

CITY COUNCIL

Gary Hansen, Mayor  
Vincent Holvik, Vice Mayor  
Jeff Cobb, Council Member  
Sandie Hobbs, Council Member  
Jim Yoder, Council Member

CITY MANAGER  
Steve Holsinger

CITY CLERK  
Natalie Butler



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**CITY COUNCIL MEETING AGENDA**

**Tuesday, June 28, 2011**

**7:00 p.m.**

1. **Call to Order Willows City Council Regular Meeting 7:00 p.m.**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Review: (Requested Changes by Council or Staff)**
  - a) Consider acceptance, by motion, of City Council June 28, 2011, Agenda.
5. **Presentations & Proclamations: None**
6. **Public Comment / Written Communications: 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 Comment is generally restricted to three minutes).***
7. **Consent Agenda: Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a Councilperson or citizen requests, in which event the item will be removed from the consent agenda.**
  - a) Consider approval of General Check Register.
  - b) Consider approval of Payroll & Direct Deposit Check Registers.
  - c) Consider approval of the Minutes of the City Council Special Budget Meeting held June 1, 2011.
  - d) Consider approval of the Minutes of the City Council Adjourned Meeting held June 1, 2011.
  - e) Consider adoption of a Resolution continuing the Fiscal Year 2010/2011 Budget.
8. **Public Hearings: *(Persons wishing to speak on a Public Hearing item are asked to approach the microphone to address the Council and limit comments to three minutes. It is also requested that you please state your name for the record).***
  - a) 2011/2012 Budget Adoption: Re-open a continued Public Hearing from June 21 to receive additional public input about the proposed FY 2011/2012 Budget and consider adoption of the final budget or provide final direction to Staff for future adoption.
  - b) Conduct a Public Hearing to receive public input about proposed amendment(s) of the City's Municipal Code/Zoning Ordinance, General Plan & Land Use Map as part of the implementation of the City's 2009-2014 Housing Element Update for the City of Willows, and modification 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 and upon conclusion of the Public Hearing consider the following actions by motion:

1. **Adoption of Resolution #22-2011 adopting the Initial Study/Negative Declaration prepared for the General Plan and Zoning Ordinance Amendments pertaining to programs within the 2009-2014 Housing Element.**
2. **Adoption of Resolution #23-2011 Amending the Willows General Plan.**
3. **Read by title only Ordinance numbers 694-2011 through 704-2011.**
4. **Passage of first reading of the following Ordinances:**
  - ❖ 694-2011 – 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.
  - ❖ 695-2011 – 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.
  - ❖ 696-2011 – 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.
  - ❖ 697-2011 – 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.
  - ❖ 698-2011 – 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).
  - ❖ 699-2011 – 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.
  - ❖ 700-2011 – 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.
  - ❖ 701-2011 – 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 MANUFACTURES HOMES, TRANSITIONAL AND SUPPORTIVE HOUSING AND EMPLOYEE HOUSING.
  - ❖ 702-2011 – 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, ADING SECTION 18.110.113 REQUESTS FOR REASONABLE

ACCOMODATION REQUEST UNDER THE FAIR HOUSING ACTS WITH ALL OTHER TEXT TO REMAIN UNCHANGED.

- ❖ 703-2011 – 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.
- ❖ 704-2011 – 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.

**9. Ordinances:**

- a) Consider second reading by title only and adoption of an Ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF WILLOWS AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM”.

**10. Items introduced by City Council or Administrative Staff for discussion purposes only:**

**11. New Business:**

- a) Consider adoption of a Resolution approving the use of Downtown Façade Improvement Funds for one mini-grant to install two new canvas window awnings at Miller Pride Realty at 401 W. Sycamore Street and one Façade Improvement grant for concrete repair and new lawn seeding at FD Sweet and Son Mortuary at 114 N. Shasta Street, authorizing the commitment of \$1,200 for the mini-grant and \$3642.50 for the Façade Improvement grant (\$4842.50 total).
- b) Consider authorization for the Chief of Police to enter into a contractual agreement with Sutter Memorial Hospital to conduct child/adult forensic sexual assault/rape examinations.

**12. Council Member Reports:**

**13. Executive Session: None**

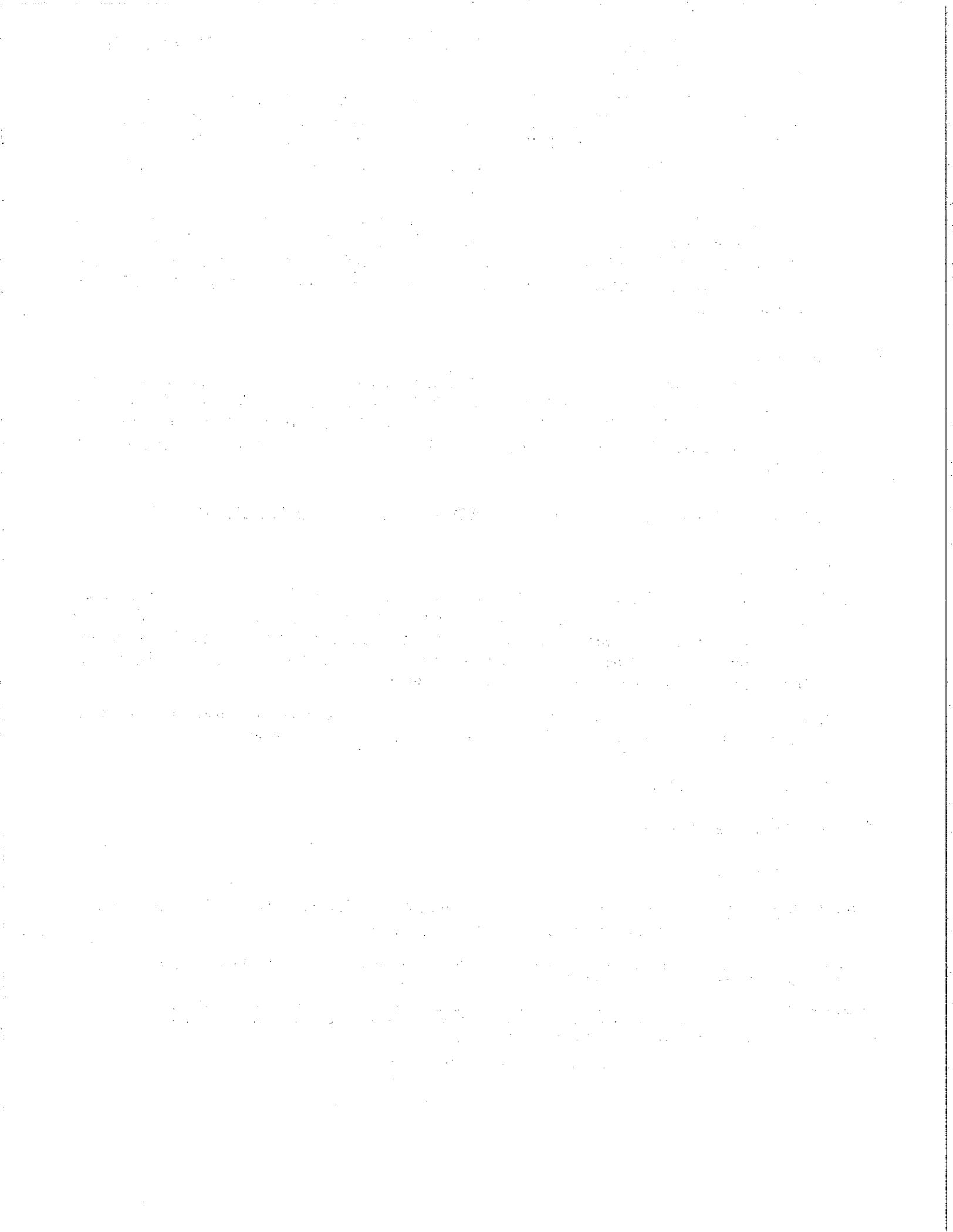
**14. Adjournment:**

**CERTIFICATION:** Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before June 24, 2011.

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows or on the City’s website at [www.cityofwillows.org](http://www.cityofwillows.org).

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 at 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.

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**MINUTES OF THE WILLOWS CITY COUNCIL SPECIAL BUDGET MEETING**  
**HELD June 1, 2011**

1. The meeting was called to order at 4:00 p.m. by Mayor Hansen.
2. **PLEDGE OF ALLEGIANCE:** Fire Chief Wayne Peabody led the Pledge of Allegiance.
3. **ROLL CALL:**  
**Present:** Council Members Yoder, Cobb, Hobbs, Holvik & Mayor Hansen  
**Absent:** None
4. **Agenda Review:** It was **moved** by Council Member Yoder and **seconded** by Council Member Cobb to accept the June 1, 2011, Special City Council Budget Meeting Agenda as presented. The motion unanimously passed.
5. **Public Comment:** Police Sergeant Jason Dahl, a member of the Willows Public Safety Association, read the following prepared statement into the record on behalf of the Willows Public Safety Association:

“Mr. Mayor and Esteemed Members of the City Council,  
The men and women of the Willows Public Safety Association (WPSA) understand the difficult fiscal times that lay before us all and we acknowledge the painful decisions that lay before you. We would like to reiterate our intent to work with the city in an attempt to reach an acceptable and workable solution that would minimize the pain to both our members and to the city. It is our sincere wish to be part of a negotiated solution to this year’s fiscal woes. However, before you consider the combination of painful options presented before you in today’s agenda, we feel it necessary to remind this Council that no request to meet with the WPSA has been made by city staff since our last meeting on May 10<sup>th</sup> – one week prior to the special budget meeting on May 17<sup>th</sup>. It had been our impression that the city desired to work with the employees to come to some sort of equitable solution and it is still our hope that some form of compromise can be accomplished. But, it is impossible to reach a compromise unless we are seated at the table. It is our hope that today’s meeting will result in direction to city staff that will encourage continued dialogue before any consideration of drastic action be made. We look forward to working with city staff to negotiate a mutually acceptable – if painful – compromise to the current crisis that looms before us all. We urge this Council to continue with an open dialogue rather than unilaterally closing the door to future discussions.”

**PERS Contract Amendment:**

The Finance director introduced this item to the Council stating that Council had directed staff to proceed with the process of adding Public Employees Retirement Law Section 20903-Two Years Additional Service Credit. The first step in this process is to adopt a Resolution of Intention to amend the City’s contract with PERS for both the public safety and miscellaneous members.

If tonight’s Resolution is adopted, there will be additional steps in this process which will occur during subsequent City Council meetings. An Ordinance must be adopted in accordance with the City’s prescribed Ordinance process and a calculation of employer’s estimated cost will be

presented at the same meeting as the introduction and first reading of the Ordinance. The contract amendment would be in place following 30 days from adoption of the Ordinance. However, October 1 is the earliest possible date that the service credit incentive may be offered due to system conversion issues at CalPERS. With that, it was then **moved** by Council Member Yoder and **seconded** by Council Member Hobbs to adopt a Resolution to approve an amendment to the Contract between the Board of Administration, California Public Employees' Retirement System and the City Council of the City of Willows. The motion unanimously passed.

**FY 2011/2012 Budget Overview:**

- Review of 2011/2012 proposed General Fund Budget.
- Council review and discussion of alternative reductions in staffing and/or other methods to reduce the anticipated deficit.
- Council review and discussion of City Hall Hours of Operation.

The Finance Director stated that as requested by Council during the last Budget Meeting, there are several items that he is presenting to the Council this evening. The first is a detailed line item proposed budget for Fiscal Year 2011/12 that provides greater detail than the preliminary budgets that they have seen at the previous meetings. He called to Council's attention the Forward Page of the proposed general fund budget update narrative. He pointed out that there is a summary on the first page of the items that take into account the assumptions made during the course of the budget. The only thing he did not include on the summary was the assumption of those who are currently voluntarily taking a 10 percent wage and benefits reduction would continue to do so, and that all other labor agreements pertaining to defer the wage agreement would continue, so those assumptions are already built into this budget as presented.

When the Council last met, the City was looking at a budget deficit of \$463,000. City staff did point out the effects of some of the Public Works employees retiring as of October 1 and also put into place the recommendations of Council regarding some additional reductions at the time, so he called attention to the changes on the spreadsheet being provided tonight versus the spreadsheet given at the last budget meeting. Based upon these changes, the City is currently looking at a budget deficit of \$297,000. Therefore between March 17 and June 1, a total of \$166,000 has been cut out of the deficit. This amount comes from a projected savings of \$136,000 from three retirements in the Public Works Department, with a back-fill of \$26,000 for part-time Public Works staff due to retirements, the elimination of funding for the CSO and Accounts Analyst positions per Council's direction for a savings of \$17,000 and \$11,000 respectively, a one time dividend in our liability insurance of \$26,000 and looking at an adjustment of revenue estimates at an additional \$2000.

At this point the Finance Director stated that he would like to turn the discussion over to the Council for Council's request for additional direction. Council Member Yoder began discussions by stating that it is his recollection from the last meeting that the Council directed the Department Heads to go back to their original individual line item budgets and see where they would be able to participate in trying to minimize the deficit, so he believes it would be more appropriate if the Council heard from the administrators and department heads, since they know their individual budgets better than the Council does. He believes the onus should be on the

Department Heads to suggest cost saving measures to the Council, and not for the Council to have to tell them. Mayor Hansen concurred. Council Member Cobb had no initial comments other than to state that he too would like to hear from the Department Heads as well. Council Member Hobbs stated that she does recall that the Council decided at the last meeting that is what they wanted to see, but after she has had additional time to think about it, she wondered why the Council would ask the Department Heads to do this again when the Council has asked the Department Heads over and over to look at line items. She believes if the Department Heads can find some line item savings that is great, but she believes the Council is just spinning their wheels and it is time that the Council needs to make some tough decisions, which is painful. She wonders, if the Department Heads have been over their line item budgets many times before and they haven't found anything, what is the likelihood that they will find any items now? She stated that one of the main responsibilities of a Department Head is to manage their budget and she believes that the Department Heads have evaluated their budgets and cut items in every place that they could. Council Member Holvik concurs with Council Member Hobbs, stating that the Department Heads have already been through their line item budgets repeatedly. He stated that he does not recall that was the direction that the Council gave to the Department Heads at the meeting. He recalls asking staff to prepare some items for Council consideration concerning various scenarios of furloughs at different percentages and the effects of layoffs, which was what was provided as requested at tonight's meeting, and he also recalls asking for the Staff to prepare a line item budget for the Council to review in case there was something on there for the Council to look into more closely and question. He believes the Department Heads have cut their budgets as much as they can, and he believes everybody is now waiting to see what the tough decisions are going to be that the Council will have to make. He stated that he does not wish for the Department Heads to go back through the line items again and he does not wish to put any Department Head on the spot and he is assuming that they have already done the best they can with cutting the items that they could cut. The bottom line at this point is that the City needs to cut an additional \$147,000 in order to get to the targeted \$150,000 deficit amount which he reluctantly agreed to, but he does not believe the City is going to come up with an additional \$147,000 by looking at the line items. Council Member Yoder then agreed and stated that he doesn't believe a balanced budget can be attained in the line items either, however, every little bit that is found brings the Council closer to not having to lay a person off. He just questioned whether there may be some areas within the line items that can be adjusted. He used the example of the Council discovering at a previous meeting that there was a \$17,000 savings alone just in learning that even though the CSO position had remain unfilled during the whole 2010/11 Fiscal Year, the position was still being funded. He doesn't know if there may be areas within the line item budget that a Department could do without, but he does believe that the Council asked the Department Heads to look at those things and come back with the line item budgets and the furlough scenarios because he believes that this is a process where everybody needs to be involved, and everybody needs to be held accountable for the decisions that the Council is going to make. Council Member Cobb agreed, stating that he believes that during the last Budget Meeting the Council did ask the Department Heads to do that, basically to determine if they could find any further savings while looking at the line items. If no additional savings have been discovered the Council will need to make some decisions rather quickly. He thought that the Council asked for discussions on potential furlough days and the ramifications of that and the Council is here tonight to hear exactly how that has been proceeding. Now from what he has heard from Sergeant Dahl tonight, there have been no further meetings between the Associations

