

Ordinance Index 2020

<u>Number</u>	<u>Subject</u>	<u>Date</u>	<u>Vote</u>
2020-01	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON AMENDING SECTIONS 17.01.090.C.17 AND 17.01.090.H OF MUNICIPAL CODE CHAPTER 17.01 – GENERAL PROVISIONS, AND ADDING SECTION 17.03.018 OF MUNICIPAL CODE CHAPTER 17.03 – CITYWIDE REGULATIONS AND SPECIAL PROVISIONS	1/13/2020	5-0-0-0
2020-02	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON AMENDING MUNICIPAL CODE CHAPTER 15.12 – FLOOD DAMAGE PREVENTION TO TITLE 15 “BUILDINGS AND CONSTRUCTION” OF THE CITY MUNICIPAL CODE	1/27/2020	5-0-0-0
2020-03	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING CHAPTERS 10.32, 17.01 AND 17.03 OF THE HUGHSON MUNICIPAL CODE CONCERNING PARKING OF VEHICLES	2/24/2020	5-0-0-0
2020-04	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING CHAPTERS 2.12 AND 2.14 OF THE HUGHSON MUNICIPAL CODE CONCERNING THE METHOD OF APPOINTMENT OF THE PLANNING COMMISSION AND THE PARKS, RECREATION AND ENTERTAINMENT COMMISSION	2/24/2020	5-0-0-0
2020-05	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING SECTION 13.08.520 OF CHAPTER 13.08 OF TITLE 13 OF THE HUGHSON MUNICIPAL CODE – PUBLIC SERVICES	4/27/2020	5-0-0-0

<u>Number</u>	<u>Subject</u>	<u>Date</u>	<u>Vote</u>
2020-06	AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON ADOPTING THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUGHSON AND PARKWOOD HUGHSON, LLC	11/23/2020	5-0-0-0

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2020-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON
AMENDING SECTIONS 17.01.090.C.17 AND 17.01.090.H OF MUNICIPAL CODE
CHAPTER 17.01 – GENERAL PROVISIONS, AND ADDING SECTION 17.03.018 OF
MUNICIPAL CODE CHAPTER 17.03 – CITYWIDE REGULATIONS AND SPECIAL
PROVISIONS**

WHEREAS, The City Council of the City of Hughson desires to enact this ordinance to expressly make clear that cultivation of hemp is prohibited in all zones, planned developments, specific and master plan areas throughout the City and thus not entitled to a business license or permit from the City.

WHEREAS, The City Council held a duly noticed public hearing on this Ordinance on December 9, 2019, at which time it considered all evidence presented, both written and oral.

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

Section 1. Section 17.01.090.C.17 of Chapter 17.01 of Title 17 of the Hughson Municipal Code is amended to read as follows:

“17. “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana and hemp.

Section 2. Section 17.01.090.H of Chapter 17.01 of Title 17 of the Hughson Municipal Code is amended to read as follows:

“H. Definitions, “H.”

1. “Hemp” shall have the same meaning as set forth in Section 11018.5 of the California Health and Safety Code.
2. “Home and garden supply facility” means a facility for the sale of home, lawn, and garden supplies; landscaping materials, plants, brick, lumber, and other similar materials. This use may include the outside storage of materials.
3. “Home, Manufactured. “Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a recreational vehicle.

4. "Home occupation" means the gainful employment of the occupant of a dwelling in a limited commercial activity, with such employment activity being subordinate to the residential use of the property.

5. Home Occupation, Low-Impact. A "low-impact home occupation" means a home occupation conducted entirely within a dwelling or accessory building with no external alteration of the appearance of the dwelling in which a home occupation is conducted. Low-impact home occupations involve no storage of equipment or supplies other than samples in an accessory structure or outside the dwelling. A low-impact home occupation shall not involve the use of any material, other than craft or art supplies, or mechanical equipment other than customarily incidental to domestic use. No advertising signs shall be placed in the yard or on the house or any part of the property.

6. Home Occupation, Moderate-Impact. A "moderate-impact home occupation" means a home occupation that does not qualify as a low-impact home occupation as defined above. See HMC 17.03.044 for specific moderate-impact home occupation restrictions.

