidance for developers, designers, and city staff to implement LID solutions.

Conclusion:

The LID is an approach that seeks to mimic the natural processes occurring on a site, while addressing the small, frequent storms that, when combined, produce the majority of a site's runoff.

LID practices can greatly improve stormwater quality by encouraging processes (such as sedimentation, filtration, or evaporation/transpiration) which reduce the pollutants present in urban and suburban runoff.

Another primary purpose of the LID is to preserve a site's pre-development hydrologic pattern by minimizing impervious surfaces, capturing the low-intensity events that contribute to erosion, and providing a measure of control over the larger events, which can cause both erosion and flooding.

LID stormwater management facilities are most effective when dispersed throughout a site to address runoff at its source. Draining sidewalks to vegetated filter strips, constructing parking lots with permeable pavement, and outletting roof downspouts to a retention area can all provide treatment and attenuation of stormwater flows.

Though there are numerous reasons to implement the LID strategies on a site, there are also a variety of limiting constraints. They include:

- impermeable soils
- shallow hardpan
- shallow groundwater
- tributary area
- available space
- retrofit capability

Both opportunities and constraints will be taken into consideration during the design and pre-development process.

Finally, it has been determined that the City of Hughson Low Impact Development strategies will not have a significant effect on the environment and is therefore exempt from CEQA by statute, pursuant to Section 15061(b)(3) of the CEQA Guidelines. A Notice of Exemption has been prepared and is attached.

Process:

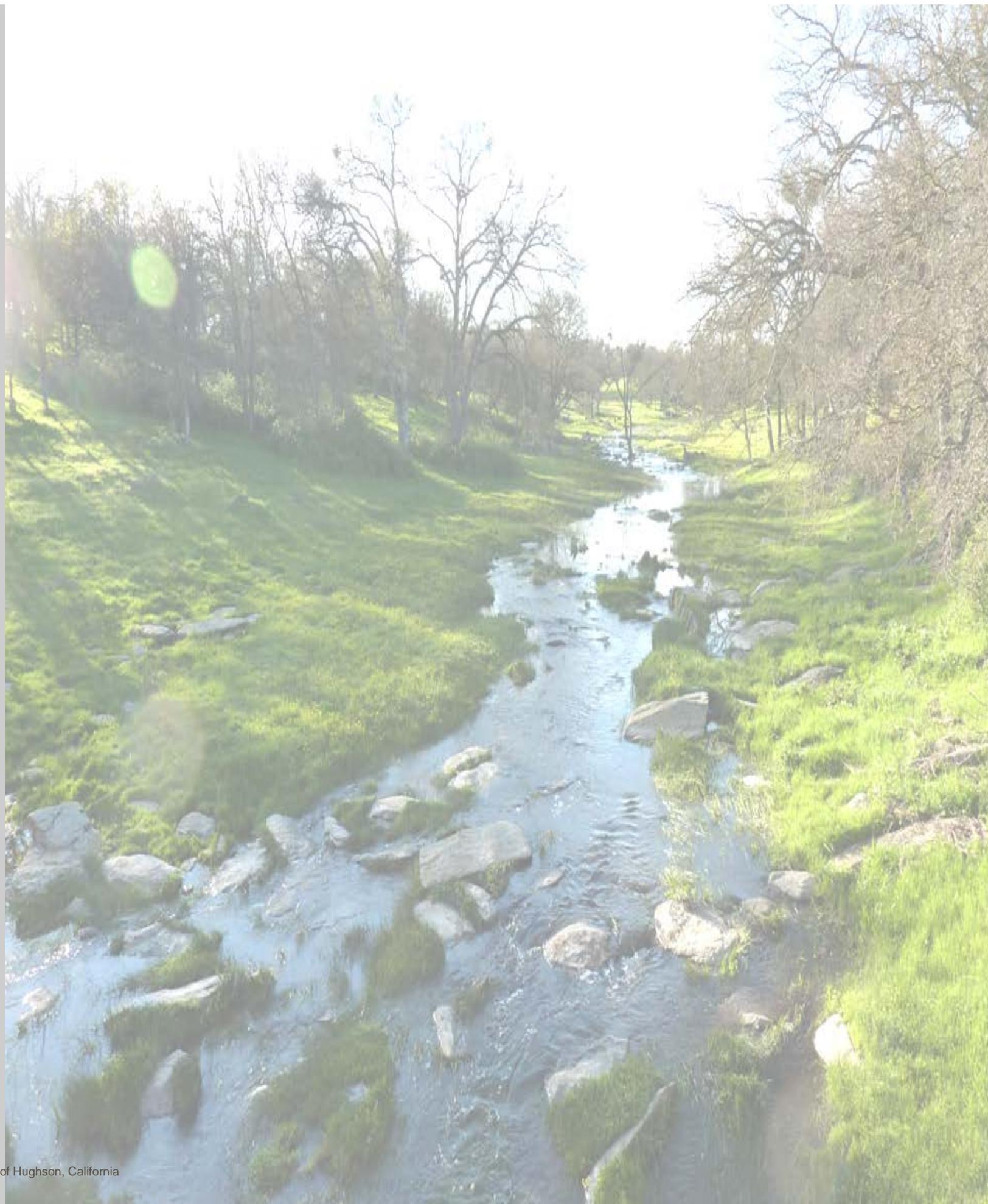
This item was presented to the Hughson Planning Commission on January 21, 2014. The Planning Commission adopted a resolution on March 18 recommending that the City Council adopt the LID Manual.

A public comment period began on January 22, 2014 and ended on February 20, 2014. No comments were received.



Model Standards & Specifications for Low Impact Development Practices

The City of Hughson, California



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(Two cover photos courtesy of Thom Clark)

1.0

Introduction

In order to comply with existing and future stormwater discharge regulations, while promoting an efficient resource and a sustainable approach to reducing stormwater runoff pollution, the City of Hughson (City) has recognized the need to develop Low Impact Development (LID) standards and specifications. The City's General Plan provides the overarching policy framework for a more natural approach to drainage. This document provides specific guidance for LID solutions that are customized to the local context.

Land planning and drainage design should be integrated to **emphasize water conservation** and the use of on-site naturalized features to **protect water quality and downstream receiving water bodies**. To achieve this, natural and engineered hydrologic controls can mimic predevelopment hydrologic conditions to **improve water quality, reduce flooding, and improve overall watershed health**.

LID stormwater treatment standards **appropriate for the local conditions** will be used to **guide new development and redevelopment** projects. This guidance ensures more thoughtful and responsible stormwater management, stormwater pollution prevention, **reduction of community infrastructure costs**, and environmental enhancement in drainage designs.

As Hughson and other San Joaquin Valley cities have developed, stormwater runoff from impervious hardscape has had a substantial negative impact on the

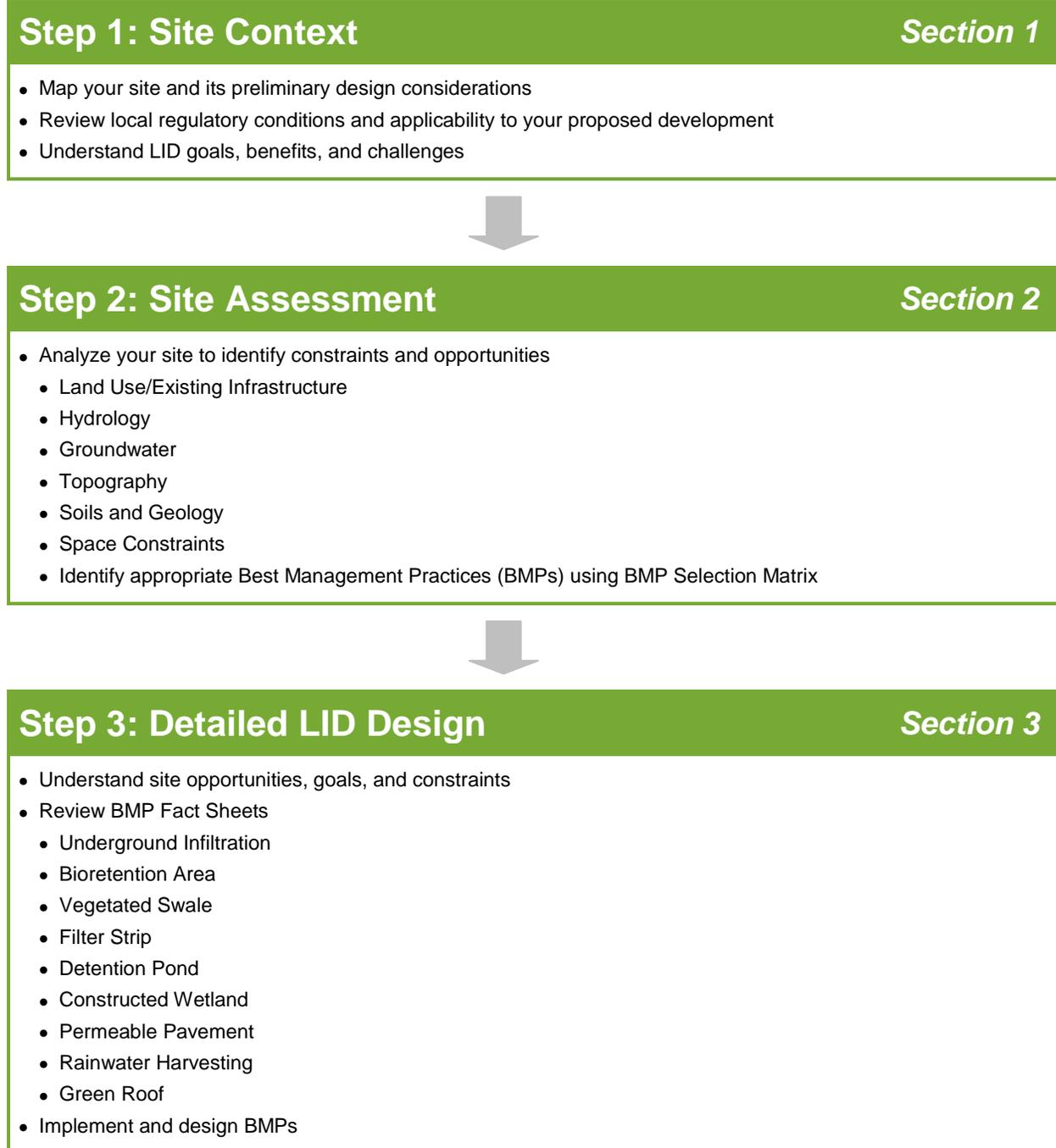
Tuolumne River, the San Joaquin Delta, and regional wildlife. By implementing standards and specifications for municipal LID planning and development, tributaries to the San Joaquin River, including the Tuolumne River, can realize water quality and ecological benefits – both on a watershed and local scale. LID standard practices of intercepting stormwater runoff at or near the source and using natural vegetation to settle and filter stormwater runoff pollutants can have a widespread beneficial impact to the rivers of the Central Valley and the ecological health of the Sacramento-San Joaquin Delta.

In addition to stormwater management and treatment, the implementation of LID practices can augment groundwater recharge, assist in the removal of air pollutants, mitigate urban heat island effect, and sequester carbon. Local communities will also benefit from pleasing landscape aesthetics, natural resource conservation, and habitat creation - all of which can provide stormwater treatment functions.

Although the techniques for LID implementation are well documented in many regions, there are limited LID standards or manuals developed specific to the unique conditions in the San Joaquin Valley. These conditions include seasonal rainfall patterns, arid climate, hardpan soils, high groundwater tables, and native vegetation. This manual provides design guidance for developers, designers and City staff to implement LID solutions at any scale for any land use.

How to Use This Document

The following flow chart summarizes the steps to be taken when implementing LID practices for a project.



Hughson Context

The City of Hughson General Plan 2005-2025 identifies 10 different land uses categories, as shown on the following page in Figure 2. LID opportunities and applications will vary across these different land uses. However for the purpose of this manual, land uses have been distilled into the following three simple categories:

- greenfields;
- infill areas; and
- special conditions

The purpose of developing these categories is to assist in identifying the type of BMPs and understanding the opportunities and constraints associated with each.

Figure 3 shows the historical growth patterns in the City. This map aids in identifying areas that may be more or less likely to experience development or redevelopment

over the next 30 years. For example, residential areas built within the past 20 years are considered a stable land use and most of these are unlikely to see major change in the near future. By analyzing the City's growth patterns, in conjunction with other planning data (such as the Downtown Specific Plan), areas have been identified that fit within the categories of greenfield development, redevelopment, or special conditions sites. These opportunity sites are shown in Figure 1 below and discussed in more detail on the next pages.

The specific LID techniques and design guidance provided in this manual were developed by overlaying these potential development areas with the specific physical (e.g. soil, hardpan) and drainage conditions. The intent is to provide stormwater management techniques that are specific to the expected conditions that designers will encounter when developing in the Hughson area.

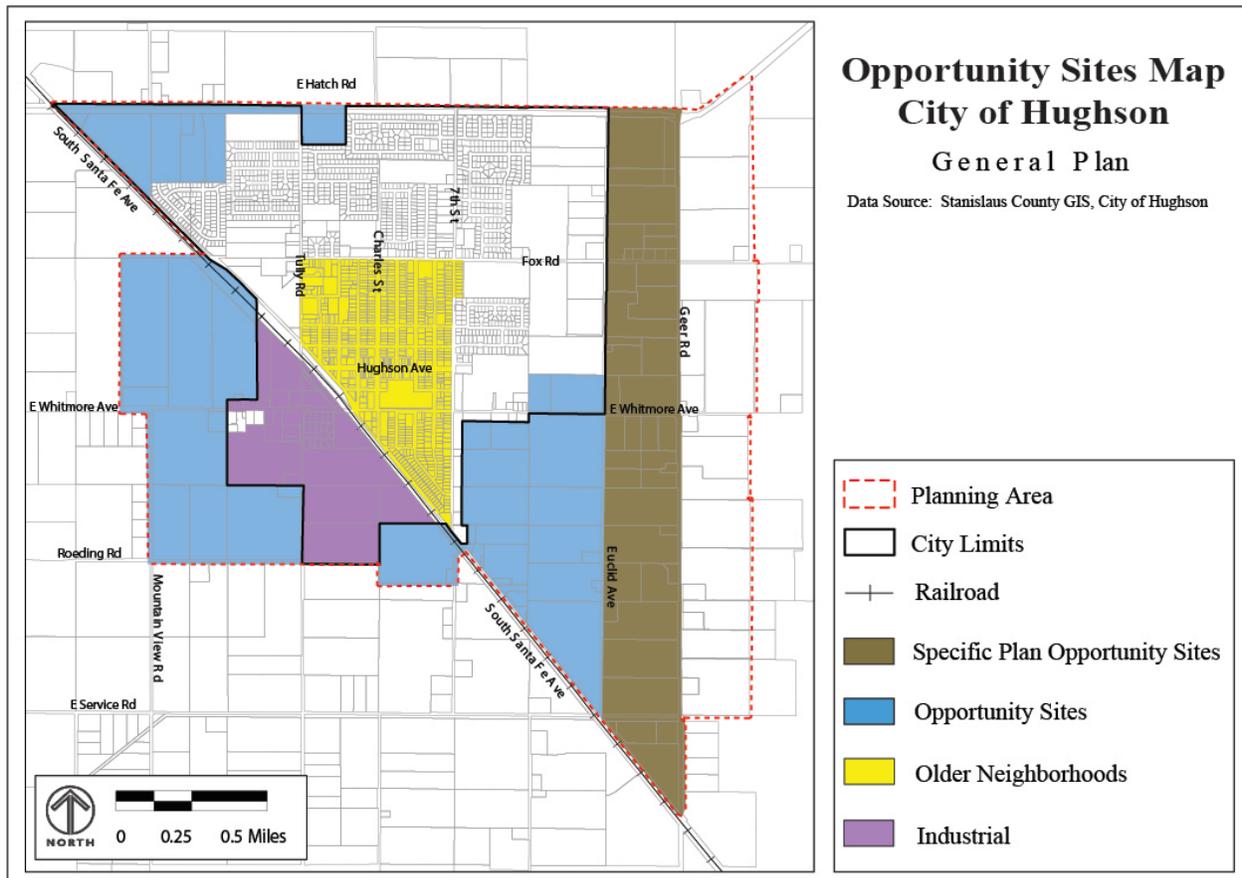


Figure 1: Opportunity Sites Map (Source: General Plan)