and the Negotiating Team and he was curious why this was the case. The City Manager stated that essentially there were no scheduled meetings because he and the Finance Director had no proposals for which to request a meeting and the Associations never requested to meet with them as a follow-up discussion on an alternate proposal. The City Manager and Finance Director had met with the Associations several times and diligently pursued, at the Council's direction, to negotiate with the groups on an across-the-board 10 % wage reduction and the final answer from both labor groups was essentially no that they would not agree to the ten percent reduction. That didn't slam the door on future negotiations, but there was never a counter-proposal presented by the Associations for them to ever consider, and there was never any specific direction from the Council for him and the Finance Director to look at pursuing an alternative direction. The Council basically just gave a general direction that they hoped that discussions could continue. City Staff is certainly open to continue those discussions and would be happy to discuss any alternate proposal. Yesterday the Finance Director met with representatives of the Public Safety Association and agreed to meet with them either yesterday afternoon or today if there was a new proposal prepared which they could consider and bring before the Council. There has still not yet been a date or time established to hold this meeting. Council Member Cobb stated that essentially then, the reason there were no further negotiations initiated by City Staff to meet with the associations was because City Staff was waiting on further direction from the Council in order to propose alternatives to the Associations. The City Manager stated that was correct. Council Member Cobb then stated that if the Associations haven't come forth with a request to meet to discuss alternate proposals then it was ultimately up to the Council to make a decision on how to proceed. The City Manager then followed up by stating that it was never Staff's understanding that each of the Departments were to review their budgets looking at a target to reduce anything. City Staff has conducted several reviews trying to eliminate any additional expense. He doesn't think that any of the Departments believe that they are flushed with cash in their proposed budgets. The City has a pretty bare bones budget presented and he doesn't know if there is much room within the budget to make an incidental cut here or there which will have a significant impact on the deficit. He stated in defense of the Staff that the current Department Heads are very cognizant of what they need to get the job done, but also they have a great deal of respect for committing to providing their services in the most cost effective manner as possible. It has been his experience that none of the Department Heads go on a spending spree at the end of the fiscal year just because there may be extra money available. The reason that the City has been able to close their budget gaps in previous years is because Staff has been aware and has always kept expenses absolutely to a minimum. Unfortunately this current fiscal year, the City is unable to close that gap. Mayor Hansen then stated that it was his recollection that the Council asked Staff to go over a line item budget with a fine tooth comb. He believes that the City is fiscally well managed and that the proposed budget is a bare-bones budget, however, as Council Member Yoder pointed out earlier, it was discovered by going through the budget line by line that the CSO position's was still being funded and that was a savings to the City.

Mayor Hansen then stated that he had a few department-specific questions and at the last meeting he believes he made it very clear that he believes citizens pay taxes for basic government services and many other of the services the City offers are just nice to have. He believes Police, Fire, Public Works, and Streets are the basic government services that the City must have. With the Recreation Department, he asked at the last budget meeting if the temporary part-time office staff position was absolutely necessary because if it isn't essential, it

would be a \$7000 savings to the City. He realizes it is only \$7000, but if you can find \$7000 here and there, it could mean the City might be able to avoid the layoff of a Police Officer or a Firefighter. The Public Works department has essentially been decimated with the announcement of three early retirements and this leaves the Public Works Director basically with bare bones for staffing. He states that he has a lot of faith in the City Staff and believes that the City is well managed and that everybody does a fine job running their respective departments, but a few dollars saved here a there eventually adds up. He asked the Recreation Director Carol Lemenager what exactly the \$7000 allocated for an office staff position in the Recreation Department is for. The Recreation Director stated that it is for secretarial help in the office to assist preparing, copying and distributing Recreational activity flyers, schedules, etc., and to assist with sign-ups for the many activities offered through the Recreation Department. Additionally, this money is used to pay staff to supervise Recreational off-site activities such as the soccer games. Mayor Hansen then asked Library Director Jody Meza how many part-time employees there are currently working in the Library. Ms. Meza stated that the entire Library staff consists of five part-time employees, one full-time employee and herself. She stated that the Library is currently open 37 hours per week and with the small number of staff it is sometimes difficult to even maintain being open the 37 hours. She stated that if the Library were to lose any employees that it would likely become necessary to trim down the hours of operation as well as cut some of the services currently offered to the public due to lack of adequate staffing.

Council Member Hobbs then stated that she was wondering what it is that the Public Safety Association is offering and what their proposal is. She has heard from the City Negotiators that the Association was not willing to agree to a 10% wage reduction. If they had been willing to take the 10% reduction, the Council would not be in the position they in now having to cut everybody else. The Council is looking at every other department that has been minimized and reduced, and she stated that she would like to hear their proposal. She understands there are essential services but she also believes that a well-run City is a City where people want to live, where there are also basic services offered, including recreation and library services. She stated that according to the Public Safety Association's letter, it indicates that they are willing to negotiate, and she would like to know exactly what it is there are offering. The City Manager then stated that he and the Finance Director would be happy to sit down and have further discussions with the Association, however, the last time they met with them in order to determine what they were willing to offer, they refused to take the 10% wage reduction. However the Association did indicate that they would be willing to pay a portion of the employees' PERS payment, but it was never identified what that level of payment was, or what level of savings it would provide to the City. At the moment he indicated that he is unaware of a new proposal that they could review and reach an agreement on. The Finance Director then added that he would like to clarify that the Association didn't actually present a proposal, but rather it was more of a talking point, and he did not want to commit the Public Safety Association to having had actually submitted a specific proposal, as that would be unfair. There was a discussion held about a partial payment by the employees, but the spread between the calculation of what that would save versus what was being requested with a 10 % across-the-board reduction in wages and benefits, was quite a wide spread. It then became a situation where the partial payment offered by the employees would need to occur in conjunction with other significant factors in order to achieve the same level of cost savings as the 10 % reduction would

have saved. Council Member Hobbs inquired if there may be other savings factors that Public Safety Group may have for consideration, but the Negotiators don't have those factors at this point. The Finance Director confirmed that was correct and he stated that he wanted to clarify that the responsibility to schedule meetings, at least from the Management side, rests with him, and if the expectation was for the Management to take the lead in negotiating sometime between May 17 and now, that rests with him. He stated that he took the approach that if something new was on the table by either Labor Group, he would have been welcome to hear them and to schedule a meeting. Council Member Hobbs stated that she would not be satisfied unless she knows what they are proposing before she has to make any tough decisions. Council Member Holvik then stated that he concurs with Council Member Hobbs that without knowing what alternative proposals might come up, he wondered if the Council is supposed to just wait. He stated that the City is still looking at a deficit amount of \$297,000 and Staff and Council have virtually cut everything out of the budget that can be cut up to this point. Mayor Hansen then stated that at the last meeting he personally implored the Bargaining Units to work toward a solution and help the City out. Apparently that has not been done. So now it is June 1 and the City has to have a budget in place by July 1, and the City is in a dire situation. He stated to the PSA that if they have a plan, they need to get together with the negotiation team and get the plan solidified. This is something that he believes is extremely important and it should have already been done by now in his opinion.

At this time, Police Officer and President of the WPSA, Kelly Trent addressed the Council and explained that the PSA held an emergency meeting last night because the Finance Director contacted the Association yesterday and she stated that the PSA does have a proposal ready to submit if the Council is willing to take a break, they would be willing to meet with the City Manager and the Finance Director and present them with the proposal. Mayor Hansen then asked for thoughts from the Council Members about this and the consensus of the Council was to allow this. Mayor Hansen then asked Officer Trent how much time the Association would need to get this information and Officer Trent responded that the proposal would still need to be typed up, but it would only take a few minutes to do that. Mayor Hansen indicated that the PSA could go ahead and get started and that the Council would take a recess shortly, but he would like to move on to the next item on the Agenda, which is the Council review and discussion of City Hall Hours of Operation and he would like to address that item before the Council took a recess.

#### **Council Review & Discussion of City Hall Hours of Operation:**

The City Manager reminded the Council that at a past meeting there was some discussion among the Council about the City's hours of operation, which is why this item was placed on the agenda. He stated that if there was a need to restore the hours of operation and/or make some other accommodations to staffing or services, he is seeking direction from Council to do so. The City Administrative Offices have been working 7:30 a.m. – 5:30 p.m. Monday through Thursday, with Friday closures over the past two years. The adjustment to a 36 hour work week was made to offset the 10 % wage reduction that a majority of the Management Staff agreed to when entering into the 2009/10 Fiscal Year. These members of Management Staff agreed to continue the 10 % reduction during the 2010/11 Fiscal Year and it has also been indicated they will continue the reduction once again for the upcoming 2011/12 Fiscal Year. In a survey that was conducted among the employees and the public at the time the hours of operation changed

from five 8 hour days / week to four 9 hour days / week with Friday closures, there was a significant level of support for the continuation of the adjusted schedule. The schedule seems to be working well for the public and the employees and at this time staff is not recommending any changes to the schedule but would be happy to answer any questions about it or accept any comments from the public. Brief discussion ensued among the Council and staff and it was ultimately the consensus of the Council to keep the current schedule as it has been for the previous two years and not to make any modifications to the schedule at this time. Sandy Corbin, Administrative Secretary for the Willows Police Department, addressed the Council and asked that if she was to take a 10 % furlough, would the Administrative offices at the Police Department also be shut down on Fridays and would she and the Police Chief adjust their work schedules to be the same as the work schedule for those employees who have already agreed to the 10 % reduction. She further stated that the Police Department and Fire Department can't shut down their operations for a day and therefore the Police Officers and Firefighters can't ever just take an extra day off if they were to be furloughed. She stated that she believed that what is good for one should be good for all. The Finance Director addressed this, stating that at this point nothing has been finalized with regards to imposing furloughs, but if furloughs were to be imposed, ultimately a furlough is a reduction in hours and schedules would need to be adjusted accordingly. He stated that whatever is ultimately decided, he hopes that it will happen on a consistent application basis and that it will be imposed unilaterally.

Council Member Yoder then inquired where the City currently stands with the Contractual Agreements that are in place with the County. The City Manager stated that based on the best information that he has available, it is his understanding that all of the contracts with the County will be held at their current status, so essentially he is not looking at additional fiscal impacts for the budget for the next fiscal year with regards to the contracts with the County.

At 4:57 p.m., Mayor Hansen stated that we would stand in recess until 5:30 p.m. in order to allow the WPSA to meet with the negotiating team to present and discuss their proposal.

The meeting reconvened at 5:33 p.m., with the City Manager reporting that he believes that the WPSA provided an agreement in principle and they have come forward with an offer of significant concession which would help the City reduce its general fund budget within about \$40,000 of the targeted deficit amount of \$150,000. He indicated that the negotiating team and the Association would like some time to fine-tune and iron out a couple of points and to wordsmith the agreement and have the opportunity to present all of the details of the agreement to the City Council in a future Closed Session, which would be the appropriate way to do so. The negotiating team intends to meet with the PSA within the next few days to iron-out a few details, but essentially he believes there could be an agreement reached on the concession and then they could bring the agreement to the City Council on June 14. Again, he reminded the Council that even if the agreement of proposed concessions is approved, there is still a remaining deficit of \$40,000 (over and above the \$150,000 target), so the City would still need to look at somehow eliminating that \$40,000 prior to the adoption of the budget. With that, the City Manager stated that it was his request to table any further budget discussions to June 14.

Brief Council discussion ensued and the City Council thanked the WPSA for working with the negotiators and for offering sacrifices in an attempt to rectify the budget deficit. It was then indicated that the Council would continue further discussions regarding the budget on June 14.

Mayor Hansen adjourned the meeting at 5:45 p.m.

Dated: June 1, 2011

NATALIE BUTLER

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City Clerk

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**MINUTES OF THE WILLOWS CITY COUNCIL ADJOURNED MEETING HELD**  
**June 1, 2011**

1. The meeting was called to order at 7:04 p.m. by Mayor Hansen.
2. **PLEDGE OF ALLEGIANCE:** Council Member Yoder led the Pledge of Allegiance.
3. **ROLL CALL:**  
Present: Council Members Yoder, Cobb, Hobbs, Holvik & Mayor Hansen  
Absent: None

4. **Agenda Review:**
  - a) It was **moved** by Council Member Yoder and **seconded** by Council Member Holvik to accept the City Council June 1, 2011, Adjourned City Council Meeting Agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:** None
6. **Oral and Written Communications/Public Comment:** None
7. **Consent Agenda:**

It was **moved** by Council Member Yoder and **seconded** by Council Member Holvik to approve the Consent Agenda as presented. The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General Check Register (23040-23199).
  - b) Approval of Payroll & Direct Deposit Check Registers (Z02449-Z02601 & 31202-31272).
  - c) Approval of the Minutes of the City Council May 17, 2011, Special City Council Meeting.
  - d) Re-appoint Russell Melquist as the City's representative to the Glenn County Mosquito and Vector Control District for a two-year term to run from July 1, 2011, through June 30, 2013.
  - e) Adoption of a Resolution consenting to the extension of service charges imposed on improved real property within the incorporated area of the City of Willows for FY 2011/2012 for the use and/or ability to use the Glenn County Solid Waste System.
  - f) Adoption of a Resolution authorizing the Police Chief to act on behalf of the City of Willows to accept a grant from the California Department of Alcohol Beverage Control.
8. **Public Hearings:**

- a) Conduct Public Hearing to provide the public an opportunity to offer comments regarding receipt of "Notice to Abate" notices and upon conclusion, by motion, order those properties that have not self-abated to be abated by the City's Abatement Contractor:

Fire Chief Wayne Peabody stated that is required by the California Government Code that there is to be set a fixed time for any appeals to be considered by members of the public or by property owners who received "Notice to Abate" cards. The time fixed for this appeal was May 24, 2011; however, due to a lack of quorum at that meeting, the appeal hearing was continued to tonight, June 1, 2011. At this time the Council should hear any objections from the public and shall allow or overrule any objections. If no objections have been made, it is requested for the Council to order the Fire Chief to abate the nuisance(s). Property Owners who have returned the Abatement Cards with the intent to self-abate their property have 12 days following tonight's appeals hearing in order to do so. Any properties that the City Contractor abates after that time will be billed to the property owner and for those property owners that do not pay, there will be a lien placed against their property and it will appear on their tax statement from the County. With that, Chief Peabody requested that the Mayor open the Public Hearing. Mayor Hansen opened the Public Hearing at 7:07 p.m.

Doug Ross, a Willows Citizen, offered a comment about weed and nuisance abatement, stating that sometimes even if a person runs a weed-eater on their property, it doesn't always necessarily alleviate the fire hazard or the nuisance. He used the property at 110 South Yolo as an example, stating that the residents were in the process of completing their nuisance abatement and he had no real "for" or "against" the property being considered a nuisance. He just wanted to point out that there are some instances where a nuisance or fire hazard may still exist even after a property is abated.

Mayor Hansen closed the Public Hearing at 7:11 p.m. It was then **moved** by Council Member Holvik and **seconded** by Council Member Yoder to declare the parcels indicated by the Fire Chief to be abated by the City Contractor if the parcels are not self-abated prior to June 14, 2011. The motion unanimously passed.

