

PLANNING COMMISSION

Candis Woods, Chair
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CITY PLANNER
Karen Mantele

MINUTE CLERK



201 North Lassen Street
Willows, CA 95988
530) 934-7041

PLANNING COMMISSION MEETING AGENDA

Wednesday, June 15, 2011
7:00 p.m.

1. **Call to Order - 7:00 p.m.**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Review:** (Requested Changes by Commissioners or Staff?)
5. **Public Comment:** Persons wishing to speak on a matter *not on the agenda* may be heard at this time; however, no action will be taken unless placed on a future agenda. (*Public Comments are generally restricted to three minutes.*)
6. **Approval of Minutes:** None
7. **Public Hearing(s)**
Proposed Amendment(s) of the City's Municipal Code/Zoning Ordinance, General Plan, Land Use Map, and Zoning Map, including a Rezone of one parcel (APN: 001-330-017) and re-designation of same parcel as part of the implementation of the City's 2009-2014 Housing Element Update for the City of Willows, and modifications to the Comprehensive Sign Code Section, and amending the General Plan Land Use Classifications under Section 6.0 of the General Plan Land Use Element, and under Section 6.5 Agriculture/Agriculture section
8. **New Business** None
9. **Commission Commentary:**
10. **Adjournment:**

CERTIFICATION:

Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before June 10, 2011

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours Monday through Thursday between 7:30 a.m. and 5:30 p.m. at the Civic Center located at 201 North Lassen Street in Willows.

In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider

Planning Commission Agenda Report: June 15, 2011

To: City of Willows Planning Commission

From: Karen Mantele, Principal Planner

Applicant: City of Willows
201 N. Lassen Street
Willows, CA 95988

Subject: Amendment of the City's Municipal Code/Zoning Ordinance, General Plan, Land Use Map, and Zoning Map, including a Rezone of one parcel and re-designation of same parcel

Parcel No. to be rezoned/
Re-designated: 001-330-017, current zoning R-1, current land use designation, Low Density Residential; all other parcels to remain unchanged

Project Description

Staff is proposing to make various amendments to the City's land use controls required as part of the implementation of the City's 2009-2014 Housing Element Update for the City of Willows as follows: (1) Zoning Text Amendments to include: allowing for residential uses on all floors except the ground level as a permitted use without any discretionary review in both the Central Commercial (CC) and General Commercial (CG) zones; allowing for the development of manufactured housing in single family residential zones; modifying the definition of manufactured home; allowing residential care facilities by right in all residential zones in accordance with Health & Safety Code Section(s) 1267.8, 1566.3 and 1568.08; adding a definition for residential care facility; modifying the definition of family to reflect occupancy standards for up to six unrelated persons; allowing emergency shelters as a permitted use in the General Commercial (CG) zone district; allowing transitional and supportive housing in all residential zones (R-1, R-2, R-P & AG) subject to only the same standards and regulations that apply to other residential uses permitted in these zones; adding definitions for transitional and supportive housing per Health and Safety Code Sections 50675.2 & 50675.14; adding a definition for emergency shelters; amending the code to allow for development of single-room occupancy (SRO) units in the R-3 zoning district as a permitted use; adding a definition for Single Room Occupancy (SRO) units; allowing for employee housing as a permitted use in the Agriculture General District; adding a new definition for Employee Housing; adding parking requirements for emergency shelters and transitional and supportive housing; amending the code to include an ordinance that will provide a streamlined process for a person with disabilities to make a reasonable accommodation request; and amending the code to include development and managerial standards for emergency shelters that are consistent with Government Code Section 65883(a);

(2) General Plan Amendments to include: amending the Land Use Element Section 6.1 Land Use Classifications, specifically the Multi-Family Residential designation by increasing the permitted

density from a maximum of 14 units per acre to 16-30 units per acre; add text to Section 6.2 Commercial/Office and Professional designation allowing a maximum of 30 units per acre; and amending the General Plan by adding a Medium Density Residential (MDR) designation which will allow 7-15 units per acre

(3) Zoning Map Amendment revising the Zoning Map for assessor's parcel# 001-330-017 from R-1 (Single-Family Residential) to R-3 (High Density Residential) allowing exclusively for residential uses at a minimum density of 16 units per acre; and

(4) Land Use Map amendment, revising the Land Use Map designation on assessor parcel #001-330-017 from LDR (Low Density Residential) to MFR (Multi-Family Residential). These aforementioned amendments are being proposed to implement the actions/programs contained in the 2009-2014 Housing Element Update.

Additionally staff proposes to amend the Municipal Code to include a second dwelling unit ordinance that complies with the requirements of California Government Code Section 65852.1. This amendment is not subject to CEQA since it qualifies as a Statutory Exemption under Section 15282(h), and was therefore not analyzed within the accompanying Initial Study/Negative Declaration.

The following modifications are also being proposed, and were analyzed within the Initial Study/Negative Declaration, but are not part of the programs listed in the 2009-2014 Housing Element Update.

(1) amending the Comprehensive Sign Code Section by re-inserting in the City code a section on posting banners, handbills, etc. that was inadvertently left out of the last Sign Code revision,

(2) amending Code Section 18.60.020(13) to be compliant with the manner in which allowed signage is calculated within the existing Sign Code, and

(3) and amending the General Plan Land Use Classification, under Section 6.0 of the General Plan Land Use Element, by deleting specific language regarding the number of persons permitted per acre in several sections, as follows: Under Population Density and Building Intensity section, remove wording "Population and density standards expressed in person per acre are estimations only and do not constitute General Plan Policy"; under 6.1 Residential/Estate Residential remove wording "with an average population density of 2.8 persons per acre"; under 6.1 Residential/Low-Density Residential section remove wording "with an average population density of 5.6 persons per acre and a maximum average of 16.8 persons per acre"; under 6.1 Residential/Multi-Family Residential section remove wording "with a minimum average population density of 19.6 persons per acre and a maximum average of 39.2 persons per acre"; under 6.5 Agriculture/Agriculture section remove wording "and a population density of 0.0645 persons per acre".

If proposed text amendments are adopted, they would be applicable to all parcels within the City of Willows boundaries.

Background

State Law requires California cities to prepare and adopt a General Plan to guide future development of the City, including a Housing Element as one of the mandatory elements in the

City's General Plan. State Law also requires that cities comprehensively update their Housing Element at least once every five years to ensure that their Plan can accommodate future demand for housing and that it focuses on the community's housing needs and strategies for meeting those needs. In June of 2010, the City of Willows had prepared an update to the General Plan Housing Element. The 2009-2014 Housing Element was adopted by the City Council on June 8, 2010 and certified by the State Department of Housing and Community Development, Division of Housing Policy on September 9, 2010, which included several policies that must be implemented within one year of certification of the Element. In the General Plan Annual Report brought to the Commission on April 6, 2011, these policies were presented as part of the Report. Presented below is a chart that summarizes the policies and the sections of the General Plan or Municipal Code to which they apply.

GPA = General Plan Amendment ;
ZTA = Zoning Text Amendment
ZMA = Zoning Map Amendment
LUMA = Land Use Map Amendment

Program#	Program Action	Code Section Modified/Added
HD-1.1.1	<p><i>Amendments to the Zoning Ordinance and Land Use Element to include:</i></p> <p>*Increase densities in the High Density Residential (R-3) zone from a max of 14 units per acre to 16-30 units per acre</p> <p>*Increase densities in the Multiple Residence-Office Professional (R-P) zone to allow up to 30 units per acre</p> <p>*Increase the density in the Two-Family Residential (R-2) zone to allow up to 15 units per acre</p> <p>*Allow for residential uses on all floors except the ground level as a permitted use in both the Central Commercial (CC) and General Commercial (CG) zones without a conditional use permit</p> <p>*Amend the Land Use Element to be in compliance with the Housing Element by incorporating a Medium Density Residential (MDR) designation which will allow 7-15 units per acre and increase the Multifamily Residential designation (MFR) to allow for 16-30 units per acre.</p> <p>*Rezone APN 001-330-017-to the R-3 zone, allowing exclusively residential uses at a minimum of 16 units per acre</p>	<p>6.1- Under Land Use Element /Residential/ Multi-Family Residential designation (GPA)</p> <p>6.2 – Under Land Use Element/Commercial – Office and Professional (GPA)</p> <p>Add a Medium Density Residential (MDR) classification with wording to allow (GPA)</p> <p>Repeal Sec. 18.55.30(16); amend Sec. 18.55.20(18) Central Commercial zone; No need to amend CG code (ZTA)</p> <p>6.1. Land Use Classifications in Land Use Element – add new residential designation – MDR (Medium Density Residential) ; amend MFR designation (GPA)</p> <p>Amend parcel on Land Use Map from LDR to MFR & amend parcel on Zoning Map from R-1 to R-3 zoning (ZMA & LUMA)</p>
HD-1.1.4	<p>*Implement a second dwelling unit ordinance that follows the requirements of state law Government Code Section 65852.1</p>	<p>Amend Sec 18.110 (General Provisions & Exceptions) and add new section 18.110.112; amend Sec.18.25.190-Definitions (ZTA)</p>

HD-1.1.5	*Amend the Zoning Ordinance to allow for the development of manufactured housing in single family residential zones	Amend Sec. 18.30.020(1) - R-1 zone; Sec. 18.35.020(1) - R-2 zone; and Sec. 18.35.020(1)- Ag zone; amend Sec. 18.25.130 - Definitions (ZTA)
HD-1.4.1	*Amend the Zoning Ordinance to allow for residential development above commercial and mixed used by right without any discretionary review	Repeal Sec. 18.55.030(16); amend Sec. 18.55.020(18)- Central Commercial zone; add new Sec. 18.60.020(7)- General Commercial (ZTA)
RC-1.3.1	*Adopt provisions to approve residential care facilities by right in accordance with Health and Safety Code Section 1267.8, 1566.3, and 1568.08	Add new Sec. 18.30.020(6)- R-1 zone; add new Sec. 18.35.020(6)- R-2 zone; amend Sec. 18.25.180 - Definitions (ZTA)
RC-1.3.2	*Develop and formalize a general process that will streamline the permit review process for a person with disabilities to make a reasonable accommodation request. *Amend the Zoning Ordinance definition of family to reflect occupancy standards for up to six unrelated persons	Amend Sec 18.110 (General Provisions & Exceptions) add new section 18.110.113 (ZTA) Amend Sec. 18.25.060- Definitions (ZTA)
RC-1.3.3	*Amend the Zoning Ordinance to allow emergency shelters as a permitted use in the General Commercial (CG) District *City will evaluate adopting development and managerial standards that will be consistent with Government Code Section 65583(a)(4)	Add new Sec.(s) 18.60.020(7) and 18.60.030(10) -General Commercial; amend Sec. 18.25.050- Definitions; add Sec. 18.120.020(e) Parking (ZTA) Add new Sec. 18.110.111- General Provisions & Exceptions (ZTA)
RD-1.3.4	*Update the Zoning Ordinance to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14 , with both uses allowed as a permitted use in all residential zones subject to only the same restrictions on residential uses contained in the same type of structure	Add new Sec. 18.30.020(7)- R-1 zone; add new Sec. 18.35.020(7)- R-2 zone; add new Sec. 18.45.020(3) - R-P zone; add new Sec. 18.85.020(5)- AG zone; amend Sec.(s) 18.25.190 and 18.25.200- Definitions ; and add Sec. 18.120.020(d) Parking (ZTA)
RC-1.3.5	*Update the Zoning Ordinance to allow for the development of single-room occupancy units (a type of residential hotel offering one-room units for long-term occupancy	Amend Sec. 18.40.020(2)- R-3 zone; amend Sec. 18.25.190- Definitions (ZTA)
RC-1.3.6	*Amend the Zoning Ordinance to include employee housing in the Agriculture General District as defined by Health and Safety Code Section 17021.6	Add new Sec. 18.85.020(6)- AG zone; amend Sec. 18.25.050- Definitions (ZTA)

Additional modifications are being proposed which are unrelated to the Housing Element Update, that include the following:

Existing or New Code

Amendments/Additions

<i>New</i> = 18.125.250 (formerly WMC Sec 15.45.220 = Comprehensive Sign Law/Posting banners, handbills, etc.	Re-insert wording in Municipal Code wording regarding posting of banners,
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	handbills, ect. left out of 2009 Sign Code revision (ZTA)
<i>Existing</i> = 18.55.20(13) Central Commercial zone/Permitted Uses	Amend Sec. to be consistent with current Sign Law (ZTA)
<i>Existing</i> - Land Use Element 6.0 Population Density and Building Intensity <i>Existing</i> = Land Use Element 6.1- Estate Residential; Low Density Residential & Multi Family Residential; 6.5 Agriculture	Delete language in all residential classifications associated with the permitted density being expressed in terms of persons per acre (GPA)

All of the aforementioned amendments are listed in the attached ordinances and/or resolutions.

Environmental Review

An Initial Study and Negative Declaration have been prepared under the guidelines of the California Environmental Quality Act (CEQA). The document was available for 30- day public review and comment and made available at City Hall from May 13 to June 13, 2011. Additionally the document was made available on the City's website and at the City library. The City also contacted three (3) local Native American Tribes for consultation on the General Plan Amendments, with the City receiving one response from the Enterprise Rancheria Tribe. To date, and as of the timing of this report, one comment was received from the Department of Transportation, which Department had no specific comments regarding the Initial Study have been received.

At the time of future development, additional environmental analyses may be required to analyze the potential environmental impacts associated with the specific development project proposed.

Attachments:

1. Resolution No. _____ (Recommending Approval of Negative Declaration, Zoning Text Amendments, General Plan Amendments, Zoning Map and Land Use Map with Exhibits A, B, C, D
2. Resolution No. _____ (Recommending Approval of Rezoning of Real Property APN 001-330-017)
3. Initial Study/Negative Declaration

Staff Recommendation

Staff recommends that the Planning Commission adopt the Resolution(s) recommending the City Council adopt a Negative Declaration for the project, and introduce ordinances amending certain sections of the text of the Municipal Code/Zoning Ordinance, amending certain sections of the text of the General Plan, amending the Land Use Map and amending the Zoning Map to reflect the rezoning of assessor's parcel 001-330-017.

The Planning Commission may take the following actions:

1. Recommend adoption of the Negative Declaration and Proposed Zoning Ordinance and General Plan Amendments, Land Use Map, and Zoning Map Amendments and specific parcel Rezoning to the City Council.
2. Recommend that the City Council take no action on the proposed Zoning Ordinance & General Plan Amendments, Map Amendments or Rezoning.

Submitted by:

Karen Mantele
Principal Planner

ATTACHMENT 1

PC RESOLUTION NO. _____-2011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS RECOMMENDING THE CITY COUNCIL APPROVE A NEGATIVE DECLARATION FOR AMENDMENTS TO THE ZONING ORDINANCE AS LISTED ON EXHIBIT A, AMENDMENTS TO THE GENERAL PLAN AS LISTED ON EXHIBIT B, LAND USE MAP AND ZONING MAP AMENDMENTS AS SHOWN ON EXHIBIT C AND D TO REFLECT REZONING OF PARCEL NUMBER 001-330-017, REPEAL CODE SECTION 18.55.30(16) WITH OTHER TEXT REMAINING UNCHANGED

WHEREAS, the City of Willows has prepared an Initial Study and Negative Declaration for the project; and,

WHEREAS, the Negative Declaration has been completed in compliance with the California Environmental Quality Act (CEQA) the CEQA guidelines as promulgated by the State Secretary of Resources and the procedures for review as set forth in the City's CEQA Guidelines (all as most recently amended); and

WHEREAS, copies of the Negative Declaration were made available for public review for the time period prescribed under law; and

WHEREAS, notices of the Planning Commission meeting held on June 15, 2011, were published in a newspaper of general circulation in the City in accordance with law, and mailed to property owners within 500 feet of the specific property proposed for rezoning; and,

WHEREAS, the Planning Commission did, on June 15, 2011, hold a public hearing review and consider all public oral and written comments, letters and documents, staff reports, and all other supporting documents, City codes and regulations which are a part of the Record on the adequacy of the Negative Declaration; and,

WHEREAS, the Planning Commission finds that the Amendments to the Zoning Ordinance, General Plan, Land Use Map and Zoning Map, as proposed in the project description and attached exhibits, are consistent with the General Plan and are in compliance with the City's 2009-2014 Housing Element; and

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF WILLOWS RESOLVES AS FOLLOWS:

1. The above recitals are true and correct and constitute a part of the findings made by the Planning Commission in approving this Resolution.
2. The project will not have a significant effect on the environment.

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3. The City has independently reviewed all environmental reports and documentation for this project and the Negative Declaration reflects the City's independent judgment.
 4. The impacts of the project have been addressed and mitigated by virtue of the Negative Declaration being approved in a fashion that assures maximum protection and efficiency, as stated in the Initial Study.
 5. The Planning Commission of the City of Willows does hereby recommend to the City Council approval of the Negative Declaration.

* * * * *

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 15th day of June, 2011, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Candis Woods, Chairperson

ATTEST: _____
Recording Secretary

PROPOSED ZONING TEXT AMENDMENTS

- (1) **Zoning Text Amendments** to include: allowing for residential uses on all floors except the ground level as a permitted use in both the Central Commercial (CC) and General Commercial (CG) zones without a conditional use permit; allowing for the development of manufactured housing in single family residential zones; allowing for residential development above commercial and mixed uses by right without any discretionary review in the CC and CG zoning districts; allowing residential care facilities by right in accordance with Health & Safety Code Section(s) 1267.8, 1566.3 and 1568.08; adding a definition for residential care facility; modifying the definition of family to reflect occupancy standards for up to six unrelated persons; allowing emergency shelters as a permitted use in the General Commercial (CG) zone district; allowing transitional and supportive housing in all residential zones (R-1, R-2, R-P & AG) subject to only the same restrictions on other residential uses contained permitted in these zones; adding definitions for transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 & 50675.14 and adding a definition for emergency shelters; amending the code to allow for development of single-room occupancy (SRO) units in the R-3 zoning district as a permitted use, adding a definition for Single Room Occupancy units; allowing for employee housing as a permitted use in the Agriculture General District, adding a new definition for Employee Housing; adding parking requirements for emergency shelters and transitional and supportive housing; amending the code to include an ordinance that will provide a streamlined process for a person with disabilities to make a reasonable accommodation request; and amending the code to include development and managerial standards for emergency shelters that will be consistent with Government Code Section 65883(a) (*All the foregoing to be in compliance with the 2009-2014 Housing Element*), and additional proposed text, (2) amending the Comprehensive Sign Code Section by adding back to the City code a section on posting banners, handbills, etc. that was inadvertently left out of the last Sign Code revision, (3) amending Code Section 18.60.020(13) to be in compliance with the manner in which allowed signage is calculated within the existing code.

**** See Attached Draft Ordinances – Exhibits A.1, A.2, A.3, A.4, A.5, A.6, A.7, A.8, A.9, A.10, A.11**

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.25 DEFINITIONS OF THE WILLOWS MUNICIPAL CODE
OF THE CITY OF WILLOWS SPECIFICALLY SECTION(S) 18.25.050, 18.25.060,
18.25.130, 18.25.180, 18.25.190, AND 18.25.200**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.25 (Definitions) of the Willows Municipal Code adding definitions for emergency shelters, employee housing, residential care facility, second dwelling unit, single room occupancy, supportive housing and transitional housing, and amending the definitions of family, and manufactured homes, which is hereby amended to read as follows:

Sections:

- 18.25.005 Construction of general terms.
- 18.25.010 A definitions.
- 18.25.020 B definitions.
- 18.25.030 C definitions.
- 18.25.040 D definitions.
- 18.25.050 E definitions.
- 18.25.060 F definitions.
- 18.25.070 G definitions.
- 18.25.080 H definitions.
- 18.25.090 I definitions.
- 18.25.100 J definitions.
- 18.25.110 K definitions.
- 18.25.120 L definitions.
- 18.25.130 M definitions.
- 18.25.140 N definitions.
- 18.25.150 O definitions.
- 18.25.160 P definitions.
- 18.25.170 Q definitions.
- 18.25.180 R definitions.
- 18.25.190 S definitions.
- 18.25.200 T definitions.
- 18.25.210 U definitions.
- 18.25.220 V definitions.
- 18.25.230 W definitions.
- 18.25.240 X definitions.

18.25.250 Y definitions.

18.25.260 Z definitions.

18.25.005 Construction of general terms.

Words in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular. The word "building" includes the word "structure," and the word "shall" is mandatory and directory. The term "city council" shall mean the city council of the city of Willows, and the term "planning commission" shall mean the planning commission of the city of Willows. [Ord. 632-91 § 6.01, 10-22-91].

18.25.010 A definitions.

"Abutting" means land having a common property line or separated only by an alley, easement or private road.

"Access" means the place by which pedestrians and/or vehicles have usable ingress and egress to a property or use.

"Accessory building" is a detached subordinate building, the use of which is incidental to that of the main building on the same lot or to the use of the land.

"Accessory use" is a use of land or building incidental or subordinate to the principal use or building on the same lot.

Adult Entertainment Business. See WMC 18.115.010(1).

"Agency" is an office or commercial establishment in which goods, material, or equipment are received for servicing, treatment, or processing elsewhere.

"Alley" is a public or permanent private way or land less than 40 feet in width which affords a secondary means of access to abutting property.

"Amendment" means any change, modification, deletion, or addition to the wording, text or substance of the zoning regulations or any change, modification, deletion, or addition to the application of the zoning regulations to property within the city of Willows, including any alteration in the boundaries of a zone, in the manner prescribed by law.

"Apartment house" is any building or portion thereof which is designed and built for occupancy of three or more families.

"Automobile/Equipment Repair"

(a) Major. General repair, rebuilding or reconditioning of engines; motor vehicle, farm equipment truck or trailer collision service including body, frame or fender straightening or repair; over-all painting or body shop.