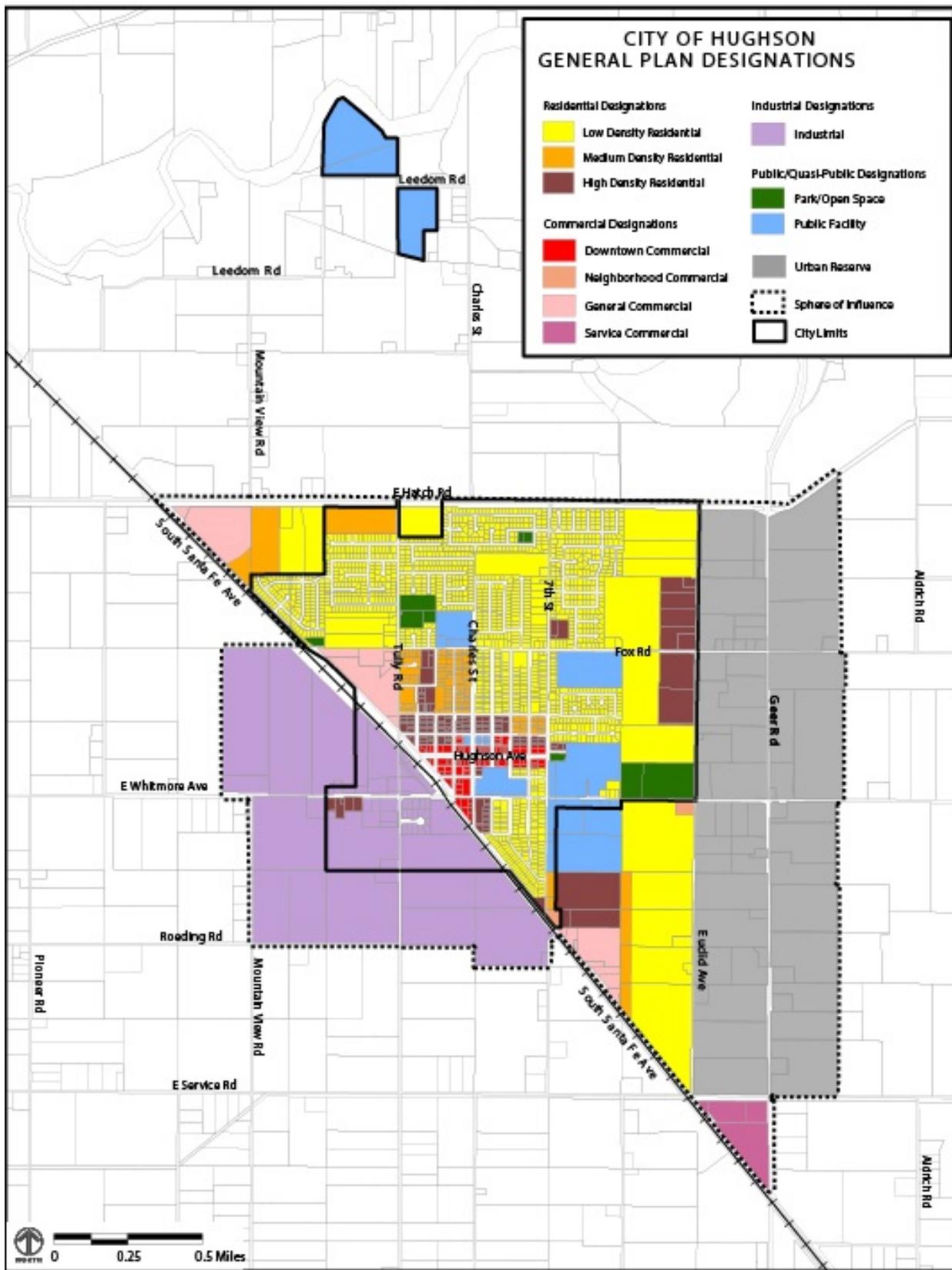


Figure 2: Existing Land Use Map (Source: General Plan)

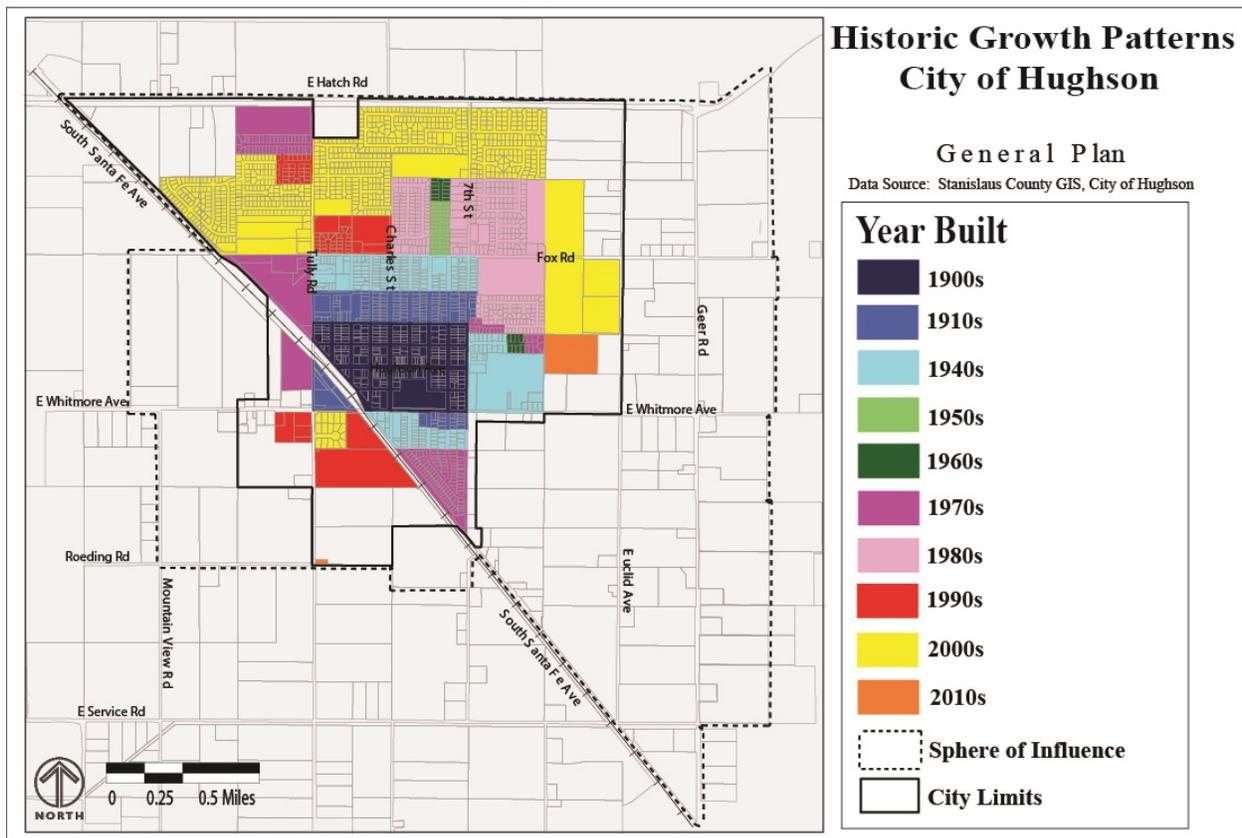


Figure 3: Historic Growth Patterns Map (Source: City of Hughson)

Greenfields

Greenfield lands are those areas that are undeveloped or are in a substantially natural state. The majority of the land within the Hughson Planning Area outside of City limits would be classified as greenfield (such as rural residential parcels, agricultural land, and undisturbed natural areas).

When developing within a greenfield area, it is important to maintain existing hydrological conditions by conserving natural areas and existing drainage features, where possible. Impervious hardscape surfaces (conventional roofs and paving) should be minimized and designed to discharge to pervious areas to help filter and infiltrate the stormwater runoff. To further aid infiltration, native soil compaction in landscaped areas should be minimized.

New infrastructure costs related to development can be reduced by incorporating LID techniques. Vegetated swales and permeable pavements can minimize or replace gutters and drain pipes. Retention and infiltration systems can reduce or eliminate the need for connections to storm drain mains. A rainwater harvesting system might avoid the need to upsize or install a new water supply line.

Infill Areas

Areas that have the most opportunity for redevelopment within the City include vacant lots and older neighborhoods in need of revitalization or necessary improvements. Though implementation of LID practices can be more challenging in redevelopment areas, they are of crucial importance in these locations. Within these more urbanized areas LID can provide substantial water quality benefits by removing pollutants and sediment currently reaching local streams and rivers.

Site design practices that provide hydrologic benefits and improve groundwater conditions in previously developed areas should be considered. These can include distributed BMPs that slow down or infiltrate water closer to its source, conversion of paved surfaces to permeable surfaces, rainwater harvesting retrofits, and rerouting runoff from impervious surfaces across naturalized and vegetated areas.



Greenfield areas with no prior development can use a wide array of treatment elements, but care should be taken to preserve the natural character of the site in order to minimize pollutants and changes to drainage patterns. (Photo courtesy of Thom Clark)



Retrofit or redevelopment sites present important opportunities to reduce the amount of impervious surface and treat runoff before it enters the storm drain system. (Photo: LA Times)

Regulatory Context

The State Water Resources Control Board (SWRCB) established the requirements for storm water discharges from small municipal separate storm sewer systems (MS4s). The City of Hughson incorporates these requirements and is designated as an MS4 operator.

Requirements include the prohibition of the discharge of any materials other than stormwater, implementation of BMPs to the maximum extent practicable (MEP) to protect water quality, the development and implementation of a Storm Water Management Plan (SWMP), reducing the discharge of pollutants to the MEP, and annually reporting on the progress of SWMP implementation to the Regional Water Quality Control Board (RWQCB).

The MS4 Permit includes specific post-construction design standards and BMP implementation procedures. These design standards are summarized on the following page. The BMPs implemented should focus on LID, source control, and treatment control.

Typical Development Process

Confirm Zoning. Areas are zoned to facilitate the development of compatible neighboring land uses. Zoning rules also set building and other standards or determine how much of a certain land use may occur.

Planning Review Process. Most projects are required to go through the Planning Review Process. Applicants have the option of submitting a Preliminary Proposal to the Planning Department for preliminary feedback, and would follow this with a full Planning Application. This application is then reviewed for approval.

Building Plan Review. Additional processes, such as obtaining a building or encroachment permit, may be required after planning approval and prior to the commencement of construction.

Inspections. The aim of the Building Division is to create partnerships with the development community, business community and citizens to accomplish mutually beneficial goals such as the safe, successful and timely completion of projects.

More information on these processes as well as associated forms, applications, guides, and fee schedules can be found on the City's website:

<http://hughson.org/government/city-departments/community-development/>

Relevant Documents

Fact Sheet for State Water Resources Control Board Water Quality Order No. 2003 – 0005 – DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004

This is the permit which contains the waste discharge requirements for stormwater discharges from MS4s. This is the primary guiding document for stormwater quality regulations in Hughson and is summarized on this and the following page.

www.swrcb.ca.gov/water_issues/programs/stormwater/docs/final_ms4_permit.pdf

City of Hughson Storm Drain System Master Plan (June 2007)

This plan serves as a basis for storm drain infrastructure and as an aide to assessing the impact of new and future development. It contains a summary of the existing storm drain system and recommended improvements.

City of Hughson Public Works Department

Phase II Small Municipal Storm Sewer System (MS4) Permit Program (2013)

This document establishes the four cities as co-permittees to the small MS4 Permit, characterizes the conditions of receiving streams, and describes proposed stormwater quality management activities and objectives.

www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

City of Hughson Standard Specifications, Section 7 - Storm Drains (2007)

This document section contains the required City standard design parameters, specifications, and details for storm drain infrastructure built within the public right-of-way within the City.

City of Hughson Public Works Department

Stanislaus County Standards and Specifications, Chapter 4 - Storm Drainage (2007)

This document chapter contains the required County standard design parameters, specifications, and details for storm drain infrastructure built within, or to be maintained by, the County. Though not directly applicable to development in the City, this is useful for background and reference.

www.stancounty.com/publicworks/pdf/2007_Imp_stand.pdf

Design Standards

The design standards apply to projects that fall into one of the following categories:

Applicable Development Categories
Commercial or Industrial Developments (of 100,000 square feet or more)
Automotive Repair Shops
Retail Gasoline Outlets
Restaurants
Home Subdivisions (with 10 housing units or more)
Parking Lots (5,000 sf or more or with 25 or more parking spaces and potentially exposed to stormwater runoff)

The following must be implemented for all categories:

- Mitigate peak runoff flow rate.** Post-development peak stormwater discharge rates shall be equal to or less than the peak pre-development rates for developments where the increased runoff rate will result in increased potential for downstream erosion.
- Conserve and create natural areas.** Developments shall incorporate and implement the following items:
 - concentrate development and minimize disturbance of remaining areas;
 - minimize the clearing of native vegetation;
 - maximize trees and vegetation, cluster tree areas, and promote native and/or drought tolerant plants in landscaped areas and parking lot islands; and
 - preserve any riparian areas and wetlands.
- Minimize stormwater pollutants of concern.** Development must be designed to minimize the discharge of pollutants of concern (POC) to the MEP. The BMPs used must be chosen for the optimal removal of the POC. POC are pollutants that exhibit one or more of the following characteristics:
 - current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water;
 - elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bioaccumulate in organisms; or
 - the detectable inputs of the pollutant are at concentrations or loads considered potentially toxic to humans and/or flora and fauna.
- Protect slopes and channels.** Development must be designed to minimize erosion by:

- conveying runoff safely from slope tops;
- stabilizing disturbed slopes;
- utilizing natural drainages to the MEP;
- stabilizing permanent channel crossings;
- vegetating slopes with native or drought tolerant vegetation, as appropriate; and

- Provide storm drain stencilling and signage.** All inlets and catch basins within a project area should be labeled with standard warnings.
- Properly design outdoor material and trash storage areas.** Trash and materials stored outdoors that have the potential to contaminate stormwater must be placed in a covered and enclosed structure that averts drainage from surrounding areas and prevents runoff and spillage from leaving.
- Provide proof of ongoing BMP maintenance.** Permanent BMPs must have a system in place for maintenance, with an inspection at least annually.
- Incorporate treatment control BMPs for water quality.** Pollutant levels in site stormwater runoff must be mitigated through the use of permanent post-construction treatment control BMPs designed to either a volumetric or flow-based standard. The LID techniques and stormwater BMP design standards contained in this manual are intended address this water quality requirement.

There are additional design provisions intended to further reduce the potential for pollutant discharge that apply to specific development categories. These are outlined in the table below.

Development Category	Additional Design Provisions
Commercial/Industrial	Loading Dock Areas, Repair/Maintenance Bays, Vehicle/Equipment Wash Areas
Auto Repair Shops	Loading Dock Areas, Repair/Maintenance Bays, Vehicle/Equipment Wash Areas, Fueling Areas
Retail Gasoline Outlets	Fueling Areas
Restaurants	Equipment/Accessory Wash Areas
Home Subdivisions	none
Parking Lots	Reduce Impervious Area, Infiltrate Runoff, Limit Oil Contamination

Overview of Low Impact Development (LID)

LID is an approach that seeks to mimic the natural processes occurring on a site, while addressing the small, frequent storms that, when combined, produce the majority of a site's runoff.

LID practices can greatly improve stormwater quality by encouraging processes (such as sedimentation, filtration, or evapotranspiration) which reduce the pollutants present in urban and suburban runoff.

Another primary purpose of LID is to preserve a site's pre-development hydrologic pattern by minimizing impervious surfaces, capturing the low-intensity events that contribute to erosion, and providing a measure of control over the larger events, which can cause both erosion and flooding.

LID stormwater management facilities, referred to as Best Management Practices (BMPs), are most effective when dispersed throughout a site to address runoff at its source. Draining sidewalks to vegetated

filter strips, constructing parking lots with permeable pavement, and outletting roof leaders to the surface of a bioretention area can all provide treatment and attenuation of stormwater flows.

Though there are numerous reasons to implement LID on a site, there are also a variety of constraints that will limit certain practices and inform an ideal design. The site constraints summarized below are discussed in more detail in Section 2, with explanation of how each constraint will influence LID design.

Goals and Benefits

- **Improve water quality.** A primary goal is the protection of downstream receiving water bodies from increased pollutant loads. All BMPs have potential to provide treatment. However, site constraints can hamper this (underground infiltration and permeable pavement, for example, must be able to infiltrate in order to provide acceptable pollutant removal).
- **Attenuate flows.** LID can be very effective at mitigating flooding and erosion issues. The volume of stormwater can be reduced by capturing runoff in retention systems (which drain by infiltration or reuse) and the flow rate and velocity of runoff can be lowered, to varying degrees, by all BMPs.
- **Recharge groundwater.** By increasing pervious area and managing the runoff from impervious area, LID is able to help restore water to the aquifer through infiltration.
- **Reduce potable water consumption.** A central component of LID is an emphasis on water conservation, primarily through the harvesting of rainwater. Utilizing captured water allows a site to address stormwater challenges while also lowering municipal water use.
- **Habitat restoration.** In addition to their hydrological goals, with proper design many BMPs are able to serve as desirable habitat.
- **Improve aesthetics.** Landscape-based stormwater management facilities and preservation of natural areas offer development sites unique opportunities to create an appealing character.
- **Reduction of community infrastructure costs.** Widespread use of LID serves a community by helping to minimize costs, such as storm drain upsizing, erosion maintenance, and street repairs.

Potential Constraints

- **Impermeable soils.** Sites with high clay content in the native soils typically have low infiltration rates, limiting the use of infiltration practices.
- **Shallow hardpan.** This will influence the ability to provide infiltration.
- **Shallow groundwater.** Certain areas, especially closer to the river, have a shallow groundwater table which precludes the use of infiltration.
- **Tributary area.** BMPs differ in the amount of drainage needed to function properly. Some are only effective with smaller catchments, while others can handle, or even require, larger upstream areas.
- **Available space.** In areas with existing development, especially dense commercial areas, it can be difficult to fit BMPs into locations receiving drainage.
- **Retrofit capability.** It is often preferred to reuse a site's existing infrastructure, which may affect BMP siting or design. Infiltration practices must have a setback from building foundations and wells.

Regulatory Considerations

- Facilities should achieve the water quality standard targeting pollutants, especially pollutants of concern.
- Design facilities and lay out sites to promote and conserve natural and vegetated areas.
- Help mitigate potential runoff rate increases and erosive flows through dispersed retention, infiltration, and energy dissipation.