7. "Hospital" means a facility or portion thereof used or designed for the therapeutic treatment of the sick and injured.

8. "Hotel" or "motel" means a building or portion thereof or a group of attached or detached buildings containing individual guest rooms or suites where lodging is provided for transients for compensation.

9. "Household" means one or more persons sharing a dwelling unit in a living arrangement that includes the sharing of living expenses, such as rent or mortgage payments, food costs and utilities; the maintenance of a single lease or rental agreement for all persons sharing the dwelling unit; or other characteristics indicative of a single household."

Section 3. Section 17.03.018 of Chapter 17.03 of Title 17 of the Hughson Municipal Code is added to read as follows:

"17.03.018 Cultivation of Hemp.

A. Purpose. This section is intended to prohibit the cultivation of hemp in the city in order to promote the health, safety, and general welfare of the residents and businesses within the city of Hughson.

B. Indoor and Outdoor Cultivation Prohibited. It is declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel or premises within any zoning district in the city to cultivate hemp.

Section 4. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 6. This ordinance shall become effective thirty (30) days after its final passage.

Section 7. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced, and the title thereof read at the regular meeting of the City Council of the City of Hughson held on December 9, 2019, and by a unanimous vote of the council members present, further reading was waived.

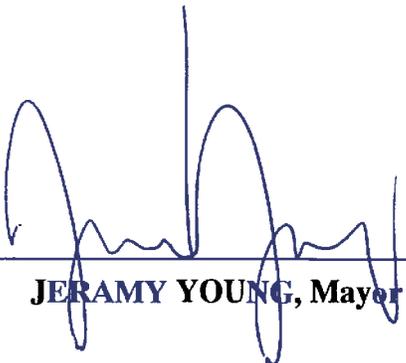
On motion of Mayor Young, seconded by councilperson Hill, the second reading of the foregoing ordinance was waived, and this ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on January 13, 2020, by the following vote:

AYES: MAYOR YOUNG, BAWANAN, HILL, BUCK, CARR

NOES: NONE.

ABSTENTIONS: NONE.

ABSENT: NONE.



JERAMY YOUNG, Mayor

ATTEST:



ASHTON GOSE, Deputy City Clerk

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2020 - 02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON
AMENDING MUNICIPAL CODE CHAPTER 15.12 – FLOOD DAMAGE PREVENTION
TO TITLE 15 “BUILDINGS AND CONSTRUCTION” OF THE CITY MUNICIPAL
CODE**

WHEREAS, the City Council of the City of Hughson desires to establish floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry and to minimize public and private losses due to flood conditions; and

WHEREAS, the City Council of the City of Hughson also desires to adopt floodplain management regulations that will allow citizens of the City of Hughson to participate in the Federal Emergency Management Agency’s flood insurance program to further protect their property from damage caused by certain types of flooding set forth in said program; and

WHEREAS, the City Council of the City of Hughson amended Title 15 of the Hughson Municipal Code on January 25, 2016 adding Chapter 15.12 containing floodplain management regulations.

WHEREAS, after conducting a technical review of the code section, the Federal Emergency Management Agency (FEMA) has determined that some modifications are needed before deeming the City of Hughson’s application to the National Flood Insurance Program (NFIP) as complete.

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

Section 1. Chapter 15.12 of to Title 15 of the Hughson Municipal Code is amended as follows:

“Article 1. General Provisions

15.12.010 Statutory Authorization. The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Hughson does hereby adopt the following floodplain management regulations.

15.12.020 Statement of Purpose. It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

Article 2. Definitions

15.12.100. Definitions. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

A. "**Area of special flood hazard**" - means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

B. "**Base flood**" means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this ordinance.

C. "**Building**" - see "**Structure**".

D. "**Development**" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

E. "**Flood or flooding**" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid

accumulation or runoff of surface waters from any source; or mudslides (i.e., mudflows) which are proximately caused by flooding as defined herein and are akin to a river of liquid & flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water & deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusual and unforeseeable event which results in flooding as defined in this definition.

F. "**Floodplain or flood-prone area**" means any land area susceptible to being inundated by water from any source - see "**Flooding**".