(b) Minor. Upholstering, replacement of parts and motor service, not including removal of the motor, to passengers and trucks not exceeding one and one-half tons capacity, but not including any operation under "automobile repair, major."

"Automobile service station" means a place which provides for the servicing, washing and fueling of motor vehicles, including minor automobile repairs, and sales of merchandise incidental thereto. [Ord. 632-91 §§ 6.02 – 6.12, 10-22-91].

18.25.020 B definitions.

"Basement" is a space partly or wholly underground and having more than one-half of its height, measured from its floor to its finished ceiling, below the average adjoining grade. If the

finished floor level directly above a basement is more than six feet above grade at any point, such basement shall be considered a story.

“Bed and breakfast” means a building or portion thereof occupied as a residence wherein guest rooms, including the service of breakfast, intended for occupancy by transient visitors are provided for compensation.

“Boardinghouse” is a building or portion thereof, other than a hotel, where regular meals for three or more persons are provided for compensation or profit.

“Building” is any structure having a roof supported by columns and/or walls and intended for the housing or shelter of any persons, animals, or property.

“Building height” is the vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof, ridge, or parapet wall.

“Building, main” means a building or structure which is devoted to a principally permitted or conditionally permitted use.

“Building site” is the land area of a lot which may be occupied by permitted uses or buildings. [Ord. 632-91 §§ 6.13 – 6.19, 10-22-91].

18.25.030 C definitions.

“Carport” means a detached accessory building not enclosed on more than two sides and designed for and used to shelter or house automobiles and is subject to all regulations and yard requirements of an accessory building. When attached to the main building, a carport becomes a part thereof and is subject to all the yard and other regulations which apply to the main building.

“CEQA” means California Environmental Quality Act, commencing with Section 21000 of the Public Resources Code.

“Communication equipment building” shall mean buildings housing electrical and mechanical equipment necessary for the conduct of a public communications business with or without personnel.

“Conditional use” means a use subject to a use permit. Such use shall be permitted when all specific additional restrictions are completed and permanently satisfied in conformance with an approved use permit. The use will remain conditional so long as the permit requirements are complied with, but shall become an illegal use if the conditions are not complied with.

“Condominium project” means a condominium project as defined in Section 1350 of the Civil Code of the State of California, a community apartment project as defined in Section 11004 of the Business and Professions Code, or a stock cooperative per Section 11003.2 of the Business and Professions Code of the State of California.

“Cottage industry” means an accessory use of a nonresidential nature which is performed within a legal structure on the lot, by an occupant of the dwelling unit, and which is clearly incidental and secondary to the residential use of the property. Home occupations are subject to the home occupation regulations. [Ord. 632-91 §§ 6.20 – 6.25, 10-22-91].

18.25.040 D definitions.

“Day care” means the care, supervision, or guidance of a child or group of children unaccompanied by their parent for a period of less than 24 hours per day.

“Density” means the number of dwelling units per acre.

“Development” means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any materials;

change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to Government Code Section 4511 et seq.

“Dwelling” is a building designed for and intended to be occupied as living quarters by a family or by families in individual dwelling units.

“Dwelling group” is two or more detached dwellings, other than commercial hotel or motel units located upon a building site, together with all open spaces as required by this title. Dwellings shall be considered detached if they do not have a common wall.

“Dwelling, multiple-family” is a building or portion thereof used and designed for and intended to be occupied as living quarters by three or more families living independently of each other.

“Dwelling, single-family” is a building designed for and intended to be occupied as living quarters by one family.

“Dwelling, two-family” means a building containing not more than two kitchens and designed and used to house not more than two families living independently of each other. [Ord. 632-91 §§ 6.26 – 6.33, 10-22-91].

18.25.050 E definitions.

“Easement” means a recorded right or interest in the land of another, which entitles a holder thereof to a use, privilege, or benefit of said land. [Ord. 632-91 § 6.34, 10-22-91].

“Emergency Shelter” Emergency shelter means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. Such a facility may have individual rooms, but is not developed with individual dwelling units, with the exception of a manager’s unit. No individual or household may be denied emergency shelter because of an inability to pay.

“Employee Housing” Housing consisting of no more than 36 beds in a group quarters or 36 units or spaces designed for use by a single household.

18.25.060 F definitions.

“Family” is one or more persons related by blood, marriage, legal adoption, or legal guardianship or a group not exceeding six unrelated persons living together as a single housekeeping unit sharing common housekeeping facilities.

“Family day care center” refers to any facility which provides to more than 12 persons nonmedical care on a less than 24-hour basis.

“Family day care home” means an occupied residence in which a person living at the residence provides day care for 12 or fewer children (including those residing at the subject location) on a less than 24-hour basis.

“Fill” means a deposit of earth or other material by artificial means.

“Flood” means a general and temporary condition of a partial or complete inundation of normally dry lands as a result of unusual and rapid accumulation of surface waters from any source.

“Floodplain” means the area subject to inundation by the 100-year or base flood.

“Floodway” means the channel of a river or other waterways and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“Floor area” means the total of the gross horizontal areas of all floors including usable basements and cellars below the roof and within exterior walls of principal or accessory buildings.

“Frontage” means the length of any property line of a lot which abuts a legally accessible street right-of-way. [Ord. 632-91 §§ 6.35 – 6.43, 10-22-91].

18.25.070 G definitions.

“Garage, commercial” is a building, other than a private garage, used for the parking, repair, or servicing of motor vehicles.

“Garage, private” is an accessory building or portion of a main building designed and/or used only for the shelter or storage of vehicles by the occupants of the dwelling on the same lot. A garage must be a building with a roof supported by walls.

“Garage, public” is designed and/or used on a commercial basis for the storage only of vehicles.

“Grade, finished” means the finished surface of the ground after grading for development.

“Grade, natural” means the surface of ground prior to grading for development.

“Greenhouse” means a facility for the indoor propagation of plants, constructed with transparent or translucent panels.

“Group dwelling” means a group of more than five persons not constituting a family sharing a nonprofit, single dwelling unit and common housekeeping facilities.

“Guest house” means a detached accessory building which does not contain kitchen facilities and which is designed for use by nonpaying transient visitors to the occupants of the residence on the lot. [Ord. 632-91 §§ 6.44 – 6.51, 10-22-91].

18.25.080 H definitions.

“Home occupation” means an accessory use of a nonresidential nature which is performed within a legal structure on the lot, by an occupant of the dwelling unit, and which is clearly incidental and secondary to the residential use of the property. Home occupations are subject to the home occupation regulations.

“Hospital” means an institution which specializes in giving clinical, temporary and emergency services of a medical or surgical nature to injured persons and which operates 24-hour inpatient services. Any hospital must be licensed by the State Department of Health.

“Hotel” is any building or portion thereof containing six or more guest rooms intended or designed to be hired out for compensation and to be occupied by six or more guests. This definition shall include hotels, lodging and rooming houses, dormitories, Turkish baths, bachelor hotels, studio hotels, public and private clubs and any such building of any nature whatsoever so occupied, designed, or intended to be so occupied, except jails, hospitals, asylums, sanitariums, orphanages, detention homes and similar buildings where human beings are housed or detained under legal restraint. [Ord. 632-91 §§ 6.53 – 6.55, 10-22-91].

18.25.090 I definitions.

Reserved.

18.25.100 J definitions.

“Junkyard” is any area of 200 square feet or more used for the storage of junk or scrap materials or for the wrecking or dismantling of automobiles or other vehicles or machinery. This definition includes wrecking yards. [Ord. 632-91 § 6.56, 10-22-91].

18.25.110 K definitions.

“Kennel” means any premises where five or more small domestic animals, not sick or injured, are boarded for compensation or cared for or trained or kept for sale or breeding purposes.

“Key lot” is an interior lot, a side lot line of which is all or part of the rear lot line of an adjoining corner lot. [Ord. 632-91 §§ 6.57, 6.58, 10-22-91].

18.25.120 L definitions.

“Loading space” means an area, other than a street or an alley, on the same lot with a building or group of buildings, which is permanently reserved for the temporary parking of commercial vehicles while loading and unloading merchandise or materials.

“Lodging house” is a building or portion thereof, other than a hotel, where regular meals for three or more persons are provided for compensation or profit.

“Lot” is a parcel of land used or capable of being used under the regulations of this title and including both the building site and all required yards and other open spaces and frontage as defined in this chapter.

Except as otherwise provided, a lot having an area, frontage, width or depth less than the minimum prescribed for the zone in which the lot is located, as depicted on a subdivision map duly approved and recorded prior to adoption of the ordinance codified in this title, may be used for any use permitted in the zone, but shall be subject to all other standards for the zone in which the lot is located.

“Lot, corner” is a lot located at the junction of two or more intersecting streets, with a boundary line thereof bordering on each of such streets. The shortest such street frontage shall constitute the front of the lot.

“Lot coverage” means the percentage of lot size covered by any structure excluding structures not extending above grade.

“Lot depth” means the horizontal distance between the rear lot line and the front lot line, measured back from the midpoint of the side lot lines.

Lot, Key. See “Key lot.”

“Lot line” means any property line bounding a lot. [Ord. 632-91 §§ 6.59 - 6.65, 10-22-91].

18.25.130 M definitions.

“**Manufactured home,**” for purposes of this title, means **a structure that was constructed on or after June 15, 1980, is transportable in one or more sections, is eight body feet or more in width or 40 body feet or greater in length in the traveling mode or when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.**

“Manufactured home” does not include trailer, travel-trailer, camp trailer, trailer coach, house

car, automobile trailer or motor home. The term, as used in this title, is synonymous with the term "mobile home." This definition is not intended to supersede or conflict with the California Health and Safety Code Section 18007 definition of this term.

"Mobile home" means a vehicle other than a motor vehicle which is designed and equipped for human habitation and for being drawn by a motor vehicle and which exceeds eight feet in width or is 40 feet or greater in length and requires a special permit or chauffeur's license or both to be moved upon public highways. "Mobile home" does not include trailer, travel-trailer, camp trailer, trailer coach, house car, automobile trailer, or motor home.

"Mobile home park" means a lot or a parcel of land where mobile home sites are rented or leased or offered for rent or lease for the accommodation of two or more mobile homes.

"Motel" means a building or group of buildings comprising individual living quarters or dwelling units for accommodation of transient guests, which is designed so that parking is on the same building site. This definition includes auto court, tourist court, and motor hotel but does not include accommodations for mobile homes or trailers. [Ord. 632-91 §§ 6.66 – 6.69, 10-22-91].

18.25.140 N definitions.

"Nonconforming building or use" is a building or use which was lawfully existing at the time provisions of this title became effective and thereby created a situation in which the building or use is in nonconformity with any such provisions. [Ord. 632-91 § 6.70, 10-22-91].

18.25.150 O definitions.

"Open space, minimum" means the percentage of lot area which must be maintained in grass or other living vegetation.

"Outdoor advertising" is any outdoor display of advertising material in any form upon any physical structure or natural object. [Ord. 632-91 §§ 6.71, 6.72, 10-22-91].

18.25.160 P definitions.

"Parking lot" is an area of land, a yard, or other open space on a lot used for or designed for use by standing motor vehicles.

"Parking space" means an un-obstructive space or area other than a street or alley which is permanently reserved and maintained for the parking of the motor vehicle.

"Path" means a dedicated public way intended for pedestrian movement.

"Permit" means any license, certificate, approval or other entitlement for use granted or denied by any public agency.

"Planned development" is a development which encourages design flexibility by resulting in a comprehensive development equal to or better than a traditional "lot by lot" land use development.

"Public utility" means a company or corporation regulated by the California Public Utilities Commission. [Ord. 632-91 §§ 6.73 – 6.78, 10-22-91].

18.25.170 Q definitions.

Reserved.

18.25.180 R definitions.

"Recreational vehicle" means a motor home, travel trailer, truck camper or camping trailer with or without native power, designed for human habitation for recreational or emergency

occupancy, with a living area less than 320 square feet excluding built-in equipment such as closets, cabinets, kitchen units, bath and toilet rooms.

“Right-of-way” means an area or strip of land either public or private on which an irrevocable right of passage has been recorded for the use of vehicles and/or pedestrians.

“Rooming house” is a building or portion thereof, other than a hotel, where regular meals for three or more persons are provided for compensation or profit. [Ord. 632-91 §§ 6.79 – 6.81, 10-22-91].

Residential care facility” or “assisted living development” means facilities providing meals/food service, social and personal care and transportation, twenty-four-hour supervision or monitoring for children, the elderly, and people whether or not related, with limited ability for self-care, but where medical care is not a major element. Includes children's homes, transitional houses, orphanages, rehabilitation centers, self-help group homes.

18.25.190 S definitions.

“Second dwelling unit” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons, on the same parcel as a legal single-family residence, including permanent provisions for living, sleeping, eating, cooking and sanitation. A second dwelling unit also includes manufactured homes, as defined in Section 18007 of the Health and Safety code, and efficiency units, as defined in Section 17958.1 of Health and Safety Code

“Service station” means a place which provides for the servicing, washing, and fueling of motor vehicles, including minor automobile repairs, and sales of merchandise incidental thereto.

“Setback” means a required specified distance between buildings or structures or structures and a lot line(s), measured perpendicular to a horizontal plane extending across the complete length of the lot line(s).

Setback, Front, Rear, Side. See “Yard.”

“Setback line” is a line established by this title to govern the placement of buildings with respect to streets and alleys.

“Sign” means a structure, whether located inside or outside a building, with the primary purpose of conveying an idea, advertisement, endorsement, identification, or information by means of visual symbols, letter, illustration, or any other means of directing attention or communication. A sign includes display surfaces together with such improvements as are utilized in supporting, maintaining, and illuminating the display surfaces and is subject to the sign regulations.

“Single Room Occupancy (SRO)” –means a type of residential hotel offering one-room units for long-term occupancy by one or two people. The unit may have a kitchen or bath facilities, but not both in the same room.

“Stable, commercial” is a stable for horses to be let, hired, or used on a commercial basis.

“Stable, private” is a stable for horses to be used by the owners thereof.

“Storage container” means a building measuring 120 square feet or larger, typically consisting of a prefabricated storage or shipping container, fully enclosed, and including units designed to serve as commercial shipping containers, truck trailers or boxes.

“Street” is a public or permanent private way 40 feet or more in width which affords a primary means of access to property.

“Structural alteration” is any change in the supporting members of a building, as bearing walls, columns, beams or girders and floor joints, ceiling joists or roof rafters.

“Structure” is anything constructed or erected upon the ground or attached to a structure having location on the ground.

“Subdivision” is a division of land as defined in Government Code Section 66424 of the Subdivision Map Act. [Ord. 685-09 § 1, 8-11-09; Ord. 632-91 §§ 6.82 – 6.92, 10-22-91].

“Supportive Housing”: Housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite supportive services that assist the housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

18.25.200 T definitions.

“Tourist court” is any building or portion thereof containing six or more guest rooms intended or designed to be hired out for compensation and to be occupied by six or more guests. This definition shall include hotels, lodging and rooming houses, dormitories, Turkish baths, bachelor hotels, studio hotels, public and private clubs, and any such building of any nature whatsoever so occupied, designed, or intended to be so occupied, except jails, hospitals, asylums, sanitariums, orphanages, detention homes, and similar buildings where human beings are housed or detained under legal restraint.

“Trailer” is any vehicle without motive power or designed to be drawn by a motor vehicle and to be used in such a manner as to permit temporary occupancy thereof as sleeping quarters, or the conduct of any business, trade or occupation, or use as a selling or advertising device, or use for the storage or conveyance of tools, equipment or machinery, and so designed that it is mounted on wheels and may be used as a conveyance on highways and streets. “Trailer” shall include the terms “camp trailer,” “trailer coach,” “automobile trailer,” and “house trailer,” except when “house trailer” falls within the definition of “mobile home.” For the purpose of this title trailers shall be considered structures when such trailers are parked in mobile home parks or trailer camps and are used on such sites for human habitation, offices, wash houses, storage, or similar auxiliary services necessary to the human habitation of the court or camp. “Trailer” shall include “recreational vehicle” which is defined in Section 18010 of the California Health and Safety Code as follows:

A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy with a living area less than 320 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

“Trailer court” is any area or tract of land which is rented or held out for rent for one or more trailers of the camping, weekend, or temporary occupancy-during-vacation type of use. As distinguished from a mobile home park, a trailer camp is usually located in or adjacent to a recreation or resort facility and is primarily designed to serve as a seasonal facility or as a place of temporary residence for persons who have a permanent residence established elsewhere.

“Transitional Housing” Transitional housing means housing which provides temporary housing, often with supportive services, to formerly homeless persons for a period that is typically between six months and two years.

“Travel trailer” means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 320 square feet excluding built-in equipment such as closets, cabinets, kitchen units, bath and toilet rooms. [Ord. 632-91 §§ 6.93 – 6.96, 10-22-91].

18.25.210 U definitions.

“Use” means the purpose for which land, a building, or a structure is occupied, arranged, designed, or intended or for which it is or may be occupied and maintained.

“Use, principal permitted” means the specific and primary use of land or a main building which is compatible with the purpose of the zone and which is permitted in the zone. [Ord. 632-91 §§ 6.97, 6.98, 10-22-91].

18.25.220 V definitions.

Reserved.

18.25.230 W definitions.

Reserved.

18.25.240 X definitions.

Reserved.

18.25.250 Y definitions.

“Yard” is the land unoccupied or unobstructed, except for such encroachments as may be permitted by this title, surrounding a building site.

“Yard, front” is a yard extending across the full width of the lot measured between the street line (of the lot line connected to a street by legal access) and the nearest line of the main building or enclosed or covered porch. The front yard of a corner lot is the yard adjacent to the shorter street frontage.

“Yard, rear” is a yard extending between the side yards of the lot and measured between the rear line of the lot and the rear line of the main building or enclosed or covered porch nearest the rear line of the lot.

“Yard, side” is a yard on either side of the lot extending from the front yard to the rear lot line, the width of each yard measured between the sideline of the lot and the nearest part of the main building or enclosed porch. [Ord. 632-91 §§ 6.99 – 6.102, 10-22-91].

18.25.260 Z definitions.

“Zone” means a mapped portion of the city to which a uniform set of regulations applies. [Ord. 632-91 § 6.103, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. ____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the _____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the _____ day of _____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.30.020 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT
OF THE WILLOWS MUNICIPAL CODE PERMITTING MANUFACTURED HOMES,
RESIDENTIAL CARE FACILITIES AND TRANSITIONAL AND SUPPORTIVE
HOUSING**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.30.020 (R-1 Single-Family Residential District) (Permitted Uses) of the Willows Municipal Code specifically Section 18.35.020(1), permitting manufactured homes, adding Section 18.30.020(6) allowing residential care facilities, and adding Section 18.30.020(7) allowing Transitional and Supportive Housing, which is hereby amended to read as follows:

Sections:

- 18.30.010 Purpose.
- 18.30.020 Permitted uses.
- 18.30.030 Uses permitted with a conditional use permit.
- 18.30.040 Other regulations.

18.30.010 Purpose.

The single-family residential or R-1 district is intended to be applied in areas of the city which are desirable for low-density residential development. The following regulations shall apply in all R-1 zones. [Ord. 632-91 § 11.01, 10-22-91].

18.30.020 Permitted uses.

The following uses and structures are permitted in the R-1 district:

- (1) One single-family residence including manufactured homes, private garages, accessory buildings and uses.
- (2) Agriculture, horticulture, gardening, and keeping of animals as permitted by city ordinance but not including stands or structures for the sale of agricultural or nursery products.
- (3) Underground utility installations and aboveground utility installations for local service except that substations, generating plants, public utility communication buildings, and gas holders must be approved by the planning commission prior to construction. The route of any proposed transmission line shall be discussed with the planning commission prior to acquisition.
- (4) Rooming and boarding of not more than two persons.
- (5) Family day care homes serving 12 or fewer children exclusive of children who reside at the home. [Ord. 632-91 § 11.02, 10-22-91]

(6) Residential care facilities in accordance with Health and Safety code section 1267.8, 1566.3, and 1568.08. (serving six or fewer persons)

(7) Transitional and Supportive Housing as defined in Health and Safety Code Sections 50675.2 and 50675.14.

18.30.030 Uses permitted with a conditional use permit.

The following uses and structures may be permitted in the R-1 district only if a conditional use permit has first been secured:

- (1) Private and religious schools, nursery schools and family day care centers providing services to more than 12 children.
- (2) Churches and home occupations.
- (3) Golf and country clubs.
- (4) Temporary real estate offices, tract sales offices and advertising signs, and tract construction and equipment yards.
- (5) Bed and breakfast establishments. [Ord. 632-91 § 11.03, 10-22-91].

18.30.040 Other regulations.

- (1) Minimum lot size: 6,000 square feet for interior lots; 7,500 square feet for corner lots.
- (2) Minimum lot width: 60 feet for interior lots; 75 feet for corner lots.
- (3) Maximum lot coverage: 40 percent of the lot area.
- (4) Minimum Yard Setback.
 - (a) Front yard: 25 feet.

(b) Side yard: six feet except the side yard on the street side of each corner lot shall not be less than 10 feet.

(c) Rear yard: 15 feet.

EXCEPTION: A garage that is not attached to and made a part of the main building shall not be closer than eight feet clear distance to the main building and shall be five feet from alley property line. A non garage accessory building shall be a minimum of three feet from the rear property line.

(5) Maximum building height: two and one-half stories not exceeding 30 feet. Non garage accessory buildings shall not exceed 12 feet in height without prior approval from the planning commission.