The deployment of BMPs on a site can take many forms, which allows the facilities to integrate with landscaping while still providing optimal stormwater functionality. These examples show bioretention areas within an outdoor courtyard (above left), a vegetated swale and filter strip serving as a buffer for homes (above right), and a rocky swale area meant to be appealing while dry but able to handle infrequent large flows.

2.0

Site Assessment

This section provides a framework for selecting appropriate LID BMPs. Proper site planning and BMP selection involves a comprehensive assessment to evaluate existing conditions, such as hydrology, land use, runoff water quality, topography, and soils.

This site assessment will help to identify and understand constraints that exist at the site that will influence the performance and applicability of different BMP options. The maps and selection matrix included in this section can be used to quickly identify which BMPs are most appropriate for a site. This initial assessment should always be followed up and validated by a detailed site investigation.

Floodplain

Areas within the floodplain (see Figure 4) have a high groundwater table and an increased likelihood for erosion. Although the only area within the floodplain is a portion of the wastewater treatment plant, it is essential that development in this area does not change the ground elevation in a manner that might result in an increased water surface elevation during a flood event.

Development should limit grading and the creation of surface features (such as berms or unreinforced channels) that could be washed-out or substantially eroded in a flood. Surface discharge from BMP facilities should be in the form of dispersed sheet-flow, with point discharges minimized or eliminated.

As noted above, the floodplain only affects the abandoned Lower Ponds at the City's Wastewater Treatment Plant.

Groundwater

Groundwater plays a significant role in the hydrologic process, and it is important to promote groundwater recharge, especially in areas with limited rainfall. LID features can facilitate groundwater recharge by promoting rainwater infiltration. Groundwater recharge maintains local water tables, provides base flow to streams and rivers during dry periods, and maintains the integrity of riparian habitats.

It is important to determine the depth to the groundwater table's surface (see Figure 5), as a high groundwater table that is close the surface must be protected from contamination. Infiltration into the subgrade soil of a BMP is not allowed if there is less than 10 feet of separation between the bottom of the BMP and the top of the seasonally high groundwater table. BMPs constructed in areas of high groundwater tables should be installed with an impermeable liner (such as a waterproof membrane or compacted native clay) if their design would promote infiltration.

As noted on Figure 5, depth to groundwater throughout the city limits is over 200 centimeters or 6.5 feet.

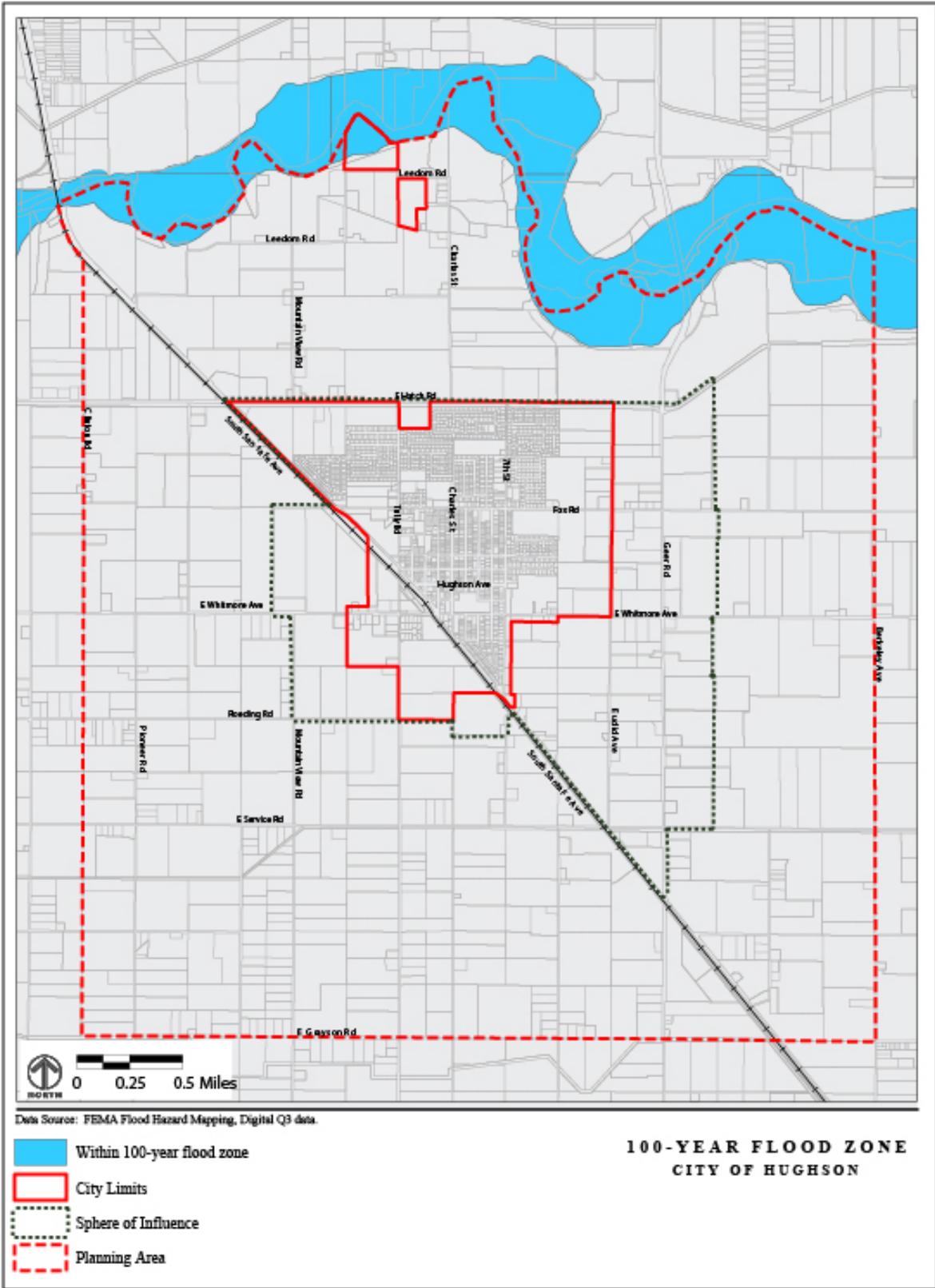


Figure 4: Flood Zones Map (Source: FEMA 2011)

Pollutants of Concern

Urban runoff can transport pollutants, including sediment, oils, metals, fertilizers, pesticides, bacteria, and trash into local surface water bodies. In the region, the Tuolumne River and downstream waters have been impacted by the application of pesticides and fertilizer as well as commercial extraction of natural resources. Urban runoff pollutants are becoming more of a concern as well. These include: organics, organophosphate, nitrogen, selenium, pyrethroids, pathogens, fecal coliform, and PCBs (industrial runoff). General guidance on the effectiveness of BMPs to remove common urban pollutants is included in Appendix B.

Topography

The topography of the site, including site slopes and locations of existing drainages, can impact the effectiveness of BMPs and must be considered. Steeper slopes (from 5%-15%) increase flow velocity (which may cause scour and reduced treatment effectiveness in both receiving and conveying stormwater) and make construction of larger volume facilities more difficult.

Infiltration practices are not recommended adjacent to or within very steep slopes, as water put into the ground could cause slope stability issues. There are very few extremely steep slopes in the Planning Area, mostly adjacent to the river floodplain.

Soils and Geology

One of the most important components of selecting appropriate LID features is the evaluation of existing soils and geologic conditions to determine soil group, texture, and permeability. Many LID strategies, especially retention BMPs, function optimally when they are able to infiltrate runoff. A minimum infiltration rate of 0.5 in/hr is typically required for infiltration facilities.

As a preliminary assessment, the Hydrologic Soil Group designation assigned by the National Resources Conservation Services (NRCS) to the site soils can be examined (see Figure 7). This rating describes the physical properties of each soil type.¹ Soils of Type A or B are typically better suited for infiltration practices (assuming all other site conditions are met). Soils of Type C or D have low permeability and are more susceptible to clogging and will, therefore, limit the applicability of infiltration.

¹ Soils classified as Group A (gravel, sand, sandy loam) are highly permeable and produce the least surface runoff; Group B soils (silt loam, loam) have good permeability; Group C soils (sandy clay loam) offer fair to poor drainage characteristics; and Group D soils (clay loam, sandy clay, silty clay, clay) have very little infiltration potential and produce the greatest surface runoff.

The City of Hughson has only Type A soils. However, all LID potential project locations should have a geotechnical report that yields permeability information for at least 10 feet below the bottom of the proposed improvements.

Hardpan Condition

Infiltration strategies will also be affected by the hardpan condition found in the Hughson area (see Figure 8). The hardpan, a thick layer of dense soil found beneath the topsoil layer, is most likely very impervious and will require special design considerations. In locations of hardpan, there exists the possibility to break up the hardpan and install rock wells or other methods to convey treated stormwater below the hardpan layer. (All hardpan within the city limits is below 200 centimetres or 6.5 feet – see Figure 6).

The general strategy for considering infiltration within a hardpan area is as follows:

- If the depth to hardpan, as measured from the bottom of the BMP, is greater than 10 feet, infiltration is acceptable.
- If the depth to hardpan is less than 10 feet and the hardpan thickness is 4 feet or less, infiltration is acceptable if soils below the hardpan are well draining and rock well is installed through hardpan.
- If the depth to hardpan is less than 10 feet and the hardpan thickness is greater than 4 feet, infiltration is not acceptable.
- Separation of 10 feet between the bottom of the infiltration BMP or rock well and the groundwater surface elevation is also necessary.

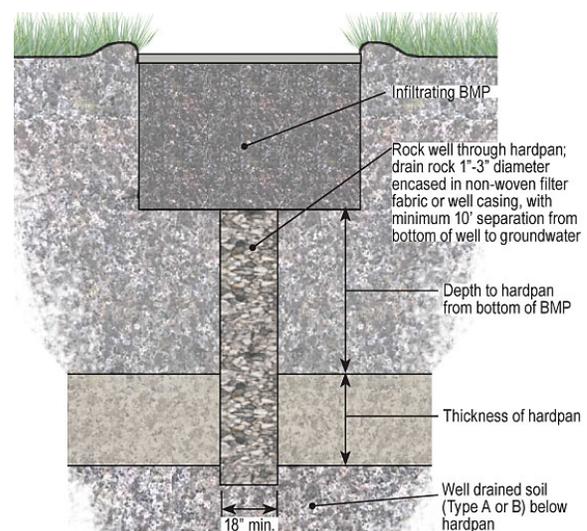


Figure 6: Typical rock well installed beneath an infiltrating BMP in an area with a hardpan layer close to the surface that is less than 4 feet thick.

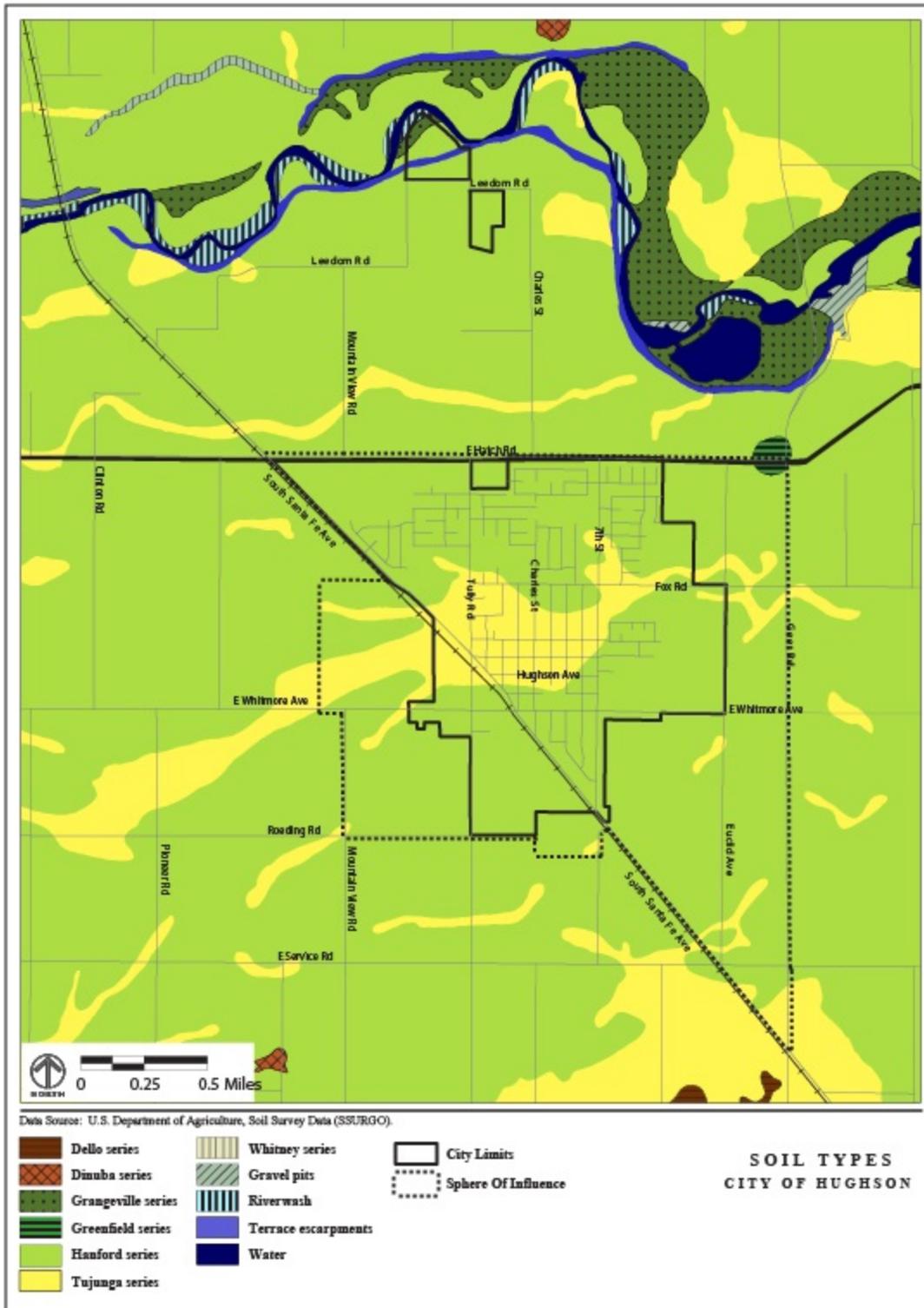
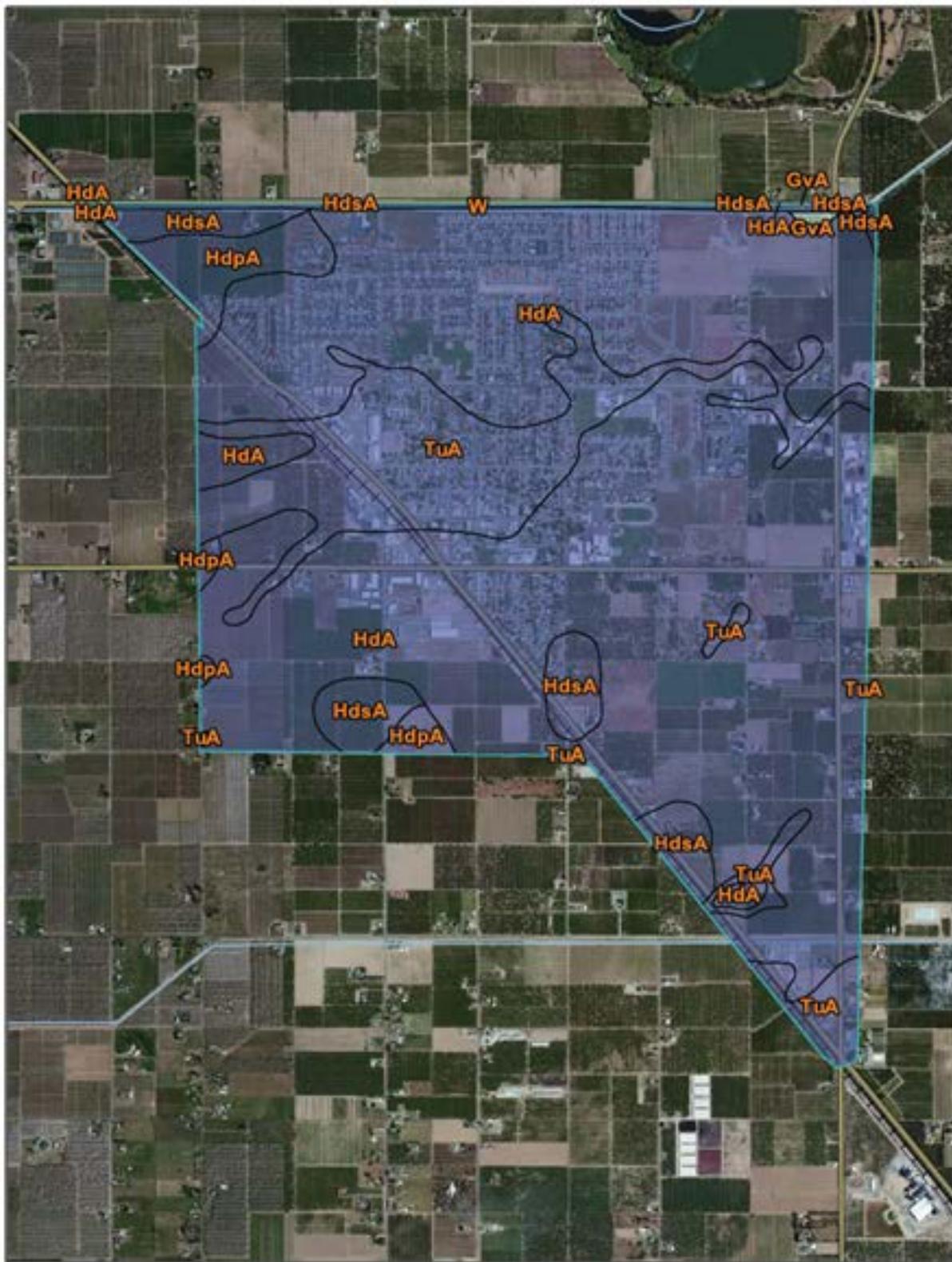


Figure 7: Soils Map (Source: NRCS 2011)



> 200 (Centimeters)

DEPTH TO HARDPAN
CITY OF HUGHSON

Figure 8: Depth to Hardpan Layer Map (Source: NRCS 2011)

Space Limitations

Another factor to consider when selecting BMP features is site configuration and available space. Some BMPs require more surface area than others. Therefore, it is important to evaluate the amount of space available and the best way to balance development goals and stormwater requirements.