G. "**Floodplain Administrator**" is the individual appointed to administer and enforce the floodplain management regulations.

H. "**Floodplain management**" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

I. "**Floodplain management regulations**" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

J. "**Governing body**" is the local governing unit, i.e. county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

K. "**Historic structure**" means any structure that is

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program

as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states with approved programs.

L. "**Manufactured home**" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

M. "**Manufactured home park or subdivision**" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

N. "**New construction**", for floodplain management purposes, means structures for which the "start of construction" commenced on or after the effective date of floodplain management regulations adopted by this community, and includes any subsequent improvements to such structures.

O. "**One-hundred-year flood**" or "**100-year flood**" - see "**Base flood.**"

P. "**Recreational vehicle**" means a vehicle which is

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Q. "**Start of construction**" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

R. "**Structure**" means a walled and roofed building that is principally above ground: this includes a gas or liquid storage tank or a manufactured home.

S. "**Substantial damage**" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

T. "**Substantial improvement**" means any reconstruction, rehabilitation, addition, or other proposed new development of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Article 3. General Provisions

15.12.200. Lands to which this ordinance applies. This ordinance shall apply to all areas identified as flood-prone within the jurisdiction of the City of Hughson.

15.12.210. Basis for establishing flood prone areas. The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study (FIS), Stanislaus County, California, and Incorporated Areas with accompanying Flood Insurance Rate Maps (FIRM's) and Flood Boundary and Floodway Maps (FBFM's), dated August 1, 1980 and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be part of this ordinance. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the City Council by the Floodplain Administrator. The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood data available from other Federal or state agencies or other source to identify flood-prone areas within the jurisdiction of City of Hughson. This data will be on file at the City of Hughson, City Hall, 7018 Pine Street, Hughson, California, 95326.

15.12.220. Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the term of this ordinance and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein shall prevent the City Council from taking such lawful action as is necessary to prevent or remedy any violation.

15.12.230. Abrogation and greater restrictions. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

15.12.240. Interpretation. In the interpretation and application of this ordinance, all provisions shall be considered as minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under state statutes.

15.12.250. Warning and disclaimer of liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City Council, City of Hughson, any officer or employee thereof, the State of California, or the Federal Insurance Administration, Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

15.12.260 Severability. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

Article 4. Administration

15.12.300. Permit. Prior to issuance of any permit obtained for all proposed construction or other development in the community, including the placement of manufactured homes, a determination shall be made as to whether such construction or other development is within flood-prone areas.

15.12.310. Designation of the Floodplain Administrator. The Community Development Director, as the Floodplain Administrator, is hereby appointed to administer, implement, and enforce this chapter by granting or denying development permits in accord with its provisions.

15.12.320. Duties and responsibilities of the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

- A. Permit Review. Review all development permit applications to determine:
 - 1. Permit requirements of this ordinance have been satisfied;
 - 2. All other required state and federal permits have been obtained; and

3. The site is reasonably safe from flooding.

B. Review and Use of Any Other Base Flood Data. The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood data available from other Federal or state agency or other source.

C. Notification of Other Agencies.

1. Alteration or relocation of a watercourse;

a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;

b. Submit evidence of such notification to the Federal Emergency Management Agency; and

c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

2. Changes in corporate boundaries;

a. Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of the map of the community clearly delineating the new corporate limits.

Article 5. Provisions for Flood Hazard Reduction

15.12.400. Standards of construction. If a proposed building site is in a flood-prone area, all new construction and substantial improvements, including manufactured homes, shall:

A. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

B. Be constructed:

1. With materials and utility equipment resistant to flood damage;

2. Using methods and practices that minimize flood damage;

3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to

prevent water from entering or accumulating within the components during conditions of flooding.

15.12.410. Standards for subdivisions or other proposed new development. If a subdivision proposal or other proposed new development, including manufactured home parks or subdivisions, is in a flood-prone area, any such proposals shall be reviewed to assure that:

- A. All such proposals are consistent with the need to minimize flood damage within the floodprone area;
- B. All public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
- C. Adequate drainage is provided to reduce exposure to flood hazards.

15.12.420. Standards for utilities.

A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:

- 1. Infiltration of flood waters into the systems, and
- 2. Discharge from the systems into flood waters.