- a) 1. RELATED ITEM (Not a Public Hearing): Consider award of the 2011 Abatement Contract to the lowest responsive responsible bidder.

Chief Peabody presented this item to the Council and stated that the Weed Abatement subcommittee prepared specifications for a weed abatement contractor and published notices inviting bids to determine if there would be an interest in bidding for the removal of rubbish, refuse, and weeds throughout the City. The official bid closing date was Thursday, May 12, 2011, at 1:30 p.m. Two bids were received, and staff has reviewed the bids from Ronald Riisager and Dale Myers. Myers Construction bid has met the minimum requirements and is the lowest responsive responsible bidder. Chief Peabody is asking that the Council consider awarding the 2011 Abatement Contract to Myers Construction. It was then **moved** by Council Member Yoder and seconded by Council Member Hobbs to award the 2011 Abatement Contract to the lowest responsive responsible bidder, Myers Construction. The motion unanimously passed.

9. Ordinances: None

**10. Items introduced by City Council or Administrative Staff for discussion purposes only:**

The City Manager requested that the Council identify a date for the next Special Budget Meeting and also to tentatively identify a date for the Public Hearing to be held in order to adopt the final budget for FY 2011/2012. Council discussion ensued and it was decided that the next special Budget Meeting would be held just prior to the next regular Council meeting scheduled for June 14. The Budget Meeting will begin at 6:00 p.m. and will adjourn prior to the Regular Meeting which will begin at 7:00 p.m. Additionally, the Council chose to have a Special Budget Meeting on June 21 at 5:30 in order to conduct the Public Hearing and consider final adoption of the 2011/2012 budget.

**11. New Business:**

- a) Consider adoption of a Resolution of intention to levy and collect annual assessments, preliminarily approving the Engineer's Report for FY 2011/2012 for the City of Willows Landscaping and Lighting Assessment District Zone A – Birch Street Village, and set the time and date of the Public Protest Hearing for June 14, 2011:

The City Manager stated that he had a conflict of interest in hearing this item, as he is a property owner in the Birch Street Landscaping and Lighting Assessment District, and he therefore recused himself and exited the Council Chambers.

The Willows Landscaping and Lighting Assessment District was initially formed by the City in 2005 to pay for costs associated with maintaining landscaping and maintenance in the Birch Street Village subdivision, Zone A, in accordance with the Landscaping and Lighting Act of 1972. The Act requires that the City undertake certain proceeding for any fiscal year in which assessments are to be levied and collected. These proceedings are typically accomplished in three stages. The first stage to adopt a Resolution appointing the Engineer of Work and directing the preparation of the annual Engineer's Report was completed by the Council on February 8, 2011. We are now at the second stage of this process, which is to adopt a Resolution of intention to levy and collect annual assessments, preliminarily approve the Engineer's Report for FY 2011/2012 for the City of Willows Landscaping and Lighting Assessment District Zone A – Birch Street Village, and setting the time of date of the Public Hearing. The preliminary Engineer's Report being presented to the Council outlines cost from FY 2010-11, summarizes the cost projected for FY 2011-12 and provides the proposed overall assessments. In order to keep up with inflation, the estimated maximum annual assessment is proposed for increase by the allowable annual CPI (year 2010) of +1.4%. This raises the maximum annual assessment to \$406.17. While the estimated maximum annual assessment will increase, the actual amount that will be levied and collected during FY 2011-12 be reduced from \$385.82 in FY 2010-11 to \$258.00. This reduced assessment is due to the 5-year developer payback period being completed in FY 2010/11. Starting with this fiscal year, only ongoing annual maintenance and administrative costs need to be assessed. This assessment will provide projected revenue of \$8,772 to cover the estimated expenses.

During FY 2009-10, the Council implemented a minimum reserve balance of 10% to 20%. It is noted that the projected Assessment District reserve balance at the end of FY 2011-12 is slightly

above that target. If it is found that an excess reserve balance does exist at the end of FY 2011-12, the assessments may be reduced the following year.

Staff is now recommending that the Council adopt the Resolution that is before them tonight and set a date for the public protest hearing, which is the final of the three stages of the Lighting and Landscaping annual process. It was then **moved** by Council Member Yoder and **seconded** by Council Member Cobb to adopt a Resolution of Intention to Levy and Collect Annual Assessments, Preliminarily approving the Engineer's Report for FY 2011/2012 for the City of Willows Landscaping and Lighting assessment district Zone A – Birch Street Village, and setting the time and date of the Public Hearing for 7:00 p.m. on June 14, 2011. The motion unanimously passed.

- b) Consider authorizing the Police Chief to apply for the Community Oriented Policing Services (COPS) Hiring Recovery Program (CHRP) Grant.

The City currently has one officer funded under the Community Oriented Policing Services (COPS) Hiring Recovery Program (CHRP) grant. This grant was funded in 2009 and is currently entering its third year of funding. The City, along with many municipal governments, is facing the budget dilemmas brought on by the poor economy and crumbling state and federal budgets. Currently the City has two frozen Police Officer positions and one frozen CSO position. Although restructured as a part time position, the department as part of its cost savings has not filled the remaining CSO position for fiscal year 2010/11. There is also the potential of the loss of an additional police officer and the CSO position being in jeopardy in the 2011/12 fiscal year.

The Police Chief has received information regarding another COPS CHRP grant and he has contacted the COPS Office and was advised that the City is eligible to apply for this grant. The current grant is not impacted in any way by the new application and if successful, neither grant will impact the other during their operational period. The grant would be for a total of \$267,647 over a three year period and would cover salary and benefits for an entry level officer. Any additional step raises and benefits beyond entry level would be the responsibility of the City. Should the City elect to use this funding to retain or rehire an officer at a higher than entry level, the additional cost would be that of the City's. Upon acceptance of the grant, the City would have to agree to retain the officer for at least one budget cycle beyond the grant period.

Brief discussion ensued and it was **moved** by Council Member Yoder and **seconded** by Council Member Cobb to authorize the Chief of Police to apply for the COPS CHRP – 2 Grant. The motion unanimously passed.

## **12. Council Member Reports:**

Council Member Cobb gave a reminder that the 24-hour Relay for Life Cancer Walk is this Saturday and he urged anybody who would like to donate to support this cause should join or attend the event.

Council Member Hobbs reported that as the Willows liaison for 3CORE she recently attended a California Association for Local Economic Development seminar hosted by Wayne Shell who is the President & CEO for the California Association for Local Economic Development. She stated that it was a great workshop. Marc Nemenic, Director of 3CORE, spearheaded the event and Marc intends to contact the Orland and Willows City Managers and the County to try to get them all into this workshop. She stated that it was very informative on Economic Development, which is part of the subcommittee that she and Council Member Yoder are on. She stated that she thinks it would be good for the two Cities and the County to get together to attend this workshop because there was so much valuable information given out.

Mayor Hansen reminded everybody that tonight was the first Willows Farmers' Market of the season at Memorial Park. The Market will be held each Wednesday from 4:00 – 7:00 p.m. throughout the summer.

13. **Executive Session:** None

14. **Adjournment:** Mayor Hansen adjourned the meeting at 7:34.

Dated: June 1, 2011

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider



CITY OF WILLOWS  
RESOLUTION NO. \_\_\_\_ 2011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS  
CONTINUING THE FISCAL YEAR 2010/2011 BUDGET

**WHEREAS**, the operating budget for Fiscal Year 2010-2011 for the City of Willows was adopted on June 22, 2010, by Resolution 25-2010; and

**WHEREAS**, the budget for Fiscal Year 2011-12 for the City of Willows has not been approved; and

**WHEREAS**, it is anticipated that the Fiscal Year 2011-12 Budget will be adopted by July 31, 2011, and

**WHEREAS**, it is necessary to make certain routine expenditures as necessary to continue day-to-day operations of City government; and

**WHEREAS**, the City Council does wish to provide for interim budgetary authority so that routine expenditures of the City can be made until the final budget is approved.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Willows does hereby approve continuing the Fiscal Year 2010/2011 Operating Budget in full force and effect until the Fiscal Year 2011-12 Budget is adopted or July 31, 2011 which ever is sooner.

**PASSED, APPROVED AND ADOPTED** this 28th day of June 2011 by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

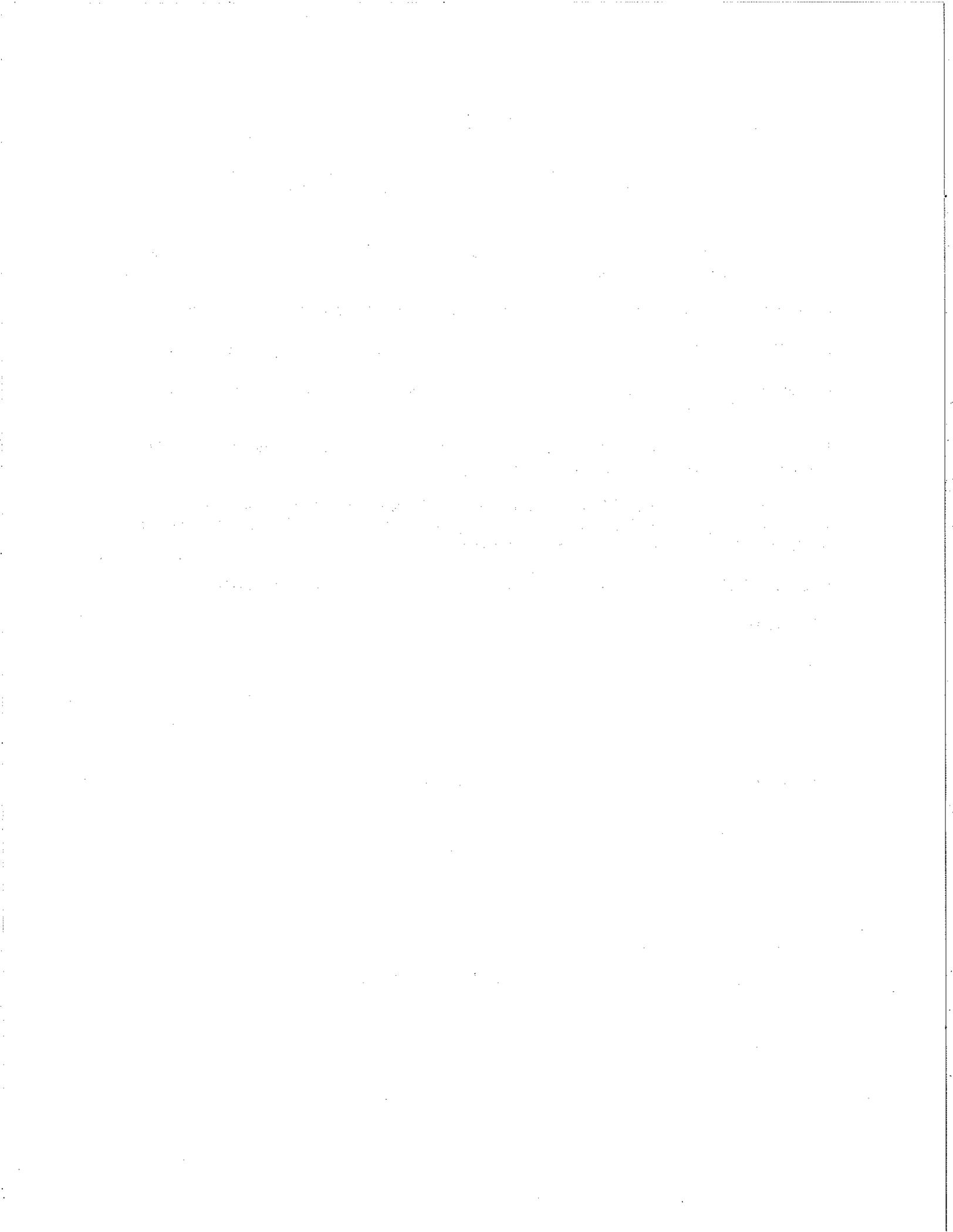
ATTESTED:

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Mayor Gary Hansen

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Natalie Butler, City Clerk



**CITY OF WILLOWS**  
**2011/12**  
**GENERAL FUND BUDGET UPDATE**  
**STATUS @ 06/28/11**

**General Fund Status-** Per the attached page, a number of cuts are proposed/re-introduced for Council consideration. The items include:

WPSA Agreed Upon 5% Furlough	\$41K
Layoff of One Police Officer Position	\$57K
PW Director Agreed Upon 10% Furlough	\$10K
Police Admin Secretary Agreed Upon 5% Furlough	\$ 3K
Reduction in General Fund Allocation for Part Time Recreation Assistant	\$ 4K
Operational Line Item Cuts	\$12K

In addition, the WPSA (7.5%), the WEA (3.0%) and the Police Chief (15%) have agreed to defer their contractual increases through the balance of the 2011/12 fiscal year.

As a result of the items proposed, the projected General Fund deficit will stand at \$148K if approved.

**Budget Adoption-** If a temporary spending plan resolution is in place, Council may review the items listed and direct staff for further information or to place a budget resolution on the agenda for July 12. However, if Council, upon review of the proposed cuts, wishes to adopt a budget resolution at the June 28 meeting, a resolution will be available for review and possible adoption at that time.

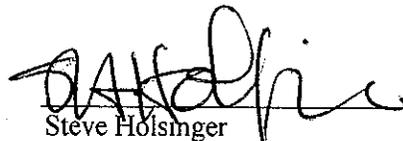
City of Willows  
Budget Update  
Schedule of Changes  
Update 6/28/11

Projected General Fund Deficit at 05/17/11	\$ 462,824
Projected Effect of 3 retirements at 10/01/11	\$ (136,533)
Backfill of Part Time Staff due to Retirements	\$ 26,000
Elimination of Funding- Part Time CSO Position	\$ (17,000)
Partial Elimination of Funding- Part Time Accounts Analyst	\$ (11,000)
Revision to Liability Insurance Premium and one-time dividend received to offset portion of liability insurance	\$ (26,000)
Revision to Revenue Estimates	\$ (2,000)
Departmental Level Cuts and Allocation Transfers Provided 6/14	<u>\$ (16,430)</u>
Projected Deficit at 6/14/11	\$ 279,861
<u>Health Insurance-Adjustment to Projected Expenditure</u>	<u>\$ (4,140)</u>
Projected Deficit at 6/21/11	\$ 275,721
Layoff One Police Officer	\$ (57,439)
PW Director 10% Furlough	\$ (10,445)
Police Admin. Secretary 5% Furlough	\$ (2,568)
Reduce General Fund Allocation-Part Time Recreation Assistant	\$ (4,116)
Departmental Level Cuts Provided 6/28	\$ (12,000)
<u>WPSA 5% Furlough</u>	<u>\$ (41,462)</u>
Revised Deficit Projection @ 6/28/11	\$ 147,691

Willows Employees Association  
2011/2012 Wage Adjustment Deferral  
Willows Employees Association/City of Willows

- i. The parties shall mutually agree that the wage adjustment, calculated at 3% based on the cost sharing formula per the agreement of January 18, 2008 and scheduled to be implemented on July 1, 2009, shall be deferred until July 1, 2012. Both parties further stipulate that the WEA previously deferred this increase from July 1, 2009 to June 30, 2010; and again from July 1 2010 to June 30, 2011.
- ii. The 3% adjustment shall be implemented on July 1, 2012 or as subsequently agreed by mutual consent of both parties.
- iii. The WEA and the City of Willows agree implementation of above wage adjustment shall not include any retro-activity (i.e. back payment) of wages deferred during this period.
- iv. This 3% increase shall not be subject to any further cost-sharing formula adjustment (i.e. increases in insurance premiums or PERS premiums).
- v. The WEA and City of Willows agree to meet at mid-year budget review of the 2011/2012 (i.e. on or about February, 2012) to review City revenues and expenditures.
- vi. The WEA and City of Willows agree to continue to meet frequently during the 2012/2013 FY budget development process and workshops.
- vii. The "term" of the Agreement between the City of Willows and Willows Employees Association shall be extended for a period of one year, from June 30, 2012 to June 30, 2013.
- viii. All other terms, covenants, conditions, and provisions of the Memorandum of Understanding shall remain intact and shall bind each of the parties accordingly.