If the characteristics of the site allow infiltration, consider piping runoff to underground infiltration systems, which can be located beneath many different surface types, or converting hardscape areas to permeable pavement. These systems can result in very little need to modify the layout or programming of a site, while still providing water management benefits. Similarly, a thin infiltration

trench that is long and deep can provide the same function as a detention basin or wetland, only in a much smaller footprint.

Another strategy is to integrate numerous dispersed bioretention area cells into small open spaces on the site and strips of landscaping in the street. By locating many small areas throughout a project, runoff is captured and treated almost immediately. This allows the runoff to then be routed to existing infrastructure and eliminates the need for a larger facility to handle collected flows.

BMP Selection Matrix

The table below is intended to provide a quick and convenient method of identifying which BMPs are most appropriate for use on a given site. The left-hand column contains a list of questions that identify a possible site constraint. For any question answered “yes” the project should consider the BMPs marked with a green box, with any additional requirements for using a BMP listed within the green box.

For example, consider a site with a high groundwater table (less than 10’ to the bottom of BMPs), steep slopes of around 6%, and Type C soils (but not located in a floodplain, having no hardpan layer, and with adequate space). The BMPs which are appropriate for this location are bioretention areas (if terraced and installed with a liner and underdrain), rainwater harvesting, and green roofs.

Constraint	Underground Infiltration	Bioretention Area	Vegetated Swale	Filter Strip	Vegetated Basin	Constructed Wetland	Permeable Pavement	Rainwater Harvesting	Green Roof
Located in floodplain?									
Less than 10-foot separation to groundwater table?		With liner and underdrain	With liner		With liner		With liner & underdrain (provides no treatment)		
Sited on steep slope (5-15%)?		If terraced							
Limited space for BMP facilities?			With adequate length						

Figure 9: BMP Selection Matrix

3.0

Stormwater BMP Design

The use of LID techniques can aid in addressing the water quality and hydrologic issues that are typically exacerbated by development. When planning and designing new development and redevelopment the goals of LID and requirements of the MS4 Permit should be incorporated and promoted. These site design goals include:

- conserve natural areas and drainages;
- minimize impervious surfaces, drain to pervious area;
- minimize soil compaction;
- mitigate peak runoff and associated erosion; and
- treat runoff in stormwater BMPs.

There are a number of BMPs recommended for use in the City and surrounding areas. These facilities, along with sizing criteria and design recommendations, are detailed in this section.

BMP Sizing Criteria

Treatment control BMPs, which provide post-construction water quality benefits, are most efficient and economical when they target the frequent, small storm events that produce the majority of annual rainfall. Larger, more intense storms are the basis of design for conveyance and flood control facilities, but there are only marginal improvements to runoff water quality when BMPs are designed to this standard.

BMPs for treatment of stormwater pollutants should be sized to either a flow-based or volume-based standard, or both. The MS4 permit lists three methods for volume-

based sizing and two methods for flow-based sizing, summarized below.

Volume-based BMPs must be sized for:

- The volume of annual runoff based on unit basin storage water quality volume, to achieve 80% or more volume treatment by the method recommended in California Stormwater BMP Handbook (2003); or
- The 85th percentile 24-hour runoff event, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998); or
- The runoff volume produced from a historical-record based reference 24-hour rainfall criterion for “treatment” that achieves similar pollutant reduction to the 85th percentile 24-hour runoff event.

Flow-based BMPs must be sized for:

- The flow produced from a rain event equal to at least twice the 85th percentile hourly rainfall intensity; or
- The flow that will result in treatment of the same portion of runoff as treated using volume-sizing.

Methods for sizing flow and volume-based BMPs are explained on the following page.

Larger or more complicated projects may benefit from the use of continuous simulation modelling in lieu of these simplified methods.

Flow-Based Sizing

Flow-based BMPs must be designed to carry or process the runoff resulting from the targeted water quality rainfall under flow conditions that promote treatment (specific to each BMP, but generally low velocity and minimal flow depth). The water quality flow (WQF) is the flow of runoff produced by a rain event equal to twice the 85th percentile hourly rainfall intensity, based on local rainfall data. For the Hughson area, the 85th percentile hourly rainfall intensity is approximately 0.10 inches per hour¹, resulting in a design rainfall intensity of **0.20 in/hr**.

To calculate the required treatment flow, first determine the size of the drainage area contributing runoff to the BMP and the composite stormwater runoff coefficient² for that drainage area. The rational method can then be used to calculate the flow rate:

$$WQF = C \times i \times A = 0.20 \times C \times A$$

Where:

- WQF = water quality flow (cfs)
- C = composite runoff coefficient for drainage area (unitless)
- i = design rainfall intensity (0.20 in/hr)
- A = drainage area (acres)

¹ Based on California State University, Sacramento Office of Water Programs' Basin Sizer, Version 1.45 (2007).

² Standard runoff coefficients for different land use types can be found in Section 4.3 of the City of Hughson Storm Drain System Master Plan (2008).

Volume-Based Sizing

Volume-based BMPs must be designed to capture and treat 80 percent or more of the annual runoff volume, determined using the methodology recommended in the California Stormwater BMP Handbook. The water quality volume (WQV) to which a BMP must be sized is based on the drainage area's unit basin storage volume, determined from local rainfall data and site characteristics. A volume-based BMP must also be designed to release this volume (typically through an orifice or via infiltration) within an acceptable drawdown time (generally 24-48 hours).

To calculate the required treatment capture volume, first determine the size of the drainage area contributing runoff to the BMP and the composite stormwater runoff coefficient for that drainage area. The Unit Basin Storage Volume (UBS) for the drainage area is determined from the sizing curve for 80% capture; find the composite runoff coefficient of the drainage area on the x-axis, follow it up until it intersects the line representing the desired drawdown time, and read the corresponding UBS value from the y-axis. Calculate the treatment volume by multiplying the UBS by the drainage area (convert to more convenient units, such as cubic feet or gallons, for use during design):

$$WQV = UBS \times A$$

Where:

- WQV = water quality volume
- UBS = Unit Basin Storage Volume (inches)
- A = drainage area (acres)

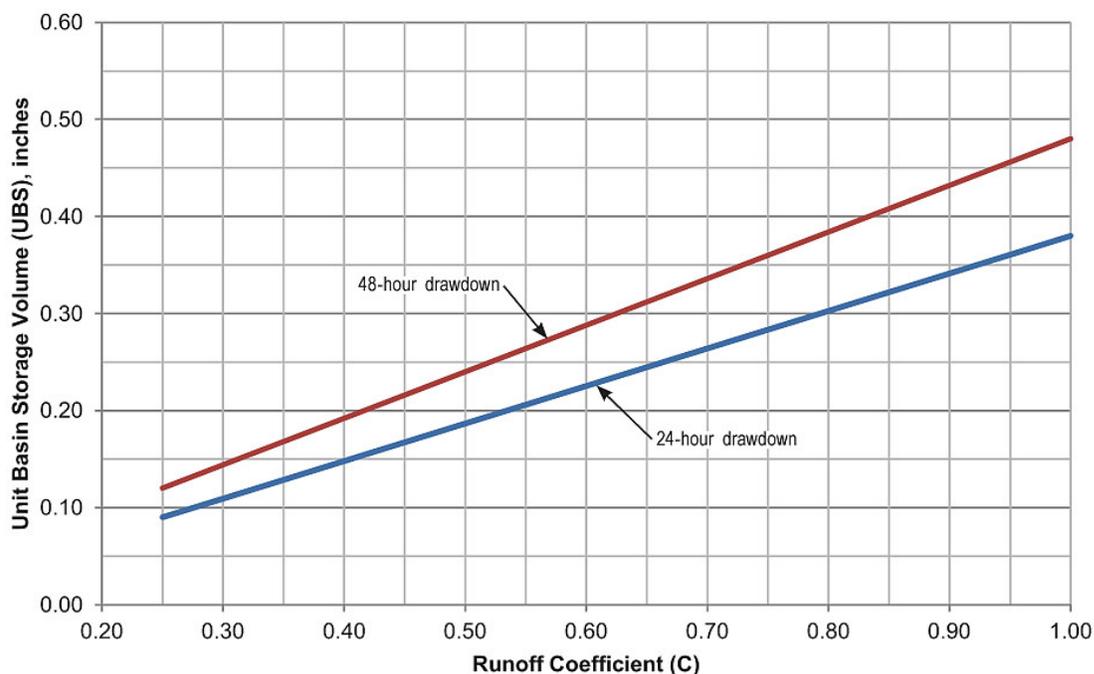


Figure 10: Unit Basin Storage Curves

Infiltration Feasibility

Typically, the preferred method of draining any stormwater BMP is through infiltration to the underlying subgrade soils. This allows for maximum treatment ability, groundwater recharge, and reductions in stormwater volume. Infiltration is not always possible though, as there are a variety of site constraints that can impede or prohibit the implementation of this function.

The table below summarizes the general parameters a site must meet in order for infiltration to be used and/or relied upon as a treatment or discharge method. More explanation of these constraints can be found in Section 2, and information on design considerations can be found in the BMP Fact Sheets which follow.

Site Constraint	Acceptable Condition
Hydrologic Soil Group	Type A or B
Soil infiltration rate	0.5 in/hr minimum
Slope	Less than 5% Note: terraced bioretention designs can accommodate slopes up to 15%
Separation from hardpan layer ¹	10-foot minimum (no minimum for thin hardpan with rock well installed through to underlying soils)
Separation from groundwater table ^{1, 2}	10-foot minimum
Setback from buildings foundations ²	10-foot minimum
Setback from drinking water wells ²	100-foot minimum
Soil or groundwater contamination ²	Not allowed

¹ The acceptable 10' separation is based on a statewide standard and is a conservative criterion to minimize risk. Available information from NRCS does not provide any resolution of hardpan and groundwater data for depths greater than about seven feet, therefore geotechnical investigation will be necessary to determine actual depth.

² BMPs with less than the minimum separation to groundwater, setback to foundations and wells, or in contaminated soils must be lined with an impermeable liner to protect those elements. Other constraints generally require the installation of an underdrain or orifice for primary drawdown of captured stormwater.

BMP Fact Sheets

Detailed information on the stormwater facilities recommended for LID design in the Hughson area is included in the BMP fact sheets that follow. Each fact sheet contains a description of the BMP, a retrofit opportunity example, technical design criteria, plant selection recommendations, and a list of benefits, constraints, and siting applications. This information is intended to aid in selecting, placing, and designing the various BMPs. Certain of the BMPs (in particular constructed wetlands, rainwater harvesting systems, and green roofs) will likely require prior experience or more detailed guidance to develop a design appropriate for construction.

BMP	Sizing Method	Other Sizing Criteria
Underground Infiltration	WQV	Drawdown time
Bioretention Area	WQV or WQF	Drawdown time
Vegetated Swale	WQF	Residence time, flow speed, flow depth
Filter Strip	WQF	Flow speed, flow depth, tributary width
Vegetated Basin	WQV	Drawdown time
Constructed Wetland	WQV	Drawdown time
Permeable Pavement	WQV	Drawdown time
Rainwater Harvesting	WQV	Drawdown time
Green Roof	WQF	Roof-based system

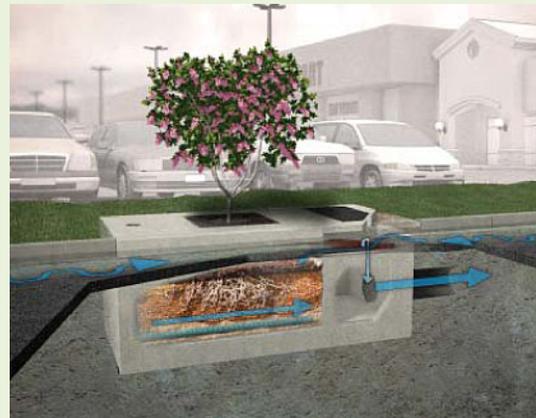
Sediment Forebay

Stormwater treatment facilities, especially those designed to treat catchment areas that are larger or have higher anticipated pollutant loads, benefit from pretreatment. One simple and effective pretreatment component is a sediment forebay, which helps prevent clogging of BMPs, eases maintenance requirements (such as easier cleanup of collected trash and debris), and can also be used to provide peak flow storage. A sediment forebay is a small basin located at the incoming discharge point or just upstream of a BMP. The forebay allows sediment to settle out and trash/debris to collect prior to runoff reaching the primary treatment area.



Tree-well Filter

Tree-well filters are systems which utilize one or more precast concrete chambers filled with engineered bioretention media. Stormwater is directed into the chambers and receives treatment as it flows through the filter media and then is collected and released by a perforated pipe. Proprietary systems are available which are designed for efficient pollutant removal at high flow rates and thus have a relatively small footprint compared to other LID facilities. Their unique attributes make tree-well filters suitable to almost any site. However, City approval must be obtained in order to use these devices.



Note: Image courtesy of Filterra Bioretention Systems. Proprietary systems are included for representative purposes only and are not an endorsement of any specific product.

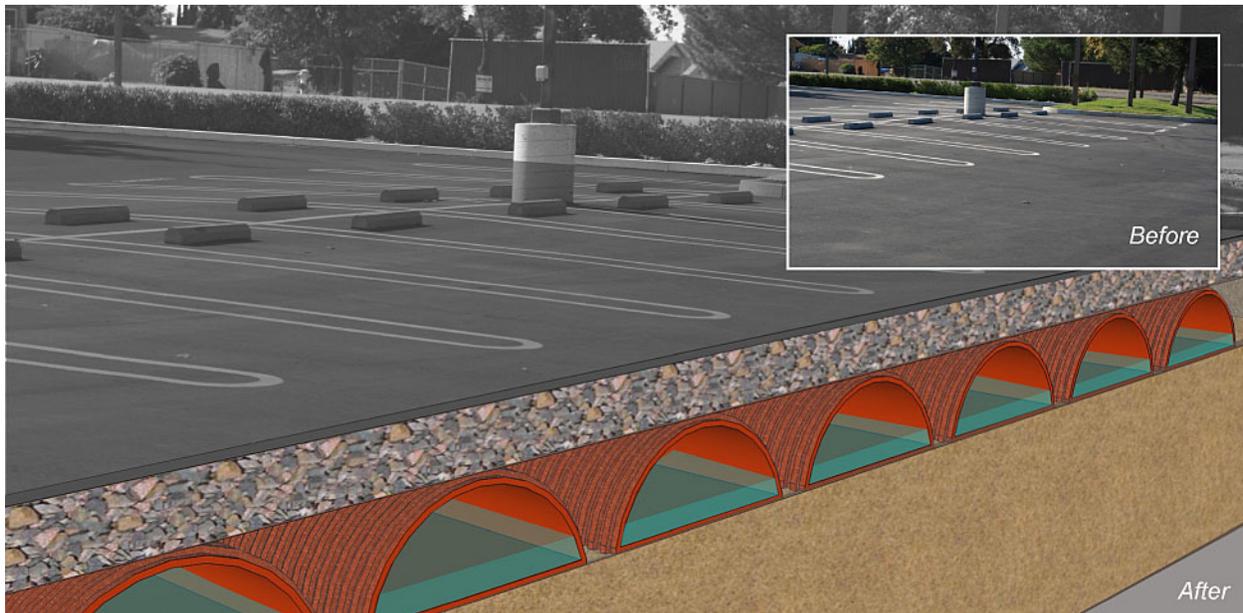
UNDERGROUND INFILTRATION

These systems can take different forms but provide identical function: controlled discharge of stormwater through infiltration. The primary pollutant removal mechanism of this practice is filtering through the native soil. An infiltration trench is a long, narrow, rock-filled trench with no outlet that receives stormwater runoff from upstream areas. A dry well is a small rock-filled pit that usually receives runoff from rooftops or other impervious areas with low sediment loading. Water is stored in the void space between the stones and percolates through the underlying soil matrix. If high sediment loads are expected, pretreatment is desirable to reduce the maintenance burden.



Underground infiltration systems can be integrated into a site to enhance and diversify the landscaping, in addition to providing stormwater improvements.