B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.”

15.12.430. Floodways

A. Until a regulated floodway is adopted, no new construction, substantial development, or other development (including infill) shall be permitted within Zone A unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than 1 foot at any point within the lands under the jurisdiction of the City of Hughson.

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

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

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

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

The foregoing ordinance was introduced, and the title thereof read at the regular meeting of the City Council of the City of Hughson held on January 13, 2020, and by a unanimous vote of the council members present, further reading was waived.

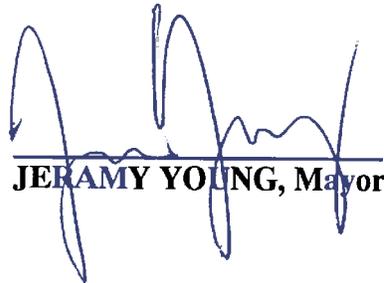
On motion of Mayor Young, seconded by councilperson Buck, the second reading of the foregoing ordinance was waived, and this ordinance was duly passed by the City Council of the City of Hughson at a regular meeting thereof held on January 27, 2020, by the following vote:

AYES: MAYOR YOUNG, BUCK, BAWANAN, HILL CARR

NOES: NONE.

ABSTENTIONS: NONE.

ABSENT: NONE.


JERAMY YOUNG, Mayor

ATTEST:


ASHTON GOSE, Deputy City Clerk

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2020-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING
CHAPTERS 10.32, 17.01 AND 17.03 OF THE HUGHSON MUNICIPAL CODE
CONCERNING PARKING OF VEHICLES**

WHEREAS, the City of Hughson Municipal Code Chapters 10.32, 17.01 and 17.03 currently provide regulations regarding of parking for all vehicles as well as parking of recreational vehicles within the City; and

WHEREAS, the City desires to amend Chapters 10.32, 17.01 and 17.03 to limit who can seek a permit to park aa recreational vehicle on a City street, alley and highway for a period greater than 72 hours, limit the storage of recreational vehicles not behind a fence or in a garage, regulate the parking surface for recreational vehicles, and the temporary use of a recreational vehicle by permit.

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

Section 1 Sections 10.32.300(A) and (C) of the Hughson Municipal Code are amended to read in full as follows:

“A. The city council hereby finds and determines that the unrestricted parking of recreation vehicles (as defined by HMC 17.01.090(R)) on public streets in the city leads to their unlawful occupation as dwelling units, congests traffic and constitutes a hazard to the public safety in that recreation vehicles restrict visibility.

“C. It is unlawful to park, stop or leave standing recreation vehicles (as defined in HMC 17.01.090(R)(1)) on any street, alley or highway, or a portion thereof, for more than a period of 72 hours, within any period of seven consecutive days, except upon the issuance of a permit for a period not to exceed seven consecutive days as long as the recreation vehicle is located in front of the applicant’s single family dwelling. Permits under this subsection may be issued pursuant to HMC 10.32.130 and 10.32.140.”

Section 2 Section 17.01.090(R) of the Hughson Municipal Code is amended to read in full as follows:

“R. Definitions, “R.”

1. Recreational Vehicle and Recreation Vehicle. “Recreational vehicle” and “recreation vehicle” means mobile home not on a foundation, camper, motor home, trailer, fifth wheel, or watercraft.

2. Recreational Vehicle (RV) Park. “Recreational vehicle park” means a facility designed and equipped in accordance with the requirements of HMC 17.03.052 and applicable state laws, for the accommodation of motor homes and recreational vehicles on a temporary basis.

3. Regularly Features. The term “regularly features” with respect to an adult theater or adult cabaret means a regular and substantial course of conduct. The fact that live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities occurs on two or more occasions within a 30-day period; three or more occasions within a 60-day period; or four or more occasions within a 180-day period, shall to the extent permitted by law be deemed to be a regular and substantial course of conduct.

4. “Repair service” means any service or facility where electrical, electronic or mechanical equipment are repaired away from the premises of the customer.

5. “Research laboratory” means a facility for scientific research, including but not limited to pharmaceutical, chemical and biotechnology research, or the design, development and testing of electrical, electronic, magnetic, optical, computer or telecommunications components.