  
Steve Abold  
President, Willows Public Safety Association

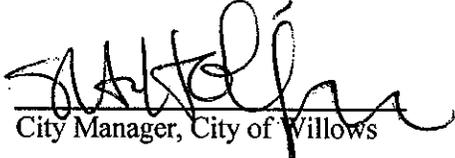
  
Steve Holsinger  
City Manager, City of Willows

Willows Public Safety Association  
FY 2011/2012 Wage Concession Agreement  
between  
Willows Public Safety Association & City of Willows

- i. The parties shall mutually agree that the wage adjustment, calculated at 7.5% based on the cost sharing formula per the agreement of January 18, 2008 and scheduled to be implemented on July 1, 2009, shall be deferred until July 1, 2012. Both parties further stipulate that the WPSA previously deferred this increase from July 1, 2009 to June 30, 2010; and again from July 1, 2010 to June 30, 2011.
- ii. The 7.5% adjustment shall be implemented on July 1, 2012 or as subsequently agreed by mutual consent of both parties.
- iii. The WPSA and the City of Willows agree implementation of above wage adjustment shall not include any retro-activity (i.e. back payment) of wages deferred during this period.
- iv. This 7.5% increase shall not be subject to any further cost-sharing formula adjustment (i.e. increases in insurance premiums or PERS premiums).
- v. Effective July 1, 2011 the Willows Public Safety Association agrees to implementation of a five percent (5%) temporary furlough program throughout the Fiscal 2011/2012 Funding Cycle; ending June 30, 2012; contingent upon the following criteria:
  - The temporary furlough may be rescinded (subject to Willows City Council approval) upon reinstatement of Supplemental Law Enforcement Funding by the State of California, during the FY 2011/2012.
  - The temporary furlough shall be rescinded upon any legislative mandate requiring employee payment of Public Employee Retirement System contributions at a level in excess of five percent (5%) of earnings.
  - The threshold for Over-Time Payment (i.e., compensation at 1.5 times the normal hourly rate) shall be adjusted to reflect payment for hours worked in excess of the reduced furlough pay-periods (e.g. five percent below the hours scheduled in a normal bi-weekly payroll period).
  - Should circumstances beyond the control of the "association" or "city" result in any additional reductions-in-force; beyond those established upon ratification of the 2011/2012 budget document, the parties mutually agree to restore staffing to the level approved during the 2011/2012 budget development & adoption process.
- vi. The WPSA and City of Willows agree to continue to meet frequently during the 2012/2013 FY budget development process and workshops.
- vii. The "term" of the Agreement between the City of Willows and Willows Public Safety Association shall be extended for a period of one year, from June 30, 2012 to June 30, 2013.

- viii. All other terms, covenants, conditions, and provisions of the Memorandum of Understanding shall remain intact and shall bind each of the parties accordingly.

  
\_\_\_\_\_  
President, Willows Public Safety Association

  
\_\_\_\_\_  
City Manager, City of Willows



**AGENDA ITEM**

June 28, 2011

**TO:** Honorable Mayor Hansen and Members of City Council  
**FROM:** Karen Mantele, Contract Planner  
**SUBJECT:** Amendment of the City's Municipal Code/Zoning Ordinance, and Amendments to the General Plan

**RECOMMENDATION**

Adopt the attached resolution(s)

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**SUMMARY/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.

On June 15, 2011 the City of Willows Planning Commission heard and reviewed the proposal and recommended the City Council adopt the proposed Municipal Code/Zoning Text Amendments and proposed General Plan Amendments.

**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. One comment was received from the Department of Transportation, which Department had no specific comments regarding the Initial Study.

All proposed Ordinance Text Amendments are in **bold and underlined**.

**NOTIFICATION**

A general notice in the newspaper of local record was published on June 18, 2011

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**ALTERNATE ACTION**

None are recommended for consideration by the City Council.

**STAFF RECOMMENDATION**

Adopt the attached resolution adopting the Initial Study/Negative Declaration prepared for Municipal Code/Zoning Ordinance text amendments and General Plan text amendments, adopt the attached resolution amending the Willows General Plan, and introduce for first reading the attached Ordinances.

Respectfully submitted,

Approved by:

Karen Mantele  
Principal Planner

Steve Holsinger  
City Manager

Attachments:

- 1) Planning Commission Resolution recommending adoption of the Initial Study/Negative Declaration
- 2) Resolution adopting the Initial Study/Negative Declaration
- 3) Initial Study/Negative Declaration
- 4) Resolution amending the General Plan
- 5) Ordinances Exhibits A.1 – A.11

**PC RESOLUTION NO. 05-2011**

**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, AND AMENDMENTS TO THE GENERAL PLAN AS LISTED ON EXHIBIT B, 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, and General Plan, 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.

- 
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:               Alves, Domenighini, Thur & Woods  
NOES:               None  
ABSTAIN:           None  
ABSENT:            Warren

APPROVED: \_\_\_\_\_  
                  Candis Woods, Chairperson

ATTEST: \_\_\_\_\_  
                  Recording Secretary

RESOLUTION NO. 22-2011

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WILLOWS ADOPTING THE INITIAL STUDY/NEGATIVE  
DECLARATION PREPARED FOR THE GENERAL PLAN AND ZONING  
ORDINANCE AMENDMENTS PERTAINING TO PROGRAMS WITHIN  
THE 2009-2014 HOUSING ELEMENT**

**WHEREAS**, Public Resources Code, Division 13, Section 21000-21177 (California Environmental Quality Act (CEQA)) sets forth requirements and procedures for review of projects, as therein defined, in order to assure public disclosure of significant effects; and,

**WHEREAS**, Guidelines for the Implementation of the California Environmental Quality (Guidelines) Act have been adopted and made a part of the California Code of Regulations (Title 14, Division 6, Chapter 3, Sections 15000 – 15387 and Appendices A-K) in order to assist public agencies in carrying out their responsibilities under the California Environmental Quality Act; and,

**WHEREAS**, the City of Willows has prepared an Initial Study/Negative Declaration assessing the environmental effects associated with adoption of certain General Plan and Zoning Ordinance Amendments, all in accordance with the Public Resources Code and the Guidelines and on file in the office of the City Clerk; and,

**WHEREAS**, Notice of Intent to adopt the proposed Negative Declaration has been provided in accordance with law; and

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

**WHEREAS**, one comment was received in response to the Notice of Intent from the Department of Transportation stating they have no comment on the Notice; and

**WHEREAS**, the Willows Planning Commission, did on June 15, 2011, hold a duly noticed public hearing to consider all oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record relative to the proposed text amendments to the City's Zoning Ordinance and General Plan; and

**WHEREAS**, the Planning Commission of the City of Willows did recommend the City Council adopt a Negative Declaration and approve the text amendments to the City's Zoning Ordinance and General Plan; and

**WHEREAS**, notices of the City Council meeting held on June 28, 2011, were published in a newspaper of general circulation in the City in accordance with law; and

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**WHEREAS**, the Willows City Council also held a public hearing on June 28, 2011, and considered all oral and written comments on the adequacy of the Negative Declaration including public testimony, staff reports and environmental information presented to the City on this issue; and

**WHEREAS**, the City Council finds that the Zoning Text and General Plan Text Amendments as proposed are consistent with the General Plan; and

**NOW, THEREFORE, THE CITY COUNCIL 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 City Council in approving this Resolution.
2. The Project will not have a significant effect on the environment.
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. In amending the Zoning Ordinance and General Plan, the City will be meeting the obligation of implementing the Programs of the 2009-2014 Housing Element as conditioned by the Department of Housing and Community Development, Division of Housing Policy Development.
5. The City Manager is hereby directed to file a Notice of Determination with the Glenn County Clerk in accordance with law.
6. The City Council of the City of Willows does hereby approve the Negative Declaration.

**PASSED AND ADOPTED** by the City Council of the City of Willows at a regular meeting on Tuesday, the 28<sup>th</sup> day of June 2011, by the following vote, to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

APPROVED: \_\_\_\_\_  
Gary Hansen, Mayor

ATTEST: \_\_\_\_\_  
Natalie Butler, City Clerk

## 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

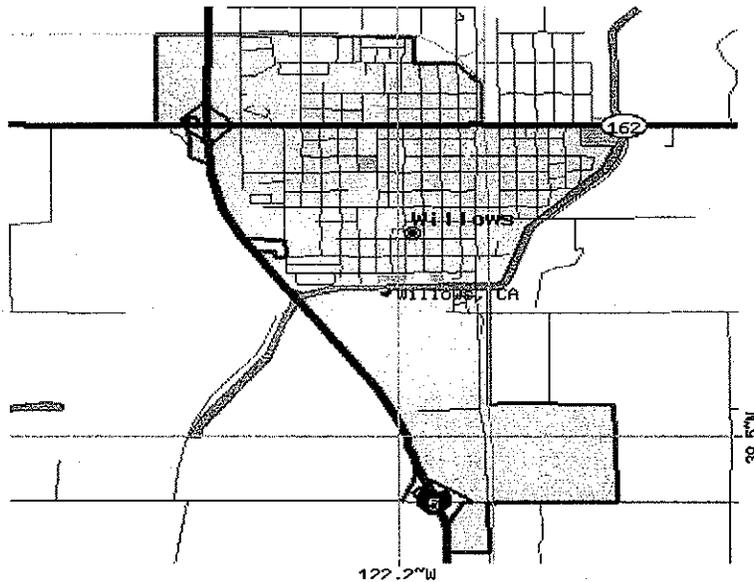
**Project Description:** The proposed project consists of various amendments to the City's Land use controls required for the implementation of the 2009-2014 Housing Element Update for the City of Willows as follows: **(1) Zoning Text Amendments** to include: allowing for residential uses on all floors 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.

Aesthetics

Agricultural Resources

Air Quality

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

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

**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**

<b>Would the project:</b>		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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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
<b>Would the project:</b>				
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
<b>Would the project:</b>				
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
<b>Would the project result in:</b>				
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
<b>Would the project result in:</b>				
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
<b>Would the project:</b>				
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**

<b>Would the project:</b>	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**

<b>Would the project:</b>	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

## RESOLUTION NO. 23-2011

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS  
AMENDING THE WILLOWS GENERAL PLAN**

**WHEREAS**, California Law requires each city and county to adopt and maintain a General Plan for the physical development of the city or county; and,

**WHEREAS**, the City of Willows maintains a General Plan in accordance with California law; and,

**WHEREAS**, from time to time it becomes necessary to amend the adopted General Plan in order to remain current with changing law and State compliances; and,

**WHEREAS**, the City's 2009-2014 State certified Housing Element requires implementation of policies and strategies the City will implement in order to promote development of sufficient housing and remove governmental constraints to development of housing, especially housing affordable to extremely low-, very-low-, and low-income households, which certain policies necessitate amendments to the General Plan as follows:

- Amend the Land Use Element Section 6.1 Land Use Classifications, specifically the MFR (Multi-Family Residential) designation, by increasing the permitted density from a maximum of 14 units per acre to 16-30 units per acre.
- Incorporate a new Land Use Classification (MDR) Medium Density Residential to Section 6.1 of the Land Use Element, which will allow 7-15 units per acre.
- Add text to the Commercial designation allowing a maximum of 30 units per acre; and

**WHEREAS**, in order to provide clearer understanding of the density allowed for residential development, removal of certain language as follows is proposed:

- From Section 6.0 of the General Plan Land Use Element, under Population Density and Building Intensity section, remove "Population and density standards expressed in person per acre are estimations only and do not constitute General Plan Policy".
- From Section 6.1 of the General Plan Land Use Element 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".
- From Section 6.1 of the General Plan Land Use Element Residential/Estate Residential remove wording "with an average population density of 2.8 persons per acre".
- From Section 6.1 of the General Plan Land Use Element "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".
- From Section 6.5 of the General Plan Land Use Element Agriculture/Agriculture section remove wording "and a population density of 0.0645 persons per acre"; and

**WHEREAS**, the Willows Planning Commission held a duly noticed public hearing on June 15, 2011 to take public comment on the proposed General Plan amendments and has recommended to the City Council their adoption; and

**WHEREAS**, this City Council has held a duly notice public hearing on June 28, 2011 to take public comments on the proposed General Plan amendments; and

**WHEREAS**, notice was provided to the public in accordance with the law on the required public hearings; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the City Council of the City of Willows does hereby amend its General Plan and adopt the proposed General Plan amendments as recommended by the Planning Commission.

**PASSED AND ADOPTED** by the City Council of the City of Willows at a regular meeting on Tuesday, the 28<sup>th</sup> day of June 2011, by the following vote, to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

APPROVED: \_\_\_\_\_  
Gary Hansen, Mayor

ATTEST: \_\_\_\_\_  
Natalie Butler, City Clerk

ORDINANCE NO. 694-2011

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. 694-2011 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. 22-2011.

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. 22-2011 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 28th day of June, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

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Gary Hansen, Mayor

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Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 694-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS            )

I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 694-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:.

This ordinance was duly published in accordance with State law (GC 40806).

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Natalie Butler  
City Clerk of the City of Willows

ORDINANCE NO. 695-2011

**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. 695-2011 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. 22-2011.

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. 22-2011 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 28<sup>TH</sup> day of June, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12<sup>th</sup> day of July, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

ATTESTED:

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Gary Hansen, Mayor

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Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 695-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS            )

I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 695-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

---

Natalie Butler  
City Clerk of the City of Willows

## ORDINANCE NO. 696-2011

**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. 696-2011 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. 22-2011.

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. 22-2011 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 28th day of June 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

ATTESTED:

\_\_\_\_\_  
Gary Hansen, Mayor

\_\_\_\_\_  
Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 696-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS  
)

I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 696-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

\_\_\_\_\_  
Natalie Butler  
City Clerk of the City of Willows

## ORDINANCE NO. 697-2011

**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. 697-2011 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. 22-2011.

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. 22-2011 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 28th day of June, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

---

Gary Hansen, Mayor

---

Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 697-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS

)  
I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 697-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

---

Natalie Butler  
City Clerk of the City of Willows

## ORDINANCE NO. 698-2011

**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:

## 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. 698-2011 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. 22-2011.

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. 22-2011 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 28th day of 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

---

Gary Hansen, Mayor

---

Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 698-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS

)  
I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 698-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

---

Natalie Butler  
City Clerk of the City of Willows

**ORDINANCE NO. 699-2011**

**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. 699-2011 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. 22-2011.

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. 22-2011 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 28th day of June, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

---

Gary Hansen, Mayor

---

Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 699-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS

)  
I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 699-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

\_\_\_\_\_  
Natalie Butler  
City Clerk of the City of Willows

## ORDINANCE NO. 700-2011

**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. 700-2011 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. 22-2011.

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. 22-2011 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 28th day of July, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

ATTESTED:

---

Gary Hansen, Mayor

---

Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 700-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS

)  
I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 700-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

\_\_\_\_\_  
Natalie Butler  
City Clerk of the City of Willows

## ORDINANCE NO. 701-2011

**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:

## 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. 701-2011 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. 22-2011.