Retrofit Opportunities



Benefits

- Reduces runoff volume and attenuates peak flows
- Improves water quality - good for removing fine sediment and adsorbed pollutants
- Enhances groundwater recharge and contributes to stream base flow
- Minimal surface space requirements; located underground and thus visually unobtrusive
- Low construction and maintenance costs

Potential Constraints

- Requires permeable subgrade soils.
- Requires groundwater separation
- Contributing area should generally be less than 5 acres
- Not suitable on fill sites, steep slopes (>15%), contaminated soils, industrial sites, or sites where spills are likely to occur
- May encounter siting challenges in urban retrofit areas due to foundation setback and poor soil conditions

Siting Applications

- Mixed-use and commercial
- Roads and parking lots
- Parks and open spaces
- Single and multi-family residential

Technical Information

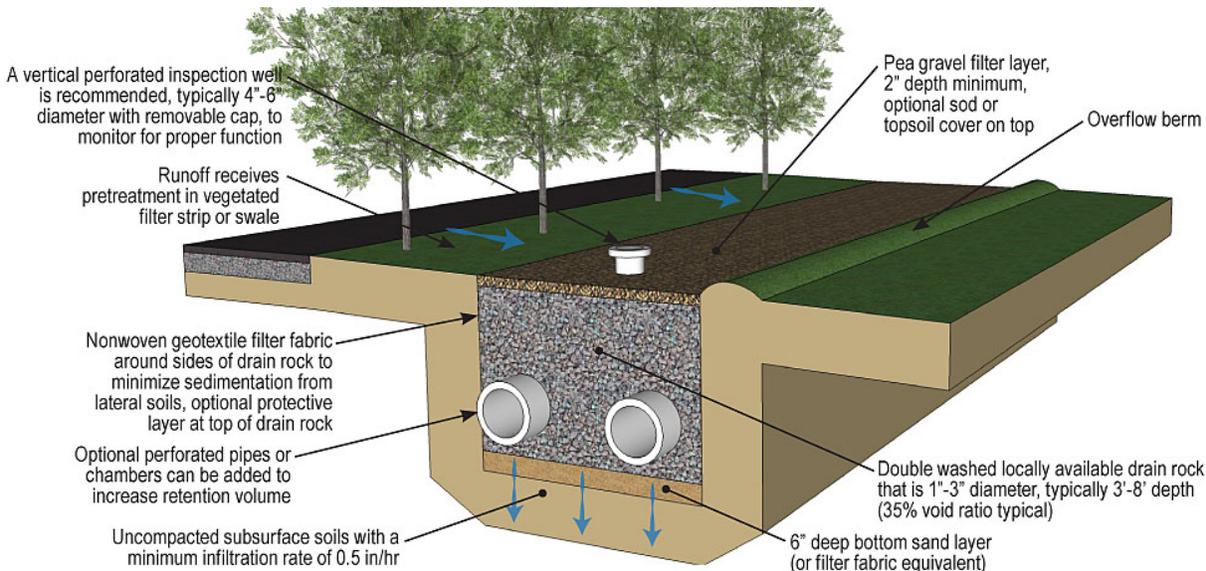


Figure: Infiltration trench typical detail

Design & Sizing Criteria

- Infiltration facilities are volume-based systems sized to capture the WQV within the void space of the storage layer and should infiltrate all stored runoff into the subsoils within a maximum 72 hour drawdown time.
- Requires a minimum subgrade soil infiltration rate of 0.5 in/hr minimum. If soil infiltration rates exceed 2.5 in/hr, runoff should be fully treated (with one or more upstream BMPs) prior to infiltration to protect groundwater quality.
- Requires a 10 foot minimum separation from the bottom of the facility to the seasonally high groundwater elevation.
- Should be placed a minimum of 10 feet from building foundations and 100 feet from drinking water wells.
- Should be installed with a flat bottom to promote uniform infiltration.
- To help prevent clogging and ease maintenance, it is important to provide upstream pre-treatment (using filter strips, swales, forebays, or manhole sumps) to remove coarse sediment, particles, and oils.
- If possible, system should be designed to avoid classification as a Class V injection well, which requires submission of an inventory form to the EPA. A Class V injection well is deeper than it is wide.
- If infiltration is not possible, can be installed with an orifice to provide flow and volume control functions without any water quality treatment.

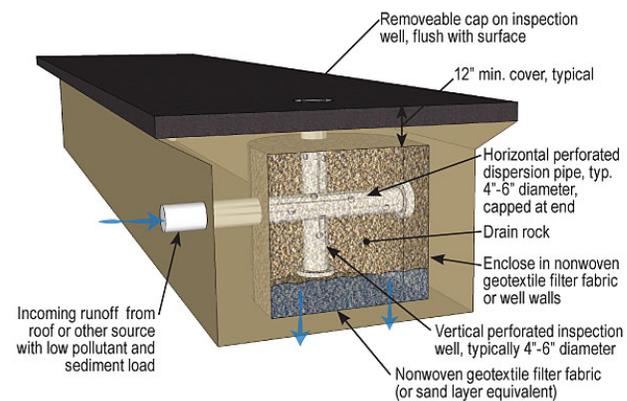


Figure: Dry well typical detail

Proprietary Systems

There are many retention systems designed to maximize subsurface capture volume and that include components for pretreatment and flow control.



Cudo Cubes are an example of a typical modular block system.



Triton stormwater chambers are a typical semi-circular linked chamber system.

Note: Proprietary systems are included for representative purposes only and are not an endorsement of any specific product.

BIORETENTION AREA

Bioretention areas are shallow, landscaped areas that receive and treat stormwater. Runoff is allowed to pond on the surface of the bioretention area, typically less than a foot deep, where it can then filter through a vegetative layer and engineered soil media to remove sediment and pollutants. In locations of well drained subsoils, the water may then infiltrate into the subgrade. At sites or locations that will not allow for infiltration, flow-through systems are required; underdrains are installed beneath the planting soil to drain the facility and release the treated water to a conveyance feature or storm drain system. Bioretention areas are very versatile facilities that can fit a wide range of settings.



Bioretention areas are among the most common LID techniques implemented, often in highly visible locations.

Retrofit Opportunities



Benefits

- Applicable to a wide range of sites and layout, easily integrated into urban retrofit projects
- Provides reliable water quality function
- Attenuates peak flows; reduces runoff volume and recharges groundwater when infiltration possible
- Provides greening and reduces heat island effect in urban areas
- Provides aesthetic amenity and creates habitat

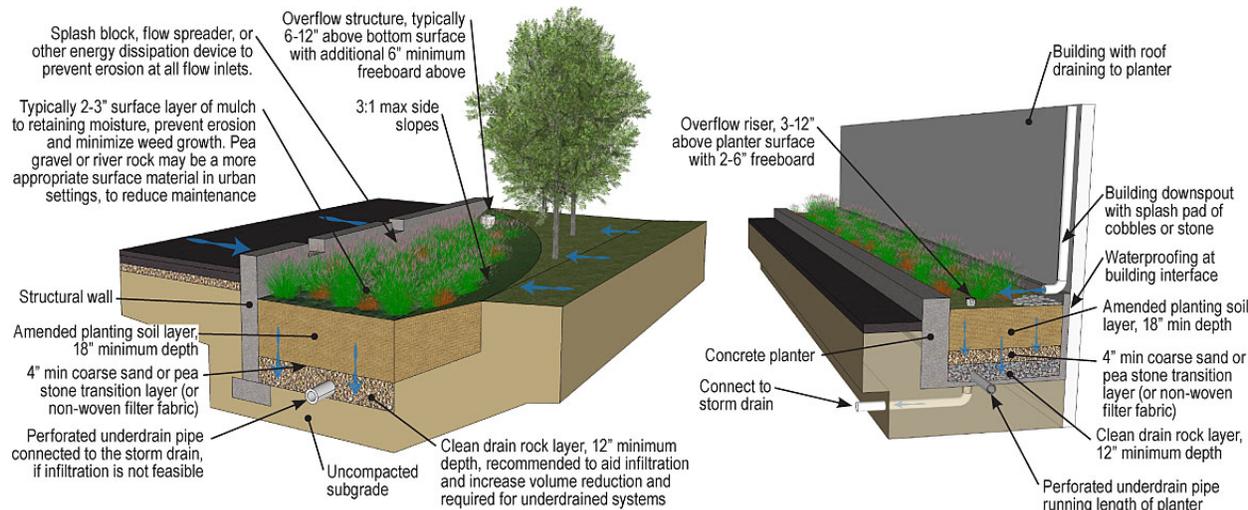
Potential Constraints

- Infiltration design requires sufficiently permeable soils, depth to groundwater/hardpan; underdrain system increases cost and infrastructure
- Vegetation requires maintenance
- Maintaining desired aesthetics may require dry season irrigation
- Should not receive more than about 1 acre of runoff; divide larger watersheds among dispersed cells

Siting Applications

- Residential yards
- Office and commercial storefronts
- Roadway medians, bulb-outs, and traffic circles
- Parking lot islands, cul-de-sacs
- Parks and other landscaped areas

Technical Information



Design & Sizing Criteria

- Bioretention areas can be sized as either volume-based or flow-based systems (or a combination).
- Volume-based systems are sized to capture the WQV within the surface ponding area and void space of the drain rock storage layer and should release all captured runoff within a maximum 48 hour drawdown time (either by subgrade infiltration or through an underdrain).
- Flow-based systems are sized to percolate the WQF through the bottom of the facility. The surface area of the system multiplied by the infiltration rate of the planting media (which should be considered as 5 in/hr for design) must equal or exceed the WQF. The subgrade infiltration rate must be high enough to process this flow as well, or an underdrain is necessary.
- Reliance on subgrade infiltration requires a minimum soil infiltration rate of 0.5 in/hr, in addition to the above requirements.
- If the separation from the bottom of the facility to the seasonally high groundwater elevation is less than 10 feet then an underdrain should be installed, with an impermeable liner placed beneath all system media.
- Infiltrating bioretention systems should be placed a minimum of 10 feet from building foundations and 100 feet from drinking water wells.
- Pre-treatment (e.g., vegetated buffer strip, swale, sediment forebay) can improve function and ease maintenance.
- Runoff from storms larger than the water quality event is ideally diverted to the storm drain system.

Plant Selection (See Appendix A)

Plants should be suitable for periods of inundation during the rainy season. Vegetation should be drought-tolerant, especially at the edges, but may require irrigation during initial establishment or dry periods. Trees require more intensive maintenance, and may show limited growth.



Blue eyed grass



Desert baccharis



California rose



San Diego sedge

Vegetated swales are shallow stormwater conveyance channels with vegetation covering the side slopes and bottom. Treatment occurs as runoff flows through the vegetation and infiltrates into the soil matrix. Swales can be designed as part of the stormwater conveyance system and can eliminate the need for some curbs, gutters and storm drains. They are also well suited to treat runoff from roads and highways because of their linear nature. The treatment effectiveness is correlated to the residence time of the runoff in the swale, and therefore, flow-based swales tend to be considerably longer than other types of treatment BMPs.



Vegetated swales, such as this installed in a parking lot, can both treat and convey runoff, eliminating the need for some catch basins and pipes.

Retrofit Opportunities



Benefits

- Can convey stormwater, including within street right-of-way
- Low installation and maintenance costs
- Reduces peak flows and velocity compared to concrete or piped conveyance
- Improves water quality, depending on site constraints, by removing sediment, suspended solids, and trace metals
- Vegetation provides aesthetic benefit and reduces the heat island effect in urban areas

Potential Constraints

- Larger space requirements than traditional conveyance methods
- Requires regular vegetative maintenance and trash removal
- Can be difficult to locate in retrofit applications
- Not suitable for areas with steep slopes or highly erodible soils
- Limited to relatively small drainage areas, generally less than 5 acres
- Limited volume reduction and peak flow attenuation, unless designed with check dams

Siting Applications

- Road shoulders and medians
- Parking lot islands
- Commercial, industrial, and residential developments
- Open space and parks

Technical Information

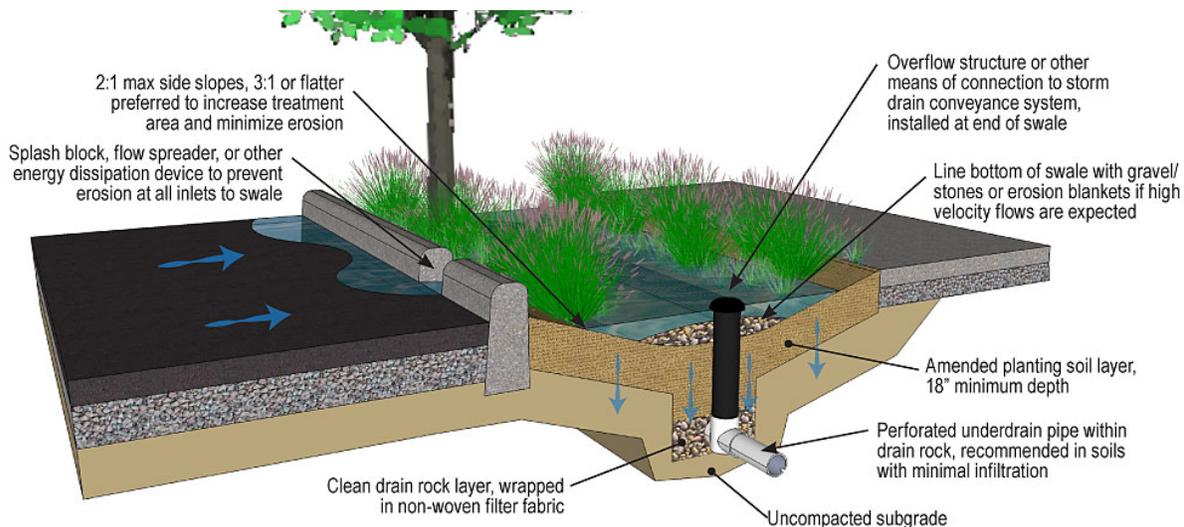


Figure: Vegetated swale typical detail

Design & Sizing Criteria

- Swales are flow-based systems sized to convey the WQF at a flow velocity not exceeding 1 foot per second and maximum water depth not exceeding the lesser of 6 inches or 2/3 of the vegetation height.
- Swales must provide a minimum of 10 minutes of stormwater residence time for pollutant removal, with a minimum length of 100 feet.
- The preferred longitudinal slope is 1-2% to limit flow velocity. Check dams placed across the flow path can promote additional infiltration and flow reduction, and should be used for longitudinal slopes exceeding 5%.
- Swales should generally have a trapezoidal or parabolic shape to promote even flow across the whole width of the swale. The bottom width should be between 2 and 10 feet.
- A dense and well maintained vegetative cover on the swale bottom and side slopes filters pollutants out of runoff and helps reduce flow velocities and protect the swale from erosion. Stones or gravel may also be used on the bottom to protect against erosion.
- Vegetated swales that are primarily designed to detain runoff (behind check dams or due to layout) should be considered bioretention facilities and designed accordingly.
- Most effective on soils that allow infiltration. In impermeable soils, installing well-drained planting media with an underdrain beneath is recommended.

Plant Selection (See Appendix A)

Hughson receives little precipitation and has a long dry period in the summer, so flow will be irregular and plants must be chosen accordingly. Periodically the swale will experience high flows and plants should be chosen with well established roots to protect against erosion, and the ability to withstand inundation



Purple needle grass



Hummingbird trumpet



Bush monkey flower



Western meadow sedge

Filter strips are vegetated surfaces that are designed to treat sheet flow from adjacent surfaces. Filter strips function by slowing runoff velocities and allowing sediment and other pollutants to settle and by providing some infiltration into underlying soils. Filter strips are most effective when runoff passes over the filter surface as shallow, uniform sheet flow. They can suffer erosion and lack of treatment if exposed to concentrated flows. They are well suited to treat runoff from adjacent roads or small parking areas and are good for use as vegetated buffers between developed areas and natural drainages.



Filter strips can be as simple as a gentle slope covered in grass that receives runoff from an adjacent strip of parking stalls.