6. “Residential care home” means a state authorized, certified or licensed family care home, foster home, or group home serving six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children on a 24-hour basis.

7. “Restaurant or cafe” means any retail business that sells ready-to-eat food or beverages for on-premises or off-premises consumption.

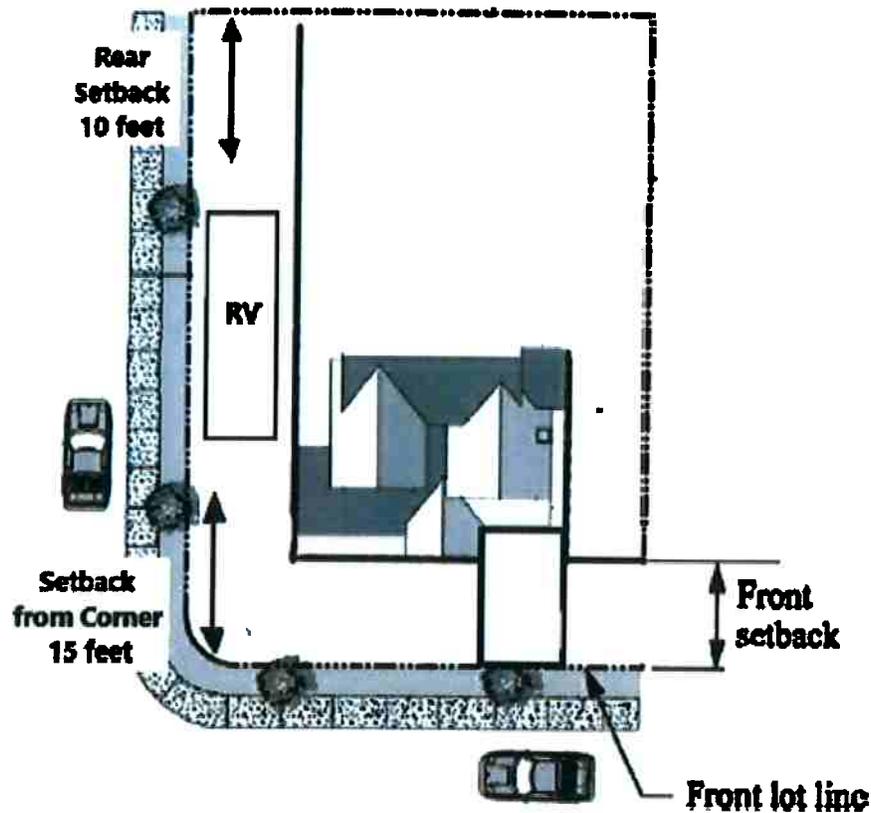
Section 3

Sections 17.03.052(A) and (D) of the Hughson Municipal Code is amended to read in full as follows:

“A. Purpose. The purpose of this section is to provide requirements for temporary and permanent mobile homes and storage of recreational vehicles within the city of Hughson and to ensure that they conform to the provisions of the following laws:

D. Storage. Only one recreation vehicle may be stored off the street and on a property when not located behind a fence or in a garage with the garage door closed. A recreational vehicle shall not be stored within the front setback of a property as set forth in HMC 17.02.008 unless it is stored on the driveway, or on the side of a corner parcel as shown in figure 17.03.052.1, and out of the public right-of way.

Figure 17.03.052.1



Any recreation vehicle stored on a property, including behind a fence or in a garage, shall not be used or maintained as a living quarters or business conducted therein while such vehicle is so parked or stored, except as otherwise provided in this section.”

Section 4

Section 17.03.052(G) of the Hughson Municipal Code is amended to read in full as follows:

“G. Temporary Use of Recreational Vehicles in Residential Zones. A recreational vehicle may be used as a single-family dwelling unit on a property zoned for single-family residential use for a period of time not to exceed the time required to complete the project or one year, whichever is less. The City Manager or his/her designee in their sole discretion may allow a period of time greater than one year, but in no event more than two years. An administrative permit shall be required for such recreational vehicles, subject to the following additional requirements:

1. There is an existing single-family dwelling unit on the site that cannot be occupied until repairs are completed, and a valid building permit has been issued to make all repairs required to make the dwelling unit habitable.
2. The occupied recreational vehicle is not placed within a required setback, with the exception of a designated driveway that conforms to the standards of the district in which the recreational vehicle is located.
3. Recreational vehicles shall be located in a designated area within the parcel as approved by the planning officer. Recreational vehicles shall be located so as to minimize their visibility from the public right-of-way or adjacent properties.”