(6) Parking spaces required: see WMC 18.120.020. [Ord. 632-91 § 11.04, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. _____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the ____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the ____ day of ____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.35.020 R-2 TWO FAMILY RESIDENTIAL DISTRICT OF
THE WILLOWS MUNICIPAL CODE PERMITTING MANUFACTURED HOMES,
RESIDENTIAL CARE FACILITIES AND TRANSITIONAL AND SUPPORTIVE
HOUSING**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.35.020 (R-2 Two-Family Residential District) (Permitted Uses) of the Willows Municipal Code to amend Section 18.35.020(1) permitting manufactured homes, add Section 18.35.020(6) allowing residential care facilities, and add Section 18.35.020(7) allowing Transitional and Supportive Housing which is hereby amended to read as follows:

Sections:

- 18.35.010 Purpose.
- 18.35.020 Permitted uses.
- 18.35.030 Uses permitted with a conditional use permit.
- 18.35.040 Other regulations.

18.35.010 Purpose.

The two-family residential use or R-2 district is intended to allow mixed uses of residential types at a medium density. [Ord. 632-91 § 12.01, 10-22-91].

18.35.020 Permitted uses.

The following uses and structures are permitted in the R-2 district:

- (1) One- or two-family dwellings, manufactured homes including private garages, accessory buildings and uses.
- (2) Agriculture, horticulture, gardening, keeping of animals as permitted by city ordinance but not including stands or structures for the sale of agricultural or nursery products.
- (3) Underground utility installations and aboveground utility installations for local service except that substations, generating plants, public utility communication buildings, and gas holders must be approved by the planning commission prior to construction. The route of any proposed transmission line shall be discussed with the planning commission prior to acquisition.
- (4) Rooming and boarding of not more than two persons.
- (5) Family day care homes serving 12 or fewer children exclusive of children who reside at the home. [Ord. 632-91 § 12.02, 10-22-91].
- (6) Residential care facilities in accordance with Health and Safety code section 1267.8, 1566.3, and 1568.08. (serving six or fewer persons)
- (7) Transitional and Supportive Housing as defined in Health and Safety code sections 50675.2 and 50675.14.

18.35.030 Uses permitted with a conditional use permit.

The following uses and structures may be permitted in the R-2 district only if a conditional use permit has first been secured:

- (1) Private and religious schools, nursery schools, and family day care centers providing services to more than 12 children.
- (2) Churches and home occupations.
- (3) Golf and country clubs.
- (4) Temporary real estate offices, tract sales offices and advertising signs, and tract construction and equipment yards.
- (5) Bed and breakfast establishments. [Ord. 632-91 § 12.03, 10-22-91].

18.35.040 Other regulations.

- (1) Minimum lot size: 6,000 square feet for interior lots; 7,500 square feet for corner lots.
- (2) Minimum lot width: 60 feet for interior lots; 75 feet for corner lots.
- (3) Maximum lot coverage: 45 percent of the lot area.
- (4) Minimum Yard Setback.
 - (a) Front yard: 25 feet.
 - (b) Side yard: six feet except the side yard on the street side of each corner lot shall not be less than 10 feet.
 - (c) Rear yard: 15 feet.

EXCEPTION: A garage that is not attached to and made a part of the main building shall not be closer than eight feet clear distance to the main building and shall be five feet from alley property line. A non garage accessory building shall be a minimum of three feet from the rear property line.

(5) Maximum building height: two and one-half stories not exceeding 30 feet. Non garage accessory buildings shall not exceed 12 feet in height without prior approval of the planning commission.

(6) Parking spaces required: see WMC 18.120.020. [Ord. 632-91 § 12.04, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. _____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful,

unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. *Judicial Review.* The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. *Effective Date.* This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. *Posting.* The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the ____ day of ____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the ____ day of ____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.40.020 R-3 HIGH DENSITY RESIDENTIAL DISTRICT OF
THE WILLOWS MUNICIPAL CODE PERMITTING SINGLE ROOM OCCUPANCY
UNITS (SRO) DWELLINGS**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.40.020 (R-3 High Density Residential District) (Permitted Uses) of the Willows Municipal Code specifically Section 18.40.020(2) permitting Single-Room Occupancy Units (SRO) which is hereby amended to read as follows:

Sections:

- 18.40.010 Purpose.
- 18.40.020 Permitted uses.
- 18.40.030 Uses permitted with a conditional use permit.
- 18.40.040 Other regulations

18.40.010 Purpose.

The high density residential or R-3 district is intended to provide areas for high density residential living in accordance with the general plan and to minimize the impact of multiple-family projects on adjacent developments. [Ord. 632-91 § 13.01, 10-22-91].

18.40.020 Permitted uses.

The following uses and structures are permitted in the R-3 district:

- (1) Uses permitted in an R-2 district as set forth in WMC 18.35.020.
- (2) **Group dwellings, multiple-family dwellings and apartments, boarding and lodging houses and Single-Room Occupancy (SRO) Units**
- (3) Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use. [Ord. 632-91 § 13.02, 10-22-91].

18.40.030 Uses permitted with a conditional use permit.

The following uses and structures may be permitted in the R-3 district only if a conditional use permit has first been secured:

- (1) Uses permitted in R-2 district as set forth in WMC 18.35.030.
- (2) Nursing and group care homes.
- (3) Private schools.
- (4) Hospitals.
- (5) Other uses which the planning commission finds are similar to the above. [Ord. 632-91 § 13.03, 10-22-91].

18.40.040 Other regulations.

NOTE: Lot development requirements for single-family and two-family uses shall conform with the regulations set forth in WMC 18.30.040 and 18.35.040.

(1) Minimum lot area: 6,000 square feet for interior lots; 7,500 square feet for corner lots. Not less than 3,000 square feet for each dwelling unit, with a maximum density of 14 units per acre.

(2) Minimum lot width: 60 feet for interior lots, 75 feet for corner lots.

(3) Maximum main building coverage: 55 percent of lot area.

(4) Minimum open space: 30 percent of the lot shall be landscaped open space except that the surface area of a pool or uncovered patio can be included as open space.

(5) Minimum Yard Setbacks.

(a) Front yard: 25 feet.

(b) Side yard: six feet except the side yard on the street side of each corner lot shall not be less than 10 feet. A zero side yard is permitted when two or more adjacent lots are developed as a unit and the opposite yard is a minimum of 10 feet. If the yard abuts an R-1 or R-2 district each story over the first requires an additional five-foot setback.

(c) Rear yard: 15 feet. If the yard abuts an R-1 or R-2 district, each story over the first requires a five-foot additional setback.

(6) Minimum distance between buildings: 10 feet.

(a) Group dwellings in a single row "side to side" series facing a side lot line: side yards to the rear of buildings, eight feet; side yards in front of buildings, 14 feet.

(b) Group dwellings in a double row "side to side" series facing a central court: side yards to the rear of buildings, eight feet; width of central court, 24 feet; distance between buildings, 10 feet.

(c) The rear yard on a lot on which a dwelling group is constructed may be reduced to not less than 12 feet. No building in a group dwelling development shall have the rear thereof abutting upon a street.

(7) Maximum Building Height. For main buildings, 30 feet without a use permit and 50 feet with an approved use permit. Accessory buildings are 25 feet.

(8) Minimum Parking. Off-street parking shall be provided in an amount in accordance with the regulations of Chapter 18.120 WMC.

(9) Landscaping. Landscaping shall be provided according to design review standards. [Ord. 632-91 § 13.04, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendment and adoption of Ordinance No. ____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the

environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. *Severability.* Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. *Judicial Review.* The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. *Effective Date.* This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. *Posting.* The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the _____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the _____ day of _____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.45 R-P MULTIPLE RESIDENCE PROFESSIONAL OFFICE
DISTRICT OF THE WILLOWS MUNICIPAL CODE OF THE CITY OF WILLOWS
ADDING SECTION 18.45.020(3)**

SECTION 1. The City Council does hereby amend Chapter 18.45 R-P (Multiple Residence Professional Office District), (Permitted Uses) of the Willows Municipal Code to add Section 18.45.020(3) allowing Transitional and Supportive Housing, which Code is hereby amended to read as follows:

**Chapter 18.45
R-P MULTIPLE RESIDENCE-PROFESSIONAL OFFICE DISTRICT**

Sections:

- 18.45.010 Purpose.
- 18.45.020 Permitted uses.
- 18.45.030 Uses permitted with a conditional use permit.
- 18.45.040 Other regulations.

18.45.010 Purpose.

The multiple residence-professional office or R-P district is intended to reserve areas appropriate for mixed residential uses and promote the development of professional offices in areas located next to commercial districts. [Ord. 632-91 § 14.01, 10-22-91].

18.45.020 Permitted uses.

The following uses and structures are permitted in the R-P district:

- (1) Uses permitted in the R-3 district as set forth in WMC 18.40.020.
- (2) Offices occupied by accountants, architects, dentists, physicians, engineers, attorneys, counselors, drugless practitioners, electrologists, geologists, optometrists, and psychologists. [Ord. 632-91 § 14.02, 10-22-91].

(3) Transitional and Supportive Housing as defined in Health and Safety code sections 50675.2 and 50675.14

18.45.030 Uses permitted with a conditional use permit.

The following uses and structures are permitted in the R-P district only if a conditional use permit has first been secured:

- (1) Uses permitted in the R-3 district as set forth in WMC 18.40.030.
- (2) Offices for other professions the planning commission determines are similar to the offices occupied by accountants, architects, dentists, physicians, engineers, attorneys, drugless practitioners, electrologists, geologists, optometrists, and psychologists. [Ord. 664-00 § 14.03, 6-27-00; Ord. 632-91 § 14.03, 10-22-91].

18.45.040 Other regulations.

NOTE: Lot development requirements for single-family and two-family uses shall conform with the regulations set forth in WMC 18.30.040 and 18.35.040.

(1) Minimum lot area: 6,000 square feet for interior lots; 7,500 square feet for corner lots. Not less than 3,000 square feet for each dwelling unit, with a maximum density of 14 units per acre.

(2) Minimum lot width: 60 feet for interior lots, 75 feet for corner lots.

(3) Maximum main building coverage: 55 percent of lot area.

(4) Minimum open space: 30 percent of the lot shall be landscaped open space except that the surface area of a pool or uncovered patio can be included as open space.

(5) Minimum Yard Setbacks.

(a) Front yard: 25 feet.

(b) Side yard: six feet except the side yard on the street side of each corner lot shall not be less than 10 feet. A zero side yard is permitted when two or more adjacent lots are developed as a unit and the opposite yard is a minimum of 10 feet. If the yard abuts an R-1 or R-2 district each story over the first requires an additional five-foot setback.

(c) Rear yard: 15 feet. If the yard abuts an R-1 or R-2 district, each story over the first requires a five-foot additional setback.

(6) Minimum distance between buildings: 10 feet.

(a) Group dwellings in a single row "side to side" series facing a side lot line: side yards to the rear of buildings, eight feet; side yards in front of buildings, 14 feet.

(b) Group dwellings in a double row "side to side" series facing a central court: side yards to the rear of buildings, eight feet; width of central court, 24 feet; distance between buildings, 10 feet.

(c) The rear yard on a lot on which a dwelling group is constructed may be reduced to not less than 12 feet. No building in a group dwelling development shall have the rear thereof abutting upon a street.

(7) Maximum Building Height. For main buildings, 30 feet without a use permit and 50 feet with an approved use permit. Accessory buildings are 25 feet.

(8) Minimum Parking. Off-street parking shall be provided in an amount in accordance with the regulations of Chapter 18.120 WMC.

(9) Landscaping. Landscaping shall be provided according to design review standards. [Ord. 632-91 § 14.04, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. ____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the

environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the _____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the _____ day of _____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
REPEALING SECTION 18.55.030(16), AND AMENDING CHAPTER 18.55.020(13)
(PERMITTED USES) (CC) CENTRAL COMMERCIAL DISTRICT OF THE WILLOWS
MUNICIPAL CODE AND ADDING SECTION 18.55.020(18) PERMITTING
RESIDENCES, BOARDINGHOUSES AND GROUP DWELLINGS**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby repeal Section 18.55.030(16); amend Chapter 18.55.020(13) (Central Commercial District), (Permitted Uses) of the Willows Municipal Code to modify the not to exceed amount of sign square footage, and add Chapter 18.55.020(18) to allow residences, boardinghouses and group dwellings, which Code is hereby amended to read as follows:

Sections:

- 18.55.010 Purpose.
- 18.55.020 Permitted uses.
- 18.55.030 Uses permitted with a conditional use permit.
- 18.55.040 Prohibited uses.
- 18.55.050 Other regulations.
- 18.55.060 Parking exemption for sites in the downtown area.

18.55.010 Purpose.

The central commercial or CC district is to be applied in the established central business district or similar areas where there is or will be a concentration of retail sales and service uses within a defined commercial center attractive to pedestrian shoppers. New residential uses are permitted, subject to regulations contained within this chapter. [Ord. 676-07 § 1(15.01), 8-28-07; Ord. 664-00 § 15.01, 6-27-00; Ord. 632-91 § 15.01, 10-22-91].

18.55.020 Permitted uses.

The following uses and structures are permitted in the CC district:

- (1) Banks, business offices, food, hardware, variety, department, drug, jewelry, clothing stores, and general retail establishments.
- (2) Music and dance studios.
- (3) Blueprint shops and photographic stores.
- (4) Cafes, restaurants, and catering shops.
- (5) Art and antique shops, pawnshops, and florists.
- (6) Newspapers and commercial printing shops, and repair shops.
- (7) Laundries.
- (8) Barber shops and beauty parlors.
- (9) Libraries.
- (10) Movie theaters.

- (11) Museums and galleries.
- (12) Bakeries, including only retail sales on the premises and baking to supply not more than three retail outlets.
- (13) Outdoor advertising signs and structures pertaining to the use or operation on the site and not exceeding 1.5 square feet of sign per linear foot of site frontage.
- (14) Professional offices, studios, and clinics.
- (15) Public utility offices, substations, communications equipment buildings and related structures and uses unless a conditional use permit is required for such uses by other provisions of this title.
- (16) Incidental storage when contained within an enclosed building and when it is clearly incidental to and integral to the operation of the primary business.
- (17) Other uses, which, in the opinion of the planning commission, are similar to those uses listed above. [Ord. 676-07 § 1(15.02), 8-28-07; Ord. 664-00 § 15.02, 6-27-00; Ord. 632-91 § 15.02, 10-22-91].
- (18) Residences, boardinghouses, and group dwellings; provided, that residential units and quarters occupy only the second story or higher of structures whose first stories contain nonresidential uses, either permitted or permitted by conditional use permits in the CC district.

18.55.030 Uses permitted with a conditional use permit.

The following uses and structures are permitted in the CC district only if a conditional use permit has first been secured:

- (1) Pet shops and veterinary offices.
- (2) Mortuaries and funeral parlors.
- (3) Bars and cocktail lounges.
- (4) Private and public parking lots.
- (5) Private schools and business colleges.
- (6) Public schools and colleges.
- (7) Martial arts and exercise studios.
- (8) Health clubs.
- (9) Outside sales and transient or mobile business operations.
- (10) New and used automobile sales, automotive rental establishments and automotive repair; provided, that these uses are located on properties fronting on Tehama Street.
- (11) Mini-markets without gasoline sales.
- (12) Hotels, motels, and similar lodging facilities.
- (13) Bed and breakfast establishments.
- (14) Churches.
- (15) Civic clubs.
- (16) **Reserved.**
- (17) Accessory uses, including repair operations and services. Such services shall be clearly incidental to the sale of products at retail on the premises, shall not employ more than five persons excluding sales personnel, and shall be placed and constructed so as not to be offensive or objectionable because of odor, dust, smoke, noise, or vibration.
- (18) Other uses, which, in the opinion of the planning commission, are similar to those uses listed above.
- (19) Uses and structures with drive-through windows. [Ord. 676-07 § 1(15.03), 8-28-07; Ord. 664-00 § 15.03, 6-27-00; Ord. 632-91 § 15.03, 10-22-91].

18.55.040 Prohibited uses.

- (1) Uses permitted in the ML district, as set forth in WMC 18.70.020(2) et seq.
- (2) Uses permitted in the MH district, as set forth in WMC 18.75.020(2) et seq.
- (3) Freestanding or ground-mounted telecommunications antennas, towers and related equipment intended for commercial uses. [Ord. 676-07 § 1(15.04), 8-28-07; Ord. 664-00 § 15.04, 6-27-00; Ord. 632-91 § 15.04, 10-22-91].

18.55.050 Other regulations.

- (1) Minimum lot area: 1,000 square feet.
- (2) Minimum Yard Requirements.
 - (a) Front: none.
 - (b) Side: none.
 - (c) Rear: none.
- (3) Maximum building height: 50 feet.
- (4) Loading Area. Private off-street space for handling all materials and equipment shall be provided.

(5) Parking. Off-street parking shall be provided in an amount in accordance with the regulations of Chapter 18.120 WMC. However, the planning commission may, through a conditional use permit, reduce or waive off-street parking requirements if the planning commission adopts findings that (a) imposition of the off-street parking requirements of Chapter 18.120 WMC would require an excessive area be devoted to accessory land uses, to the detriment of productive building coverage desired in the downtown area and (b) sufficient on-street parking and/or public off-street parking exists within reasonable walking distance. [Ord. 676-07 § 1(15.05), 8-28-07; Ord. 664-00 § 15.04, 6-27-00; Ord. 632-91 § 15.05, 10-22-91].

18.55.060 Parking exemption for sites in the downtown area.

Uses and structures located within the downtown area, as defined within the CC central commercial zoning district, specifically the downtown parking exemption district area of Butte Street, Tehama Street, and Shasta Street, specifically from Laurel Street to Wood Street as defined by the map contained in WMC 18.120.060 designating the downtown parking exemption zone, are not required to provide on-site parking as normally required by this chapter and Chapter 18.120 WMC, since new parking will be largely accommodated by existing on-street parking. Two parking spaces per new residential unit within the central business district as defined by the CC central commercial district shall be provided. The parking requirements for all other uses shall be determined by the city manager. However, the city manager shall refer any request to the planning commission when design review is required.

No existing city-required parking spaces in place as of the effective date of the ordinance codified in this chapter shall be removed within the downtown area. [Ord. 676-07 § 1(15.06), 8-28-07; Ord. 632-91 § 15.06, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. ____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the _____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the _____ day of _____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.60.020 (CG) GENERAL COMMERCIAL DISTRICT OF
THE WILLOWS MUNICIPAL CODE OF THE CITY OF WILLOWS PERMITTING
RESIDENCES, BOARDINGHOUSES AND GROUP DWELLINGS AND ALLOWING
EMERGENCY SHELTERS WITH FIFTY BEDS OR LESS; AMENDING CHAPTER
18.60.030 ALLOWING EMERGENCY SHELTERS OVER FIFTY BEDS**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.60.020 (General Commercial District) (Permitted Uses) of the Willows Municipal Code to add Section 18.60.020(7) permitting residences, boardinghouses and group dwellings, and add 18.60.020(8) (Permitted Uses) allowing Emergency Shelters up to 50 beds, and add Section 18.60.030(10) (Uses permitted with a conditional use permit) to allow Emergency Shelters, fifty beds or more, which Code is hereby amended to read as follows:

Sections:

- 18.60.010 Purpose.
- 18.60.020 Permitted uses.
- 18.60.030 Uses permitted with a conditional use permit.
- 18.60.040 Other regulations

18.60.010 Purpose.

The general commercial or CG district is intended to be applied in areas where commercial facilities are necessary for public service and convenience. [Ord. 632-91 § 16.01, 10-22-91].

18.60.020 Permitted uses.

The following uses and structures are permitted in the CG district:

- (1) Uses permitted in the CC district as set forth in WMC 18.55.020.
- (2) Pet shops and veterinarian offices.
- (3) Mortuaries and funeral parlors.
- (4) Private schools and business colleges.
- (5) Commercial parking lots and parking garages.
- (6) Automobile service stations. [Ord. 632-91 § 16.02, 10-22-91].

(7) Residences, boardinghouses, and group dwellings; provided, that residential units and quarters occupy only the second story or higher of structures whose first stories contain nonresidential uses, either permitted or permitted by conditional use permits in the CG district.

(8) Emergency Shelters (up to fifty (50) beds) subject to development and managerial standards per Section 18.110.111

18.60.030 Uses permitted with a conditional use permit.

The following uses and structures may be permitted in the CG district only if a conditional use permit has first been secured:

- (1) All uses permitted in any residential zones.
- (2) Boardinghouses, group dwellings, and churches.
- (3) Bars and cocktail lounges.
- (4) Adult businesses.
- (5) Major automobile and equipment repair service stations.
- (6) Automobile and equipment sales and service including used car lots.
- (7) Wholesale distribution uses and warehouses.
- (8) Hotels, motels, hospitals, sanitariums, and rest homes.
- (9) Other commercial uses in the opinion of the planning commission which are of similar nature to those uses listed above. [Ord. 632-91 § 16.03, 10-22-91].
- (10) Emergency Shelters (fifty (50) beds or more subject to development and managerial standards per Section 18.110.111.**

18.60.040 Other regulations.

(1) Commercial Uses.

(a) Minimum lot area: 5,000 square feet.

(b) Minimum Yard Requirements.

(i) Front: none.

(ii) Side: none.

(iii) Rear: 12 feet where accessible from street or alley for loading purposes. Building may project over rear yard area, providing 14 feet clear vertical distance from ground level is maintained. Building code and other regulations shall apply.

(c) Maximum building height: 35 feet. Additional height may be permitted if a use permit is secured in each case.

(d) Loading Space. Private off-street space for the handling of all materials and equipment.

(e) Minimum Parking. Off-street parking shall be provided in an amount in accordance with the regulations of Chapter 18.120 WMC.