Retrofit Opportunities



Benefits

- Low construction cost and minimal maintenance requirements (generally just erosion prevention and mowing)
- Can provide reliable water quality benefits if properly designed, vegetated, and maintained
- Good for roadside shoulders and landscape buffers when slope and length criteria are met
- Simple, aesthetically pleasing landscape feature
- Easy to customize to varying site conditions

Potential Constraints

- Not appropriate for industrial sites or locations where spills may occur
- Limited ability to treat large drainage areas
- Water quality benefits severely limited without adequate filter length and flow characteristics
- Does not provide significant stormwater volume reduction
- Only minor reduction in flow rate, especially during larger storms
- May require dry season irrigation

Siting Applications

- Roads and highway shoulders
- Small parking lots
- Residential, commercial, or institutional landscaping
- Pre-treatment component for subsequent BMP

Technical Information

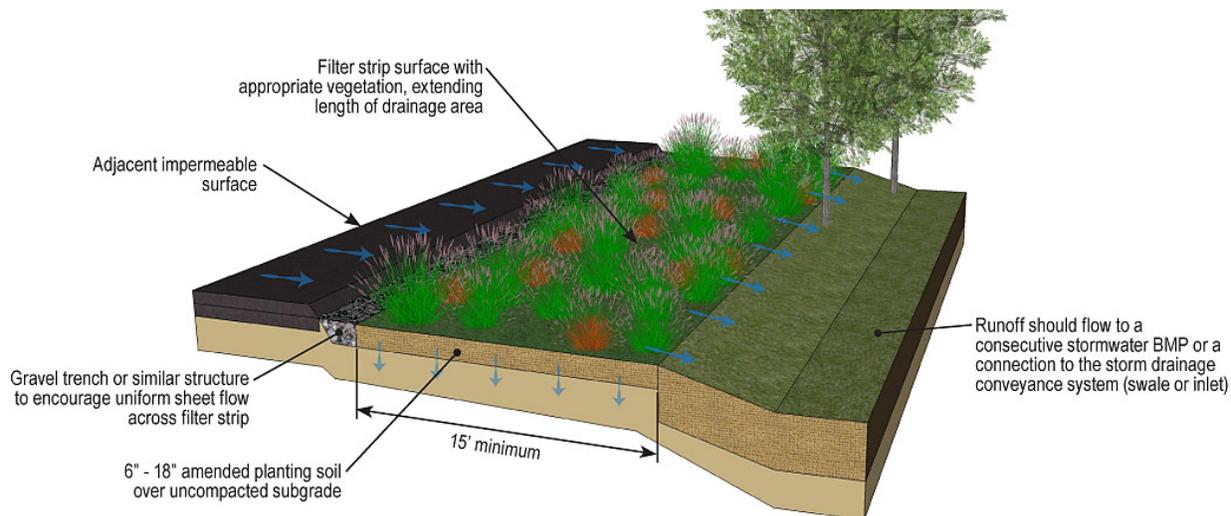


Figure: Filter strip typical detail

Design & Sizing Criteria

- Filter strips are flow-based systems designed to convey the WQF across the vegetated surface at a flow velocity not exceeding 1 foot per second and maximum water depth not exceeding 1 inch.
- Should be at least 15 feet wide and preferably 25 feet wide (in the direction of flow) to provide adequate water quality treatment.
- Filter strips are considered effective at treating contributing impervious surface widths up to twice the width of the vegetated strip. The maximum length (in the direction of flow towards the filter strip) of the contributing tributary area should be 60 feet.
- Should be immediately adjacent to, and extend the full length of, the contributing drainage area.
- Ideal cross-slope is between 2% and 6% to avoid ponding (at low slopes) and concentrated flows (at high slopes). Slopes up to 15% may be acceptable with proper design and careful maintenance, but are generally not recommended.
- If the cross-slope is less than 0.50%, or if the underlying soil infiltration rate is less than 0.5 in/hr, consider an underdrain system to facilitate drainage.
- Requires shallow, evenly-distributed sheet flow across the entire width of the strip. Level slopes perpendicular to the direction of flow are required to achieve sheet flow.

Plant Selection (See Appendix A)

The filter area should be densely vegetated with native grasses, shrubs, and trees that effectively bind the soil. The thicker and more uniform the plant cover, the greater the stormwater management benefits.



California encelia



Wild rye



California sagebrush



San Diego sedge

CONSTRUCTED WETLAND

Vegetated basins are temporary holding areas for stormwater that capture and detain flows from a water quality design storm for some minimum time (e.g. 48 hours) to allow particles and associated pollutants to settle. They are typically designed with an outlet structure that slowly releases the water requiring treatment via a small orifice and allows controlled routing of larger events. Water quality drawdown can be achieved through infiltration, if site conditions will allow. Stormwater collected in vegetated basins can be re-used for landscape irrigation, and basins can also be used to provide flood control by including additional flood detention storage.



Basins that are thoughtfully designed and planted can manage stormwater from a larger area, while still offering aesthetic appeal.

Retrofit Opportunities



Benefits

- Relatively low construction and maintenance costs
- Highly effective at attenuating peak flows, can reduce runoff volumes with infiltration or reuse
- Improves water quality by removing particulate matter, sediment, trash, and debris
- Suitable for sites where infiltration is poor or not an option
- Suitable for large drainage areas
- Multi-purpose detention ponds can provide open space, habitat, and aesthetic amenity

Potential Constraints

- Limitations of the release orifice may not allow use of detention in watersheds of less than 5 acres (would require an orifice with a diameter of less than 0.5 inches that would be prone to clogging)
- Only moderate pollutant removal, compared to some other BMPs and ineffective at removing soluble pollutants
- May exhibit undesirable aesthetics due to dry, bare areas and inlet and outlet structures
- Site must have no risk of land slippage if soils are saturated

Siting Applications

- Parks, open spaces, and golf courses
- Commercial, industrial, or residential developments
 - Regional detention & treatment

Design Variation

A basin designed with a permanent pool is commonly referred to as a wet pond; additional treatment and amenity benefits can be realized by the body of water, along with maintenance and the need for base flow or supplemental water.

Technical Information

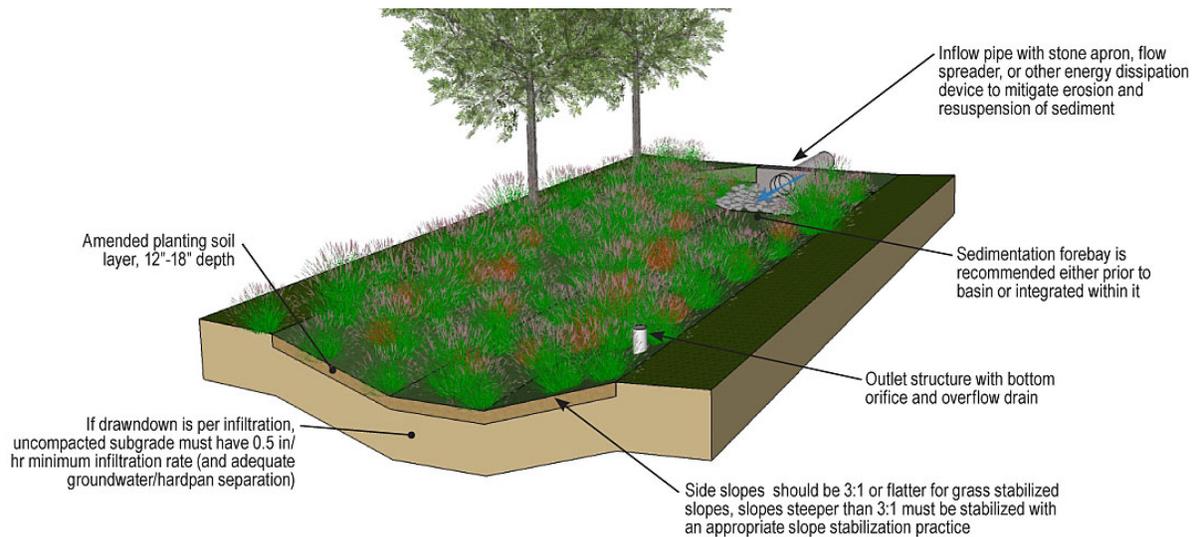


Figure: Vegetated basin typical detail

Design & Sizing Criteria

- Vegetated basins are volume-based systems sized to capture the WQV and discharge it within a typical 48 hour drawdown time, with no more than 50% of the total volume draining in the first 16 hours.
- Longer drawdown times may result in vector breeding, and should be used only after coordination with local vector control authorities. Shorter times should be limited to BMP drainage areas with coarse soils that readily settle or where infiltration is responsible for the majority of drawdown.
- A length to width ratio of at least 1.5:1 (and ideally 3:1) is recommended for greatest treatment capability (due to a longer flow path).
- A reinforced channel from inlet to outlet can be included to convey low flows through the basin.
- Maintenance can be reduced if runoff passes through upstream filtration BMPs or a sedimentation forebay prior to entering the basin.
- Outlet structure(s) include an orifice (and/or infiltration) for drawdown, an overflow drain for storms greater than the design storm, and an emergency spillway/drain for large flood events.
- If the separation from the bottom of the facility to the seasonally high groundwater elevation is less than 10 feet the facility should be lined with impermeable liner (compacted native clay or geomembrane).
- If sufficient space is available, a vegetated buffer around the pond can be used to slow overland runoff entering via the side slopes, help prevent access to the pond if desired, and provide an aesthetic and habitat amenity.

Plant Selection (See Appendix A)

Vegetation within the detention zone (up to the elevation of the design storm) increases pollutant removal and decrease resuspension of accumulated sediment. Vegetated detention basins have greater pollutant removal than concrete basins.



Sweet bay



Four wing saltbush



Chuparosa



Blue grama

Constructed wetlands are man-made systems that typically have multiple shallow permanent pools of water at varying depths, incorporating both emergent wetland plants and open water areas. Though possessing less biodiversity than natural wetlands, they still offer significant habitat enhancement and aesthetic value while being optimized for stormwater treatment. These facilities are among the most effective at removing pollutants from stormwater. Constructed wetlands provide water quality benefits through settling, microbial transformation, and plant uptake. Treatment primarily occurs in the root zone and soil media, where nutrients and dissolved pollutants are removed.



Though more technically complex, constructed wetlands have the potential to provide the most water quality improvements of any naturalized system.

Retrofit Opportunities



Benefits

- Effective at removing a broad spectrum of stormwater pollutants
- Reduces stormwater peak flows
- Provides substantial habitat
- Attractive landscape feature, well suited as an open-space amenity
- Good in areas unsuitable for infiltration or with high groundwater table
- Easily customizable to various sizes and dimensions, based on site, budget, and design intent

Potential Constraints

- Occupies relatively large area
- Standing water may represent safety concern
- Mosquito breeding is likely to occur, requiring vector control
- Cannot be placed on steep or unstable slopes
- Base flow or supplemental water source needed in dry season if water level is to be maintained
- Possible aesthetic concerns related to vegetation appearing dead or unkempt in winter and summer

Siting Applications

- Parks, open spaces, and golf courses
- Commercial, industrial, or residential developments
- Regional detention & treatment

Design Variation

A subsurface flow wetland has no open water and runoff is directed beneath the surface through a planted substrate. They generally require less surface area and have fewer vector issues, but may be more expensive to construct and maintain.

Technical Information

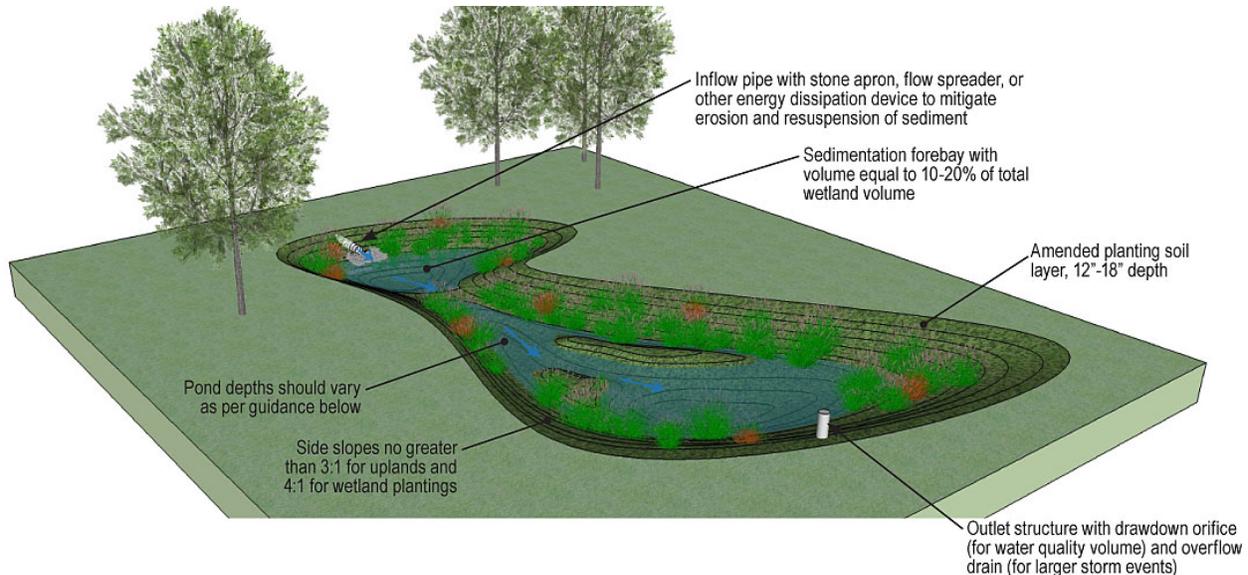


Figure: Constructed wetland typical detail

Design & Sizing Criteria

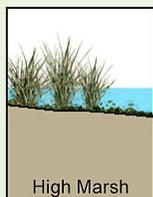
- Constructed wetlands are volume-based systems sized to capture the WQV and discharge it from the outlet within 24 hours.
- The health of wetland vegetation is integral to the ability of stormwater wetlands to improve water quality. Wetlands should have zones of both very shallow (less than 6 inches) and moderately shallow (6 to 18 inches) standing water to maintain both vegetated and open water areas, with maximum depths of about 5 feet.
- To enhance pollutant removal, wetlands should feature “complex microtopography” in which the underwater surface varies in elevation to increase the length of flow paths for runoff.
- The minimum length to width ratio should be 2:1 though 4:1 is preferred.
- Open water should occupy 25-50% of the surface.
- Pre-treatment, which occurs via settling in a forebay, will greatly aid the function of constructed wetlands. Additional upstream BMPs may also be used to enhance treatment effectiveness.
- Stormwater wetlands require sufficient drainage to maintain a permanent pool, typically at least 5 acres.
- In areas with well draining soils (Type A or B) an impermeable liner may be necessary to maintain standing water.
- Wetlands may intersect the groundwater table, which will help maintain the permanent pool. This should be avoided in areas where stormwater or the groundwater may be contaminated. In these areas, an impermeable liner should be utilized.

Plant Selection (See Appendix A)



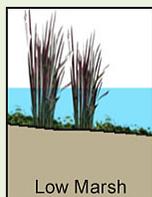
Upland

- Edge & small islands
- 3:1 max side slope
- Inundated by runoff



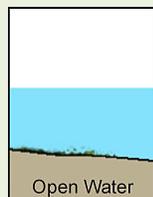
High Marsh

- Water depth $\leq 6"$
- 4:1 max side slope
- May dry in summer



Low Marsh

- Water depth 6"-18"
- 5:1 max side slope
- Emergent plants



Open Water

- Water depth $\leq 5'$
- 25-50% of total area

Plant Selection

Wetlands, with their variety of water depths and topography, will require a more diverse and extensive plant palette than other BMPs. Most locations will require plants suitable for prolonged standing water. Due to the permanent pool, it is acceptable to use plants with higher irrigation demand.

PERMEABLE PAVEMENT

Permeable pavement refers to any porous, load-bearing surface that allows runoff to pass through the surface layer and be temporarily stored in a drain rock layer. Ideally, site conditions will allow the subsurface storage layer to drain by infiltration into the subsoils. The permeable pavement system itself will provide some water quality benefits by filtering sediments and some other pollutants, but primarily will reduce peak flows due to detention in the rock layer. Infiltration functions as the primary mechanism for water treatment and volume reduction. Systems which use underdrains will not provide these benefits. When properly constructed, pervious pavements are durable, low maintenance, and have a low life-cycle cost.



Since they replace traditional hard surfaces, permeable pavement is easily integrated into developed areas. The wide variety of surface types provides diverse options for either matching or enhancing the character of an existing site.

Retrofit Opportunities



Benefits

- Assists in attenuating peak flows
- Reduces runoff volume and facilitates groundwater recharge (infiltration-based systems only)
- Easily integrated into existing infrastructure and retrofits
- Reduces the heat island effect
- Can be used as a design element to provide aesthetic benefits
- Construction costs can be equivalent to conventional paving
- Can reduce the need for curbing and storm sewers

Potential Constraints

- Not recommended for roads with high-speed traffic or frequent turning
- Maintenance costs are greater than for conventional paving
- Will require additional maintenance when exposed to regular high-volume traffic
- Storage and infiltration are only effective on relatively flat sites with slopes less than 5%, as level subgrade must be achieved
- Likely not effective as a treatment method if infiltration to the subgrade is not an option

Siting Applications

- Parking lots or parallel parking strips
- Driveways and low traffic roads
- Sidewalks and pathways
- Golf cart paths
- Park hardscape
- Plazas, patios, or terraces

Technical Information

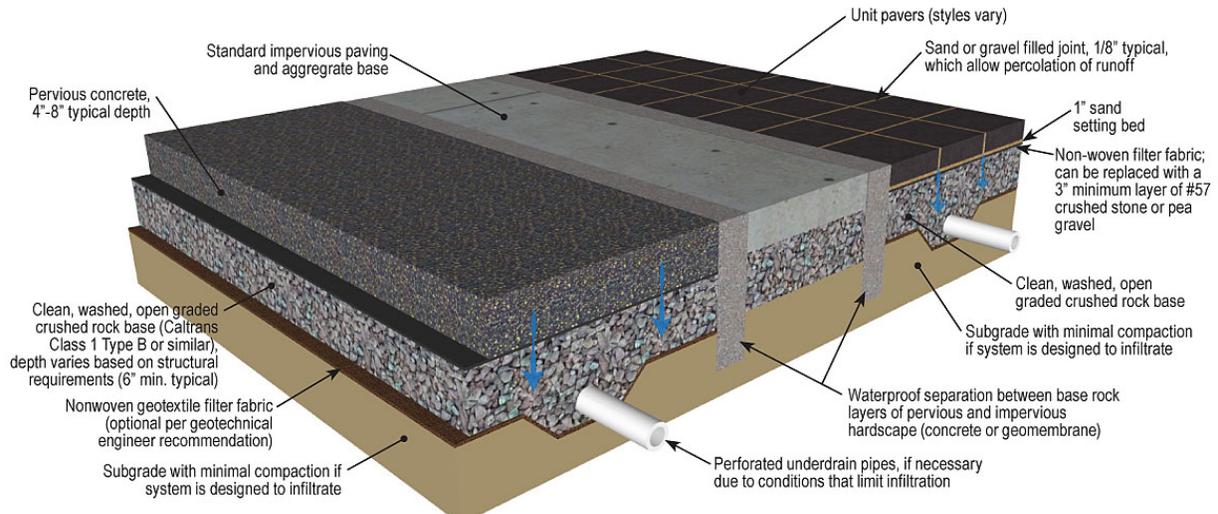


Figure: Pervious concrete and permeable pavers typical details

Design & Sizing Criteria

- Permeable pavements are volume-based systems sized to capture the WQV within the void space of the subsurface storage layer and should fully drain all stored runoff within a maximum 72 hour drawdown time.
- Infiltration-based systems (which provide treatment and volume reduction) must have a minimum subgrade soil infiltration rate of 0.5 in/hr; underdrains should be used in impermeable soils (Types C and D) that do not meet this standard. If infiltration exceeds 2.5 in/hr, runoff should be fully treated with upstream BMPs to protect groundwater quality.
- Infiltration requires a minimum 10-foot separation between the bottom of the drain rock layer and the seasonally high groundwater elevation. For areas with inadequate separation or where the groundwater is contaminated, an underdrain should be used with an impermeable liner placed beneath the rock.
- Infiltration-based systems should be placed a minimum of 10 feet from building foundations and a minimum of 100 feet from drinking water wells.
- Tributary areas should contribute runoff with low levels of sediment to avoid clogging the surface layer. If drainage will come from pervious or unstabilized areas, appropriate pre-treatment measures should be implemented to filter the runoff before reaching the permeable pavement.
- To ensure proper system function, it is essential that permeable pavements (especially poured in place systems) are installed properly by a contractor with prior experience and certification.