Section 5 Section 17.03.060(B)(7) of the Hughson Municipal Code is added to read in full as follows:

“7. Recreational Vehicle Parking. Recreational vehicles shall be parked on areas at grade surfaced with an all-weather material, defined as concrete, asphalt, or minimum three-fourth (3/4) inch stone or gravel. The all-weather material shall be a minimum of four (4) inches deep with weed barrier and sufficiently compacted so as to eliminate the unreasonable accumulation of dust, dirt, mud, or weeds and shall be sufficiently maintained so that it will drain and dispose of all surface water per the City’s standard specification. A permit shall be obtained in accordance with HMC 15.04.035 prior to construction of a recreational vehicle parking surface pursuant to this subsection. Recreational vehicles shall not discharge any litter, sewer effluent, or other matter except into sanitary facilities designed to dispose of such materials. An exception is the use of an unimproved surface for the temporary parking of operable recreational vehicles for temporary activities (e.g., carnivals, circuses, fairs, concerts, farmers’ markets) being held in accordance with a city issued temporary activity or temporary parking permit. Any temporary parking must comply with the minimum vehicular parking requirements set forth in Table 17.03.060(A). This provision shall not apply to any unimproved surfaces owned or operated by another public entity, as defined in Government Code Section 811.2, within the city limits.”

Section 6 If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the validity of any particular portion thereof.

Section 7 This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 8 Within fifteen (15) days after its final passage, the City Clerk shall cause a summary of this Ordinance to be published in accordance with California Government Code section 36933.

Section 9 This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

The foregoing Ordinance was introduced, and the title thereof read at the regular meeting of the City Council of the City of Hughson held on February 10, 2020, and by a vote of the Council members present, further reading was waived.

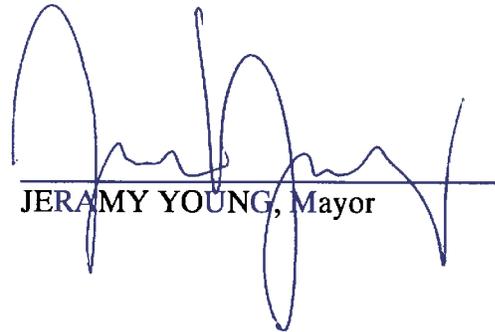
On motion of Mayor Young, seconded by Councilmember Hill, the foregoing Ordinance was passed by the City Council of the City of Hughson at a regular meeting held on February 24, 2020, by the following votes:

AYES: MAYOR YOUNG, BAWANAN, HILL, CARR, BUCK

NOES: NONE.

ABSTENTIONS: NONE.

ABSENT: NONE.



JERAMY YOUNG, Mayor

ATTEST:



ASHTON GOSE, Deputy City Clerk

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2020-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON,
AMENDING CHAPTERS 2.12 AND 2.14 OF THE
HUGHSON MUNICIPAL CODE CONCERNING THE METHOD OF
APPOINTMENT OF THE PLANNING COMMISSION AND THE PARKS,
RECREATION AND ENTERTAINMENT COMMISSION**

WHEREAS, the City of Hughson Municipal Code Chapters 2.12 and 2.14 currently provide procedures for the appointment of Planning Commissioners and Parks, Recreation and Entertainment Commissioners; and

WHEREAS, in accordance with Chapters 2.12 and 2.14, qualifications to become a Commissioner for either Commission requires, at a minimum, citizenship in accordance with California Government Code section 1020; and

WHEREAS, The State of California has adopted SB 225 amending California Government Code section 1020 amending the eligibility requirements for appointment to people eligible to hold appointed civil offices; and

WHEREAS, The Planning Commission and The Parks, Recreation and Entertainment Commission and the Commissioners of those two Commissions, are appointed civil offices, and thus subject to Government Code section 1020 and as amended by SB 225; and

WHEREAS, the City Council hereby desires to amend the eligibility requirements for both Commissions in order to conform to California State Law;

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

Section 1 Section 2.12.020 of the Hughson Municipal Code is amended to read in full as follows

“2.12.020 Eligibility.