(2) Residential Uses. Minimum lot area, front, side and rear setbacks, maximum building height, maximum lot coverage and parking requirements for residential uses permitted with a use permit shall be subject to the regulations of the residential zone(s) for which use is considered a principally permitted use. [Ord. 632-91 § 16.04, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. ____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the _____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the _____ day of _____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.85 AG AGRICULTURE GENERAL DISTRICT OF THE
WILLOWS MUNICIPAL CODE OF THE CITY OF WILLOWS PERMITTING
MANUFACTURED HOMES, TRANSITIONAL AND SUPPORTIVE HOUSING AND
EMPLOYEE HOUSING**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.85.020 Agriculture General District (Permitted Uses) of the Willows Municipal Code specifically Section 18.85.020(1) permitting manufactured homes; adding Section 18.85.020(5) permitting Transitional and Supportive Housing; and adding Section 18.85.020(6) permitting Employee Housing, which Code is hereby amended to read as follows:

**Chapter 18.85
AG AGRICULTURE GENERAL DISTRICT**

Sections:

- 18.85.010 Purpose.
- 18.85.020 Principal permitted uses.
- 18.85.030 Uses permitted with a conditional use permit.
- 18.85.040 Other regulations.

18.85.010 Purpose.

The agriculture general or AG district is intended to be applied in areas in which agriculture is the desirable predominant use, and rural residential uses are secondary. The following regulations shall apply in all AG districts. [Ord. 632-91 § 21.01, 10-22-91].

18.85.020 Principal permitted uses.

The following uses and structures are permitted in the AG district:

- (1) One single-family residence, including manufactured homes.
- (2) General agriculture which includes the cultivation of food and fiber such as field and tree crops, dairying, pasturage, tree farming, horticulture, floriculture, viticulture, apiaries and animal and poultry husbandry.
- (3) Accessory buildings such as barns, garages, carports, greenhouses, and garden sheds which are customarily used in conjunction with and incidental to a principal use or structure.
- (4) Windmills, tank houses, buildings or shelters for farm equipment and machinery, water wells, water reservoirs, and storage tanks. [Ord. 632-91 § 21.02, 10-22-91].

(5) Transitional and Supportive Housing as defined in Health and Safety code sections 50675.2 and 50675.14.

(6) Employee housing as defined by Health and Safety Code Section 17021.6

18.85.030 Uses permitted with a conditional use permit.

The following uses and structures may be permitted in the AG district only if a conditional use permit has first been secured:

- (1) Commercial storage and handling of agricultural chemicals.
- (2) Fertilizer manufacturing.
- (3) Commercial hog and pig farming.
- (4) Animal sales yards.
- (5) Commercial stables and riding academies.
- (6) Agricultural processing plants and facilities.
- (7) Animal processing plants and rendering plants.
- (8) Sales and services to farmers or farm-related activities.
- (9) Kennels, animal hospitals and veterinarian offices.
- (10) Injection wells, natural gas wells and commercial mineral extractions.
- (11) Stands for the purpose of displaying and selling agricultural, floricultural, or farming products which are grown or produced on the premises; provided, that there shall be no more than one stand per lot or parcel of land.
- (12) Any other use, in the opinion of the planning commission, which is suited to the agriculture general district and does not jeopardize the welfare of the community. [Ord. 632-91 § 21.03, 10-22-91].

18.85.040 Other regulations.

- (1) Minimum lot area: 40 acres.
 - (2) Minimum yard requirements: front and rear, 30 feet; side, 20 feet.
 - (3) Maximum ground coverage: 35 percent.
 - (4) Maximum building height: 35 feet.
- EXCEPTIONS: Water tanks, silos, granaries, barns, pole barns, electronic towers, antennas, and similar structures may exceed the 35-foot height, provided they do not exceed the airport height restrictions.
- (5) All stables, barns, sheds, shelters, paddocks, riding stables and exercise yards for animals shall be located not less than 100 feet from all property and street right-of-way lines.
 - (6) The distance between any accessory building other than automobile garages and a dwelling unit shall not be less than 30 feet. [Ord. 632-91 § 21.04, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. ____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. ____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the ____ day of ____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the ____ day of ____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADDING TO CHAPTER 18.110 (GENERAL PROVISIONS AND EXCEPTIONS) OF THE WILLOWS MUNICIPAL CODE SECTION 18.110.111 EMERGENCY SHELTER DEVELOPMENT AND MANAGERIAL STANDARDS, ADDING SECTION 18.110.112 SECOND DWELLING UNIT, ADDING SECTION 18.110.113 REQUESTS FOR REASONABLE ACCOMODATION REQUEST UNDER THE FAIR HOUSING ACTS WITH ALL OTHER TEXT TO REMAIN UNCHANGED

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

The City Council does hereby amend Chapter 18.110 (General Provisions and Exceptions) of the Willows Municipal Code specifically adding Section 18.110.111 regarding Emergency Shelter Development & Managerial Standards, adding Section 18.110.112 regarding Second Dwelling Unit, and adding Section 18.110.113, regarding Reasonable Accommodation Request under the Fair Housing Acts, which Code is hereby amended to read as follows:.

Sections:

- 18.110.010 Scope.
- 18.110.020 Accessory buildings.
- 18.110.030 Accessory uses.
- 18.110.040 Bed and breakfast.
- 18.110.050 Fences.
- 18.110.060 Height exceptions.
- 18.110.070 Home occupations.
- 18.110.080 Temporary use.
- 18.110.090 Nonconforming uses.
- 18.110.100 Yards.
- 18.110.110 Storage containers.
- 18.110.111 Emergency Shelter Development & Managerial Standards**
- 18.110.112 Second Dwelling Unit**
- 18.110.113 Reasonable Accommodation Request under the Fair Housing Acts**

18.110.010 Scope.

Each and every district shall be subject to the provisions of this chapter in addition to the requirements and regulations set out in each of the district regulations. [Ord. 680-08 § 1(7.01), 3-11-08; Ord. 632-91 § 7.01, 10-22-91].

18.110.020 Accessory buildings.

Accessory buildings conforming to the building code of the city of Willows shall be permitted as follows:

(1) Attached Accessory Building. An accessory structure may be attached to the main building; provided, that it shall be made structurally a part of and have a common wall with the main building and it shall comply with all other requirements, including setbacks, for main buildings.

(2) Detached Accessory Buildings. Detached accessory buildings shall be located as follows:

(a) To comply with side and front yard requirements for main buildings.

(b) Three feet from the rear property line, unless the property abuts an alley. If abutting an alley, no rear setback is required.

(c) Ten feet from any property line abutting a public street.

(3) Accessory building(s) shall not be erected in any R district, unless and until the main building is erected and occupied or until a use permit is first secured. [Ord. 680-08 § 1(7.02), 3-11-08; Ord. 632-91 § 7.02, 10-22-91].

18.110.030 Accessory uses.

Accessory uses as defined in WMC 18.25.010 shall be permitted as appurtenant to any permitted use without the necessity of securing an administrative use permit or use permit, unless particularly provided in this chapter. [Ord. 680-08 § 1(7.03), 3-11-08; Ord. 632-91 § 7.03, 10-22-91].

18.110.040 Bed and breakfast.

These regulations shall apply wherever the bed and breakfast use is permitted.

(1) A maximum of five guest bedrooms or 10 guests at one time shall be provided by a bed and breakfast establishment.

(2) The owner/operator shall reside on the property.

(3) Meals shall not be provided to other than guests of the establishment.

(4) All facilities shall meet with the health and safety regulations of the Glenn County health department. [Ord. 680-08 § 1(7.04), 3-11-08; Ord. 632-91 § 7.04, 10-22-91].

18.110.050 Fences.

(1) Fences shall not be placed or erected on public property unless an encroachment permit has been first obtained from the director of public works.

(2) In R districts, fences in side and rear yards may not exceed six feet in height and may not exceed three and one-half feet in front yards. [Ord. 680-08 § 1(7.05), 3-11-08; Ord. 632-91 § 7.05, 10-22-91].

18.110.060 Height exceptions.

Towers, spires, chimneys, machinery penthouses, scenery lofts, cupolas, water tanks, radio aerials, television antennas and similar architectural and utility structures and necessary mechanical appurtenances may be built and used to a height not more than 10 feet above the height limit established for the district in which the structures are located; provided, however, no such architectural or utility structure in excess of the allowable building height shall be used for sleeping or eating quarters or for any commercial advertising purposes. Additional heights for public utility structures may be permitted upon the approval of the planning commission. [Ord. 680-08 § 1(7.06), 3-11-08; Ord. 632-91 § 7.06, 10-22-91].

18.110.070 Home occupations.

A home occupation as defined in WMC 18.25.080 shall be permitted in any residence upon first securing a use permit only if all the following regulations can be met:

(1) Is confined completely within a legal structure and occupies not more than 25 percent of the floor space of a dwelling or 50 percent of that of an accessory building.

(2) Involves no sales of merchandise other than that produced on the premises or directly related to and incidental to the services offered.

(3) Is carried on by the member of the family occupying the dwelling with no other persons employed.

(4) Produces no evidence of its existence upon or beyond the premises such as external alteration creating nonresidential or unsightly appearance of a structure, noise, smoke, odors, vibrations, etc., except one sign not to exceed two square feet in area and pertaining directly to the particular home occupation. The sign must be approved by the planning commission with regard to design and placement.

(5) Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which such use is located.

(6) Meets the requirements of the chief building inspector and fire district of the jurisdiction. [Ord. 680-08 § 1(7.07), 3-11-08; Ord. 632-91 § 7.07, 10-22-91].

18.110.080 Temporary use.

Notwithstanding any of the provisions of this title to the contrary, the following uses shall be permitted in any zoning district of the city upon the issuance of an administrative use permit in the manner hereinafter provided by Chapter 18.130 WMC:

(1) Circuses, carnivals, and amusement parks.

(2) Temporary use of trailer, mobile homes, manufactured housing, or modular units for temporary office or caretaker quarters.

(3) Temporary uses not specifically identified in this section and not normally associated with or accessory to uses permitted in the zoning districts. [Ord. 680-08 § 1(7.08), 3-11-08; Ord. 632-91 § 7.08, 10-22-91].

18.110.090 Nonconforming uses.

(1) Continuation.

(a) The lawful use of land existing at the time of the passage of the ordinance codified in this title, although such use does not conform to the provisions hereof, may be continued. However, nonconforming commercial and industrial uses operated on open land not accessory to a permanent building on the site may be continued for a period not longer than five years after such uses become nonconforming.

(b) If any nonconforming use is abandoned or discontinued for any reason, subsequent use of such land shall be in conformity with the provisions of this title. The discontinuance of a nonconforming use for a period of six months or more is, in itself, prima facie evidence of abandonment.

(2) Changing to Another Such Use. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restricted classification.

(3) Alterations of Buildings. No existing building designed, arranged or intended for or devoted to a use not permitted under the regulations of this title for the district in which such building or premises is located shall be enlarged, extended, reconstructed, or structurally altered, unless such use is changed to a use permitted under the regulations specified by this title for such district in which said building is located. However, authorized maintenance shall be permitted not exceeding a total amount (during a period of five years) of 50 percent of the assessed value of the building according to the assessments thereof by the assessor of the county.

Notwithstanding the above, an owner of a nonconforming building intended for residential use may apply for a conditional use permit to allow maintenance of the building in excess of the amount specified.

(4) Destruction of Building. If at any time any building in existence or maintained at the time of the adoption of the ordinance codified in this title or amendments thereto which does not conform to the regulations for the district in which it is located shall be destroyed by fire, explosion, act of God, or act of the public enemy, to the extent of more than 50 percent of the value thereof, then and without further action by the city council, said building and the land on which said building was located or maintained shall from and after the date of such destruction be subject to all the regulations of the district in which such land and/or building is located. For the purposes of this title, the value of any building shall be the estimated cost of the replacement of the building in kind, as determined by the building official.

Notwithstanding the above, nonconforming residential structures solely for residential use located in an office, commercial or industrial zone may be continued as a residential use; provided, that there shall be no increase in the number of dwelling units or total floor area of the former structure. An owner of a nonconforming building intended for residential use may at any time apply to the city manager or his/her designee for a zoning clearance letter to allow the continued use, maintenance and improvement of the nonconforming structure including its reconstruction in the event it is destroyed more than 50 percent by any of the enumerated acts; provided, that the following conditions are met:

(a) A building permit for reconstruction is issued within six months of destruction.

(b) Reconstruction conforms to the current development standards regarding parking, height, setback, and other provisions of this code.

(5) Applicability of Chapter to New or Changed Districts. The foregoing provision shall also apply to nonconforming uses in districts hereafter changed or established, and any time limit for the suspension of a nonconforming use of the land shall date from the date of the enactment of the ordinance codified in this title or any amendment of district boundaries which first creates a nonconforming use or uses.

(6) Certificate of Use and Occupancy. The owner or occupant of any land or building classified as a nonconforming use under provisions of this title shall, upon notification by the planning commission, make application for a certificate of use and occupancy and shall, on a schedule established by the planning commission, thereafter apply for renewal of said certificate. The planning commission may waive the requirement for initial application for a certificate of use and occupancy and/or periodic renewal, either on a case-by-case basis, or categorically for a class or classes of nonconforming properties.

(7) Enlargement of Nonconforming Use. Any nonconforming use or building may be permitted to be enlarged, extended, reconstructed, or structurally altered in cases where an

application for a use permit is first approved, as provided in Chapter 18.135 WMC, Use Permits. The regulations of this chapter are subject to this section. [Ord. 680-08 § 1(7.09), 3-11-08; Ord. 664-00 § 7.09, 6-27-00; Ord. 632-91 § 7.09, 10-22-91].

18.110.100 Yards.

(1) No yard or other open space provided about any building for the purpose of complying with the regulations of this title shall be considered as providing a yard or open space for any other building or structure.

(2) In any case where a setback line, building line or official plan line has been established, the required yards on the street frontage of lots shall be measured in accordance with such lines and in no case shall the provisions of this title be construed as permitting any structure to extend beyond such lines.

(3) Garages, carports and other accessory buildings may be attached to and have a common wall with the main building or, when located as required by this title, may be connected thereto by a breezeway.

(4) Cornices, eaves, canopies, fireplaces, and similar architectural features, but not including any flat wall or window surface, may extend into any required yard a distance not to exceed two feet.

(5) Uncovered porches or stairways, fire escapes or landing places may extend into any required front or rear yard a distance not to exceed six feet and into any required side yard a distance not to exceed one-half of the width of the side yard required for the lot.

(6) In any R district where 50 percent or more of the building sites in any one block or portion thereof in the same district have been improved with buildings, the required front yard shall be a depth equal to the average of the front yards of the improved building sites, to a minimum requirement of that specified for the district, but in no case less than 16 feet.

(7) In any full block frontage lots, the front yards may be varied so that the required yard depth is not reduced more than five feet, the average of all lots equals the required yard depth and corner lot yards are not reduced.

(8) No yard may be used or allowed to be used for the storage, accumulation or placement of junk, automobiles or other motor vehicles, machinery, or building materials except:

(a) Automobiles regularly in use which are parked within the off-street parking space provided for on said property.

(b) Building materials as may necessarily be required for construction upon the lot wherein said yard is located immediately prior to and during such construction.

(c) As may be allowed by the specific regulations applicable to the district wherein said yard lies. [Ord. 680-08 § 1(7.10), 3-11-08; Ord. 632-91 § 7.10, 10-22-91].

18.110.110 Storage containers.

Storage container units shall be permitted subject to the following:

(1) Storage containers shall be permitted within all residential zones (R-1, R-2, R-3 and R-P), subject to the following:

(a) An administrative use permit, pursuant to provisions of Chapter 18.130 WMC, must be obtained prior to placement of a storage container on a property.

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- (b) Containers may not be located in front, side, or rear yard setbacks, or be located forward of the principal residence on the lot. Storage containers may not be located within utility line easements and are subject to applicable city fire code compliance, including maintaining defensible space around the container and separation from other buildings.
 - (c) The maximum height of a storage container is limited to eight feet above finished grade.
 - (d) Containers cannot be located on a property prior to placement of the principal residence.
 - (e) Containers require issuance of a building permit, and must meet design criteria and foundation criteria noted herein.
 - (f) Containers cannot be placed in any city-designated entryway locations.
 - (g) No more than one storage container may be allowed per lot.
- (2) Storage containers may be permitted in the following commercial and industrial zones (CG, CH, ML and MH), subject to the following:
- (a) The placement of storage containers shall be subject to a use permit, pursuant to the provisions of Chapter 18.135 WMC, before the planning commission.
 - (b) Containers may not be located in front, side, or rear yard setbacks.
 - (i) In zones where no setback is otherwise required, a minimum setback shall be established through the use permit process, taking into account existing and planned land uses on adjoining properties.
 - (ii) Storage containers may not be located within utility line easements and are subject to applicable city fire code compliance, including maintaining defensible space around the container and separation from other buildings.
 - (c) Containers require the issuance of a building permit, and must meet design criteria and foundation criteria noted herein.
 - (d) Containers cannot be placed in any city-designated entryway locations.
 - (e) The maximum height of a storage container is limited to 10 feet above finished grade.
- (3) The following design criteria shall apply to placement of a storage container:
- (a) The container shall be maintained in quality condition, free of rust or other signs of deterioration.

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- (b) The container shall be painted (colors consistent with city design criteria as noted in Chapter 2.45 WMC).
 - (c) Screening shall be utilized as necessary to reduce visibility from public vantage points, and may include use of solid fencing or fencing with screening slats, landscaping and similar measures.
- (4) The following foundation and building criteria shall apply to the placement of a storage container:
- (a) Use of a foundation or other system which, in the opinion of the building official, provides necessary support for the storage container. The foundation may include, but not be limited to, use of a concrete pad or similar durable surface able to adequately support the structure.
 - (b) Storage containers shall be outfitted with a safely locking door mechanism.
 - (c) No electrical power may be provided to a storage container.
- (5) No advertising is allowed on storage containers.
- (6) The temporary use of a storage container shall be allowed in any residential, commercial or industrial zone pursuant to the following:
- (a) A temporary use permit shall be obtained, pursuant to provisions of Chapter 18.130 WMC.
 - (b) The permit shall be granted for a period not to exceed 12 months.
 - (c) The permit shall expire when the project receives a certificate of occupancy or the building permit expires, whichever occurs first.
 - (d) Depending upon the term of the use and location of the proposed temporary storage container, temporary screening requirements and other design considerations may apply.
 - (e) Zoning district setbacks shall apply to the placement and location of the storage container.
 - (f) Storage containers shall not be used for any type of advertising.
- (7) Nonconforming Storage Container(s). All storage container(s) lawfully existing prior to the adoption of the ordinance codified in this section may continue in use, subject to the provisions of this section, even when later amendments or prior amendments to any provision of this title have caused such lawfully existing storage container(s) to become nonconforming under the terms of this chapter. Storage container(s) not lawfully existing prior to the adoption of the ordinance codified in this section must be brought into conformance or removed.
- (a) Nonconforming Storage Container(s). The owner of a nonconforming container shall within six months of notification of nonconformity either:

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- (i) Remove the container; or
 - (ii) Obtain a new permit, with variances to allow the nonconforming aspect; or
 - (iii) Obtain a new permit subject to modification or relocation of the container to achieve conformity with this division; or
 - (iv) Obtain an extension of time within which the container must be moved under the amortization provisions of subsection (7)(b) of this section; or
 - (v) Apply for a permit to allow a nonconforming storage container to remain on the property as described under subsection (7)(e) of this section.

(b) Amortization.

(i) An owner of nonconforming container(s) may delay removal, modification, or relocation of the container(s) for a reasonable period in order to recover the original costs where, at the time specified for removal, the costs were not yet fully amortized. The amortization period shall be proportionate with the investment involved.

(ii) The owner of a nonconforming container(s) may apply to the city manager for an extension of time within which the container(s) must be removed. The application shall contain the following information:

(A) Address and detailed location of the container(s);

(B) The date the container(s) was placed;

(C) Whether and when a permit was issued;

(D) The cost of container placement;

(E) The remaining term of the container(s) owner's lease of the real property, if applicable; and

(F) The present value of the container(s).

(iii) The city manager shall consider the information presented on the application in acting on the request for extension. If the city manager finds that the circumstances warrant granting an extension of time for amortization of the container, the city manager may grant the extension for a reasonable time not to exceed three years.

(c) Use Permit or Planned Development Permit. Nonconforming storage container(s) that were permitted and installed pursuant to a conditional use permit or planned development

permit, prior to the adoption of the ordinance codified in this section, may continue in use until changes, expansions, or alterations other than normal maintenance and upkeep are proposed for or made to such container(s). At the time of such change, any such container(s) must be brought into conformance with the provisions of this chapter.

(d) Alterations to Existing Development. When structural alterations, additions or remodeling with a value, as determined by the building official, of 25 percent or more of the full value of the improvements as shown on the last equalized assessment roll or \$15,000, whichever is greater, are made to the exterior of a building or to a site containing a nonconforming container(s), any and all such nonconforming storage container(s) must be brought into conformance with the provisions of this chapter whether or not changes or alterations are proposed for or made to the container(s), or such storage container(s) must be removed.

(e) Retention of Nonconforming Storage Containers. Any owner or user of such nonconforming storage container(s) wishing to maintain such a container(s) in its existing condition may apply to the city manager for a permit to allow continued maintenance and use of the container(s). Application shall be made within 30 days of the container's owner or user being notified of the need to bring such container(s) into conformance. Such permit, if granted, shall establish a specific period of time for continued use and maintenance, based upon an individual assessment of the facts and circumstances relating to the particular container(s). Factors to be considered in approving or denying such a permit shall be the initial container's cost, the container's age, the value of any proposed structural alterations to the existing storage container, existing placement of the container on the subject property, its overall condition and appearance, and similar facts and circumstances. However, the intent of the city is to ensure compliance with the provisions of this chapter and the keeping of storage containers on private properties, and in no instance shall a nonconforming storage container be approved by city permit for a period of more than three years. Failure to apply for a permit within the 30 days specified herein shall constitute a waiver of the right to request any longer period for maintenance or use of an existing nonconforming container(s).