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. 22-2011 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 28th day of June, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

ATTESTED:

\_\_\_\_\_  
Gary Hansen, Mayor

\_\_\_\_\_  
Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 701-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS  
)

I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 701-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

\_\_\_\_\_  
Natalie Butler  
City Clerk of the City of Willows

**ORDINANCE NO. 702-2011**

**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.

(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.
  - (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:

(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.
- (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. 702-2011 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. 22-2011.

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. 22-2011 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 28th day of June, 2011.

**PASSED AND ADOPTED** at a public meeting of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

---

Gary Hansen, Mayor

---

Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 702-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS

)  
I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 702-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

\_\_\_\_\_  
Natalie Butler  
City Clerk of the City of Willows

ORDINANCE NO. 703-2011

**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.

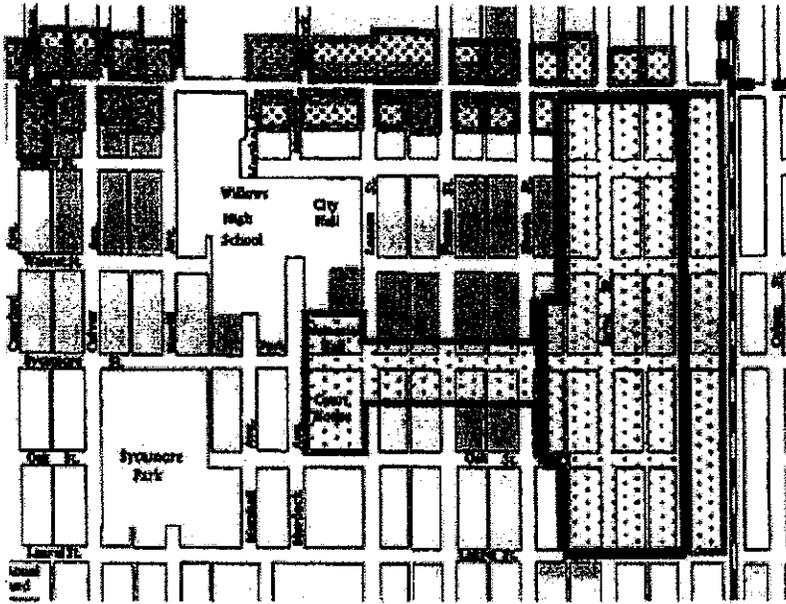
(3) **Parking Spaces for Uses Not Specified.** The parking space requirements for uses not set forth herein shall be fixed by the city manager and be based upon available studies and standards for the most compatible use.

(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. 703-2011 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. 22-2011.

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. 22-2011 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 28th day of June, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

ATTESTED:

\_\_\_\_\_  
Gary Hansen, Mayor

\_\_\_\_\_  
Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 703-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS            )

I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 703-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

---

Natalie Butler  
City Clerk of the City of Willows

ORDINANCE NO. 704-2011

**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	Seven feet above	One square foot

	Flat wall (c), ground-mounted (b)	grade	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	Identity signs, including wall (c), projecting, monument and (d), window signs (In the	30 feet above grade if attached to building	Total square footage of all identity signs shall not exceed 1.5 sq. ft. for each ft.

Districts Commercial Centers (b)	downtown guidelines, pole signs are discouraged)	8 feet for monument and pole-mounted	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 Combining Districts	Identity signs, including wall, projecting, monument and window signs 1 pole-mounted (e) must meet two requirements (a)	80 feet	Pole-mounted sign: 100 sq. ft. of surface area for one 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. 704-2011 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. 22-2011.

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. 22-2011 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 28th day of June, 2011.

**PASSED AND ADOPTED at a public meeting** of the City Council of the City of Willows on the 12th day of July, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

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Gary Hansen, Mayor

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Natalie Butler, City Clerk

WILLOWS CITY COUNCIL ORDINANCE NO. 704-2011

STATE OF CALIFORNIA            )  
COUNTY OF GLENN            )            ss  
CITY OF WILLOWS            )

I, Natalie Butler, City Clerk of the City of Willows, California, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance No. 704-2011 that was duly introduced and approved by the City Council of the City of Willows at a regular meeting held on the 28<sup>th</sup> day of June, 2011 and adopted and passed by said Council at a regular meeting held on the 12<sup>th</sup> day of July, 2011 by the following roll call vote:

AYES:

NOES:

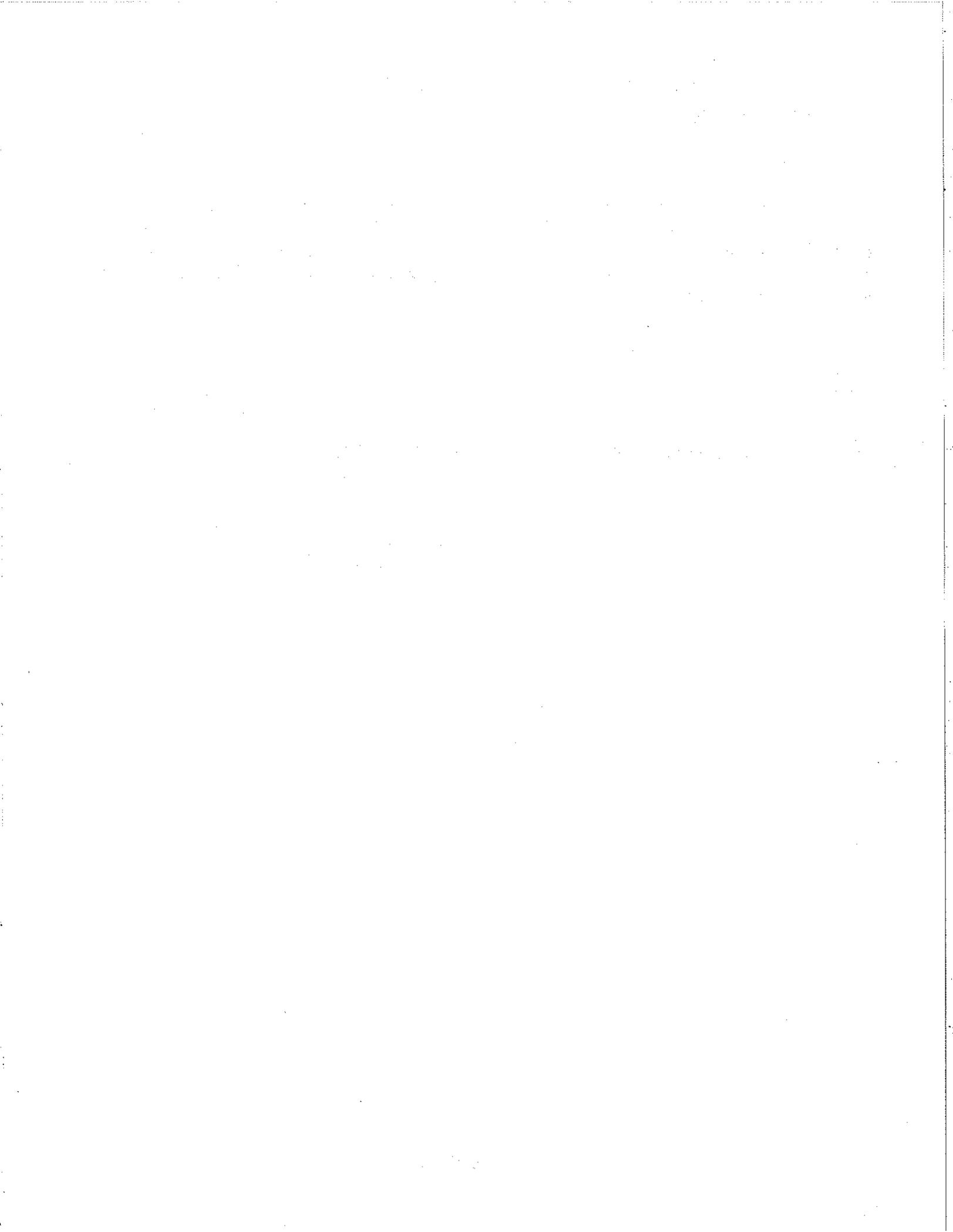
ABSTAIN:

ABSENT:

This ordinance was duly published in accordance with State law (GC 40806).

---

Natalie Butler  
City Clerk of the City of Willows



**AGENDA ITEM**

**TO:**  Steve Holsinger, City Manager

**FROM:** Tim Sailsbery, Finance Director

**SUBJECT:** PERS Contract Amendment-Section 20903-Two Years Additional Service Credit-Ordinance Authorizing Amendment with Cal PERS

---

**RECOMMENDATION**

Propose Second Reading of Ordinance By Title Only and Adopt Ordinance Authorizing Contract Amendment with CalPERS.

**SITUATION (or BACKGROUND):**

Council has directed staff to proceed with the process of adding Public Employees Retirement Law Section 20903-Two Years Additional Service Credit. Council has previously passed the Resolution of Intention to enter into a contract amendment with CalPERS, introduced the Ordinance Authorizing Amendment and has received information pertaining to the future cost of the contract amendment.

At this time, an ordinance is presented for second reading and adoption by the Council. Said ordinance will authorize the Mayor to execute an amendment to the existing contracts between the City and CalPERS for both public safety and miscellaneous members to add Section 20903-Two Years Additional Service Credit. Upon adoption, the ordinance will go into effect 30 days later. It is anticipated that the City will open a period for eligible employees to elect to retire utilizing Section 20903 on or about October 1.

**FINANCIAL CONSIDERATIONS:**

Previously stated as part of the introduction and first reading of the ordinance.

**NOTIFICATION**

Public Notification of Ordinance published in newspaper of general circulation on June 4, 2011.

**RECOMMENDATION**

Propose Second Reading of Ordinance By Title Only and Adopt Ordinance Authorizing Contract Amendment with CalPERS.

Respectfully submitted,



Tim Salsbery  
Finance Director

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Attachments:      Ordinance  
                            Amendment to Contract

ORDINANCE NO. 694-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS  
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY  
COUNCIL OF THE CITY OF WILLOWS AND THE BOARD OF ADMINISTRATION  
OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Willows does ordain as follows:

Section 1 - That an amendment to the contract between the City Council of the City of Willows and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

Section 2 - The Mayor of the City Council is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

Section 3 - This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 10 days from the passage thereof shall be published at least once in the Sacramento Valley Mirror, a newspaper of general circulation, published and circulated in the City of Willows, County of Glenn, and thenceforth and thereafter the same shall be in full force and effect.

Introduced for first reading on June 14, 2011.

ADOPTED AND APPROVED by the City Council of the City of Willows this 28<sup>th</sup> day of June, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

\_\_\_\_\_  
Gary Hansen, Mayor

\_\_\_\_\_  
Natalie Butler, City Clerk



**EXHIBIT**

California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Willows

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective February 1, 1965, and witnessed December 14, 1964, and as amended effective November 1, 1965, July 1, 1972, May 1, 1996, July 10, 1998, July 1, 2001 and January 1, 2005 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective January 1, 2005, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous members and age 50 for local safety members.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

2. Public Agency shall participate in the Public Employees' Retirement System from and after February 1, 1965 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
  
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
  - (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.
  - (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.
  - (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.
  - (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Local Fire Fighters (herein referred to as local safety members);
  - b. Local Police Officers (herein referred to as local safety members);
  - c. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
  - a. **PERSONS COMPENSATED ON AN HOURLY BASIS WHO ARE EMPLOYED ON OR AFTER NOVEMBER 1, 1965.**
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after January 1, 2005 shall be determined in accordance with Section 21354 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 55 Modified and Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after January 1, 2005 shall be determined in accordance with Section 21354.3 of said Retirement Law subject to the reduction provided therein for Federal Social Security (3% at age 60 Modified and Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law subject to the reduction provided therein for Federal Social Security (3% at age 50 Modified).
9. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20965 (Credit for Unused Sick Leave).
  - b. Section 21024 (Military Service Credit as Public Service).
  - c. Section 20903 (Two Years Additional Service Credit).
10. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

11. Public Agency shall also contribute to said Retirement System as follows:
- a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF WILLOWS

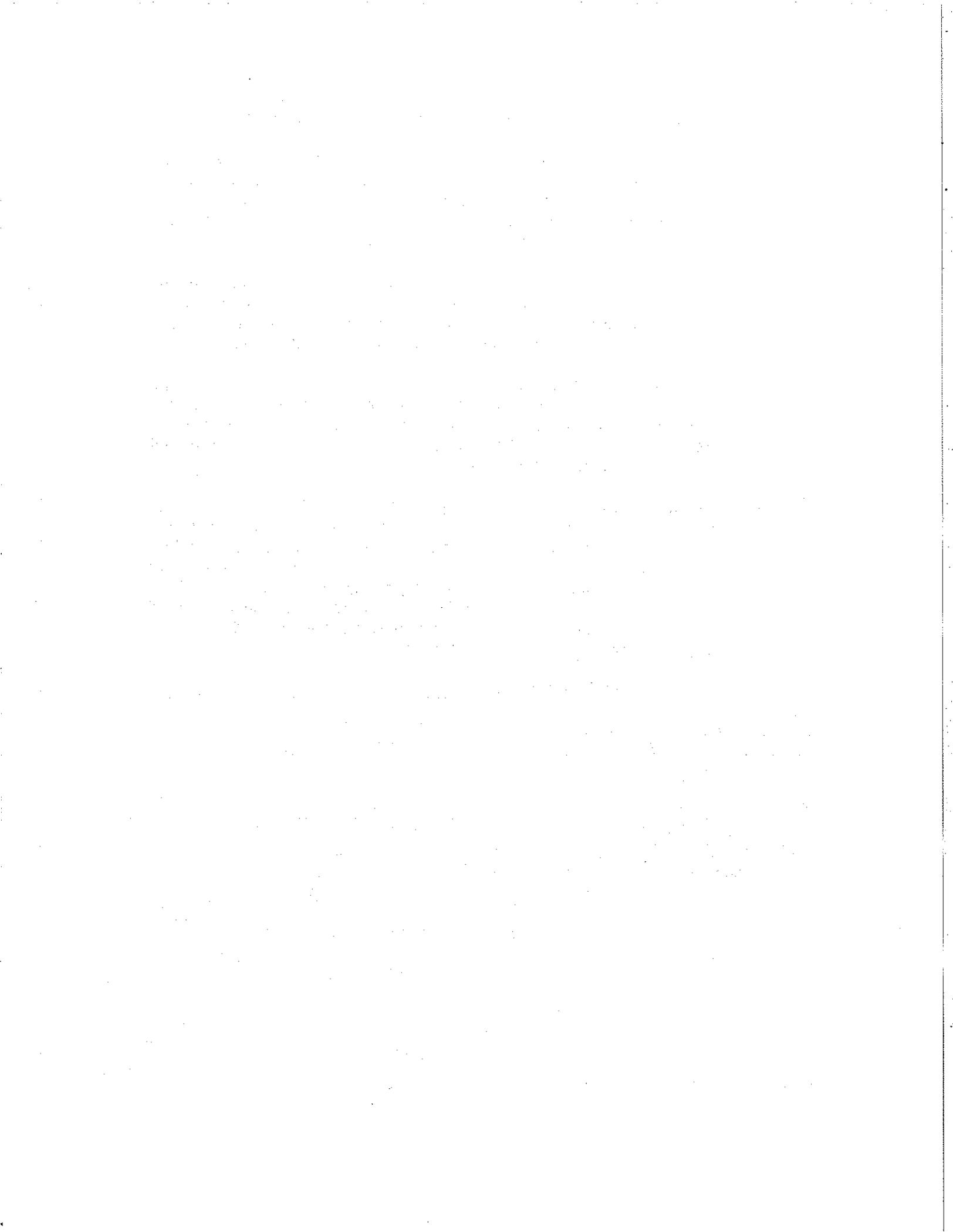
BY \_\_\_\_\_  
DARRYL WATSON, CHIEF  
CUSTOMER ACCOUNT SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk



## AGENDA ITEM

June 28, 2011

**TO:** Honorable Mayor Hansen and Members of City Council

**FROM:** Karen Mantele, Principal Planner

**SUBJECT:** Façade Improvement Program Funds Requests  
401 W. Sycamore Street/APN: 002-113-001  
114 N. Shasta Street/APN: 002-162-015, -014, 002-162-004

### RECOMMENDATION

Adopt the attached resolution approving the use of Downtown Façade Improvement Funds for one (1) Mini Grant to install two new canvas window awnings at Miller Pride Realty on 401 W. Sycamore Street, and one (1) Façade Improvement Grant for concrete repair and new lawn seeding at FD Sweet and Son Mortuary at 114 N. Shasta Street, authorizing the commitment of \$1,200 for the Mini-Grant, and \$3,642.50 for the Façade Improvement Grant. (\$4,842.50 total)

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### SUMMARY

In June of 2008 the City Council adopted Resolution #31-2008 which provided Façade Improvement funding assistance to property and business owners in the Central Commercial (CC) Zoning District. This resolution and funding will implement a community goal of the 2000 Community Vision and Action Plan which was to establish a Downtown Façade Improvement Program (PROGRAM) to support downtown revitalization efforts. The program was seeded by the Wal-Mart project conditions of approval, and funds were committed and deposited with the City to which a portion has been set aside for this PROGRAM. Mini Grant Funding is available up to a maximum of Twelve Hundred (\$1,200) per project with no "matching funds" required. Mini Grants are subject to all façade improvement program criteria and subject to approval by city staff and or Planning Commission as required.