Pavement Types

There are several styles of permeable pavement available, including those that are poured in place (such as pervious concrete and porous asphalt) and modular paving systems (such as interlocking concrete pavers, unit stone or brick pavers, or reinforced turf type systems).



Pervious Concrete



Porous Asphalt



Permeable Pavers



Reinforced Turf

RAINWATER HARVESTING

Rainwater harvesting involves capturing stormwater runoff and then using the stored water for a non-potable application, typically landscape irrigation. Captured runoff can be stored in anything from small rain barrels to large underground cisterns or retention ponds. A distribution system (a pump and/or valves) draws stored water and delivers it to the intended use, routing it through an appropriate treatment system, if necessary. With the right conditions, rainwater harvesting is a very effective stormwater control mechanism, as it provides substantial treatment and volume reduction while also satisfying a portion of the site's water demand.



Harvesting systems can incorporate sculptural or artistic rainwater conveyance components, which serve as aesthetic amenities in addition to making the practice more visible.

Retrofit Opportunities



Benefits

- Pollutant removal rates are nearly 100% for reused water
- Offsets a portion of the potable water required by a site
- Reduces the volume and peak flows of stormwater runoff
- Good for sites where infiltration is not an option
- Easy to apply to rooftop collection; both new buildings and retrofits on existing roofs
- Scalable to large drainage areas, provided demand is adequate

Potential Constraints

- Requires reliable reuse demand high enough to ensure availability of treatment volume in storage
- Lack of summer rainfall coincides with larger irrigation demands
- Often requires infrastructure (pumps or valves) to use stored water, increasing complexity
- Relatively frequent inspection and maintenance is necessary

to ensure reliable system function

- Regulatory obstacles may limit reuse opportunities beyond irrigation

Siting Applications

- Collect rooftop runoff
- Golf courses and parks
- Any type of land use, provided adequate end use of water

Technical Information

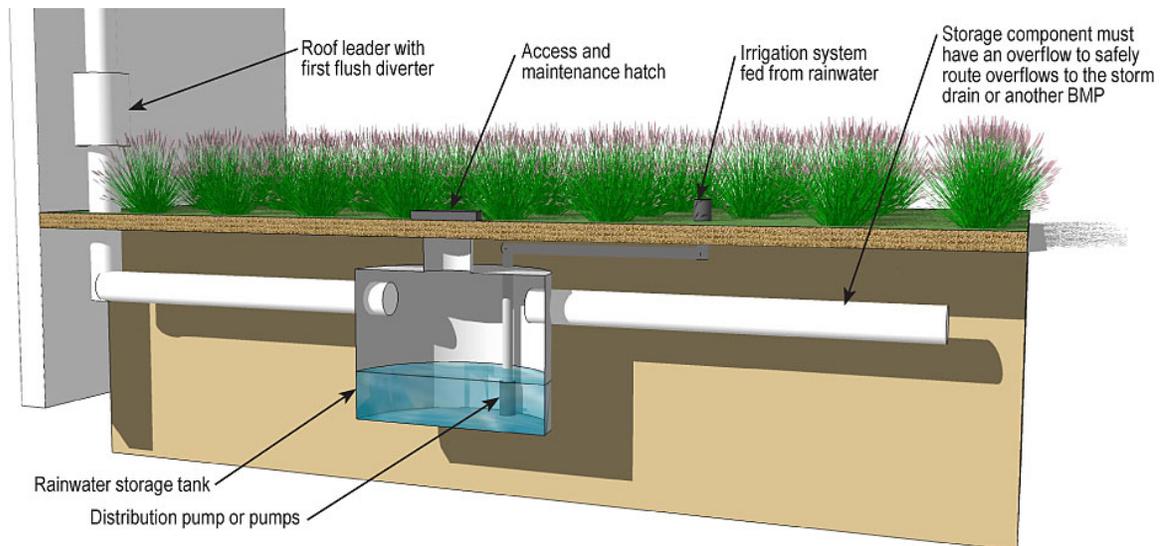


Figure: Rainwater harvesting system typical detail

Design & Sizing Criteria

- Rainwater harvesting systems are volume-based systems with adequate space available in the storage device to capture the WQV. In order to be used as a water quality treatment device, the demand on the system must sufficient to ensure that the system has available capacity to capture the WQV within 72 hours of any rain event.
- The seasonal rainfall patterns in Hughson present difficult circumstances for designing rainwater harvesting systems. Hughson receives approximately 13 inches of rain annually, with an average of less than an inch falling each month from April through October. This lack of rainfall coincides with the higher irrigation demand of the warmer summer months. It is this mismatch of supply and demand that will inhibit successful implementation of rainwater harvesting for many sites. To provide a noticeable offset to potable water demand will likely require enough storage to capture runoff from a large upstream watershed.
- Components of all rainwater harvesting systems include conveyance (to collect water), storage (to hold water), and distribution (to use water).
- In a typical pumped system, stormwater from a building's roof is conveyed through rainwater leaders into a storage tank. The storage tank is connected to a wet well or suction pump, which is linked to the irrigation system. When the pump receives a signal to deliver water, it will begin operation. When the pump receives a signal to stop (either because irrigation is complete or from a level sensor in the tank indicating that it is nearly empty), it will end operation.
- A supplemental method of supplying water is typically necessary, generally through a valved connection to the traditional water system to either refill the tank or supply irrigation water directly.
- All rainwater harvesting system pipes and fixtures should be labeled "NON-POTABLE WATER, DO NOT DRINK."
- Design of the stormwater storage component is flexible as long as the water quality volume and an appropriate distribution system can be accommodated.
- Enclosed tanks should have a hatch or manhole opening for maintenance access. Above-ground tanks should be sited in a stable area (ideally in a cool, shaded location to avoid algal growth) and may require seismic stabilization if greater than 5000 gallons.
- Any pumps and treatment components should be accessible for maintenance.

A pretreatment component is necessary to remove trash and sediment prior to storage to avoid clogging the distribution pump and to reduce maintenance. Pretreatment components may be:

- first flush diverter
- in-line filter
- upstream BMP

GREEN ROOF

A green roof is a vegetated system covering a building's roof that detains and filters incident rainfall. Stormwater is captured in the soil media and storage layers of the system, reducing peak storm flows and promoting evapotranspiration. A primary water quality benefit of green roofs is that they avoid the common pollutants associated with conventional roof runoff, instead releasing only rainwater that has been further filtered. Green roofs can be designed with minimal thickness to allow retrofit installation on existing buildings or with a mix of shrubs, trees, pathways, and benches to be a valuable amenity for building tenants and the public.



Green roofs are unique stormwater features which also provide a variety of diverse benefits to building systems as well as inhabitants and users.

Application Examples



Extensive green roof



Intensive green roof

Benefits

- Reduces the peak discharge rate by slowing down roof runoff
- Enhances site aesthetics and can provide a useable amenity or public space
- Creates habitat and increases vegetation, even in densely developed areas
- Can extend the life of the roof, compared to a conventional roof
- Reduces heat island effect and improves air quality
- Provides insulation, which reduces building energy use

Potential Constraints

- Not ideal for steep roofs (>20 degrees)
- Only manages rooftop runoff
- Greater roof weight may increase dead and live loads and increase structural support requirements
- Existing buildings may not be able to support increased load
- Will likely require irrigation during establishment (typically first 2 years) and dry seasons
- Requires increased maintenance compared to a conventional roof

Siting Applications

- Commercial, industrial, and large residential buildings
- Urban areas with limited space and/or minimal vegetation

Technical Information

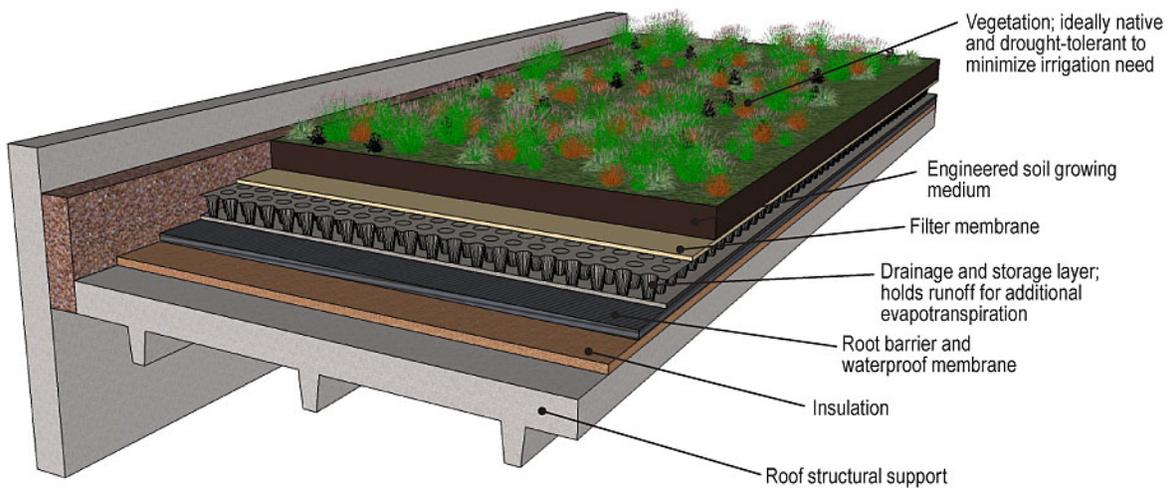


Figure: Green roof typical detail

Design & Sizing Criteria

- Green roofs are flow-based systems designed to treat the rainfall that falls directly onto the vegetated area.
- Runoff from rooftop areas that are not part of the vegetated system (such as spaces for mechanical or ventilation equipment) will likely need to be routed to treatment areas on the ground.
- Green roofs are generally classified as either extensive or intensive. Extensive green roofs generally have six inches or less of soil media, use smaller plants, are lower maintenance, and are typically not intended to be accessible. Intensive green roofs have greater than six inches of soil, larger plants, greater structural and maintenance requirements, and are often designed as rooftop gardens or park-like settings for use by people.
- They are most suitable for flat roofs or those with slopes less than 20 degrees. Extensive green roofs can be constructed on slopes up to 40 degrees with specialized designs.
- A new or retrofit building must be designed to support the weight of the green roof when all layers and vegetation are fully saturated. This wet weight can be up to 6 or 7 pounds per square foot per inch of soil depth.
- A waterproof membrane is needed to protect the roof structure and a root barrier can be installed to protect the membrane. Insulation, if included, can be installed either above or below the waterproof membrane.

Plant Selection (See Appendix A)

Vegetated roofs should feature drought tolerant plants that are well adapted to the local climate. Vegetation that is fire resistant is important considering the setting. Low maintenance plants that will create a healthy and appealing aesthetic are ideal candidates for vegetated roofs.



Coreopsis



Beard tongue



Lyme grass



Foothill penstemon

References

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City of Hughson Standard Specifications, 2007.

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Appendix A - Plant List

The species listed below are intended to serve as a general guide for identifying plants likely to be suitable for use in LID within Central California climate zones. This list has been compiled of largely California native species and augmented with California friendly species to promote species diversity while avoiding monoculture. The list has been organized to group species likely to be compatible with the hydrozones found in the LID solutions in this manual and includes information for determining estimated water budgets. A qualified professional in LID site design should be consulted before construction and implementation.

Photo	Common Name	Latin Name	Form	Light Level	Irrigation Need	Height/Spread
Suitable for long periods of inundation or permanent shallow water						
	Beaked Spikerush	<i>Eleocharis rostellata</i>	Grass	Sunny	High	3'-4' / 3'-4'
	Cardinal Flower	<i>Lobelia cardinalis</i>	Perennial	Sunny	Medium	1'-6' / 1'-3'
	Common Spikerush	<i>Eleocharis palustris</i>	Grass	Sunny	High	6"-18" / 6"-18"
	Gooding's Willow	<i>Salix gooddingii</i>	Tree	Sunny	High	10'-40'
	Long Leaf Rush	<i>Juncus macrophylla</i>	Grass	Sunny	High	2'-3' / 2'-3'
	Narrowleaf Willow	<i>Salix exigua</i>	Tree	Sunny	High	8'-16' / 8'-16'
	Needle Spikerush	<i>Eleocharis acicularis</i>	Grass	Sunny	High	6" / 6"
	Pacific Reed Grass	<i>Calamagrostis nutkaensis</i>	Grass	Sunny	Low	2' / 2'-3'
	Scarlet Monkey Flower	<i>Mimulus cardinalis</i>	Perennial	Sunny	Medium	3' / 2'
	Silvery Sedge	<i>Carex canescens</i>	Grass	Sunny	High	1'-2' / 1'-2'
	Soft Rush	<i>Juncus effusus</i>	Grass	Sunny	Medium	2'-3' / 2'-3'

Notes: Certain plants which prefer very wet environments will generally be suitable for use in locations which experience only short periods of inundation. Of the plants listed above, this would include Cardinal Flower, Pacific Reed Grass, and Scarlet Monkey Flower.