(f) Annexation Change of Zone. Any container(s) that becomes nonconforming after the adoption of the ordinance codified in this section because of annexation, zone change, or other city action shall be subject to the provisions of this section. [Ord. 685-09 § 2, 8-11-09]

18.110.111 Emergency Shelter Development & Managerial Standards

An Emergency Shelter shall comply with the requirements of this Section, where allowed by 18.60.020(7) and 18.60.030(10).

1. Purpose. The provisions of this Section are intended to provide opportunities for the development of permanent emergency shelters to provide temporary housing, with minimal supportive services for homeless persons, and to establish standards for these shelters.

2. Location. An Emergency Shelter shall be proposed in the (CG) General Commercial zoning district, subject to the permit requirements of Section 18.60.020(7), provided that a minimum distance of three hundred (300) feet shall be maintained from any other emergency shelter, as measured from the property line.

3. Project review and approval.

- (a) **Emergency Shelters with up to fifty (50) beds are principally permitted in the CG zoning district. Provided that, during seasonal or emergency events of flooding, extreme temperature, or natural disaster, such shelters shall not be limited with regard to the number of persons served, subject to occupancy limits of the Fire Department and the Uniform Building Code, so long as the operating conditions set forth in this Section are met.**
- (b) **Emergency Shelters with greater than fifty (50) beds in the CG zoning district shall require approval of a Conditional Use Permit in compliance with Section 18.60.030(10).**
- (c) **An Emergency Shelter with fifty (50) beds or less in the CG zoning district is exempt from Design Review. An Emergency Shelter with greater than fifty (50) beds in any zoning district, including the CG zoning district, shall require Design Review in compliance with Section 2.45.010.**

4. Development Standards.

- (a) **Maximum number of beds.** As determined by CUP, except that a maximum of fifty (50) beds shall be permitted, by right, in the CG zoning district.
- (b) **Length of Stay.** Temporary shelter shall be available to residents for no more than 180 days in any twelve (12) month period.
- (d) **Intake/waiting area.** A client intake/waiting area shall be provided at a minimum of ten (10) square-feet per bed provided at the facility, with a minimum of 100 square-feet. Said intake/waiting area shall be in a location not adjacent to the public right-of-way. If located at the exterior of a building, the intake/waiting area shall be visually separated from public view by a minimum of six (6) foot tall visually screening mature landscaping or a minimum six (6) foot tall decorative masonry wall, and shall provide consideration for shade/rain provisions.
- (e) **Lighting.** Adequate external lighting shall be provided for security purposes.

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- (f) Security. Security personnel shall be provided during the hours that the emergency shelter is in operation.
 - (g) On-site management. At least one (1) facility manager shall be on-site at all hours that the facility is open. Additional support staff shall be provided, as necessary, to ensure that at least one staff member is provided in all segregated sleeping areas, as appropriate.

18.110.112 Second Dwelling Units

1. Purpose. The provisions of this Section are intended to provide opportunities for the development of second dwelling units which provide complete independent living facilities for one or more persons.

2. Requirements. The requirements of this section apply to the development and construction of secondary dwelling units. This section establishes development standards in compliance with the Government Code section 65852.1. Second dwelling units as permitted by this title, are subject to the following requirements or conditions:

- (a) May be constructed in any R-1 or R-2 zone if the subject property contains one legal single-family dwelling, provided that the second unit does not exceed the allowable density for the lot upon which the second unit shall be located.
- (b) The second unit is either attached to the existing dwelling, or detached from the existing dwelling and located on the same lot as the existing dwelling.
- (c) No more than one second dwelling unit shall be allowed on any parcel.
- (d) The design of the second dwelling unit is compatible with the design of the primary dwelling unit and the surrounding neighborhood in terms of exterior treatment, and scale.
- (e) The total floor area of an attached second unit shall not exceed 30 percent of the existing living space.
- (f) The total floor space for a detached second dwelling unit shall not exceed one thousand two hundred (1,200) square feet and may not have more than one bedroom.
- (g) New construction for second dwelling units shall conform to all requirements of this title and all provisions of the current California Building Code.
- (h) Payment of all costs attendant thereto, for provide additional City services.
- (i) Shall comply with the setback and height requirements of the applicable residential zoning district for the primary dwelling.
- (j) The second dwelling unit shall provide for utilities separate from the primary residential dwelling.
- (k) The second dwelling unit shall comply with the lot coverage of the applicable zoning district.
- (l) The second dwelling unit shall be required to provide one off-street uncovered parking space.

(m) Deed restrictions: One unit on the property shall be owner-occupied and shall be the primary residence of the property owner, the other may be rented. Prior to issuance of any permit, pursuant to this chapter, or occupancy of the second dwelling unit, an affidavit of owner occupancy and declaration or agreement of restrictions, in a form acceptable to the City attorney shall be executed by the property owner(s) and recorded in the office of the recorder of Glenn County, stating that:

a. the second dwelling unit shall not be sold separately,

b. the second dwelling unit is considered legal only so long as either the primary residence or the second dwelling unit is occupied by the owner of record of the property,

c. the restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner.

3. The developer of a subdivision that includes second dwelling units shall record a declaration of owner occupancy prior to the recordation of the Final Map or Parcel Map. Each lot with a second dwelling unit shall remain unoccupied until the property transfers ownership, allowing for compliance with the recorded owner-occupancy restriction.

4. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

18.110.113 Reasonable Accommodation Request under the Fair Housing Acts

1. Purpose. The purpose of this ordinance is to establish a formal procedure for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies and procedures.

2. Findings. The Council of the City of Willows finds as follows:

(a) Housing that is accessible to people with disabilities has been identified as a special housing need in the Housing Element of the City's current General Plan.

(b) Policy RC-1.3.2 of the 2009-2014 Housing Element calls for amendment of the Municipal Code to provide a formal process for a person with disabilities to make a reasonable accommodation request seeking equal access to housing to reasonable accommodation in the application of the City's zoning laws.

(c) Both the Federal Fair Housing Act and the California Fair Employment and Housing Act impose an affirmative duty on local governments to make reasonable accommodation (modifications or exceptions) in their land use regulations and practices

when such accommodation may be necessary to afford disabled persons an equal opportunity to housing.

(d) The City of Willows has historically provided for reasonable accommodation through the use of existing regulatory procedures not specifically designed for people with disabilities.

(e) Codification of a formal process for persons with disabilities seeking equal access to housing to request reasonable accommodation in the application of the City's land use regulations and establishment of relevant criteria to be used when considering such requests will ensure prompt, fair and efficient handling of such requests in accordance with the fair housing laws' reasonable accommodation mandate.

3. Applicability. A request for reasonable accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This Chapter is intended to apply to those persons who are defined as disabled under the Acts.

A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed by Section 18.110.113 (4).

4. Application Requirements.

(a) Application. Requests for reasonable accommodation shall be submitted on an application form provided by the Planning Department, or in the form of a letter, to the City Manager and shall contain the following information:

- (i) The applicant's name, address and telephone number.
- (ii) Address of the property for which the request is being made.
- (iii) The current actual use of the property.
- (iv) The basis for the claim that the individual is considered disabled under the Acts.
- (v) The zoning code provision, regulation or policy from which reasonable accommodation is being requested.
- (vi) Why the reasonable accommodation is necessary to make the specific property accessible to the individual.

(b) Review with other land use applications. If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (including but not limited to; conditional use permit, design review, general plan amendment, zone change, annexation, etc.), then the applicant shall file the information required by subsection 4(a) together for concurrent review with the application for discretionary approval.

5. Review Authority

(a) The City Manager. Requests for reasonable accommodation shall be reviewed by the City Manager or his/her designee if no approval is sought other than the request for reasonable accommodation.

(b) Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.

6. Review Procedure

(a) City Manager Review.

The City Manager, or his/her designee, shall make a written determination within 45 days and either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with Section 18.110.113(7) (Findings and Decision).

(b) Other Reviewing Authority.

The written determination on whether to grant or deny the request for reasonable accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review. The written determination to grant or deny the request for reasonable accommodation shall be made in accordance with Section 18.110.113(7) (Findings and Decision).

7. Findings and Decision

(a) Findings. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:

(i) Whether the housing, which is the subject of the request, will be used by an individual disabled under the Acts.

(ii) Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.

(iii) Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the City.

(iv) Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning.

(v) Potential impact on surrounding uses.

(vi) Physical attributes of the property and structures.

(vii) Alternative reasonable accommodations which may provide an equivalent level of benefit.

(b) Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by Subsection A above.

8. Appeal of Determination. A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to the Planning Commission in compliance with (Appeals) of Section 18.130.060 of the Municipal Code."

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. _____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. *Effective Date.* This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. *Posting.* The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the ____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the ____ day of ____ 2011, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.120 PARKING REGULATIONS OF THE WILLOWS
MUNICIPAL CODE OF THE CITY OF WILLOWS TO ALLOW PARKING FOR
TRANSITIONAL AND SUPPORTIVE HOUSING AND EMERGENCY SHELTERS
WITH ALL OTHER TEXT TO REMAIN UNCHANGED**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.120.020 (Parking Regulations) (Parking Spaces Required) of the Willows Municipal Code, specifically adding Section 18.85.020(1)(d) permitting parking for Transitional and Supportive Housing; and adding Section 18.120.020(1)(e) permitting parking for Emergency Shelters, which Code is hereby amended to read as follows:

Sections:

- 18.120.010 Purpose.
- 18.120.020 Parking spaces required.
- 18.120.030 Off-street loading facilities.
- 18.120.040 Size and improvements of parking areas.
- 18.120.050 General requirements.
- 18.120.060 Parking exemptions for sites in the downtown central commercial district.
- 18.120.070 Existing uses within the downtown central business district/parking exemption district.

18.120.010 Purpose.

The intent of this chapter is to provide for the on-site, off-street parking requirements for motor vehicles associated with any use or uses on the premises. It shall be the responsibility of the developer, owner, or operator of any specific use to provide for adequate off-street parking. [Ord. 675-07 § 1(9.01), 8-28-07; Ord. 632-91 § 9.01, 10-22-91].

18.120.020 Parking spaces required.

The number of off-street parking spaces shall not be less than specified herein below:

(1) Residential Uses.

(a) One-Family and Two-Family Dwellings.

(i) One car garage for each dwelling unit containing one bedroom;

(ii) Two car garage for each dwelling unit containing more than one bedroom.

(b) Multifamily Dwellings.

(i) One covered parking space for each unit containing one bedroom;

(ii) Two covered parking spaces for each dwelling unit with two or more bedrooms.

The required parking shall not be sited in the front yard setback.

(c) Hotels, Motels and Rooming Houses (Including Bed and Breakfast Operations). One parking space for each sleeping unit plus two manager parking spaces.

(d) Transitional Housing/Supportive Housing : Same parking requirements as other residential uses.

(e) Emergency Shelters.

(i) One (1) parking space for every 10 beds, plus one (1) additional parking space for each staff person on duty.

(2) Institutional Uses.

(a) Hospitals. One parking space per bed plus one for every three employees and medical staff members.

(b) Clinics/Doctor's Office. One parking space for every 300 square feet of gross floor area plus one space for each employee and doctor or other professional attendant serving the clinic, with a minimum of four spaces required.

(c) Churches. One parking space for every four seats of seating or occupancy capacity, as determined by the fire marshal, in the largest assembly area of the church, plus one parking space for every 30 square feet of gross floor area in said assembly area not used for seating.

(d) Schools.

(i) Kindergarten or Day Care. One parking space for every 10 children plus one for each employee; additionally, sufficient loading area shall be provided for the safe loading and unloading of children and adults.

(ii) Elementary Schools. One parking space for every 10 children plus one space for each employee.

(iii) High Schools. One parking space for every five students plus one space for each employee.

(iv) College and Trade Schools. One parking space for every three students plus one space for each employee.

(v) Residential Care Homes. One parking space for every five licensed patient beds and the higher of one parking space for every 500 square feet of gross floor area, or one parking space for each employee of the peak shift.

(vi) Libraries, Museums and Art Galleries. One space for each 300 square feet of gross floor area.

(3) Commercial Uses.

(a) Retail Sales or Service. One space for every 300 square feet of gross floor area with a minimum of four spaces plus one space for each employee.

(b) Furniture or Appliance Sales. One parking space for every 750 square feet of gross floor area with a minimum of four spaces plus one space for each employee.

(c) Restaurants and Bars. The higher of one parking space for each 200 square feet of gross floor area or one parking space for every four seats. Additionally, one parking space for every two employees.

(d) Theaters or Stadiums. One parking space for every four seats, plus one space for every two employees.

(e) Offices. One parking space for every 300 square feet of gross floor area plus one space for each employee.

(f) Dance or Amusement Halls. The higher of one parking space for every four seats or one parking space for each 200 square feet of gross floor area.

(g) Shopping Centers. A shopping center covering two acres shall provide one parking space per 200 square feet of gross floor area. Neighborhood shopping centers less than two acres shall provide parking spaces as identified for retail sales or service uses.

(h) Funeral Homes and Mortuaries. One space for each four fixed seats or every eight feet of bench length. Where no permanent seats are provided, one space for every 28 square feet of principal assembly area.

(i) Launderettes. One space for every five washing machines.

EXCEPTION: Parking requirements for commercially zoned property with 50 feet or less street frontage may be reduced or waived by the city manager. All other reductions require approval by the planning commission.

(4) Industrial Uses.

(a) Warehouse, Storage Building, Wholesale Operations and Light Manufacturing. One space for each 2,000 square feet of gross floor area, plus one space for each two employees on the largest shift.

(b) Laboratories and Research Facilities. One space for each 300 square feet of gross floor area.

(c) Machinery and Equipment Sales. One space for each 500 square feet of gross floor area.

(d) Mini Storage. Two spaces for an on-site caretaker, if any, plus one space for each employee plus one space for each 300 square feet of office space.

Off-street parking requirements for uses not herein specified shall be determined by the planning commission. [Ord. 675-07 § 1(9.02), 8-28-07; Ord. 632-91 § 9.02, 10-22-91].

18.120.030 Off-street loading facilities.

Private off-street loading space for commercial and industrial uses requiring the handling of goods, materials, and equipment shall be provided as listed below:

For buildings of 10,000 square feet of gross floor area, one off-street loading space, plus one additional space for each additional 35,000 square feet of gross floor area. [Ord. 675-07 § 1(9.03), 8-28-07; Ord. 632-91 § 9.03, 10-22-91].

18.120.040 Size and improvements of parking areas.

(1) Parking Spaces. Except as hereinafter provided by this section, each of the parking spaces required by this chapter shall be at least eight and one-half feet in width by 20 feet in length, together with such additional area which the city engineer determines is necessary to safely maneuver a vehicle between the parking space and any street or alley adjoining the property on which the parking space is located.

(2) Compact Parking Spaces. Where three or more parking spaces are required by this section, one-third of such spaces may be compact car spaces seven and one-half feet in width and 16 feet in length; provided, that where one-third of the required spaces is a whole number plus a fraction, the fraction shall be rounded off to the nearest whole number for purposes of determining the number of permitted compact car spaces.

(3) Lighting. Any lights used to illuminate the parking spaces or driveways shall be designed and located so that direct rays are confined to the property where the parking area is located.

(4) Parking Facilities for the Physically Handicapped. Facilities accommodating the general public, including but not limited to auditoriums, theaters, restaurants, hotels, motels, stadiums, retail establishments, medical offices, and office buildings shall provide parking spaces for the physically handicapped in compliance with the following provisions:

(a) Handicapped parking spaces shall be at least 14 feet wide and 18 feet long.

(b) Parking facilities containing six through 40 spaces, inclusive, shall include one handicapped parking space permanently signed with the international symbol of accessibility. One more handicapped space shall be provided for each additional 40 spaces or increment thereof.

(c) Two handicapped spaces permanently signed shall be required in conjunction with any use or combined uses which occur within a space of more than 10,000 square feet gross floor area. [Ord. 675-07 § 1(9.04), 8-28-07; Ord. 632-91 § 9.04, 10-22-91].

18.120.050 General requirements.

(1) Required Off-Street Parking. Off-street parking facilities shall be provided for any new building constructed and for any new use established. Off-street parking facilities shall be provided for any addition or enlargement of an existing building or use, or any manner of operation that would result in additional parking spaces being required; provided, that additional parking shall be required only for such addition, enlargement, or change and not the entire building or use.

(2) Parking Standards for Uses Not in Compliance with Current Standards.

(a) Whenever existing uses not in compliance with the parking standards of this code are transferred to new owners or operators who will continue the use without significant change or when new uses are initiated within existing structures which generate the same level of parking demand as the former use, no additional parking spaces shall be required.

(b) Whenever the use of any premises which is not in compliance with the parking standards of this code is enlarged, expanded, or intensified, additional parking spaces consistent with this code shall be provided only for the enlargement, expansion, or intensification and not for the entire use.

(c) Whenever the use of any premises which is not in compliance with the parking standards of this code is changed to a use where a higher parking demand is identified, additional parking spaces consistent with this code shall be provided for the additional intensity of the use and not for the entire use. When the new use generates a lower parking demand, no additional parking spaces will be required.

(3) Parking Spaces for Uses Not Specified. The parking space requirements for uses not set forth herein shall be fixed by the city manager and be based upon available studies and standards for the most compatible use.

(4) Location of Off-Street Parking. Required parking facilities shall be located on the same building site and conveniently proximate to the use or uses they serve and shall be designed, located, constructed and maintained so as to be fully and independently usable and accessible at all times. If there is no parking area or access to the parking area available on the building site, off-street parking and/or access as required may be provided off site upon first securing a use permit in each case. [Ord. 675-07 § 1(9.05), 8-28-07; Ord. 632-91 § 9.05, 10-22-91].

18.120.060 Parking exemptions for sites in the downtown central commercial district.

Uses and structures located within the downtown area, as defined within the CC central commercial zoning district, specifically the downtown parking exemption district area of Butte Street, Tehama Street, and Shasta Street, specifically from Laurel Street to Wood Street as defined by the map below designating the downtown parking exemption zone, are not required to provide on-site parking as normally required by Chapter 18.55 WMC, since new parking will be largely accommodated by existing on-street parking. Two parking spaces per new residential unit within the central business district as defined by the CC central commercial district shall be provided. The parking requirements for all other uses shall be determined by the city manager. However, the city manager shall refer any request to the planning commission when design review is required.

No existing city-required parking spaces in place as of the effective date of the ordinance codified in this section shall be removed within the downtown area.

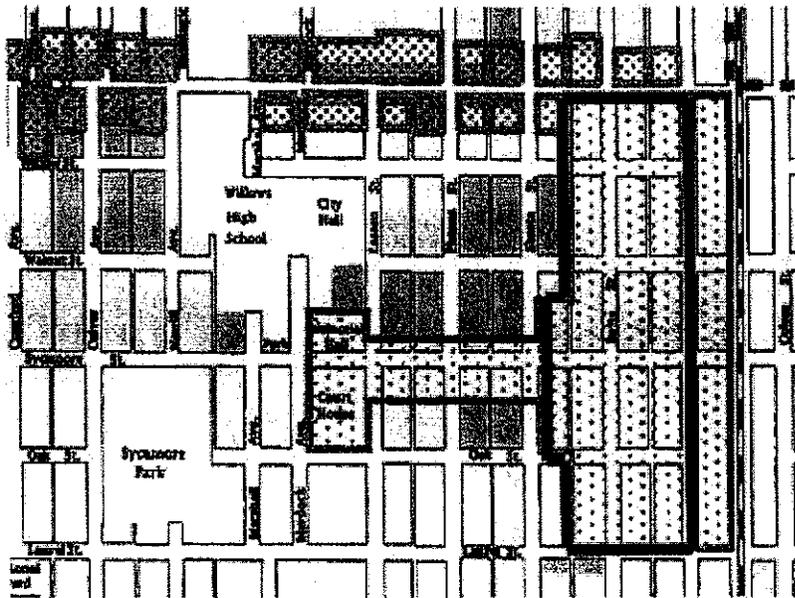


Figure 18.120.060 – Downtown Parking Exemption District

[Ord. 675-07 § 1(9.06), 8-28-07; Ord. 632-91 § 9.06, 10-22-91].

18.120.070 Existing uses within the downtown central business district/parking exemption district.

No existing use of land or structure shall be deemed to be nonconforming solely because of the lack of off-street parking facilities prescribed in this chapter; provided, that if a facility being used for off-street parking at the time of adoption of the ordinance codified in this section, which does not meet the parking requirements set forth in this chapter, converts or changes to a use substantially the same as the previous use in terms of parking characteristics (as determined by the city manager), the new use shall not be required to increase the amount of off-street parking to comply with this chapter. [Amended during 2009 recodification; Ord. 675-07 § 1(9.07), 8-28-07; Ord. 632-91 § 9.07, 10-22-91].

