

OAKLEY



CALIFORNIA

Agenda Date: 12/08/2015
Agenda Item: 4.3

STAFF REPORT

Date: Tuesday, December 8, 2015
To: Bryan H. Montgomery, City Manager
From: Joshua McMurray, Planning Manager
Subject: Proposed amendments to various sections of the Zoning Code as necessary to implement the General Plan 2015-2023 Housing Element: (a) Amendment to provide a permitting process for Transitional and Supportive Housing consistent with State Law and SB 2; (b) Addition of regulations to establish a definition for Residential Care Facilities and to provide development standards and a permitting process consistent with State Law; and (c) Amendment to provide definitions and a permitting process for Employee and Farmworker Housing. (RZ 04-15)

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Summary and Recommendation

This is a City-initiated amendment to various sections of the Zoning Code necessary to comply with the Policy Actions identified within the City of Oakley General Plan Housing Element 2015-2023 (RZ 04-15). Specifically the amendments can be separated into three areas: (a) Amendment to provide a permitting process for Transitional and Supportive Housing consistent with State Law and SB 2; (b) Addition of regulations to establish a definition for Residential Care Facilities and to provide development standards and a permitting process consistent with State Law; and (c) Amendment to provide definitions and a permitting process for Employee and Farmworker Housing.

Staff recommends the City Council waive the first reading and introduce the attached ordinances amending various sections of the Zoning Code as outlined above.

Background and Analysis

As the proposed amendments to the Zoning Code involve several specific sections, Staff has broken each discussion area out separately as follows:

Transitional and Supportive Housing

The Housing Element Policy Action 4.6 requires the Zoning Code to comply with SB 2, regarding transitional and supportive housing. The attached ordinance will bring the Zoning Code into compliance with the remaining aspects of SB 2. The amendment

Subject: Zoning Code Amendments (RZ 04-15)

Date: December 8, 2015

Page 2

specifically provides a permitting process for both uses consistent with State Law. That means any proposed Transitional or Supportive Housing, as defined by State Law, must be approved as permitted use in all Single-Family and Multi-Family zoning districts.

Residential Care Facilities

The Housing Element Policy Action 4.10 requires the Zoning Code to 1) define residential care facilities (also called group homes), 2) to identify that residential care facilities serving six or fewer person are permitted by right in all residential districts, and 3) to identify permit requirements for residential care facilities that serve seven or more persons. The attached Ordinance addresses these three areas by defining "Residential Care Facilities", identifying where they are allowed and what triggers a Conditional Use Permit and finally by providing regulations for those facilities requiring a Conditional Use Permit.

Employee and Farmworker Housing

The Housing Element Policy Action 4.11 requires the Zoning Code to permit employee housing and farmworker housing in accordance with Health and Safety Code Sections 17021.5 and 17021.6. The proposed Ordinance includes the following:

- Permit employee housing, including mobile homes and manufactured housing, to accommodate up to six employees subject to the same standards and permit requirements as a single-family residence in all zones and as a permitted use in residential zones. No discretionary actions shall be necessary, just submittal of building plans for plan check and application for building permits.
- Employee housing and farmworker housing will not be included within the definition of a boarding house, rooming house, hotel, dormitory, or other similar term that implies that the employee housing is a business run for profit or differs in any other way from a family dwelling.
- Permit farmworker housing, including mobile homes and manufactured housing, consisting of up to 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household as a permitted use in the AL, A-4, and DR districts. No discretionary actions shall be necessary, just submittal of building plans for plan check and application for building permits.

Environmental Review

The amendments to the Zoning Code are exempt from CEQA pursuant to Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Subject: Zoning Code Amendments (RZ 04-15)

Date: December 8, 2015

Page 3

Findings

Proposed findings to support the amendments are included in the attached ordinances.

Recommendation

Staff recommends the City Council waive the first reading and introduce the attached ordinances as follows:

1) Amending Sections 9.1.404 and 9.1.406 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code dealing with Transitional and Supportive Housing; and

2) Amending Section 9.1.202 of Article 2 of Chapter 1 of Title 9 of the Oakley Municipal Code, Sections 9.1.404 and 9.1.406 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code and Adding Section 9.1.1228 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code dealing with Residential Care Facilities; and

3) Adding Section 9.1.1226 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code dealing with Employee and Farmworker Housing.

Attachments

1. Proposed Ordinance – Transitional and Supportive Housing
2. Proposed Ordinance – Residential Care Facilities
3. Proposed Ordinance – Employee and Farmworker Housing

ORDINANCE NO. XX-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND AMENDING SECTIONS 9.1.404 (SINGLE-FAMILY RESIDENTIAL DISTRICTS) AND 9.1.406 (MULTIPLE FAMILY RESIDENTIAL DISTRICTS) OF CHAPTER 1 OF TITLE 9 OF THE OAKLEY MUNICIPAL CODE DEALING WITH TRANSITIONAL AND SUPPORTIVE HOUSING

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

SECTION 1. Findings.