To be eligible for appointment or to hold office as a member of The Planning Commission, a person shall be at least 18 years of age and a resident of the city.”

Section 2 Subsection (A) of Section 2.14.030 of the Hughson Municipal Code is amended to read in full as follows:

“2.14.030 Commission appointment and qualifications.

“A. To be eligible for appointment or to hold office as a member of The Parks, Recreation and Entertainment Commission: (1) no fewer than three appointees shall be at least 18 years of age and a resident of the City of Hughson; and (2) no more than two

appointees shall be a person at least 18 years of age that reside outside the city limits but within the 95326 zip code.”

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

Section 4 This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

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

Section 6 This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

The foregoing Ordinance was introduced, and the title thereof read at the regular meeting of the City Council of the City of Hughson held on February 10, 2020, and by a vote of the Council members present, further reading was waived.

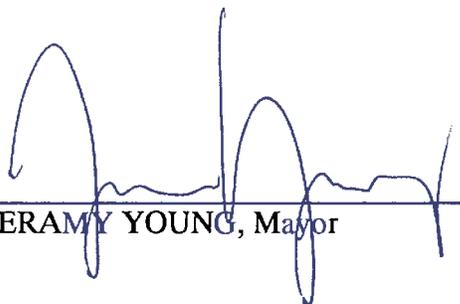
On motion of Mayor Young, seconded by Councilmember Hill, the foregoing Ordinance was passed by the City Council of the City of Hughson at a regular meeting held on February 24, 2020, by the following votes:

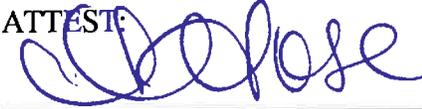
AYES: MAYOR YOUNG, BAWANAN, HILL, CARR, BUCK

NOES: NONE.

ABSTENTIONS: NONE.

ABSENT: NONE.


JEREMY YOUNG, Mayor

ATTEST:

ASHTON GOSE, Deputy City Clerk

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2020-05**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON, AMENDING
SECTION 13.08.520 OF CHAPTER 13.08 OF TITLE 13 OF THE
HUGHSON MUNICIPAL CODE – PUBLIC SERVICES**

WHEREAS, the City of Hughson Municipal Code Chapter 13.08.520 currently provides regulations regarding discontinuation of water service for nonpayment; and

WHEREAS, the Governor of the State of California did approve Senate Bill No. 998 on September 28, 2018, whereby new rules were enacted for the discontinuation of residential water service, effective in early 2020; and

WHEREAS, the City of Hughson City Council desires to comply fully with the requirements of SB 998;

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

Section 1 Section 13.08.520 of Chapter 13.08 of Title 13 of the Hughson Municipal Code is amended to read as follows:

“13.08.520 Disconnection for nonpayment

Service may be discontinued for nonpayment of bills in the following manner:

If a water bill is not paid on or before the last day of the month during which the bill is sent, then at least 15 days prior to service discontinuance, the customer will be sent a final notice informing the customer that discontinuance will be enforced if payment is not made within the time specified in the notice. A customer’s water service may be discontinued if water service furnished at a previous location is not paid for within the time fixed in this chapter for the payment of bills. If a customer receives water service at more than one location and the bill for service at any one location is not paid within the time provided for payment, water service at all locations may be turned off. Notwithstanding anything in this Ordinance to the contrary, the provisions of this Ordinance Section 13.08.520 are inapplicable to discontinuation of residential water service for nonpayment, and the City may only discontinue residential water service for nonpayment according to the terms of the City’s Residential Water Discontinuation Policy adopted by the City Council of the City of Hughson by resolution.

Section 2 If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the

provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the validity of any particular portion thereof.

Section 3 This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 Within fifteen (15) days after its final passage, the City Clerk shall cause a summary of this Ordinance to be published in accordance with California Government Code section 36933.