SECTION 2: The City Council of the City of Willows finds that the foregoing amendments and adoption of Ordinance No. ____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. ____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the ____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the ____ day of ____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Natalie Butler, City Clerk

ORDINANCE NO. _____-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AMENDING CHAPTER 18.125 COMPREHENSIVE SIGN LAW OF THE WILLOWS
MUNICIPAL CODE OF THE CITY OF WILLOWS ADDING TEXT RELATED TO
THE POSTING OF BANNERS AND HANDBILLS WITH ALL OTHER TEXT TO
REMAIN UNCHANGED**

THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council does hereby amend Chapter 18.125.020 (Comprehensive Sign Law/Parking Spaces Required) of the Willows Municipal Code, specifically adding Section 18.125.250, Posting of Banners, Handbill, etc, which is hereby amended to read as follows:

Sections:

- 18.125.010 Purpose.
- 18.125.020 Definitions.
- 18.125.030 Prohibited signs.
- 18.125.040 Exempt signs.
- 18.125.050 Permit required.
- 18.125.060 Administrative review.
- 18.125.070 Application.
- 18.125.080 Building permit.
- 18.125.090 Fees.
- 18.125.100 Inspection and maintenance.
- 18.125.110 General standards.
- 18.125.120 Exceptions to standard.
- 18.125.130 Zoning compliance.
- 18.125.140 Residential zones.
- 18.125.150 Commercial districts.
- 18.125.160 Industrial districts.
- 18.125.170 Open space and agricultural districts.
- 18.125.180 Public or quasi-public districts.
- 18.125.190 Nonconforming signs.
- 18.125.200 Planning commission review.
- 18.125.210 Required findings.
- 18.125.220 Expiration and time extension of sign permits.
- 18.125.230 Compliance with electric power line requirements prerequisite to issuance.
- 18.125.240 Temporary economic stimulus regulations for signage for city of Willows licensed businesses.
- 18.125.250 Posting banner, handbills, etc**

18.125.010 Purpose.

The purpose of this chapter is to promote the orderly and attractive construction, placement and display of signs throughout the city. It is the policy of the city that the primary purpose of signs is for identification and public information. Signs that cause distraction, represent potential safety hazards as well as aesthetic problems are either discouraged or prohibited. These general provisions serve as specific development standards to be applied in addition to the basic sign provisions within each zoning district. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.01, 6-27-00; Ord. 632-91 § 10.01, 10-22-91].

18.125.020 Definitions.

The following are definitions of terms contained in this section:

“Abandoned sign” means a sign which no longer directs, advertises or identifies a legal business establishment, product or activity on the premises where such sign is displayed.

Area of Sign. The area of a sign is a space enclosed by the border or outer dimensions of the sign. In the case of a wall sign or similar sign without an identifiable border, the area shall be the space enclosed by parallel lines which include all letters, words, and images of the sign.

“Awning, canopy or marquee” means any permanent roof-like structure extending from part or all of a building face over a public right-of-way and constructed of a durable material such as canvas, metal, wood, glass or plastic which projects from the wall of a building and serves as a shelter, as over a storefront, window or deck. No advertising shall be placed on any awning or canopy, except the name of the business or industry conducted within the premises.

“Billboard” means an outdoor, freestanding signboard usually off-site with a sign area exceeding 48 square feet.

“Campaign sign” means a freestanding or attached sign seeking votes at an election for or against a public issue or candidate for public office.

“Community directional sign” means information signs posted at key locations with the city directing vehicular traffic to the downtown central district or other key business locations. Community directional signs may not advertise specific businesses.

“Construction or development project sign” means a temporary sign identifying the persons, firms of development connected with a construction project.

“Directional sign” means on-premises incidental signs designed to guide or direct pedestrian or vehicular traffic.

“Exempt sign” means a sign exempted from the normal permit requirements.

“Freestanding sign” means a sign attached to a freestanding frame or support not attached to a building, i.e., monument signs and pole signs.

“Grade” means the grade after construction exclusive of any filling, berming, mounding, or excavating for landscaping or for the purpose of locating a sign.

“Height of sign” means the vertical distance measured from the adjacent grade to the top of the sign.

“Identity sign” means a sign which is designed and intended to identify the name of a commercial business, professional office use, public use, quasi-public use, or similar use and which sign is located on the premises to be identified.

“Incidental sign” means a sign pertaining to and advertising goods, prices, products, services or facilities which are available on the premises. Such signing is in addition to the main identity signing.

“Monument sign” means a ground-mounted and freestanding sign, other than a pole sign.

“Nonconforming sign” means a sign lawfully erected and legally existing at the time of the effective date of an ordinance, but which does not conform to new provisions of said ordinance.

“Pole sign” means a freestanding sign supported by one or more poles or similar supports.

“Projecting sign” means a sign which projects from the structure or building face to which it is attached.

“Public property” includes public streets, sidewalks, curbs, bridges, overpasses and underpasses, street lamp poles, electric light or telephone or telegraph poles, street signs, traffic signs, public information or directional signs, fire hydrants, publicly owned parking lots, public parks and playgrounds, and all buildings and facilities appurtenant thereto.

“Real estate or property sign” means any temporary sign pertaining to the sale, lease, exchange or rental of land or buildings. Real estate signs shall be located on site.

“Roof sign” means any sign erected upon, against or directly above a roof or parapet of a building.

“Sign” means any written (including letter, word or numerical pictorial) presentation including illustration, decoration, emblem, flag or any other device, figure, logo or similar character which is located and maintained as a freestanding structure or any part of a structure or located and maintained on a building or structure or device by being placed, installed, attached, affixed, fastened, pasted, posted, painted, printed, nailed, tacked or in any other manner thereon or thereto; and intended to announce, direct attention to, identify or advertise; and visible from outside any building or structure.

“Temporary sign” means a sign which is installed for a limited time (the period of which shall be determined by the city in issuing an administrative temporary sign permit), is incidental and is used for the purpose of conveying information concerning goods, services or facilities available on the premises. Temporary signs shall include special event signs and banners.

“Temporary window sign” means a sign painted or constructed of paper or other lightweight material and affixed to the window or glass area on a building for a limited time.

“Total sign area” means the combined total display area for each sign located on a building, pole, ground-mounted or other sign measured in square feet but not including temporary or traffic directional signs.

“Wall sign” means a sign attached to or erected against a wall of a building, any sign affixed in such a way that its exposed face is parallel to the plane of a building.

“Window sign” shall mean a sign placed within a business window providing advertising services for the business. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.02, 6-27-00; Ord. 632-91 § 10.02, 10-22-91].

18.125.030 Prohibited signs.

No person shall paint, mark, attach, post, or otherwise affix any sign upon or to any public property in the city, and any person responsible for doing so is liable to the city for all costs incurred by the city for the removal thereof, which constitute a debt to the city. The provisions of this section shall not apply, however, to the painting of house numbers on street curbs, or to the installation of sidewalks containing a design or an admixture of colors specifically authorized by the planning commission.

In addition to any sign not specifically in accordance with this chapter, the following signs are prohibited:

(1) Signs, other than permitted projecting signs and portable signs, located on or extending over sidewalks, streets or public property.

(2) Rotating, revolving, flashing, animated, moving, glaring, changing, reflecting, and blinking signs or signs which do appear to do any of the foregoing, whether such signs are located on the exterior of the premises or on the interior for viewing from the exterior. Additionally, signs emitting audible sounds, odor or visible matter.

(3) Billboard signs of any type.

(4) A roof sign extending above the eave or parapet line, except when, in the opinion of the planning commission, the sign is a complementary architectural part or feature of the building.

(5) Temporary or permanent signs on public property, except when authorized by the city council or this chapter.

(6) Signs which advertise a business not having an active business license on file with the city.

(7) Searchlights, balloons or other gas-filled fixtures.

(8) Flags, banners or pennants, except to celebrate or commemorate a temporary or special event or occasion, including grand openings and special community events, and when authorized by the city for each such event or occasion.

(9) Off-premises signs which direct attention to a business, commodity, industry, or other activity which is sold, offered or conducted elsewhere than on the premises upon which such sign is located.

(10) Signs which purport to be, or are, an imitation of or made to resemble official traffic signs and attempt to govern traffic in public streets or rights-of-way. This does not include traffic or directional signs installed on private property to control traffic within the premises.

(11) Signs on public property not authorized by the City Council or declared exempt under WMC 18.125.040.

(12) Display of vehicle signs (when parked or stored on property or street for the purpose of identifying a business or advertising a product or service) in excess of eight square feet and when the vehicle is parked in the same general location (such as the same block face) for a period exceeding 72 hours.

(13) Signs blocking doors or fire escapes.

(14) No person shall exhibit, post, or display on any sign or wall any statement, symbol or picture of an obscene nature.

(15) Any sign that is deemed hazardous to public health and safety by the planning commission. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.03, 6-27-00; Ord. 632-91 § 10.03, 10-22-91].

18.125.040 Exempt signs.

The following signs shall be allowed without planning commission approval and shall not be required to obtain a sign permit unless provided herein.

(1) Public signs and notices required or specifically authorized by law, statute, or ordinance, of any type, size or location.

(2) Signs of governmental agencies for control of traffic or other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies.

(3) Apartment or subdivision signs denoting the name of an apartment complex or subdivision when less than six square feet in area.

(4) Signs indicating that a property is for sale, rent, or lease and which are posted for a period not exceeding 30 days. Only one such sign is permitted to face each street adjacent to the property. Such signs may be single or double faced, non-illuminated, and are limited to six square feet or less on property in residential zones and 32 square feet in nonresidential zones, and do not exceed eight feet in height.

(5) Political or campaign signs on behalf of candidates for public office or measures on election ballots providing that said signs shall not exceed four square feet total for each property in residential zones and 16 square feet total for each property in nonresidential zones; provided, that they are erected no more than 60 days prior to said election and removed within seven days following said election, and subject to property owner's permission.

(6) Plaques and building cornerstones.

(7) Portable signs such as sandwich board or "A" frame signs that do not impede pedestrian traffic, block visibility or pose any unsafe condition to the public through blocking of sidewalks, paths or other public access routes. Such signs may not exceed four feet in height and two feet in width for each side. Temporary real estate open house directional signs are permitted in residential zoning districts only.

(8) The following sign modifications shall not require a sign permit. These exceptions shall not be construed as relieving the sign owner from responsibility for sign erection and maintenance and compliance with applicable provisions of this section:

(a) The changing of the advertising copy or message of a painted plastic face, or printed sign only. Electrical signs shall not be included in this exception, except for those signs specifically designed for the use of a replaceable copy;

(b) The repairing, repainting, or maintenance of a sign, unless a structural change is made. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.04, 6-27-00; Ord. 632-91 § 10.04, 10-22-91].

18.125.050 Permit required.

No sign shall be constructed, maintained, displayed, or altered within the city except pursuant to a sign permit obtained as provided in this chapter, unless the sign is specifically exempted from permit requirements pursuant to WMC 18.125.040. All signs required by this chapter to obtain a permit shall either be approved through WMC 18.125.060, Administrative review, or by the planning commission. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.05, 6-27-00; Ord. 632-91 § 10.05, 10-22-91].

18.125.060 Administrative review.

(1) Method of Review.

(a) An administrative sign permit is intended to allow planning department review of signs for projects consisting of not more than two separate permitted uses on the same lot or in the same building, as well as for temporary signs.

(b) A sign permit may be obtained, after receipt of a complete sign application by the property owner or his or her authorized agent from the city manager or his/her designee who shall administratively approve, conditionally approve or deny such sign request. The city manager may refer the application to the architectural design review board. Sign applications which are referred to the design review board by the city manager shall be scheduled for the next available design review board meeting upon determination of a complete application, and payment of applicable fee(s).

(c) Sign permits which do not require design review pursuant to this section shall be processed by the planning department within 10 working days of submittal of a complete

application. In the event that the sign permit application is not approved, conditionally approved or denied within 10 working days, the applicant may request an appeal to the planning commission.

(2) Appeals. Appeals of the city manager's decision shall be to the planning commission and must be filed in writing to the city clerk within 10 calendar days of that action. Appeals of the planning commission's decision may be made to the city council by filing a written appeal with the city clerk within 10 calendar days of the commission's action and paying the fees as adopted by the city council. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.06, 6-27-00; Ord. 632-91 § 10.06, 10-22-91].

18.125.070 Application.

Any person desiring to construct, maintain, or display a sign for which a permit is required shall submit an application to the city manager. Such application shall include plans, drawings and other descriptive materials sufficient to depict the sign proposal, as well as all other proposed or existing signing on the same property, and to enable evaluation of the proposal's conformance with the sign regulations. A certification of permission of the property owner shall be required to submit a sign permit application. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.07, 6-27-00; Ord. 632-91 § 10.07, 10-22-91].

18.125.080 Building permit.

(1) No person, firm, or corporation shall erect, construct, enlarge, modify, or relocate any sign in the city without first obtaining a building permit for each such sign except those signs listed in WMC 18.125.040, and/or not required by the building official.

(2) Once approved administratively or by the planning commission and when a separate building or electrical permit is required, the applicant shall be notified and the sign permit shall not be issued until such other permits are obtained from the building department.

(3) If the building inspector finds that any sign regulated by this chapter is unsafe or insecure or is a menace to the public, he/she shall give written notice to the owner and to the property owner. If such sign owner fails to remove or alter the sign so as to comply with the standards set forth in this chapter within 30 days after such notice, the building inspector may cause such sign to be removed or altered at the expense of the sign owner or owner of the property upon which it is located. The building inspector may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.08, 6-27-00; Ord. 632-91 § 10.08, 10-22-91].

18.125.090 Fees.

Any person filing for a sign permit shall at the time of filing the application pay to the city a fee to cover processing the application and issuance of permit as set by city council resolution. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.09, 6-27-00; Ord. 632-91 § 10.09, 10-22-91].

18.125.100 Inspection and maintenance.

(1) Inspections. All signs for which building permits are required shall be subject to inspection by the building official or his/her authorized representative in the following manner and in compliance with WMC 18.125.080.

(a) Footing inspections will be required for all freestanding signs.

(b) Electric signs shall be inspected before or during erection prior to any work being covered.

(2) All signs and sign structures, together with their braces, guys, bolts, and supporting frames, shall be maintained at all times in a state of good repair and safe condition, free from deterioration, rot, rust and loosening. The display surfaces shall be kept neatly painted or posted, shall have broken or cracked panels replaced, and shall have all sources of illumination in proper working order at all times. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.10, 6-27-00; Ord. 632-91 § 10.10, 10-22-91].

18.125.110 General standards.

The following sign standards by zone are intended to include every zone in the city of Willows. The zones are as defined by this title and the official zoning map. Only signs as described herein and as may be described under provisions for temporary signs or exceptions will be permitted in each particular zone.

If any zone is omitted from this chapter, or if a new zone is created after the enactment of this section, all signs developed therein shall require use permit approval granted by the planning commission.

(1) All permanent freestanding signs shall not obstruct the vehicle sight visibility distance area at intersections and driveways, to the satisfaction of the public works and police departments. On sites where the existing street is not constructed to the full designated width, signs shall be located behind the ultimate property line unless otherwise approved by the planning commission and the public works department with an agreement for future removal or relocation.

(2) All permanent freestanding signs shall incorporate the numerical address (letters minimum six inches high), or range of addresses, of the parcel or commercial center at which the sign is located. The area of the address shall not be counted in the area of the sign.

(3) All signs shall be located on the same parcel as the subject of the sign, except as otherwise allowed by this chapter. A sign may project over an adjacent public right-of-way only when authorized by an encroachment permit as well as a sign permit.

(4) No sign shall be erected that obstructs any fire escape, required exit, window, door, or opening required for ventilation. No sign shall be attached to a standpipe, gutter drain or fire escape.

(5) Any sign, any part of which is 60 feet or more above the ground, shall be designed and constructed to withstand a wind pressure of 30 pounds per square foot. Signs erected less than 60 feet shall be constructed and erected to withstand a wind pressure of 15 pounds per square foot. All signs shall be constructed to support dead loads as required in the building code or other ordinances and laws of the city.

(6) Any advertising copy or message existing at any time which no longer advertises a bona fide business conducted shall be removed by the owner, agent or person having the beneficial use of the building within 30 days after written notification from the city manager, and upon failure to comply with such notice within the time specified in such order, the city manager is authorized to cause removal of such sign and any expense incident thereto shall be paid by the owner of the building, sign or structure upon which such sign is displayed.

(7) Lighting. Open, unshielded light bulbs are prohibited. Lighting shall be installed to avoid glare or reflection onto adjacent property or onto a street as to create a traffic hazard. Light sources shall be steady, stationary, shielded, and directed so as to avoid undue glare for

pedestrians, motorists, and neighboring property. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.11, 6-27-00; Ord. 632-91 § 10.11, 10-22-91].

18.125.120 Exceptions to standard.

Freeway-oriented commercial services located in CH highway commercial, CG general commercial, ML light industrial, and MH heavy industrial shall be allowed a pole-mounted sign of a height not to exceed 40 feet and an area not to exceed 100 square feet of surface area for one face or 200 square feet of surface area for two or more faces; provided, that:

(1) Freeway-Oriented Business. The business provides a service primarily for the freeway motoring public similar to those providing gas, food or lodging for the freeway traveler.

(2) Maximum Distance. The parcel of land on which the business is located shall be a maximum distance of 800 feet from the centerline of the freeway at its closest point.

(3) Additional Sign Height. Additional sign height may be necessary to allow motorists sufficient advance notice for safe freeway exit. Unobstructed vision from a distance of 1,320 feet from a freeway exit ramp shall be considered the minimum standard providing sufficient advance notice. The amount of additional height shall be determined by the planning commission. [Ord. 664-00 § 10.12, 6-27-00; Ord. 632-91 § 10.12, 10-22-91].

18.125.130 Zoning compliance.

No signs shall be permitted to be constructed, maintained or displayed in any zoning district within the city except as provided herein. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.13, 6-27-00; Ord. 632-91 § 10.13, 10-22-91].

18.125.140 Residential zones.

Each sign in a residential zoning district established by Chapter 18.10 WMC, Designation and Establishment of Districts, shall comply with the following requirements of Table 18.125.140-A:

Table 18.125.140-A

Land Use	Allowed Sign Types	Maximum Sign Height	Maximum Sign Area Allowed
R-1, R-2	Name plate for each unit	N/A	One square foot
R-3	Name plate for each unit Flat wall (c), ground-mounted (b)	Seven feet above grade	One square foot Max 12 square feet
RP	Name plate Free hanging, flat wall (c), pole-mounted	N/A Seven feet above grade	One square foot Max 12 square feet
RP (Office Complex) (a)	Attached, free hanging, pole-mounted	Eight feet above grade	Max 12 square feet

- (a) All professional office signs may be illuminated by indirect lighting only and may only indicate the name and nature of the business.
- (b) Ground-mounted subdivision identity signs may be authorized at major entrance to residential subdivision when approved by design review board. Such signing shall be landscaped to blend in with the surroundings.
- (c) No wall sign which projects more than 10 inches over public property shall be less than eight feet above the sidewalk and maximum projection for any such sign shall not exceed 18 inches. Reflector arms may extend from the advertising surface of a wall sign if such reflector arms are not less than 14 feet above the surface of the adjoining ground, sidewalk or pavement. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.14, 6-27-00; Ord. 632-91 § 10.14, 10-22-91].

18.125.150 Commercial districts.

Each sign in the commercial zoning districts established by Chapter 18.10 WMC, Designation and Establishment of Districts, shall comply with the requirements of Table 18.125.150-A, and the following standards:

- (1) Signs applicable to the permitted use of the property in the central commercial (CC) and the entryway (E) zoning districts shall meet the requirements identified in the City of Willows Historic Downtown and Wood Street Design Guidelines.
- (2) Content. Pole-mounted signs shall be identity signs and may include the message “open” or “open 24 hours,” in the case of service station or restaurant occupancies, and the term “vacancy” or “no vacancy,” in the case of motels.
- (3) Signs not applicable to the permitted use of the property may be permitted upon securing a use permit from the planning commission.
- (4) Identity Signs. Each business is allowed a collective sign total of one and one-half square foot of signage for each lineal foot of building frontage.

Table 18.125.150-A

Land Use	Allowed Sign Types	Maximum Sign Height	Maximum Sign Area Allowed
Central Commercial Entryway Districts Commercial Centers (b)	Identity signs, including wall (c), projecting, monument and (d), window signs (In the downtown guidelines, pole signs are discouraged)	30 feet above grade if attached to building 8 feet for monument and pole-mounted	Total square footage of all identity signs shall not exceed 1.5 sq. ft. for each ft. of lineal building frontage, with higher totals requiring use permit 60 sq. ft. of incidental sign area is also allowed
CH, CG, ML, MH & PD	Identity signs, including wall, projecting, monument	80 feet	Pole-mounted sign: 100 sq. ft. of surface area for one

Combining Districts	and window signs 1 pole-mounted (e) must meet two requirements (a)		face or 200 sq. ft. of surface area for two or more faces Identity Signs: 1.5 sq. ft. for each ft. of lineal building frontage, with higher totals requiring use permit, but not including pole signs 60 sq. ft. of incidental sign area is also allowed
Industrial Districts Industrial Park	Identity signs: including wall, projecting, monument and window signs 1 pole-mounted (e) must meet two requirements (a) 2 identity signs at entrance to park; 4 identity signs total for a park; Ground-mounted	30 feet above grade if attached to the building and 8 feet if pole mounted	Maximum sign area for each business shall not exceed 350 sq. ft. for all signs, not including pole signs Pole-mounted sign area may not exceed 170 sq. ft. for any one face 60 sq. ft. of incidental sign area is also allowed 1 square foot of identity sign for each gross acre of land within the industrial park Maximum sign area is 200 sq. ft.
Open Space Ag Districts	Stationary	8 feet above grade	20 sq. ft. for one face, 40 sq. ft. for 2 or more faces

(a) Two Requirements. (1) Freeway-oriented business which provides a service primarily for the freeway-motoring public similar to those providing gas, food or lodging for the freeway traveler, and (2) the parcel of land on which the business is located shall be a maximum distance of 800 feet from the centerline of freeway at its closest point.

(b) Only one off-premises sign shall be allowed for each such commercial center or enterprise larger than five acres which has been designed or developed together as an integrated unit. Only one off-premises sign shall be allowed for each such commercial center or enterprise larger than five acres and may not be located more than 1,000 feet from the premises. The off-premises signs must be within the allowable square footage calculations requirements for the premises.

(c) No wall sign which projects more than 10 inches over public property shall be less than eight feet above the sidewalk and maximum projection for any such sign shall not exceed 18 inches.

Reflector arms may extend from the advertising surface of a wall sign if such reflector arms are not less than 14 feet above the surface of the adjoining ground, sidewalk or pavement.