Two Grant applications have been submitted to the City; one for a Mini-Grant and the second one for the regular Façade Improvement Grant. They are described as follows:

- 1) Vickie Miller made an application request to the City for a Mini-Grant under the Façade Improvement Program to install two (2) new canvas awnings to the front entrance of her business, Miller Pride Realty, a business located within the Central Commercial District. The type of work proposed did not require Planning Commission approval, therefore the project is proceeding to the City Council for grant funding approval. This project was applied for under the Mini Grant portion of the PROGRAM as Ms Miller desires to improve the building front and obtain financial assistance with the improvements. The cost estimate to install the awnings is approximately \$1,920.00. Ms Miller understands that the maximum allowed under Mini Grants is \$1,200 and that she is liable to pay the difference. Awnings are one of the eligible items listed under the Program Guidelines and are encouraged so that they can be both functional and visually appealing. As stated earlier, Mini-Grants have a maximum limit of \$1200 with no matching funds required, as such this request is for the total limit.

- 2) Kathy Spence/Dan Roberts/Kevin Stiles made an application request to the City for a-Grant under the Façade Improvement Program to repair concrete areas in the front of the business, and to install new lawn seeding along the front and side of their business, FD Sweet and Son Mortuary, a business located within the Central Commercial District. The type of work proposed did not require Planning Commission approval, therefore the project is proceeding to the City Council for grant funding approval. The cost estimate of the project is approximately \$7,285.00. Per the PROGRAM guidelines, an applicant may request funding assistance in which the PROGRAM would reimburse the applicant fifty percent (50%) of total project cost. 50% of the total project cost is \$3,642.50, the amount being requested.

### **FINANCIAL CONSIDERATIONS**

The approval of the attached resolution commits the City to \$4,824.50 in Downtown Façade Improvement matching funds. The source of funding is available through partial allocation of the Wal-Mart Economic Impacts contribution.

### **NOTIFICATION**

Vickie Miller of 401 W. Sycamore Street and Kathy Spence, Dan Roberts, & Kevin Stiles have been notified.

### **ALTERNATE ACTIONS**

No alternatives are recommended.

### **RECOMMENDATION**

Adopt the attached resolution approving the use of Façade Improvement Funds to assist Vickie Miller and Kathy Spence/Dan Roberts/Kevin Stiles with improvements to their businesses not to exceed a total of \$4,824.50 combined.

Respectfully submitted,

Approved by:

Karen Mantele  
Principal Planner

Steve Holsinger  
City Manager

### **Attachments:**

- 1) Draft Resolution
- 2) Project cost estimates for Miller request
- 3) Project cost estimates for Spence request
- 4) City Council Resolution #31-2008

RESOLUTION No. \_\_\_\_-2011

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING THE USE OF MINI GRANT DOWNTOWN FAÇADE IMPROVEMENT FUNDS FOR VICKIE MILLER TO INSTALL TWO NEW CANVAS AWNINGS ON AN EXISTING COMMERCIAL BUILDING LOCATED AT 401 W. SYCAMORE STREET, ASSESSORS PARCEL NUMBER 002-113-001 AND APPROVE THE USE OF FAÇADE IMPROVEMENT FUNDS FOR KATHY SPENCE FOR NEW LAWN SEEDING AND CONCRETE REPAIR AT AN EXISTING BUSINESS LOCATED AT 114 N. SHASTA STREET ASSESSORS PARCEL NUMBER(S) 002-162-015, -014, 002-162-004**

**WHEREAS**, on June 13, 2000, the City Council of the City of Willows adopted the Community Vision and Action Plan per Resolution No. 16-2000 which recommended a Community Goal to establish a Façade Improvement Program (PROGRAM), and

**WHEREAS**, on June 24, 2008 the City Council of the City of Willows adopted Resolution No. 31-2008 implementing a Downtown Façade Improvement Program, and,

**WHEREAS**, funding is available for the PROGRAM through partial allocation of the Wal-Mart Economic Impacts contribution, and

**WHEREAS**, Vickie Miller has requested the use of Mini Grant PROGRAM funds not to exceed \$1,200, to assist with the installation of two new canvas awnings for property located at 401 W. Sycamore Street, within the Central Commercial Zoning district, and

**WHEREAS**, Kathy Spence has requested the use of Façade Improvement Grant PROGRAM funds not to exceed \$3,642.50, to assist with the installation of new lawn seeding and concrete repair for property located at 114 N. Shasta Street, within the Central Commercial Zoning district, and

**WHEREAS**, awnings, concrete repair, and lawn seeding are an eligible items under the PROGRAM, and

**WHEREAS**, in an effort to further the goal of providing assistance to businesses within the Central Commercial Zoning District for downtown revitalization, it is recommended that the Council consider approving the use of PROGRAM funds for this window project.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Willows does hereby resolve as follows:

1. That the awning project qualifies as an eligible use of PROGRAM funds.
2. That the lawn seeding and concrete repair project qualifies as an eligible use of PROGRAM funds
3. That the City Council hereby commits \$1,200 of the PROGRAM funds to Vickie Miller for the awning project.

4. That the City Council hereby commits \$3,642.50 of the PROGRAM funds to Kathy Spence for the lawn seeding and concrete repair project

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council on this 28<sup>th</sup> day of June, 2011, by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

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Mayor Hansen

---

Natalie Butler, City Clerk

Cost Estimate for Vickie Miller project

Miller Pride

103 SO. FULMARS

WILLOWS, CA



INSTA LED= \$1920.00 + TAX. FRAMES USE GALVANIZED STEEL. POWDR COATING OPTIONAL.

Thursday, May 19, 2011  
Nottley's Canvas Shop

Salesperson: TOM GAINES  
14 FREIGHT LANE  
CHICO, CA 95673  
Phone: (530) 229-0376

Cost Estimate for Kathy Spence Project

**Precision Seeding**

State Cont. Lic. # 270898  
24855 Foster Road  
Corning, Ca. 96021  
Phone: 530-824-4794  
FAX: 530-824-4876  
Email: hscott822@hughes.net



Renovation of Lawn area at F D Sweet mortuary located at 114 N. Shasta St. Willows Ca.

Area is approximately 10,000 squarefeet of a common Bermuda grass lawn area.

Side walk area needs to be tapered back away from the sidewalk and this material used to fill and level existing lawn. Grade not to be change more than + or - .1 tenth which about 2" or 3" inches. Contractor will supply any additional top soil if needed. Contractor will aerate thatch and level out the area. Owner will Scap existing grass area down with lawn mowers and then apply roundup twice before Contractor starts the Renovation. Contractor will Hydromulch and Hydroseed the prepared surface with a special dwarf tall fescue mix which has been successful in this area. Owner will be responsible for germination and maintenance.

Contractor will be available as a consultant in this process.

Our Total bid is:

\$4100 Terms will be negotiated at time of the signing of Contract.

Thank you,

Margie Scott owner

Precision Seeding

530-824-4794

Walkup Construction  
P.O. Box 112  
2141 Fouts Springs Rd.  
Stonyford, CA 95979

Date 3/24/2011  
Estimate # 13

Name / Address  
Mortuary

P.O. #  
Terms

Due Date 3/24/2011  
Other

Description	Qty	Rate	Total
concrete 5 sack 3/4	4.5	190.00	585.00
1/2 rebar	30	11.00	330.00
wire		75.00	75.00
fuel		50.00	50.00
pump		300.00	300.00
dump fee		150.00	150.00
labor	15	95.00	1,520.00
jack hammer		175.00	175.00

DEMO OF TWO 10X16 SLABS ,HAUL AWAY  
CONCRETE,POUR BACK W/BRCON FINISH

Lic# 921080

Subtotal	\$3,185.00
Sales Tax (0.0%)	50.00
<b>Total</b>	<b>\$3,185.00</b>

Walkup Construction  
sonnywalkup@ebopictal.net

530-518-1679  
Fax 530-963-3407

RESOLUTION NO. 31-2008

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF WILLOWS APPROVING THE  
IMPLEMENTATION OF A  
FACADE IMPROVEMENT PROGRAM

**WHEREAS**, The City is interested in revitalizing the downtown and other areas of the City within the Central Commercial Zoning District boundaries through improvements in streetscapes, architectural style, storefront upgrades, signage, and similar improvements visible from public streets and walkways; and

**WHEREAS**, the Community Vision and Action Plan adopted by the City Council in June 2000 recommended establishment of a Facade Improvement Program; and

**WHEREAS**, the City Council wishes to establish incentives to provide assistance to property and business owners in the Central Commercial Zoning District area; and

**WHEREAS**, funding is available for program implementation through partial allocation of the Wal Mart Economic Impacts contribution; and

**WHEREAS**, the City Council wishes to provide additional economic and business incubator incentive; for projects qualifying under the Façade Improvement Program by waiving the otherwise required fees, adopted under the Planning & Development Fee Schedule in March 2007; and

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Willows authorizes the city staff to implement the "Facade Improvement Program" as described in Exhibit A

It is hereby certified that the foregoing Resolution No. 31-2008 was duly introduced and legally adopted by the City Council of the City of Willows at its regular meeting held on this 24th day of June 2008 by the following roll call vote: ( )

AYES: Baker, Holvik, Towne, Thrailkill & Yoder  
NOES: None

AYES: Baker, Holvik, Towne, Thrailkill & Yoder  
NOES: None  
ABSENT: None  
ABSTAIN: None

Approved:

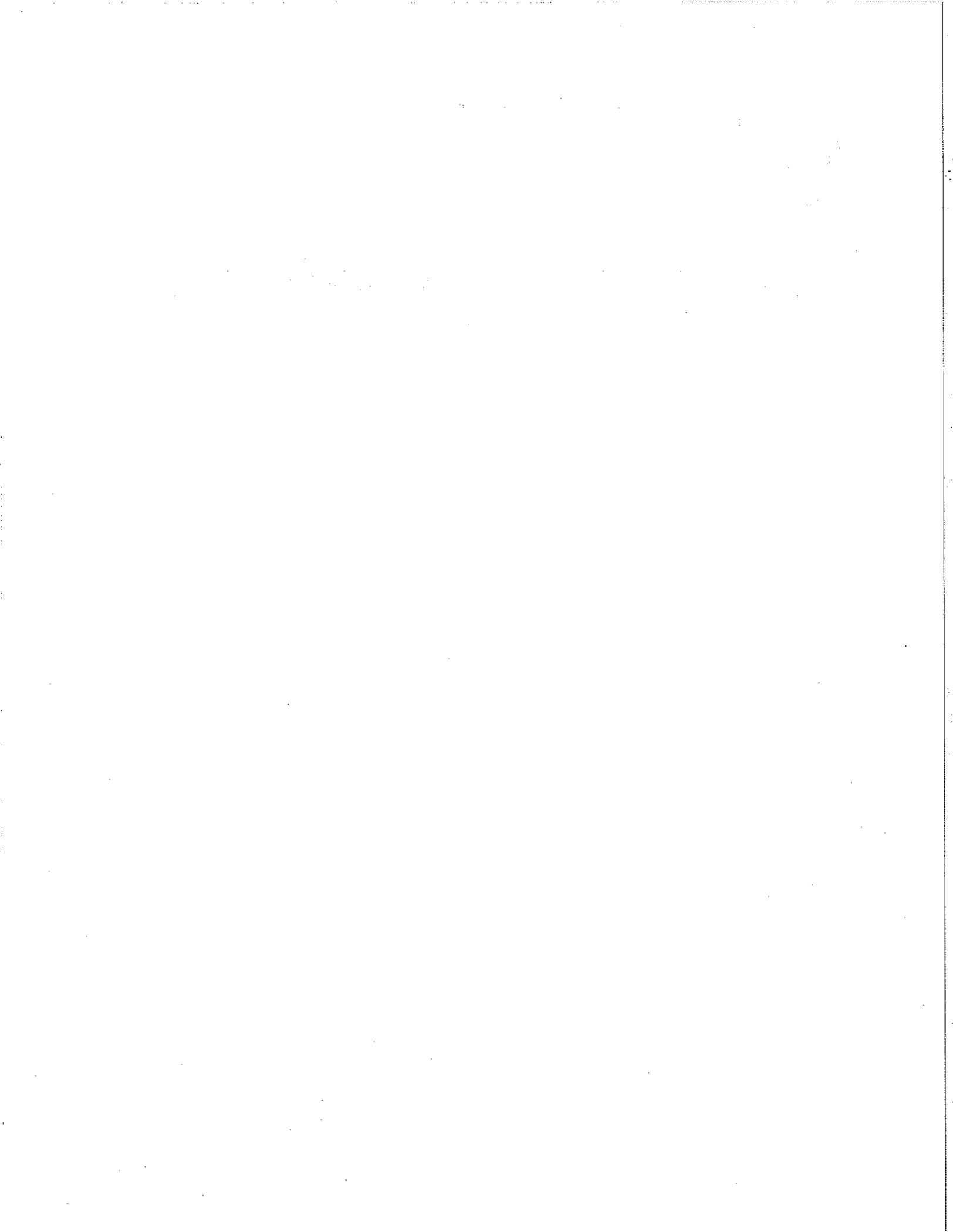
Attest:

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Jim Yoder, Mayor

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Natalie . Butler, City Clerk



June 28, 2011

**AGENDA ITEM**

**TO:** Willows City Council  
**VIA:** Steve Holsinger, City Manager  
**FROM:** William Spears, Chief of Police  
**SUBJECT:** EVIDENTIARY EXAMINATION AGREEMENT

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**RECOMMENDATION**

To authorize, by motion, for the Chief of Police to enter into a contractual agreement with Sutter Memorial Hospital to conduct child/adult forensic sexual assault/rape examinations.

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**SITUATION**

The City of Willows Police Department previously had a contractual agreement with UC Davis Medical Center for conducting forensic sexual assault examinations.

In 2010 the Willows Police Department was notified that the UC Davis Medical Center would no longer provide such services.