Photo	Common Name	Latin Name	Form	Light Level	Irrigation Need	Height/Spread
Suitable for short periods of inundation (24-48 hours)						
	Blue eyed grass	<i>Sisyrichium bellum</i>	Grass	Sunny	Very Low	6"-18"
	Blue Oat Grass	<i>Helicotrichon sempervirens</i>	Grass	Sunny	Medium	24"-30" / 24"-30"
	California rose	<i>Rosa californica</i>	Shrub	Sunny	Low	3'-5' / 8'-10'
	California wax myrtle	<i>Myrica californica</i>	Shrub	Sunny	Low	15'-20' / 15'-20'
	Common Rush	<i>Juncus patens</i>	Grass	Sunny	Medium	18"-24" / 18"-24"
	Cottonwood	<i>Populus fremontii</i>	Tree	Sunny	Medium	40'-60' / 25'
	Deer grass	<i>Muhlenbergia rigens</i>	Grass	Sunny	Low	2'-3' / 2'-3'
	Desert Baccharis	<i>Baccharis sergiloides</i>	Shrub	Sunny	Low	4'-6' / 4'-6'
	Desert willow	<i>Chilopsis linearis</i>	Tree / shrub	Sunny	Very Low	15'-20' / 15'-20'
	Fourwing saltbush	<i>Atriplex canescens</i>	Shrub	Sunny	Very Low	4'-5'
	Narrow leaf milkweed	<i>Asclepias fascicularis</i>	Shrub/ground-cover	Sunny	Low	2'-3' / 3'-4'
	San Diego sedge	<i>Carex spissa</i>	Grass	Sunny	Medium	3'-5' / 4'-5'
	Sweet bay	<i>Laurus nobilis</i>	Tree / shrub	Sunny/Partial Shade	Low	15'-20' / 15'-20'
	Western meadow sedge	<i>Carex praegracilis</i>	Grass	Sunny	Medium	12"-15"
	Western sycamore	<i>Platanus racemosa</i>	Tree	Sunny	Medium	40'-80' / 30'-50'

Photo	Common Name	Latin Name	Form	Light Level	Irrigation Need	Height/Spread
Prefer upland / suitable for slope stability						
	Beard tongue	<i>Penstemon spectabilis</i>	Shrub / perennial	Sunny	Low	3'-5'
	Blue grama	<i>Bouteloua gracilis</i>	Grass	Sunny	Low	15"-24" / 12"
	Broom Baccharis	<i>Baccharis sarothroides</i>	Shrub	Sunny	Low	8'-10' / 8'-10'
	Bush anemone	<i>Carpenteria californica</i>	Shrub	Partial Shade	Low	6' / 6'
	Bush monkey flower	<i>Mimulus aurantiacus</i>	Shrub	Sunny	Low	2'-3' / 2'-3'
	California encelia	<i>Encelia californica</i>	Shrub	Sunny	Very Low	3'-5' / 3'-5'
	California Meadow Sedge	<i>Carex Pansa</i>	Grass	Sunny	Medium	12" / 18"
	California sagebrush	<i>Artemisia californica</i>	Shrub	Sunny	Low	3'-5' / 5'-7'
	Canyon live oak	<i>Quercus chrysolepis</i>	Tree	Sunny/Partial Shade	Low	60' / 40'
	Chaparral honeysuckle	<i>Lonicera subspicata</i>	Shrub / vine	Partial Shade	Medium	3'-4' / 8'-10'
	Chuparosa	<i>Justicia californica</i>	Shrub	Sunny	Low	4'-6' / 6'-8'
	Coast live oak	<i>Quercus agrifolia</i>	Tree	Sunny	Very Low	30'-60' / 40'-70'
	Common buckwheat	<i>Eriogonum fasciculatum</i>	Shrub	Sunny	Low	2'-3' / 2'-3'
	Coreopsis	<i>Coreopsis grandiflora</i>	Shrub / perennial	Sunny	Low	1'-2' / 2'-3'
	Coreopsis - large	<i>Coreopsis gigantea</i>	Shrub / perennial	Sunny	Low	3'-5' / 3'-4'
	Desert mallow	<i>Sphaeralcea ambigua</i>	Shrub	Sunny	Low	2'-3' / 2'-3'
	English lavender	<i>Lavandula angustifolia</i>	Shrub	Sunny	Low	2'-3' / 2'-3'
	Ericameria	<i>Ericameria laricifolia</i>	Shrub	Sunny	Low	2'-4' / 2'-4'

Photo	Common Name	Latin Name	Form	Light Level	Irrigation Need	Height/Spread
	Foothill needle grass	<i>Nassella lepida</i>	Grass	Sunny	Low	1'-2' / 1'-2'
	Foothill penstemon	<i>Penstemon heterophyllus</i>	Shrub / perennial	Sunny	Low	1'-2' / spreading
	Grape soda lupine	<i>Lupinus excubitus</i>	Shrub	Sunny	Very Low	3' / 4'
	Honey mesquite	<i>Prosopis glandulosa</i>	Tree	Sunny	Low	25'-30' / 25'-30'
	Hummingbird trumpet	<i>Epilobium canum</i>	Shrub	Sunny/Partial Shade	Low	varies
	Lyme grass	<i>Leymus arenarius</i>	Grass	Sunny	Very low	4'-5' / clumping
	Nodding needle grass	<i>Nassella cernua</i>	Grass	Sunny	Low	3' / 3'
	Parry's penstemon	<i>Penstemon palmeri</i>	Shrub / perennial	Sunny	Low	4'-6'
	Pink muhly grass	<i>Muhlenbergia capillaris</i>	Grass	Sunny	Low	2' / 2'-3'
	Purple needle grass	<i>Nassella pulchra</i>	Grass	Sunny	Low	18"-24" / 18"-24"
	Rosemary	<i>Rosmarinus officinalis</i>	Shrub	Sunny	Low	4'-6' / 6'-10'
	Saffron buckwheat	<i>Eriogonum crocatum</i>	Shrub	Sunny	Low	1'-2' / 2'-3'
	Scarlet bugler	<i>Penstemon centranthifolius</i>	Shrub / perennial	Sunny	Low	2'-3' / 2'-3'
	Sulfur buckwheat	<i>Eriogonum umbellatum</i>	Shrub / ground-cover	Sunny	Low	6"-18" / 1'-3'
	Western redbud	<i>Cercis occidentalis</i>	Tree	Sunny/Partial Shade	Very Low	15'-20' / 15'-20'
	Western serviceberry	<i>Amelanchier alnifolia</i>	Shrub / Tree	Sunny/Partial Shade	Low	3'-15' / 6'
	Wild rye	<i>Leymus condensatus</i>	Grass	Sunny	Very Low	2'-3' / 2'-3'
	Yarrow	<i>Achillea millefolium</i>	Ground-cover	Sunny	Low	18"-30" / clumping

Appendix B - BMP Pollutant Removal Efficiency

Different pollutants tend to be present in runoff depending on the land use. The table below provides general guidance as to which pollutants may be expected in higher concentrations, as well as the typical ability for different BMPs to remove the pollutants.

		Target Pollutant				
		Sediment	Nutrients	Metals	Bacteria	Oil & Grease
Land Use	Agriculture	x	x		x	
	Commercial	x		x		x
	Residential	x				
	Industrial	x		x		x
	Parks	x				
	Vacant/Barren Areas	x	x			
	Roads & Parking Lots	x		x		x

		Pollutant Removal Efficiency				
		Sediment	Nutrients	Metals	Bacteria	Oil & Grease
Best Management Practice	Underground	○	●	●	●	●
	Bioretention Area ²	●	○	○	●	●
	Vegetated Swale	○	○	○	○	○
	Filter Strip	●	○	●	○	○
	Vegetated Basin	○	○	○	○	○
	Constructed Wetland	●	○	●	●	●
	Permeable Pavement ¹	●	●	○	○	○
	Rainwater Harvesting ³	●	●	●	●	●
	Green Roof ⁴	●	●	●	●	●

Key to Symbols: ● High ● Medium ○ Low

¹ If underground infiltration and permeable pavement are unable to drain by infiltration, removal efficiency for all constituents is low.

² Assumes that bioretention area is drained by underdrains. If able to discharge via infiltration, efficiency will be increased.

³ Rainwater harvesting effectively removes all pollutants from runoff since the water quality volume is never released downstream.

⁴ Green roofs receive runoff which has not yet encountered pollutants, and eliminate the addition of pollutants typically found on roofs.

Appendix C - Planning Area Maps

Additional maps, two showing the entire Hughson Planning Area, are included for reference on the following pages.

- Opportunity Sites Map
- Soils Map
- Depth to Hardpan map

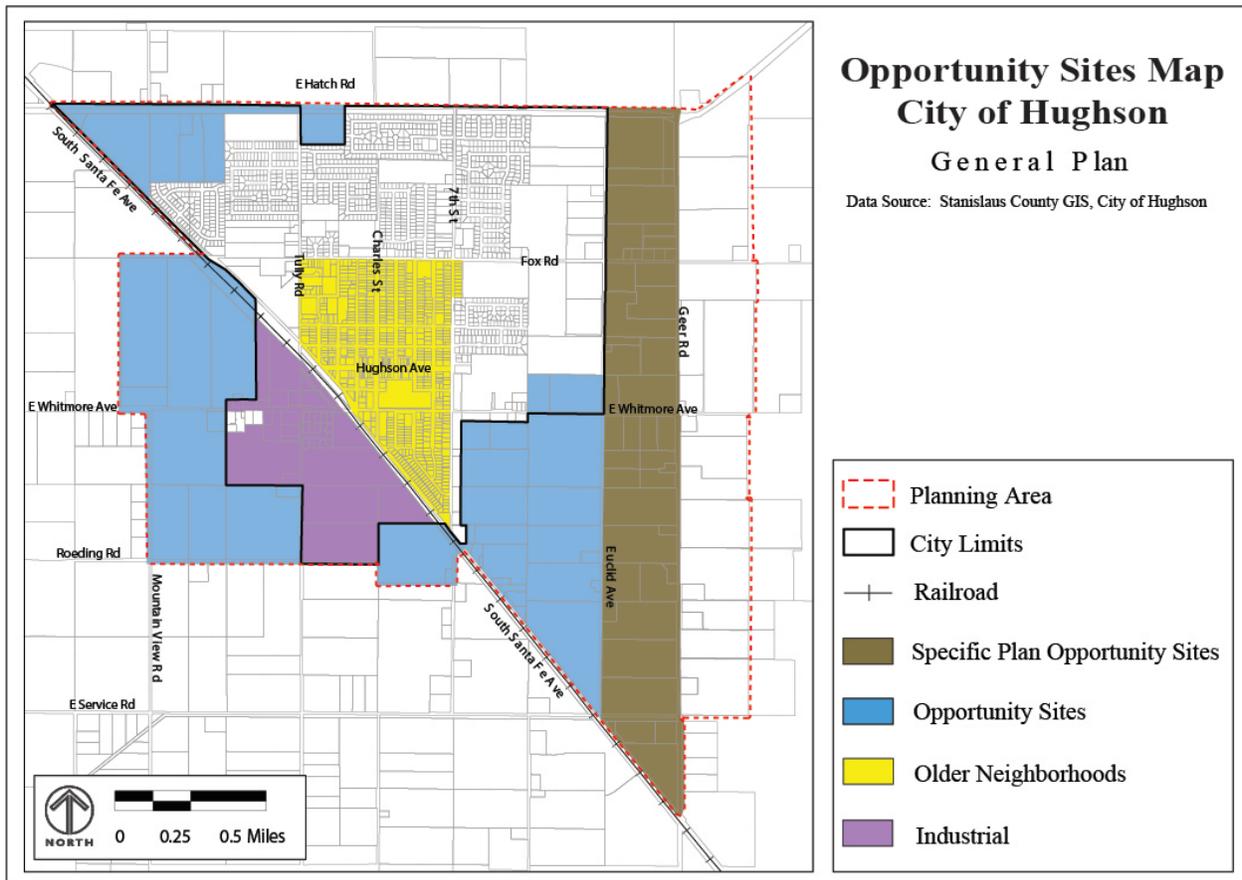


Figure C1: Opportunity Sites Map (Source: General Plan)



Hughson Arboretum and Gardens opportunity site. (Photo courtesy of Thom Clark)

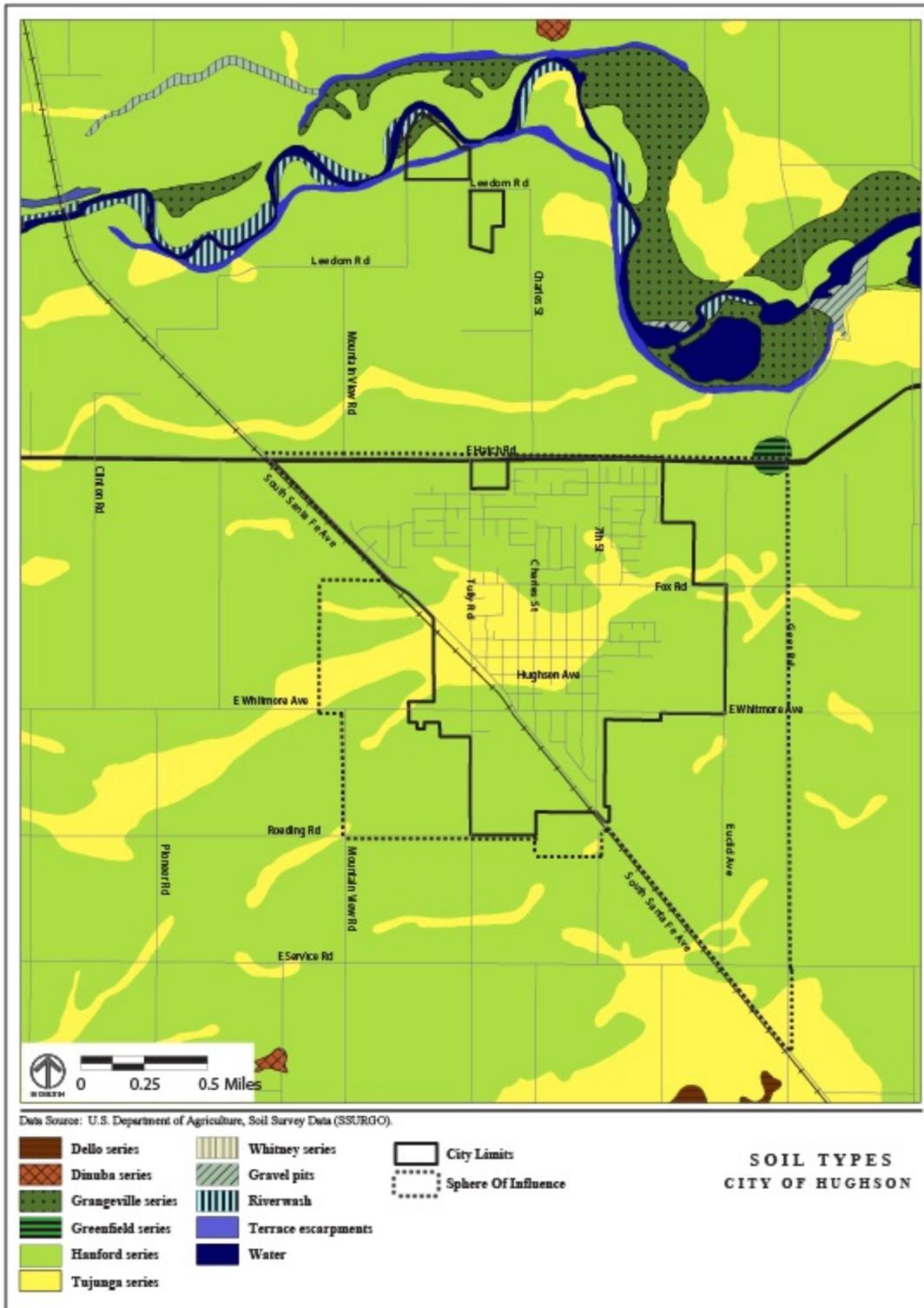
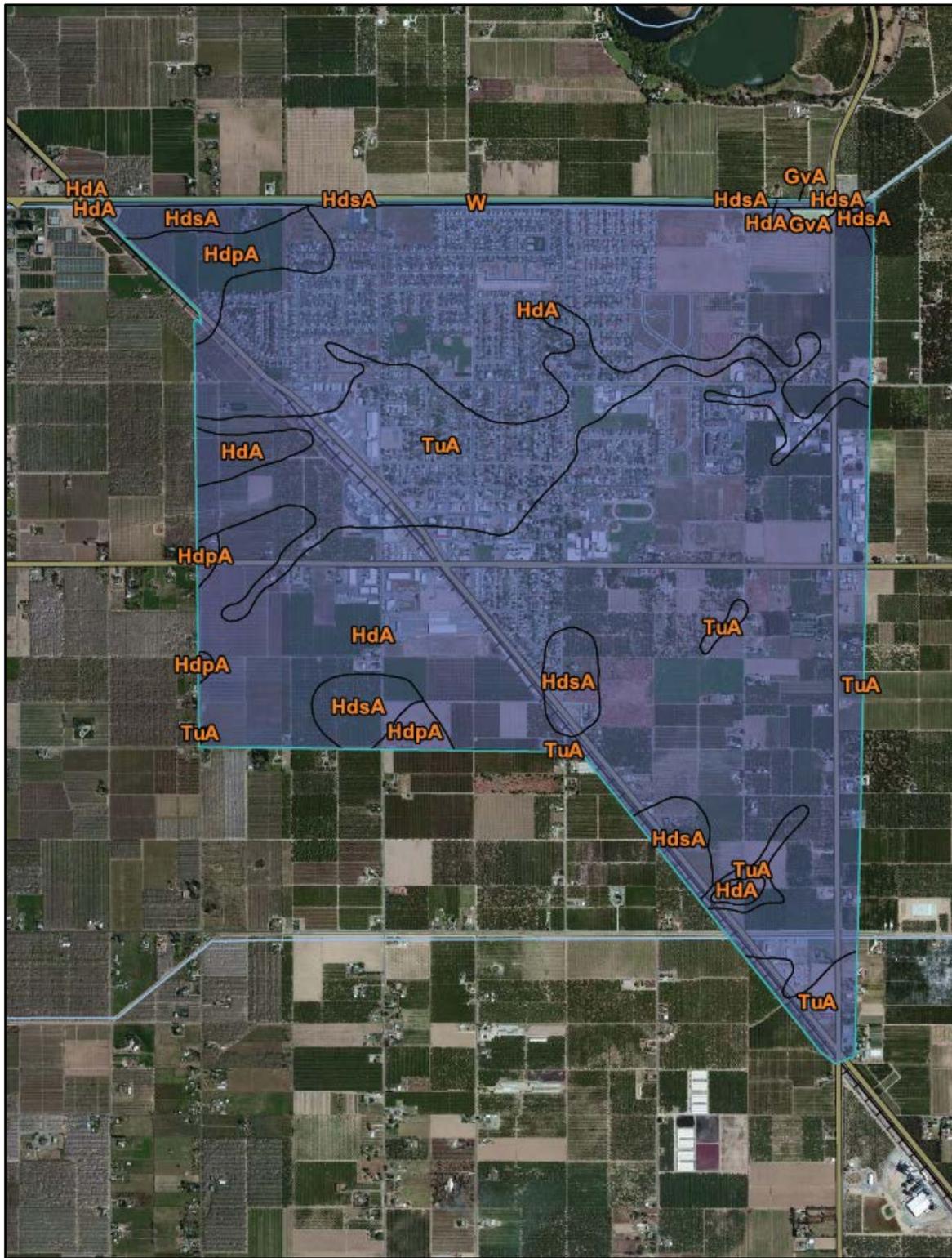


Figure C2: Soils Map (Source: NRCS 2011)



DEPTH TO HARDPAN

> 200
 (Centimeters)

CITY OF HUGHSON

Figure C3: Depth to Hardpan Layer Map (Source: NRCS 2011)