- (d) Every projecting sign shall be placed at least 10 feet above the public sidewalk over which it is erected and any sign less than 14 feet above the public sidewalk shall not extend nearer the curb face than 18 inches. Signs placed 14 feet or more above the public sidewalk shall not extend beyond the curb face. Every projecting sign erected over public driveways, alleys and thoroughfares shall be placed not less than 15 feet above the level of the same. Signs which project over the public property shall be subject to an encroachment permit.
- (e) Every pole sign shall be placed at least 10 feet above the public sidewalk over which it is erected, and any sign less than 14 feet above the public sidewalk shall not extend nearer the curb face than 18 inches. Signs placed 14 feet or more above the public sidewalk shall not extend beyond the curb face. Every projecting sign erected over public driveways, alleys and thoroughfares shall be placed not less than 15 feet above the level of same. One pole-mounted sign for each business. All pole signs shall be engineered for safety. Signs which project over the public property shall be subject to an encroachment permit.
- (f) Community Directional Signs. Community directional signs are allowed with approval of a sign permit from the planning commission at the following locations:
- (1) On the south side of Highway 162 in the vicinity of Airport Road, just west of Interstate 5; at city entries along Highway 162 (Wood Street) at the east and west ends of the city; and at key locations along Tehama Street and Wood Street.
 - (2) The purpose of the signs shall be to direct vehicular traffic to the central downtown district and other key business locations around the city. A community directional sign is not intended to be used to advertise specific businesses.
 - (3) Each community directional sign shall be limited to eight square feet in size, and will typically be placed within city or public roadway rights-of-way. Any necessary encroachment permits shall be obtained by the city.
- [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.15, 6-27-00; Ord. 632-91 § 10.15, 10-22-91].

18.125.160 Industrial districts.

- (1) Signs shall be permitted on properties located in areas designated as ML (light industrial), MH (heavy manufacturing), and CG/ML/PD (general commercial/light manufacturing/planned development) as listed on Table 18.125.150-A and shall meet the following standards:
- (a) Any industry located in a nonindustrial district is subject to the sign code requirements of that district.
 - (b) All signs shall be identity signs.

(c) Commercial Uses. Signs for wholesale and retail sales businesses located within the industrial district shall be regulated by the requirements of WMC 18.125.170.

(d) Signs for uses in the PD district shall be subject to the issuance of a use permit.

(e) Signs not applicable to the permitted use of the property may be permitted upon securing a use permit from the planning commission.

(2) Industrial Park Identification Sign. Ground-mounted signs may be installed at major entrances to park, subject to approval by the architectural design review board, and conform to Table 18.125.150-A and the following standards:

(a) Identity signs shall be indirectly lighted.

(b) Identity signs shall not contain the name of any industry or business within the industrial park.

(c) Identity signs shall be appropriately landscaped and blend with surroundings. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.16, 6-27-00; Ord. 632-91 § 10.16, 10-22-91].

18.125.170 Open space and agricultural districts.

Signs shall be permitted on properties within areas designated as open space or AG agricultural general district as listed on Table 18.125.150-A and meet the following standards:

(1) Control any explanatory signs as necessary.

(2) Lighting. Signs shall be stationary and be illuminated from ground level indirect sources only. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.17, 6-27-00; Ord. 632-91 § 10.17, 10-22-91].

18.125.180 Public or quasi-public districts.

Sign area, height and number shall be based on requirements and conditions of the use permit. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.18, 6-27-00; Ord. 632-91 § 10.18, 10-22-91].

18.125.190 Nonconforming signs.

All signs lawfully existing prior to the adoption of this chapter may continue in use, subject to the provisions of this section, even when later amendments to this chapter, or prior amendments to any provision of preceding sign ordinances recodified in this chapter, have caused such lawfully existing signs to become nonconforming under the terms of this chapter. Signs not lawfully existing prior to the adoption of this chapter must be brought into conformance or removed.

(1) Nonconforming Signs. The owner of a nonconforming sign shall within six months of notification of nonconformity either:

(a) Remove the sign; or

(b) Obtain a new permit, with variances to allow the nonconforming aspect; or

(c) Obtain a new permit subject to modification of the sign to achieve conformity with this chapter; or

(d) Obtain an extension of time within which the sign must be moved under the amortization provisions of subsection (2) of this section.

(2) Amortization.

(a) An owner of a nonconforming sign may delay removal or modification of the sign for a reasonable period in order to recover the original costs where, at the time specified for removal, the costs were not yet fully amortized. The amortization period shall be proportionate with the investment involved.

(b) The owner of a nonconforming sign may apply to the city manager for an extension of time within which the sign must be removed. The application shall contain the following information:

(i) Name and address of the sign;

(ii) A description of the sign;

(iii) The date the sign was erected;

(iv) Whether and when a sign permit was issued;

(v) The cost of construction;

(vi) The remaining term of the sign owner's lease of the real property, if applicable; and

(vii) The present value of the sign.

(c) The city manager shall consider the information presented on the application in acting on the request for extension. If the city manager finds that the circumstances warrant granting an extension of time for amortization of the sign, the city manager may grant the extension for a reasonable time not to exceed three years. No extension shall be granted for a portable sign or sign painted on a building or structure.

(3) Alterations Removal. At such time as a nonconforming sign is altered in any way or moved, it must be brought into conformance with the provisions of this title. The term "altered" as used herein shall include, but not be limited to, any change in the structure or sign face, including changing names or colors, deleting or adding words or symbols, or changing the appearance in any way, but shall not include normal maintenance or upkeep. If a nonconforming sign is removed for any length of time for any reason other than maintenance, it shall not be reinstalled at the subject site unless it is in full compliance with the provisions of this chapter.

(4) Signs with Modifications. Signs which received sign modifications prior to the adoption of this chapter, but which are nonconforming as to the provisions of this chapter, may continue in use under the provisions of that sign modification until any changes, expansions, or alterations other than normal maintenance and upkeep are proposed for the sign, or until such time as the

sign modification expires. At the time of such expiration or change, the modification shall become null and void and such sign shall be brought into conformance with the provisions of this chapter or removed.

(5) Use Permit or Planned Development Permit. Nonconforming signs that were permitted and installed pursuant to a conditional use permit or planned development permit, prior to the adoption of this chapter, may continue in use until changes, expansions, or alterations other than normal maintenance and upkeep are proposed for or made to such sign. At the time of such change, any such sign must be brought into conformance with the provisions of this chapter.

(6) Alterations to Existing Development. When structural alterations, additions or remodeling with a value, as determined by the building official, of 25 percent or more of the full value of the improvements as shown on the last equalized assessment roll, or \$15,000, whichever is greater, are made to the exterior of a building or to a site containing a nonconforming sign, any and all such nonconforming signs must be brought into conformance with the provisions of this chapter whether or not changes or alterations are proposed for or made to the sign, or such signs must be removed. Any owner or user of such nonconforming signs wishing to maintain such a sign in its existing condition may apply to the city manager for a permit to allow continued maintenance and use of the sign. Application shall be made within 30 days of the sign owner or user being notified of the need to bring such sign into conformance. Such permit, if granted, shall establish a specific period of time for continued use and maintenance, based upon an individual assessment of the facts and circumstances relating to the particular sign. Factors to be considered in approving or denying such a permit shall be the initial sign cost, the sign age, the value of the structural alterations to the existing development, and similar facts and circumstances. Failure to apply for a permit within the 30 days specified herein shall constitute a waiver of the right to request any longer period for maintenance or use of an existing nonconforming sign.

(7) Annexation – Change of Zone. Any sign that becomes nonconforming after the adoption of this chapter because of annexation, zone change, or other city action shall be subject to the provisions of this section. [Ord. 683-09 § 1, 7-14-09; Ord. 664-00 § 10.19, 6-27-00; Ord. 632-91 § 10.19, 10-22-91].

18.125.200 Planning commission review.

(1) Planned Sign Program.

(a) A planned sign program is required for all multi-tenant facilities or any signage program proposing an aggregate sign area exceeding 50 square feet, for any sign request that is not exempt, or does not qualify for an administrative sign permit. A planned sign program may approve a master sign plan for all intended signs for a site or building. A planned sign program shall require conditional use permit approval.

(b) The planning commission is authorized to approve, conditionally approve, or deny a planned sign program subject to appeal provisions of WMC 18.125.060(2). The city manager shall provide recommendations to the planning commission regarding planned sign programs. A public hearing pursuant to the provisions of WMC 18.135.030 shall be required.

(2) Required Findings. The planning commission may approve a planned sign program only if all of the following findings can be made in an affirmative manner:

(a) The proposed sign is consistent with the goals, objectives, policies and programs of the city of Willows general plan and any applicable design guidelines.

(b) The proposed sign conforms to applicable development standards and provisions of this title and will not be detrimental to the public health, safety or welfare.

(c) The physical location or placement of the sign is compatible with the surrounding neighborhood and does not pose a safety risk.

(3) Appeals. Appeals may be made by filing a written appeal with the city clerk within 10 calendar days of the commission's action and paying the fees as adopted by the city council. [Ord. 683-09 § 1, 7-14-09].

18.125.210 Required findings.

A sign permit may be approved if all of the following findings are made:

(1) The size, location, and design of the sign(s) are visually compatible with the scale and architectural style of the primary structures on the site and the surrounding land uses.

(2) The signs do not exceed the standards of the district and enable motorists and pedestrians to readily identify the facility or site from a sufficient distance.

(3) The proposed sign(s) are in substantial conformance with the design criteria in the city design guidelines. [Ord. 683-09 § 1, 7-14-09].

18.125.220 Expiration and time extension of sign permits.

(1) A sign permit approval shall expire one year from its date of issuance, unless the sign has been erected within the period or a later expiration date is stated in writing at the time of approval. Prior to expiration of a sign permit, the applicant may apply to the city manager for an extension of up to one additional year. The city manager may approve extensions with or without conditions or may deny extensions of the approved sign if it is found there has been substantial change in circumstances.

(2) A temporary sign permit shall be valid for a period of 30 days, with longer periods of time possible, up to a maximum of 90 days, if authorized by the city manager. [Ord. 683-09 § 1, 7-14-09].

18.125.230 Compliance with electric power line requirements prerequisite to issuance.

No permit for any sign shall be constructed or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the state of California or rules and regulations promulgated by duly authorized agents. [Ord. 683-09 § 1, 7-14-09].

18.125.240 Temporary economic stimulus regulations for signage for city of Willows licensed businesses.

(1) Effective Date. This section shall expire on July 1, 2012, unless otherwise extended or revoked.

(2) Definition. "Licensed business" shall mean any authorized business as defined under WMC Title 5, which operates their principal business within a permanent "brick and mortar structure" located within the city limits.

(3) Conflict. Whenever this section conflicts with any other provision of this chapter or any other city resolutions, ordinances, or regulations of the city, this section shall control while it is in effect.

(4) Temporary Building Signs Allowed. During the effective date of this section, temporary building signs allowed by this chapter shall be allowed as follows:

(a) Temporary building and/or business signs may be displayed at any time for the length of time this section is in effect.

(b) At the expiration of the effective date of this section, including any extension approved by the city council of the city of Willows, all temporary building signs shall be removed within 10 days of the expiration date. Temporary building signs still displayed after 10 days from the expiration date shall be in violation of this chapter, unless a sign permit has been issued for the signage pursuant to WMC 18.125.050.

(c) This section specifically supersedes the limited time (the period of which shall be determined by the city in issuing an administrative temporary sign permit) of WMC 18.125.020, Definitions.

(5) Portable Signs Allowed. During the effective date of this section, portable signs (as defined in WMC 18.125.040(7)) shall be allowed for businesses as follows:

(a) All licensed businesses within developed lots in R-P multiple residence-professional office, E entryway, CC central commercial, CG general commercial, CH highway commercial and industrial zones in the city shall be allowed to display two portable signs at any time during the effective date of this section, regardless of when the business began operations. This section specifically supersedes the restrictions stated in WMC 18.125.030(9), off-premises signs.

(b) At the expiration of the effective date of this section, including any extension approved by the city council of the city of Willows, all portable signs shall be removed within 10 days of the expiration date. All portable signs still displayed after 10 days from the expiration date shall be in violation of this chapter, unless a permit has been issued for the signage pursuant to WMC 18.125.050.

(6) Permit and Fee Requirements for Signs Allowed by This Temporary Sign Program. Notwithstanding WMC 18.125.050 and 18.125.090, fees, during the effective date of this section:

(a) No sign permit and no fee shall be required for placement of temporary building signs or portable signs authorized by this section for businesses within developed lots in R-P multiple residence-professional office, E entryway, CC central commercial, CG general commercial, CH highway commercial and industrial zones.

(b) Licensed businesses shall be required to obtain written authorization from any or all property owners where temporary signs are displayed. [Ord. 688-10 § 1, 6-8-10].

18.125.250 Posting banner, handbills, etc. It shall be unlawful for any person to paste, paint, nail, tack or otherwise fasten any card, banner, handbill, poster, or advertisement or notice of any kind, or cause the same to be done upon any public property, or upon any other property without authorized consent of the owner or lessee of such property, within the city, except as otherwise provided in this chapter, or as may be required or permitted by the ordinances of the city of laws of the state or of the United States. (Code 1959 15.20; prior code 4-159)

SECTION 2: The City Council of the City of Willows finds that the foregoing amendment and adoption of Ordinance No. _____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

SECTION 3: The City Council of the City of Willows has considered the proposed Negative Declaration, along with comments received during the public review period and the environmental impacts outlined in the Negative Declaration prior to adoption of this Ordinance, and has approved the Negative Declaration by the adoption of Resolution No. _____.

The City Council of the City of Willows further finds that the California Environmental Quality Act and environmental protection has been complied with by virtue of the above findings and the CEQA Resolution No. _____ passed prior to the adoption of this amendment.

SECTION 4. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 5. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 7. Posting. The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

INTRODUCED for first reading on the _____ day of _____ 2011.

PASSED AND ADOPTED at a public meeting of the City Council of the City of Willows on the _____ day of _____ 2011, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

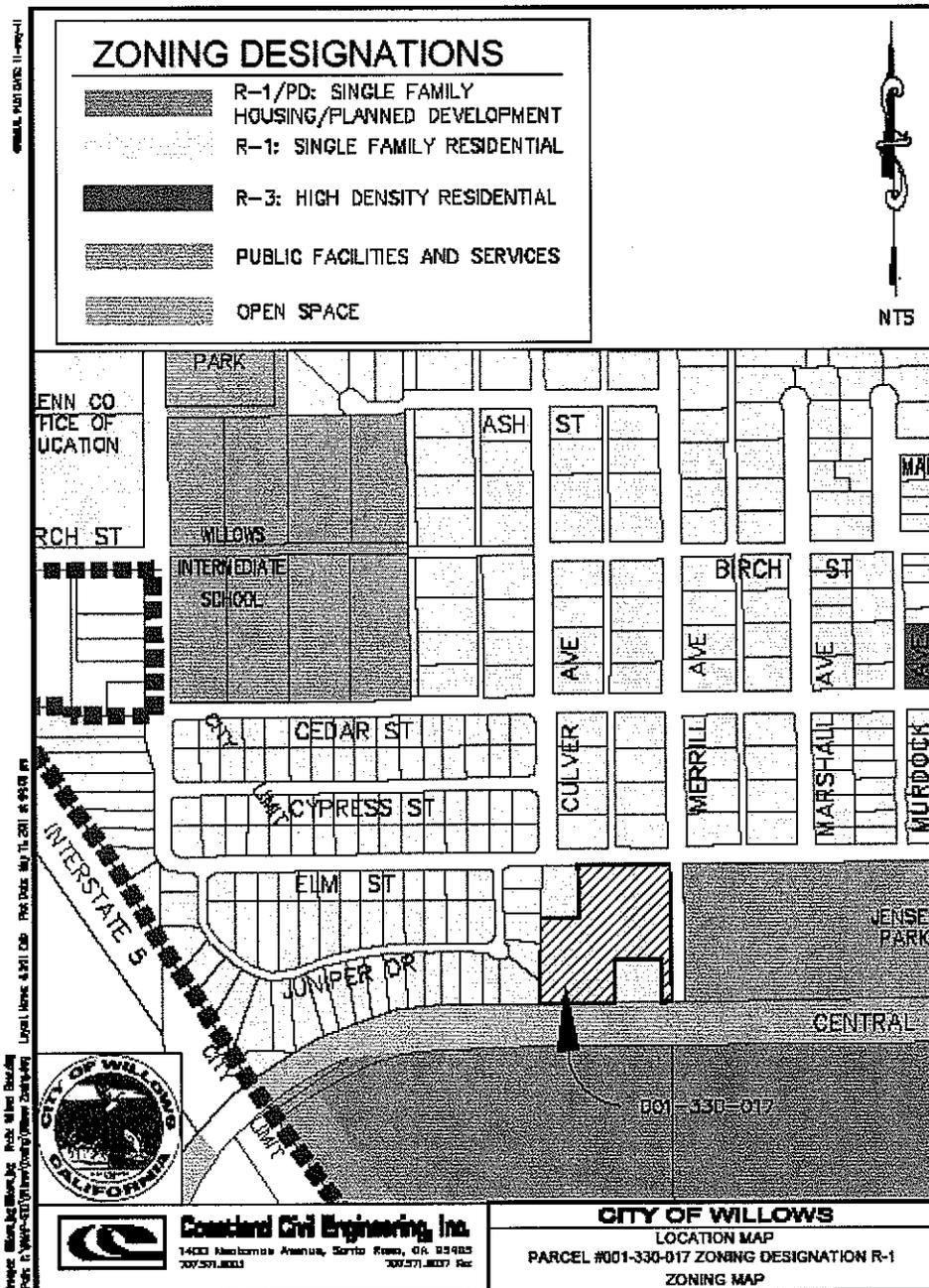
Natalie Butler, City Clerk

GENERAL PLAN AMENDMENTS

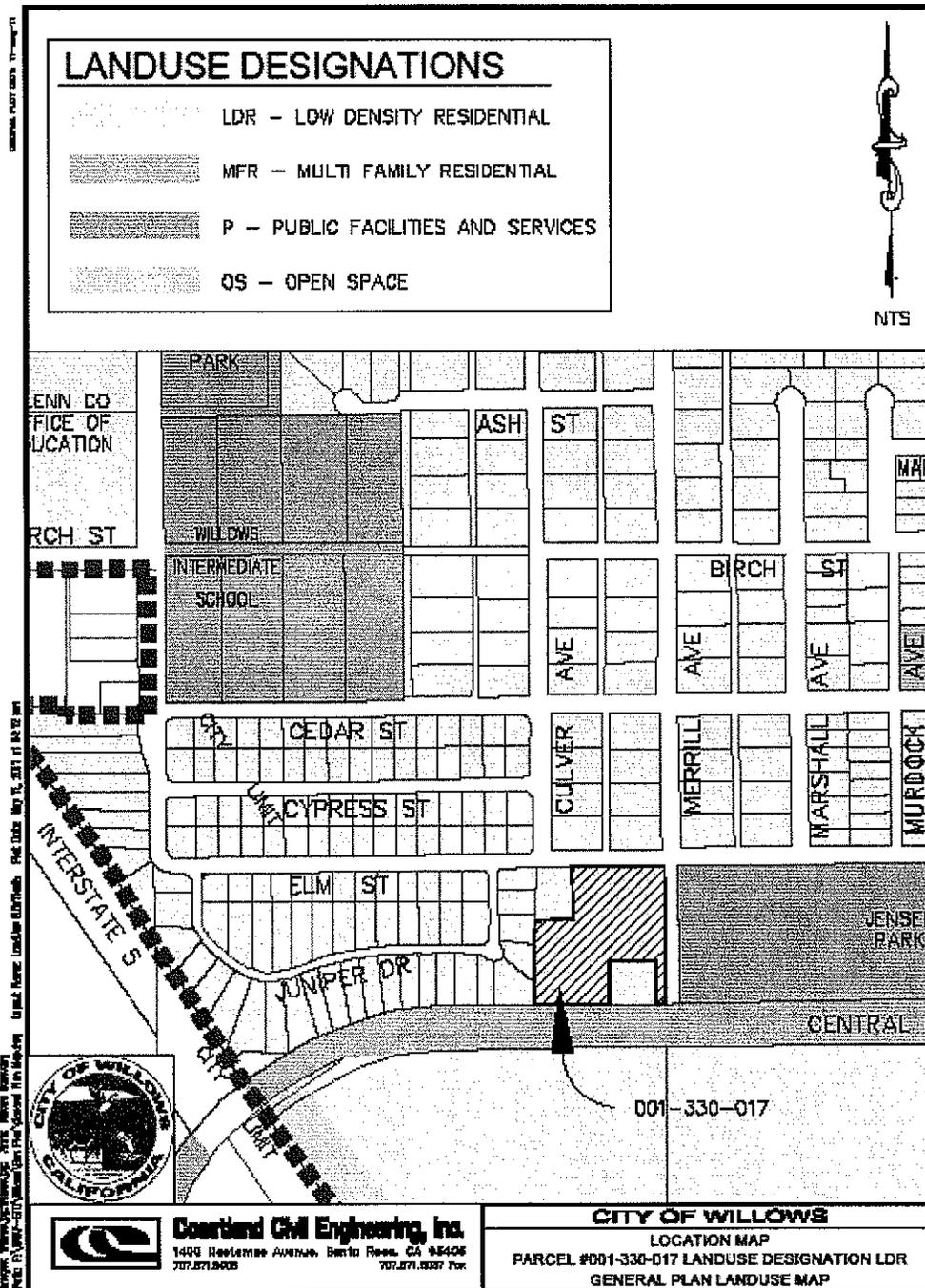
(1) **General Plan Amendments** to include: amending the Land Use Element Section 6.1 Land Use Classifications, specifically the Multi-Family Residential designation by increasing the permitted density from a maximum of 14 units per acre to 16-30 units per acre; adding text to the Commercial designation allowing a maximum of 30 units per acre, and amending the General Plan by adding a Medium Density Residential (MDR) designation which will allow 7-15 units per acre (*All the foregoing to be in compliance with the 2009-2014 Housing Element*), and additional proposed text (2) and amending the General Plan Land Use Classification, Section 6.0 of the General Plan, by deleting specific language regarding the number of persons permitted per acre in several sections, proposed revisions as follows: Under Population Density and Building Intensity section, remove wording "Population and density standards expressed in person per acre are estimations only and do not constitute General Plan Policy"; under 6.1 Residential/Estate Residential remove wording " with an average population density of 2.8 persons per acre"; under 6.1 Residential/Low-Density Residential section remove wording "with and average population density of 5.6 persons per acre and an maximum average of 16.8 persons per acre"; under 6.1 Residential/Multi-Family Residential section remove wording "with a minimum average population density of 19.6 persons per acre and a maximum average of 39.2 persons per acre"; under 6.5 Agriculture/Agriculture section remove wording "and a population density of 0.0645 persons per acre".