As a result the Police Department has not had a standing agreement with any institution for the conducting of the forensic medical examinations to victims and/or suspects. These examinations are part of any child and/or adult sexual assault and/or rape investigation to be conducted by the Willows Police Department.

Thus far there has not been the need for the services as outlined within the agreement presented. Because of the nature of the cases investigation since the termination of the UC contract, the associated costs for the exams have been picked up by Child Protective Services.

Should a case occur where the Willows Police Department would have the fiscal responsibility for such services, the costs would be much higher than those proposed by the agreement.

The approval and establishment of this agreement would lock the associated costs to a known factor, rather than those established as the professional services standard at the time of the event. Keep in mind that this contract must be renewed annually. There is always the possibility that fee rates could change at the time of renewal.

The authorization of this agreement does not within itself impose any costs. It only establishes the fee rates if such services are rendered. If no services are rendered then no fees are encumbered.

**FINANCIAL CONSIDERATIONS**

1. Authorization of this agreement locks fiscal charges associated with any services rendered by Sutter Memorial Hospital for the Willows Police Department for 1 year.
2. Failure to authorize such agreement exposes the Willows Police Department to professional fiscal rates at the time of the event or rendering of services.

**NOTIFICATION**

None

**ALTERNATE ACTIONS**

1. To authorize, by motion, for the Chief of Police to enter into a contractual agreement with Sutter Memorial Hospital to conduct child/adult forensic sexual assault/rape examinations.
2. To authorize, by motion, as amended, for the Chief of Police to enter into a contractual agreement with Sutter Memorial Hospital to conduct child/adult forensic sexual assault/rape examinations.
3. To not authorize the Chief of Police to enter into a contractual agreement with Sutter Memorial Hospital to conduct child/adult forensic sexual assault/rape examinations.

**RECOMMENDATION**

To authorize, by motion, for the Chief of Police to enter into a contractual agreement with Sutter Memorial Hospital to conduct child/adult forensic sexual assault/rape examinations.

---

Respectfully submitted,

Approved by,

William Spears,  
Chief of Police

Steve Holsinger,  
City Manager

---

Attachments:

EXHIBIT A: Evidentiary Examination Agreement

# EXHIBIT A

## EVIDENTIARY EXAMINATION AGREEMENT

This Evidentiary Examination Agreement ("AGREEMENT") is entered into by and between the City of Willows ("AGENCY"), Perinatal and Pediatric Specialists Medical Group, Inc., d.b.a. Children's Specialists Medical Group of Sacramento, Inc. ("CSMGS") and Sutter Health Sacramento Sierra Region, a California nonprofit public benefit corporation, d.b.a. Sutter Medical Center Sacramento ("HOSPITAL").

### RECITALS

WHEREAS, HOSPITAL operates Sutter Memorial Hospital ("MEMORIAL") and maintains a Child Abuse Prevention Service;

WHEREAS, HOSPITAL maintains at MEMORIAL a specialized room and equipment for the performance of sexual assault examinations which is available 24-hours per day;

WHEREAS, the use of photographic colposcopy by properly trained medical examiners produces a higher quality medical-legal examination;

WHEREAS, CSMGS employs Angela Rosas, M.D. ("PHYSICIAN"), who has special experience in providing medical examinations for and collecting evidence from abused and neglected children and sexual assault victims, including special experience in photographic colposcopy;

WHEREAS, PHYSICIAN is the Director of CSMGS' "Bridging Evidence Assessment & Resources ("BEAR") Care Center," located at 5301 F Street, Suite 313, Sacramento, California, and serves as the Medical Director for HOSPITAL'S Child Abuse Prevention Service; and

WHEREAS the parties desire to enter into this AGREEMENT for the provision of evidentiary examination services by PHYSICIAN at MEMORIAL or the BEAR Care Center, at the request of the AGENCY.

WHEREFORE, the parties agree as follows:

1. Effective Date. The "Effective Date" of this AGREEMENT shall be the date of final execution by all parties.

2. Professional Services.

2.1 At the request of the AGENCY, CSMGS shall provide such medical/evidentiary examinations and/or other consultation services as described in the Description of Services attached hereto as Exhibit A (the "SERVICES"). The SERVICES shall be provided at MEMORIAL or the BEAR Care Center.

2.2 Should any person refuse or fail to consent to the SERVICES, CSMGS shall not be required to perform the SERVICES, unless compelled to do so by law.

3. Technical Services.

3.1 Exam Room. HOSPITAL shall provide at MEMORIAL that certain furnished exam room consisting of approximately 120 square feet, known as the Treatment Room on 3 Center (the "EXAM ROOM"). CSMGS shall use the EXAM ROOM only for the purpose of having CSMGS conduct patient examinations and related uses. MEMORIAL shall, and others will also, use the EXAM ROOM for medical examinations on a regular basis.

3.2 Equipment/Supplies. HOSPITAL shall have the EXAM ROOM furnished with evidentiary exam equipment (including, but not limited to, a colposcope, digital camera, relay lens, "BLUEMAXX" forensic light source, swab dryer and such other equipment customarily used in sexual assault evidentiary examinations) and stocked with typical small disposable supplies and linens commonly used to conduct medical examinations. HOSPITAL shall also provide the supplies listed on Exhibit B, attached hereto, necessary for an acute sexual assault evidentiary exam (the "EXAM ROOM SUPPLIES"). The sexual assault evidence collection kits shall be provided by AGENCY at no cost to HOSPITAL or CSMGS.

3.3 Condition. HOSPITAL shall furnish, repair and maintain the EXAM ROOM in a manner consistent with a hospital environment.

4. Hospital Services.

4.1 Hospital Registration. Patients authorized by AGENCY for an evidentiary examination pursuant to this AGREEMENT shall be registered as HOSPITAL patients in accordance with HOSPITAL'S policy for Evidentiary Exams Registration, a copy of which is attached hereto as Exhibit C, as such policy may be amended from time to time. Registration shall be done in a manner that protects the privacy of the patient.

4.2 Additional Medical Treatment. In the event patients being examined by PHYSICIAN require additional treatment or services beyond this AGREEMENT, they will be registered under a separate account number and shall be subject to HOSPITAL'S normal procedures, including billing. Such medical treatment provided by HOSPITAL is beyond the scope of this AGREEMENT, and CSMGS, PHYSICIAN and AGENCY shall have no financial responsibility for such medical treatment.

5. Authorization Process.

5.1 AGENCY shall request the SERVICES and use of the EXAM ROOM by providing to PHYSICIAN a written authorization request specifying the SERVICES to be provided prior to the SERVICES being rendered. Attached hereto as Exhibit D is an Authorization Form for Evidentiary Exams that may be copied and used by AGENCY to meet the requirements of this AGREEMENT. All requests for SERVICES and the EXAM ROOM must include the following:

- A. Patient name;
- B. Date and time of the request;
- C. The specific SERVICE(S) to be performed; and
- D. The printed name, signature, and badge number of the officer/social worker authorizing the examination.

6. Billing and Payment.

6.1 Professional Services.

6.1.1 CSMGS shall invoice AGENCY within thirty (30) days from the date of providing SERVICES covered under this AGREEMENT. The invoice shall include a description of SERVICE(S) performed, date of service, and a copy of the executed authorization form.

6.1.2 AGENCY shall pay CSMGS for SERVICES performed according to the rates listed in Exhibit E. AGENCY shall not be required to pay for other medically necessary diagnostic and treatment services provided to patients receiving evidentiary examinations unless specifically authorized by AGENCY.

6.1.3 AGENCY shall pay CSMGS invoices for SERVICES within thirty (30) days of the invoice date. Payments not received within thirty (30) days shall be deemed late and will accrue interest at the rate of ten percent (10%) per annum from the invoice date.

6.2 EXAM ROOM and Supplies.

6.2.1 HOSPITAL shall bill AGENCY using Form UBO-4, a sample of which is attached hereto as Exhibit F, within thirty (30) days from the date SERVICES covered under this AGREEMENT were provided. The invoice shall include a description and date of the facilities provided.

6.2.2 AGENCY shall pay HOSPITAL according to the rates listed on Exhibit G. AGENCY shall not be required to pay for other medical diagnostic and treatment services provided to patients receiving evidentiary examinations unless specifically authorized by AGENCY.

6.2.3 AGENCY shall pay HOSPITAL invoices within thirty (30) days of the invoice date. Payments not received within thirty (30) days shall be deemed late and will accrue interest at the rate of ten percent (10%) per annum from the invoice date.

7. Amendment. This AGREEMENT may be amended only by a writing executed by HOSPITAL, CSMGS and AGENCY. Notwithstanding anything to the contrary herein, CSMGS may amend the scope of SERVICES described in Exhibit A and the fee schedule set forth in Exhibit E by providing AGENCY written notice of such amendment. Such amendment shall become effective thirty (30) days after notice, unless specifically objected to in writing by AGENCY within such thirty (30) days after notice.

8. Insurance. The parties shall each carry policies of insurance issued by insurance companies licensed in the State of California to do business, or be adequately self-insured, in the following minimum amounts:

8.1 General Liability – Comprehensive or Commercial Form (MINIMUM LIMITS).

(1)	Each Occurrence	\$2,000,000
(2)	Personal and Advertising Injury	\$2,000,000
(3)	General Aggregate	\$4,000,000

8.2 Medical Liability.

In addition to the above coverages, CSMGS and PHYSICIAN shall carry professional medical liability insurance in the following amounts:

- |     |                   |             |
|-----|-------------------|-------------|
| (1) | Each Occurrence   | \$1,000,000 |
| (2) | General Aggregate | \$3,000,000 |

9. Term - Termination.

9.1 Term. The term of this AGREEMENT shall be for one (1) year from the Effective Date of execution and shall automatically renew on its anniversary date for successive one (1) year terms unless terminated as provided herein.

9.2 Without Cause. At any time after the first one (1) year term, either party may terminate this AGREEMENT without cause by sixty (60) days prior written notice period. If this AGREEMENT is terminated prior to its first anniversary for any reason, the parties shall not enter into a renewal or extension of this AGREEMENT, or a new agreement for the same or substantially similar services prior to the first anniversary of the Effective Date of this AGREEMENT.

9.3 Failure to Comply with Professional Qualifications. HOSPITAL may terminate this AGREEMENT immediately by written notice to the other parties if PHYSICIAN fails to meet the professional qualifications set forth in Section 10.1 of this AGREEMENT. If any other contractor or employee of CSMGS fails to meet the professional qualifications set forth in Section 10.1 of this AGREEMENT, that contractor or employee shall not provide evidentiary examinations at HOSPITAL.

9.4 Material Breach. Any party shall have the right to terminate this AGREEMENT upon a material breach of any terms or conditions of this AGREEMENT by another party, provided such breach continues uncured for fifteen (15) days after receipt by the breaching party of written notice of such breach from the non-breaching party.

9.5 Legal Jeopardy. If one of the parties obtains a written opinion of legal counsel stating that, in the event of an audit or investigation, this AGREEMENT is likely to be challenged by any governmental agency as illegal or improper or resulting in fines, penalties or exclusion from the Medicare or Medi-Cal programs, or, in the case of HOSPITAL, the loss of tax-exempt status, or its ability to obtain tax-exempt financing, that party may terminate this AGREEMENT by providing written notice, including a copy of such opinion, to the other parties. Within ten (10) days of such notice, the parties shall meet and confer to discuss mutually acceptable means of restructuring the relationship to eliminate the legal concern. In the event that the parties are unable to reach agreement on new terms within twenty (20) days of their meeting, this AGREEMENT shall automatically terminate.

10. Professional Qualifications - Procedural Rights.

10.1 Examiner Qualifications. PHYSICIAN is, and shall remain, a member of HOSPITAL'S medical staff, with full, unrestricted privileges. Any contractor or employee of CSMGS who provides SERVICES under this AGREEMENT shall be, and remain, a member of HOSPITAL'S medical staff with such privileges as are required to provide SERVICES at HOSPITAL.

10.2 No Procedural Rights. Continuation of this AGREEMENT is not a condition of PHYSICIAN'S membership in HOSPITAL'S medical staff. Therefore, this AGREEMENT may be terminated without necessity of a hearing before HOSPITAL'S Board of Trustees, a committee of the medical staff, or any other body. CSMGS represents and warrants that PHYSICIAN and all other physicians providing services under this AGREEMENT are aware of and accept this condition.

11. Non-Exclusivity. This AGREEMENT is not exclusive, and nothing herein shall preclude either party from contracting with any other person or entity for any purpose. AGENCY makes no representation or guarantee as to the number of referrals to CSMGS and PHYSICIAN.

12. Notices. Notices shall be made by hand-delivery, facsimile, generally recognized overnight delivery service or regular mail. If given by regular mail, notice shall be deemed to have been given on the third day after it is deposited in the U.S. Mail, postage prepaid. Notice by hand-delivery or overnight delivery shall be effective upon delivery. Notice by facsimile shall be deemed given when sent, provided the transmitting machine shows error free transmittal completed, and that any transmittal after 5:00 p.m. on a regular business day (Monday through Friday) or on a generally recognized holiday, shall be deemed given as of the next business day. Notices shall be addressed as follows:

TO CSMGS:

Children's Specialists Medical  
Group of Sacramento  
5301 F Street, Suite 313  
Sacramento, CA 95819  
Attn: Contracts  
Fax number: (916) 736-6798

TO CITY OF WILLOWS POLICE  
DEPT.:

Willows Police Department  
\_\_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_  
Fax number: \_\_\_\_\_

TO HOSPITAL:

Chris Swanson  
Assistant Administrator  
Sutter Medical Center, Sacramento  
5151 F Street  
Sacramento, CA 95819  
Fax number: (916) 733-1058

13. Confidentiality - Patient Information. None of the parties shall disclose to any third party, except where permitted or required by law or where such disclosure is expressly approved by the patient, any patient or medical information regarding HOSPITAL, AGENCY or CSMGS patients, and HOSPITAL, CSMGS, PHYSICIAN and AGENCY, shall comply with all federal and state laws and regulations, and all rules and regulations regarding the confidentiality of such information, including, but not limited to, the Health Insurance Portability and Accountability Act ("HIPAA") (45 C.P.R. Part 160, et seq.), the California Confidentiality of Medical Information Act, and the Confidentiality of Alcohol and Drug Abuse Patient Records regulations (42 C.F.R. Part 2), as amended from time to time.

14. Anti-Referral Laws. Nothing in this AGREEMENT, nor any other written or oral agreement, nor any consideration in connection with this AGREEMENT, contemplates or

any business for HOSPITAL or (ii) the referral of any patient to PHYSICIAN, CSMGS or any CSMGS physician.

15. Complete Agreement/Amendment. This AGREEMENT constitutes the entire understanding between the parties respecting the subject matter contained herein, and supersedes any and all prior oral or written agreements respecting such subject matter. Except as stated in this AGREEMENT, no waiver, modification, or addition to this AGREEMENT shall be binding unless expressed in writing and signed by all parties.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT as of the later date set forth below.

**CHILDREN'S SPECIALISTS MEDICAL  
GROUP OF SACRAMENTO, INC.**

**CITY OF WILLOWS**

By: \_\_\_\_\_  
Andrew W. Wertz, M.D.  
President

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**SUTTER HEALTH SACRAMENTO  
SIERRA REGION, a California nonprofit  
public benefit corporation**

By: \_\_\_\_\_  
Chris Swanson  
Assistant Administrator

Date: \_\_\_\_\_

**PHYSICIAN ACKNOWLEDGEMENT**

The undersigned PHYSICIAN acknowledges receipt of a copy of this AGREEMENT, accepts the position as "PHYSICIAN" and agrees to carry out such duties as set forth in the AGREEMENT.