Section 5 This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

The foregoing Ordinance was introduced, and the title thereof read at the regular meeting of the City Council of the City of Hughson held on March 23, 2020, and by a vote of the Council members present, further reading was waived.

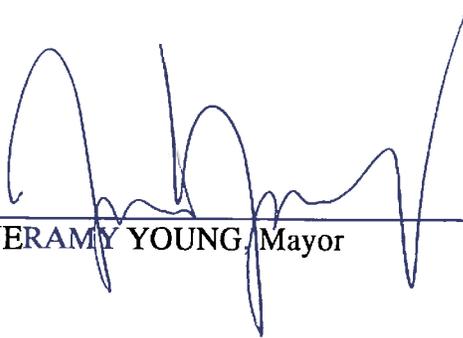
On motion of Mayor Young, seconded by Councilmember Hill, the foregoing Ordinance was passed by the City Council of the City of Hughson at a regular meeting held on April 27, 2020, by the following votes:

AYES: MAYOR YOUNG, HILL, BAWANAN, BUCK, CARR

NOES: NONE.

ABSTENTIONS: NONE.

ABSENT: NONE.



JERAMY YOUNG, Mayor

ATTEST:



ASHTON GOSE, Deputy City Clerk

**CITY OF HUGHSON
CITY COUNCIL
ORDINANCE NO. 2020-06**

**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
HUGHSON ADOPTING THE DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF HUGHSON AND PARKWOOD HUGHSON, LLC**

WHEREAS, pursuant to Hughson Ordinance No. 90-59, the City of Hughson ("City") may enter into, or amend a Development Agreement with the owner and/or developer of real property within the City; and

WHEREAS, Parkwood Hughson, LLC hereinafter referred to as the "Developer", has applied for, and the City has approved, all necessary land use approvals, entitlements and allocations that will allow the development of a 299-unit subdivision at the corner of East Hatch Road and Santa Fe Avenue, without the need to obtain further discretionary approvals other than Design Review by the Planning Commission; and

WHEREAS, the City and Developer have negotiated a Development Agreement by and between the City of Hughson and Parkwood Hughson, LLC (hereinafter "Development Agreement"), a copy of which is attached as Attachment 1; and

WHEREAS, the City Planning Commission on August 18, 2020, determined that the provisions of the Development Agreement are consistent with the City's General Plan and all other applicable plans, policies, and regulations of the City; and

WHEREAS, a duly noticed public hearing was held before the City Council on September 14, 2020, which was continued to the October 12, 2020 City Council meeting, and continued again to the November 9, 2020 City Council meeting; and

WHEREAS, the Council City desires to approve the agreement and enact it as an uncodified ordinance and upon adoption authorize the City Manager to execute the Development Agreement.

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

Section 1. The Development Agreement attached as Attachment 1 and incorporated by this reference as though fully set forth herein is hereby enacted as an uncodified ordinance.

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

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

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

Section 5. The City Clerk shall record a copy of the Development Agreement with the County Recorder no later than 10 days after the final passage of this Ordinance.

Section 6. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be posted in full accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced, and the title thereof read at the regular meeting of the City Council of the City of Hughson held on November 9, 2020 and by a majority vote of the council members present, further reading was waived.

On motion of Mayor Young, seconded by Councilmember Hill, the second reading of the foregoing ordinance was waived and this ordinance was duly passed by the City Council of the Hughson City Council at a regular meeting thereof held on November 23, 2020 by the following vote:

AYES: MAYOR YOUNG, BAWANAN, HILL, BUCK, CARR

NOES: NONE.

ABSTENTIONS: NONE.

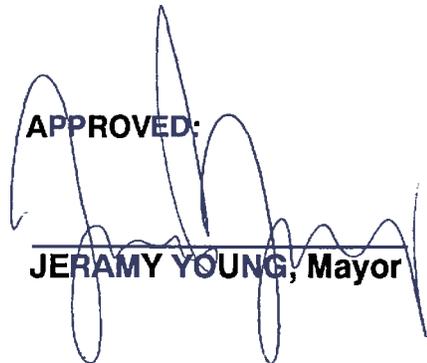
ABSENT: NONE.

ATTEST:



ASHTON GOSE, Deputy City Clerk

APPROVED:



JERAMY YOUNG, Mayor