**** See Resolution, Attachment 1**

ZONING MAP



GENERAL PLAN LAND USE MAP



ATTACHMENT 2

PC RESOLUTION NO. _____-2011

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WILLOWS RECOMMENDING THE CITY COUNCIL APPROVE
REZONING ASSESSOR'S PARCEL NUMBER 001-330-017 FROM R-1
SINGLE FAMILY ZONE TO R-3 MULTI FAMILY ZONE**

WHEREAS, the City of Willows has prepared an Initial Study/ Negative Declaration which document includes an analysis for the rezoning of assessor's parcel number 001-330-017; and,

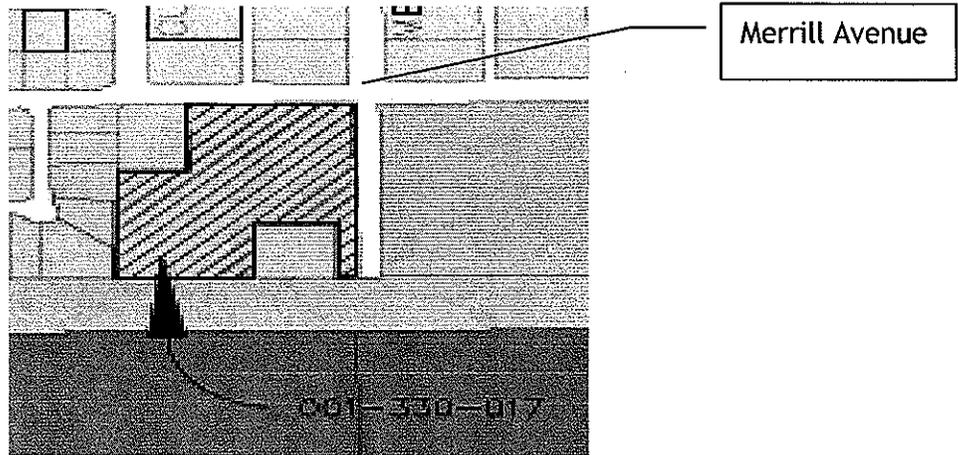
WHEREAS, the Negative Declaration has been completed in compliance with the California Environmental Quality Act (CEQA) the CEQA guidelines as promulgated by the State Secretary of Resources and the procedures for review as set forth in the City's CEQA Guidelines (all as most recently amended); and

WHEREAS, copies of the Negative Declaration were made available for public review for the time period prescribed under law; and

WHEREAS, notices of the Planning Commission meeting held on June 15, 2011, were published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 500 feet were sent; and,

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows, Glenn County, California recommends the City Council rezone the following described property, known as *the East 440 feet of Lot 6 in Block 21 of Villa Lots, according to the official map or plat of "South Willows, West Willows and Villa Lots of the Willows Land and Improvement Company" filed and of record in the office of the County Recorder in Glenn County, California, in Book 1 of Maps and Surveys, as page 49, excepting therefrom that portion thereof described as follows: commencing at the Northwest corner of said Lot 6 of Block 21, thence Easterly, on and along the North line of said lot, 160.00 feet to the true point of beginning of this description; thence from said point of beginning, continuing Easterly on and along the said North line, 150.00 feet; thence Southerly, on and along a line parallel to the West line of said lot, 150.00 feet; thence Westerly on and along a line parallel to the North line of said lot, 150.00 feet; thence Northerly, on and along a line parallel to the West line of said lot, 150.00 feet to the point of beginning, also excepting therefrom that portion thereof described as follows: commencing at the Northwest corner of said Lot 6 of Block 21, thence Easterly, on and along the North line of said lot, 410.00 feet; thence Southerly, on and along a line parallel to the West line of said lot, 260.00 feet to the true point of beginning of this description; thence from said point of beginning, continuing Southerly, on said line, 120.00 feet to a point on the North right-of-way line of the Central Canal, thence Easterly on and along the said North right-of-way line, 150.00 feet ; thence Northerly on and along a line parallel to the West line of said lot, 120.00 feet; thence Westerly, on and along a line parallel to the North line of said lot, 150.00 feet and the point of beginning of this description,*, located within the City of Willows, County of Glenn,

assessors parcel number 001-330-017, from R-1 (Single-Family Residential District) to R-3 (High Density Residential District).



IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 15th day of June, 2011, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Candis Woods, Chairperson

ATTEST: _____
Recording Secretary

**NEGATIVE DECLARATION/
INITIAL ENVIRONMENTAL STUDY**

Project Title: TEXT AMENDMENTS TO THE MUNICIPAL CODE & GENERAL PLAN
AMENDMENTS TO ZONING MAP & LAND USE MAP

Lead Agency Name and Address: City of Willows
Planning Department
201 North Lassen Street
Willows, CA 95988

Project Location: Not specific (other than parcel to rezone - APN: 001-330-017)

Project Sponsor's Name and Address: City of Willows, 201 North Lassen Street,
Willows, CA 95988

General Plan Designation(s): N/A (other than parcel 001-330-017 which is LDR)

Zoning: N/A (other than parcel 001-330-017 which is R-1)

Contact Person: Karen Mantele, Contract Principal Planner

Phone Number: 530-934-7041

Date Prepared: May 11, 2011

Public Review Period: May 13, 2011 – June 13, 2011

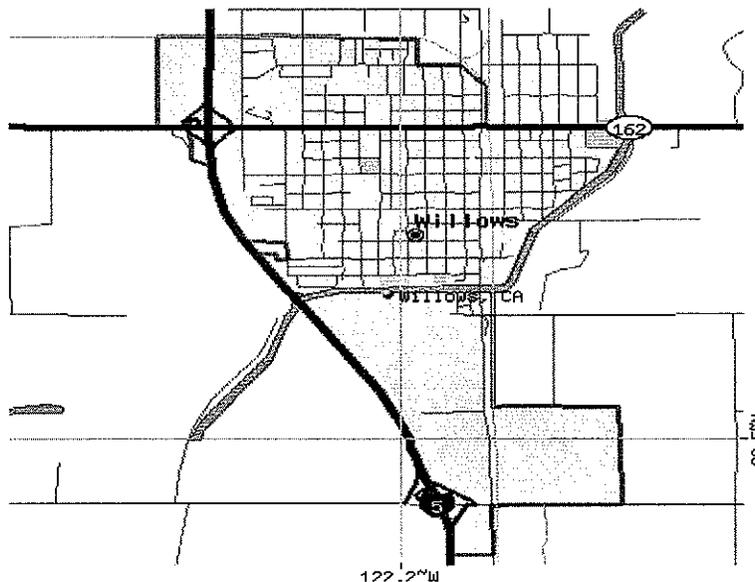
Project Description: The proposed project consists of various amendments to the City's Land use controls required for the implementation of the 2009-2014 Housing Element Update for the City of Willows as follows: **(1) Zoning Text Amendments** to include: allowing for residential uses on all floors except the ground level as a permitted use in both the Central Commercial (CC) and General Commercial (CG) zones without a conditional use permit; allowing for the development of manufactured housing in single family residential zones; allowing for residential development above commercial and mixed uses by right without any discretionary review in the CC and CG zoning districts; allowing residential care facilities by right in accordance with Health & Safety Code Section(s) 1267.8, 1566.3 and 1568.08; adding a definition for residential care facility; modifying the definition of family to reflect occupancy standards for up to six unrelated persons; allowing emergency shelters as a permitted use in the General Commercial (CG) zone district; allowing transitional and supportive housing in all residential zones (R-1, R-2, R-P & AG) subject to only the same restrictions on other residential uses contained permitted in these zones; adding definitions for transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 & 50675.14 and adding a definition for emergency shelters; amending the code to allow for development of single-room occupancy (SRO) units in the R-3 zoning district as a permitted use, adding a definition for Single Room Occupancy units; allowing for employee housing as a permitted use in the Agriculture General District, adding a new definition for Employee Housing; adding parking requirements for emergency shelters and transitional and supportive housing; amending the code to include an ordinance that will provide a streamlined process for a person with disabilities to make a reasonable accommodation request; and amending the code to include development and managerial standards for emergency shelters that will be consistent with Government Code Section 65883(a); **(2) General Plan Amendments** to include: amending the Land Use Element Section 6.1 Land Use Classifications, specifically the Multi-Family Residential designation by increasing the permitted density from a maximum of 14 units per acre to 16-30 units per acre; adding text to the Commercial designation allowing a maximum of 30 units per acre, and amending the General Plan by adding a Medium Density Residential (MDR) designation which

will allow 7-15 units per acre (3) **Zoning Map Amendment** involving rezoning map by rezoning assessor's parcel number 001-330-017 from the R-1 zone (single family residential) to the R-3 zone (High Density Residential) allowing exclusively residential uses and a minimum of 16 units per acre; and (4) **Land Use Map amendment**, revising the Land Use Map designation on assessor's parcel number 001-330-017 from LDR (Low Density Residential) to MFR (Multi-Family Residential). These amendments are being proposed to implement the actions/programs contained in the 2009-2014 Housing Element Update.

Additionally the City will amend the Municipal Code to include a second dwelling unit ordinance that complies with the requirements of California Government Code Section 65852.1. This amendment is not subject to CEQA since it qualifies as a Statutory Exemption under Section 15282(h).

The following modifications are also analyzed in this document but are not part of the programs listed in the 2009-2014 Housing Element Update. 1) amending the Comprehensive Sign Code Section to add a new section (18.125.250) regarding posting banners, handbills, etc. that was left out of the last Sign Code revision, 2) amending Code Section 18.60.020(13) to be in compliance with the manner in which allowed signage is calculated, and 3) and amending the General Plan by removing wording regarding the number of persons permitted per acre in several sections of the Plan.

Environmental Setting and Surrounding Land Uses: The City of Willows is located in the heart of Glenn County. The City of Willows is located 84 miles north of Sacramento, approximately 29 miles southwest of Chico and 25 miles north of the City of Williams. The City is bound by Interstate I-5 on the west, which runs north and south through the Northern Central Valley and State Route 162, running east and west through the City. The City of Willows contains approximately 2.9 square miles of land area and is situated at an elevation of 135' above sea level, located at Latitude 39.52 N and Longitude 122.20 W.



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

None

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Planner's Signature _____

Date May 11, 2011 _____

Planner's Printed Name Karen Mantele

City of Willows Planning Department

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of an Environmental Impact Report.

I. AESTHETICS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan and amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, however no development is being proposed on the parcel at this time. The revisions to the texts of the Municipal Code and General Plan will provide for the future facilitation and processing of development.

The amendments to the Municipal Code and the General Plan do not identify lands for the physical development or land divisions in the City. Aesthetic considerations, such as damage or degradation of scenic resources or visual character, effects on scenic vistas, and new sources of light and glare will be considered at the time site specific projects are proposed. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. As a result, the proposal would be considered to have **no impact** to scenic resources.

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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, however no development is being proposed on the parcel at this time. The revisions to the texts of the Municipal Code and General Plan will provide for the future facilitation and processing of development and would ensure that future developments within the City of Willows be evaluated for impacts to agricultural resources.

The amendments to the Municipal Code and General Plan do not identify lands for the physical development or land divisions in the City. The amendments do not conflict with the goals and policies of the City's existing Land Use Element as it relates to agricultural resources. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. As a result, the proposal would be considered to have **no impact** to agricultural resources.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, however no development is being proposed on the parcel at this time. The revisions to the texts in the Municipal Code and General Plan will provide for the future facilitation and processing of development and would ensure that future developments within the City of Willows be evaluated for impacts for impacts to air quality resources.

The amendments to the Municipal Code and General Plan do not identify specific sites and projects as a basis for identifying significant impacts such as violations of air quality standards, exposing sensitive receptors to substantial pollutant concentrations, or creating objectionable odors. The amendments do not conflict with the goals and policies of the City's existing land use element as it relates to air quality resources. The proposed amendment to the Zoning Map and Land Use Map are site specific, however no development is being proposed on the parcel at this time. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. As a result, the proposal would be considered to have *no impact* to air quality resources.

4. BIOLOGICAL RESOURCES

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with 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"/> |
| 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"/> |

Discussion: The proposed project is to amend text in the Municipal Code and General Plan for the City of Willows, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, however no development is being proposed on the parcel at this time. The revisions to the texts in the Municipal Code and General Plan will provide for the future facilitation and processing of development and would ensure that future developments within the City of Willows be evaluated for impacts for impacts to biological and botanical resources.

The amendments to the Municipal Code an General Plan do not identify specific sites and projects as a basis for identifying significant impacts to biological resources, special status habitat and species, wetlands, wildlife movement, or local policies protecting biological resources. The amendments do not conflict with the goals and policies of the City's existing Land Use Element as it relates to biological and botanical resources. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. As a result, the proposal would be considered to have **no impact** to biological and botanical resources.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan for the City of Willows, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, however no development is being proposed on the parcel at this time. The revisions to the texts in the Municipal Code and General Plan will provide for the future facilitation and processing of development and would ensure that future developments within the City of Willows be evaluated for impacts to archaeological or historical resources.

The amendments to the Municipal Code and General Plan do not conflict with the goals and policies of the City's existing Land Use Element as it relates to archaeological and historical resources. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. As a result, the proposal would be considered to have **no impact** to cultural resources.

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The City's Seismic Element, adopted in 1974 includes the unincorporated areas of Glenn County and the cities of Willows and Orland. The Earthquake Fault Map contained within the Seismic Safety Element does not indicate faulting within the City of Willows. However, the element recognizes that safety hazards exist within the planning area, and that the nature of such hazards varies greatly with respect to particular geographical locations within the area. The Seismic Element of the General Plan contains goals and policies that are designed to address and mitigate seismic risks, soil issues and other related geological issues.

Future land division projects will also be evaluated on a project-by-project basis for potential seismic or geologic risks. Soil resources will be evaluated for potential for landslides, erosion, subsidence, liquifaction, expansion and capability for on-site or other wastewater disposal systems. Projects, including land divisions that result in the construction of structures, must continue to comply with the California Building Code (CBC), which is designed to protect structures from geologic and seismic risk and to ensure structural safety.

As discussed earlier, the proposed project is to amend text in the Municipal Code and General Plan for the City of Willows, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, however no development is being proposed on the parcel at this time. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. In conclusion, the proposed amendments to the Municipal Code and General Plan would be considered to have **no impact** on geology and soils.

7. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
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"/>

Discussion: The proposed project does identify one specific site to be re-designated/rezoned; however no project is being proposed for the site at this time. Any future land development would be subject to project specific environmental review and potential hazards associated with the release of hazardous materials will be identified and mitigated on a project-by-project basis.

The proposed project will not result in an impact directly associated with hazardous materials or expose people or structures to hazardous materials or substances as identified in the General Plan or State adopted plans. The proposed project is to amend text in the Municipal Code and General Plan, and to

amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific as listed above, however no development is being proposed on the specific site at this time.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. All development projects will be subject to environmental review to identify and address any potential hazards and any issues stemming from the handling of hazardous materials. Therefore, the proposed amendments to the Municipal Code and General Plan would have **no impact** associated with hazardous materials

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? (Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Discussion: The proposed project itself will not violate any water quality standards, affect or alter drainage patterns or contribute to water runoff. Additionally, the amendments to the Municipal Code and General Plan will not directly result in the placement of structures within a 100-year flood hazard area. The proposed amendments to the Zoning Map and Land Use Map are site specific, although the subject site was located within a 100 year flood plain however a LOMA has been filed on the property removing it from the floodplain; however no development is being proposed on the parcel at this time. All future development will adhere to FEMA regulations and the City's floodplain code.

The proposed project is to amend text in the Municipal Code and General Plan, and to amend the Land Use Map and Zoning Map, and to include specific language to be consistent with the 2009-2014 Housing Element Update and sections of the code. The proposed changes would be applicable throughout the City of Willows.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. Therefore, the proposed Municipal Code and General Plan amendments would have **no impact** associated with hydrology and water quality.

9. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Discussion: The Project would not physically divide the community, nor would it conflict with General Plan designations or any environmental plans or policies adopted by agencies with jurisdiction over the project. The Project, being amendments to the texts of the Municipal Code and General Plan, and amendments to the Zoning Map and Land Use Map have been analyzed for consistency with the City's

General Plan and do not propose any regulations or programs, which are considered contrary to General Plan goals, policies or programs.

The proposed project is to amend text in the Municipal Code and General Plan, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, (requiring a rezone of one parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. In conclusion, the proposed Municipal Code and General Plan Amendments would have **no impact** associated with land use and planning.

10. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Discussion: The proposed project will not result in the loss of mineral resources or an impact directly to important mineral resources as identified in the General Plan or State adopted plans. The proposed project is to amend text in the Municipal Code and General Plan for the City of Willows, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, (requiring a rezone of the parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. The proposed Municipal Code and General Plan Amendments would have **no impact** associated with mineral resources.

11. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 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 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"/>

Discussion: The proposed project will not result in the introduction of new noise sources or result in the increase in noise sources within the City of Willows or result in a project within the vicinity of a private air strip subjecting individual or sensitive receptors to excessive noise levels. The proposed project is to amend text in the Municipal Code and General Plan and to amend the Land Use Map and Zoning Map, and to include specific language to be consistent with the 2009-2014 Housing Element Update and other code sections. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, (requiring a rezone of one parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. Therefore the proposed amendments to the Municipal Code and General Plan would have **no impact** in relation to noise exposure or generation.

12. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Discussion: A portion of the project involves rezoning and re-designating one parcel from R-1 to R-3 and LDR to MFR respectively in compliance with the City's 2009-2014 Housing Element Update. Future residential development on that parcel would incrementally increase the City's housing stock and population; however no project is being proposed at this time.

The greater overall project is to amend text in the Municipal Code and General Plan, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, as stated above, (requiring a rezone of the parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. The proposed amendments to the Municipal Code and General Plan would have **no impact** related to population and housing.

13. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

13. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific (requiring a rezone of one parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. The proposed Municipal Code and General Plan amendments would have **no impact** on public facilities.

14. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, (requiring a rezone of the parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

The proposed amendments will not result in an increased use of recreational facilities nor will they require the construction of recreational facilities, however new development will be subject to payment of development impact fees to offset any need for new recreational facilities. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows General Plan, Land Division Standards and Zoning requirements. The proposed Municipal Code and General Plan amendments would have **no impact** on recreation facilities.

15. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, (requiring a rezone of one parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

The amendments to the Municipal Code and General Plan are not expected to generate additional traffic beyond what is currently anticipated under the City's existing General Plan. Future traffic impacts will be analyzed on a project specific basis as each proposed development project is submitted to the City for review and processing. Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. In conclusion, the proposed Municipal Code and General Plan amendments would have **no impact** on transportation and traffic.

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project is to amend text in the Municipal Code and General Plan, and to amend the Land Use Map and Zoning Map, to include specific language to be consistent with the 2009-2014 Housing Element Update. The proposed changes would be applicable throughout the City of Willows. The proposed amendments to the Zoning Map and Land Use Map are site specific, (requiring a rezone of one parcel from R-1 to R-3 and re-designation from LDR to MFR to comply with the 2009-2014 Housing Element Update, specifically Policy HD.1.1.6), however no development is being proposed on the parcel at this time.

Individual development projects will be subject to evaluation in accordance with the California Environmental Quality Act and City of Willows Land Division Standards and Zoning requirements. The adoption of the proposed amendments would have **no impact** on utilities and service systems.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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) 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) This Initial Study has not identified any 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 or threaten to eliminate a plant or animal community or reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California History or prehistory.				
b) The proposed amendments to the Municipal Code and General Plan will not negatively impact any existing or presently planned projects. The text amendments are designed to implement the policies and programs within the 2009-2014 Housing Element and facilitate future development within the incorporated areas of the City of Willows. The text amendments do not involve the actual construction or development of housing, rather the amendments will have a beneficial impact in that they will allow for uses to be principally permitted rather than conditionally permitted, provide guidance for developing and managing emergency shelters, and provide a procedure for reasonably accommodating the housing needs of disabled persons, and providing for a more thorough and better defined review of development plans for future projects, including utilities, fire protection, design, landscaping features, traffic, etc.				
c) This Initial Study has not identified any potentially significant, adverse impacts.				

REFERENCES

1. City of Willows. City of Willows General Plan Land Use Element. Willows, CA. June 8, 2000.
2. *City of Willows. City of Willows Zoning Ordinance. Willows, CA. June 27, 2000.*
3. *City of Willows. City of Willows, Land Division Standards, Willows, CA.,*
4. Glen County. Tri-County Area Planning Council, Safety, Seismic, Noise. Scenic Highways Element.
5. City of Willows. Housing Element-2009-2010, PMC, Inc.
6. Subdivision Map Act, Gov. Code Sections § 66410 – 66499.56

7. Zoning Map, June 2010 and Land Use Map June 2011