\_\_\_\_\_  
Angela Rosas, M.D.

**EXHIBIT A**

**SERVICES**

**BEAR CARE CENTER  
CHILDREN'S SPECIALISTS MEDICAL GROUP  
5301 F STREET, SUITE 313 (ADMIN.), SUITE 207 (CLINIC), SACRAMENTO, CA 95819  
APPOINTMENTS & INFORMATION: (916) 736-6470 • FAX: (916) 736-6798**

**DESCRIPTION OF SERVICES**

**1. Acute Evidentiary Exam for Sexual Abuse/Sexual Assault Victims**

**Definition:** A medical examination to evaluate, diagnose, and treat injuries suffered during a recent sexual assault (rape) or recent episode of child sexual abuse (molestation) as well as collect and document evidence from the patient according to law enforcement protocols. These exams are usually conducted within 72 hours of the last sexual contact, but this time frame may be extended to 7 days in adolescent and adult females. These exams are conducted on an emergency basis in order to provide the patient confidential care and safety and to preserve the evidence.

**Patients:** Patients to be examined in this program include children and adults, female or male victims.

**Physical Examination:** The exam includes a complete history and physical exam as well as a non-invasive microscopic exam of the anus and genitals using the colposcope. Only female adolescent patients will undergo internal vaginal speculum exam, including vaginal wet mount prep for sperm evaluation. The patient may have several Q-tip samples collected from the skin, mouth, anus, vulva, and vagina. Adolescents and adults will have a blood and urine sample collected for toxicology screens.

**Evidence:** Digital photographs are taken of the patient's injuries including magnified colposcopic images of the anus and genitals. These photos are held under secured file and released only under a court subpoena or for review with other medical providers in confidential case discussion. The collected evidence is prepared and packaged by the medical provider according to protocol, after the patient has been discharged. The evidence is kept in a locked cabinet until picked up by law enforcement. The appropriate OES evidentiary examination form is completed and immediately available to law enforcement shortly after the patient's exam or can be faxed at the officer's convenience.

**Treatment:** The patient is provided STD prophylaxis and offered pregnancy prophylaxis, following confirmation of a negative urine pregnancy test. Patients with serious injuries will be referred to the Emergency Department for appropriate consultation. Patients will be referred to counseling, and/or crisis counseling, if appropriate, at the time of the visit.

## **2. Non-Acute Evidentiary Exam for Sexual Abuse/Sexual Assault Victims**

**Definition:** A medical examination to evaluate and diagnose injuries suffered during a previous sexual assault (rape) or child sexual abuse (molestation) as well as document healing/healed injuries to patient according to law enforcement protocols. These exams are usually conducted after 72 hours from the last sexual contact, and sometimes years after the last contact. These exams are conducted on a scheduled basis during regular hours.

**Patients:** Patients to be examined in this program for non-acute abuse generally include children and adolescents, female or male victims.

**Physical Examination:** The exam includes a complete history and physical exam as well as a non-invasive microscopic exam of the anus and genitals using the colposcope. In cases with findings suggestive of an STD, genital, urine, and blood samples may be taken for culture and serology studies. Adolescent females will receive a urine pregnancy test.

**Evidence:** Digital photographs are taken of the patient's injuries including magnified colposcopic images of the anus and genitals. These photos are held under secured file and released only under a court subpoena or for review with other medical providers in confidential case discussion. There is usually no additional evidence to be delivered to law enforcement in a non-acute sexual abuse evidentiary examination. The appropriate OES evidentiary examination form is completed and immediately available to law enforcement shortly after the patient's exam or can be faxed at the officer's convenience.

**Treatment:** There is usually no treatment needed for the non-acute cases. However, patients will be referred to counseling and/or crisis counseling, as appropriate, at the time of the visit.

## **3. Physical Abuse/Neglect Evidentiary Exam**

**Definition:** A medical examination to evaluate, diagnose, and treat injuries suffered during physical abuse or secondary to neglect. These injuries include bruises, burns, fractures, internal organ injury and head trauma, and failure to thrive. Patients with serious injuries will be immediately triaged to the Emergency Department. These cases should be scheduled on an urgent basis (same day, next day), but must be triaged by a medical provider or social worker for serious injuries requiring emergency care or non-urgent cases that could be scheduled up to a week later.

**Patients:** 0-17 years of age, though most are under 5 years of age.

**Physical Examination:** The medical provider will obtain a complete set of vital signs, including weight, height, and head circumference. A complete physical examination will be conducted.

Laboratories/Studies: Many patients will need blood and urine studies. Some patients under 3 years will need urgent complete skeletal surveys as well as urgent referrals for pediatric ophthalmology.

Treatment: Patients with serious injuries will be referred to the Emergency Department for treatment. Non-serious medical conditions will be treated in the clinic. All patients will need mental health referrals and some will need crisis counseling.

#### **4. Evidentiary Exam for Sexual Abuse/Sexual Assault Suspects**

Definition: A medical examination to evaluate and document injuries suffered by the suspect in a recent sexual assault (rape) or recent episode of child sexual abuse (molestation) as well as to collect and preserve evidence from the suspect according to law enforcement protocols. These exams are generally conducted within 72 hours of the assault, however certain injuries such as lacerations, bruises, and bites can be observed after a longer period of time. These exams are conducted on an emergency basis in order to preserve the evidence.

Patients: Patients to be examined in this program are juveniles and adults, male or female suspects.

Physical Examination: The exam includes a focused history and physical exam. Information is obtained on the suspect's medical history for the past 60 days, including current injuries, medical treatment, scars or markings, and recent hygiene. Evidence swabs, hair and blood samples are collected by protocol. In cases with findings suggestive of an STD, genital, urine, and blood samples may be taken for culture and serology studies. Blood and urine samples are taken for toxicology screens.

Evidence: Digital photographs are taken of any injuries or identifying marks or tattoos. These photos are held under secured file and released only under a court subpoena or for review with other medical providers in case discussion. The collected evidence is prepared and packaged by the medical provider according to protocol, after the patient has been discharged. The evidence is kept in a locked cabinet until picked up by law enforcement. The appropriate OES evidentiary examination form is completed and immediately available to law enforcement shortly after the patient's exam or can be faxed at the officer's convenience.

Treatment: There is usually no treatment needed for suspect exams. Patients with serious injuries will be referred to the Emergency Department for appropriate consultation.

#### **5. Case Consultation**

Definition: A case review of medical records, X-rays, laboratories, investigative reports, and photographs in order to evaluate for abuse and neglect vs. accidental injury or other medical condition.

Physical Examination: No direct patient history or physical examination is performed.

## 6. Testimony in Court

Definition: Testimony provided under subpoena based on direct physical exam of a patient or case review.

## EXHIBIT B

### EXAM ROOM SUPPLIES

The following is a list of supplies to be present in the examination room to facilitate Pediatric/Adult Sexual Assault Examinations:

- Exam gown
- Towel/sheet
- Pkg Sterile Wood Q-tips
- Sterile 2X2 gauze
- 3 cc ampule saline
- 18 F Foley catheter
- Pediatric Disposable Vag speculum
- KY jelly packet
- Glass slide
- Glass slide cover
- Disposable tourniquet
- 23 gauge butterfly needle
- Betadine swab
- Phenergan/ Promethazine
- 5 cc syringe
- Vacutainer hub
- Red top blood tube
- Band-aid
- Disposable ear speculum
- Small vinyl gloves
- Brown paper evidence bags
- Metrinidazole 500mg tab
- Azithromycin 250 mg
- "Plan B" Packet
- Urine Pregnancy test kit
- Urine specimen cup
- Disposable colposcope cover
- Ceftriaxone + Lidocaine or Cefixime

## EXHIBIT C

### Sutter Memorial Hospital POLICY FOR EVIDENTIARY EXAMS REGISTRATION

#### **POLICY:**

To ensure that any inconvenience is minimized for those patients requiring forensic evidentiary exams be registered promptly and routed to the nursing station as directed on the intake form.

#### **PURPOSE:**

To provide registration instructions for patients requiring these special exams and coordinated by Pediatrics Specialty Services.

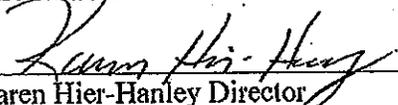
#### **GUIDELINES:**

1. Most of the patients covered under this process are minors who have been removed from the custody of their parents and guardians for suspected or potential abuse. However, this policy also pertains to the adult population.
2. The registration is designed to minimize exposure and further trauma to the minor/adult involved. Therefore, the patient will not be presenting for registration and the physician performing the examination at the request of legal authorities will call the OB registration desk and provide the patient name, and date of birth, prior to the patient's arrival.
3. The OB registration staff will pre-admit the patient into the MS4 registration system as a NO Info Patient. These registrations are considered a priority registration and should be processed within 10 minutes of telephone notification. Labels, armband, face sheet, intake form, blank consent form and all other informational sheets is to be delivered immediately to the 3 Center Nursing station for the physician performing the examination.
4. The intake form and Conditions of Registration will be completed once the patient arrives. The OB registration staff will be responsible collecting the completed intake form and signed Conditions of Registration from the nursing unit. Registration will then complete the outpatient registration in MS4 per the instructions specifically listed on the intake sheet. (See attachment). Information regarding the parents or guardians of the minor may not be available unless the child has previously been a patient. Updated face sheet should be delivered to 3 Center.
5. Per California Consent manual, the physician performing the examination of a minor for abuse does not require consent of the parent or guardian if it is

suspected that they may be the abuser. In these cases the provider may sign the consent for the examination. Family Code Section 6928.

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Effective Date: 02/2007  
Origination Date:  
Last Revision Date: 04/2007  
Last Review Date: 02/2007  
Next Review Date: 02/2010  
Written by: Managing Team Leader, SMH – Business Services  
Cross References:  
Distribution:

  
\_\_\_\_\_  
Karen Hier-Hanley Director

2-13-07  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Richard Soo-Hoo, CFO

2/12/09  
\_\_\_\_\_  
Date



**EXHIBIT D**  
**AUTHORIZATION FORM FOR EVIDENTIARY EXAM**

BEAR Center,  
Children's Specialists Medical Group and  
Sutter Memorial Hospital

FAX completed authorization  
to (916) 736-6798

**Agency Authorization Form**  
**Forensic Consultation Services & Evidentiary Exams**

Today's Date: \_\_\_\_\_ Date of Service Requested: \_\_\_\_\_

Type of Service Requested:

- |  |  |
|--|--|
| <input type="checkbox"/> Victim: Acute evidentiary exam for sexual abuse/sexual assault victim<br>(<72 hrs since last sexual contact<br>or <7 days for adolescents/adults) | <input type="checkbox"/> Physical abuse/neglect exam                               |
| <input type="checkbox"/> Victim: Non-acute evidentiary exam for sexual abuse/sexual assault victim<br>(>72 hrs since last sexual contact)                                  | <input type="checkbox"/> Case consultation/review of records                       |
|  | <input type="checkbox"/> Suspect: Evidentiary exam for sexual abuse/sexual assault |

Patient's Name: \_\_\_\_\_ Age/DOB: \_\_\_\_\_

Brief Explanation: \_\_\_\_\_

Materials provided for review: \_\_\_\_\_

Service requested by (*printed name*): \_\_\_\_\_ Title: \_\_\_\_\_

Phone / Pager #: \_\_\_\_\_ Badge #: \_\_\_\_\_ Case #: \_\_\_\_\_

Send invoice for completed services to: \_\_\_\_\_

Agency Name & Address: \_\_\_\_\_

Authorized Supervisor (*printed name*): \_\_\_\_\_ Title: \_\_\_\_\_

Authorized Signature: **X** \_\_\_\_\_ Date: \_\_\_\_\_

**Day Exam:**

Services in which the medical exam begins after 8:00 am and before 4:00 pm, Monday-Friday.  
Call first to ensure location of exam. For acute sexual assault exams, page (916) 523-BEAR. For nonacute or physical abuse exams during business hours, call (916) 726-6470

**After-hours Exam:**

Services in which the medical exam begins after 4:00 pm and before 8:00 am, Mon-Fri, and 24-hours Sat-Sun & holidays.  
Call first to ensure location of exam. After hours, page BEAR Team at (916) 523-BEAR.

**BEAR Clinic Location:** 5301 F Street, Suite 207, Sacramento, CA 95819

**Parking:** The BEAR clinic is located in the 3-story professional building next to Sutter Memorial Hospital (at the intersection of F and 53<sup>rd</sup> Streets). Visitor/patient parking lot is behind the professional building (pull ticket for attended parking on weekdays, free after hours).

**Sutter Memorial Hospital Location:** 5151 F Street, 3<sup>rd</sup> Floor Treatment Room, Sacramento, CA 95819

**Parking:** Follow signs to Emergency behind hospital, park in adjacent visitor parking, Lot C.

*Pre-authorization is REQUIRED.*

**EXHIBIT E**

**CSMGS RATE SHEET**

**BEAR CARE CENTER, CHILDREN'S SPECIALISTS MEDICAL GROUP, INC., 5301 F STREET, SACRAMENTO, CA 95819**  
**ADMIN. OFFICE: SUITE 313 / CLINIC LOCATION: SUITE 207**  
**APPOINTMENTS & ADMINISTRATION: (916) 736-6470, EXT. 204 / 24-HR SEXUAL ASSAULT TEAM PAGER: (916) 523-BEAR**

**Fee Schedule (Pediatric and Adult)**

**Forensic Medical Examinations:**

	<u>Clinic Exam:</u>	<u>Hospital Exam:*</u>
▪ <b>Acute evidentiary exam for sexual abuse/sexual assault</b> .....	\$1,300.00 day rate	\$1,175.00 day rate
<i>Colposcopy and one follow-up exam included.</i>		
	\$1,550.00 after hours	\$1,425.00 after hours
▪ <b>Non-acute evidentiary exam for sexual abuse/sexual assault</b> .....	\$550.00	N/A
<i>Colposcopy exam included.</i>		
▪ <b>Physical abuse evidentiary exam</b> .....	\$550.00	N/A
<i>Lab and radiology tests, if required, are charged to patient's medical insurance.</i>		
▪ <b>Suspect evidentiary exam for sexual abuse/sexual assault</b> .....	\$675.00	\$550.00

\* NOTE: Sutter Memorial Hospital will invoice a separate facility fee for hospital-based exams.  
See Exhibit G, Hospital Rate Sheet.

**Case Consultation:**

- **Case consultation or review of records, including telephone consultation and/or written report if requested**..... \$150/hour (¼ -hour minimum)  
*Time is charged in ¼-hour increments beyond specified minimum.*

**Expert Testimony:**

- **Court appearance, including testimony and wait time**..... \$150.00/hour
- **Travel time to court or deposition location**..... \$100.00/hour

**Training:**

- **Specialized educational/training activities for medical providers, law enforcement and social work personnel, attorneys, and other child abuse professionals**..... Complimentary: Two half-day trainings per year for contracting agency

Pre-authorization is REQUIRED. Weekdays, call (916) 736-6470.  
For urgent sexual assault cases or after hours, please page (916) 523-BEAR (523-2327).

**Day rate:** Services in which the medical exam begins between 8:00 am and 4:00 pm, Monday-Friday.

**After-hours rate:** Services in which the medical exam begins *after* 4:00 pm and *before* 8:00 am, Monday-Friday, and 24 hours Saturday-Sunday and holidays.

**EXHIBIT F**  
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**EXHIBIT G**  
**HOSPITAL RATE SHEET**

**Pediatric/Adult Sexual Assault Examinations**

**\$125.00**