The City Council hereby finds and determines as follows:

- A. State Law requires the City to provide a means to permit Transitional and Supportive Housing as required by Senate Bill (SB) 2 ; and
- B. The Oakley 2020 General Plan Housing Element identified this as Policy Action Program 4.6; and
- C. The proposed amendment to Sections 9.1.404 and 9.1.406 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code will complete Policy Action 4.6 of the Housing Element of the Oakley 2020 General Plan. Specifically, the amendments to the Zoning Ordinance will provide a permitting process for both Transitional and Supportive Housing uses consistent with State Law; and
- D. The proposed amendment to Sections 9.1.404 and 9.1.406 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code are consistent with the goals and policies in the General Plan in that the outlined regulations will further bring the Zoning Ordinance into compliance with the outlined Policy Actions necessary through the 2015-2023 Housing element planning period.

SECTION 2. Code Amendments

- A. Section 9.1.404 of Chapter 1 of Title 9 of the Oakley Municipal Code is hereby amended in its entirety to read as follows:

“b. Permitted Uses. The following uses are permitted in a single family residential district:

- 1. A detached single family dwelling on each lot and the accessory structures and uses normally auxiliary to it;
- 2. Second Dwelling Units, per Section 9.1.1102;
- 3. Home Based Businesses, per Section 9.1.1120;
- 4. Large Family Child Care Homes, per Section 9.1.1121

5. Small Family Day Care;
 6. Transitional and Supportive Housing—6 or less
 7. Supportive Housing—6 or less
 8. Horticulture; and
 9. Publicly owned parks and playgrounds.
 10. Small farming, including the raising of fowl (i.e. chickens, ducks, geese, turkeys, or pheasants raised primarily for home consumption), and small animals (i.e. chinchillas, hamsters, rabbits), shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:
 - a. Small farming activities shall be permitted only in the R-20 and R-40 residential districts;
 - b. A maximum of ten (10) of any one or combination of such fowl or small animals shall be permitted on a site of 20,000 sq. ft. or more;
 - c. A maximum of twenty (20) of any one or combination of such fowl or small animals shall be permitted on a site of no less than one acre (43,560 sq. ft.);
 - d. No structure housing fowl or small animals shall be closer than 25 feet to a habitable dwelling unit, or school, nor shall such small animal housing be closer than 50 feet from the property line adjacent to any residential district;
 - e. Fowl and small animal enclosures shall be of sound construction, maintained in a clean and hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
 - f. Fowl and small animal feed shall be stored in containers that protect against rodents and insects;
 - g. All small farming activities shall be conducted in a manner that shall not create a public nuisance to adjacent uses.
 11. Horses shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:
 - i. Horses shall be permitted only in the R-40 residential districts;
 - ii. Horses permitted in this zoning district are limited to a maximum of two (2) animals on a minimum parcel of one acre and one (1) animal for each additional 10,000 square feet on a parcel greater than one acre;
 - iii. All stables and equestrian facilities shall be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;
 - iv. No horses shall be permitted to become a public nuisance to adjacent residential uses.
- c. Uses Requiring a Conditional Use Permit. The following uses are permitted upon the issuance of a conditional use permit:
1. Assembly Uses;
 2. Commercial radio and television receiving and transmitting facilities other than broadcasting studios and business offices;
 3. Community buildings, clubs and activities of a quasi-public, social, fraternal or recreational character, such as golf, tennis and swimming clubs, and veterans and fraternal organizations;
 4. Day Care Centers;

5. Hospitals, eleemosynary and philanthropic institutions, and convalescent homes;
6. Public, parochial, and private schools including nursery schools;
7. Publicly owned buildings and structures (except that accessory and appurtenant structures forming a part of public utilities, publicly owned utilities and pipelines are not regulated by this chapter);
8. ~~Transitional—7 or more~~
9. ~~Supportive Housing—7 or more~~
810. Wineries, tasting rooms, and processing of agricultural products only in the R-20 and R-40 residential districts.”

B. Section 9.1.406 of Chapter 1 of Title 9 of the Oakley Municipal Code is hereby amended in its entirety to read as follows:

“b. Permitted Uses. Uses permitted in the M-9, M-12, and M-17 districts shall be as follows:

1. A detached single-family dwelling on each lot and the accessory structures normally auxiliary to it;
2. Duplex;
3. Multiple family buildings, but not including motels or hotels;
4. Motor court and greenway cluster housing (small lot detached housing with garages accessed off a motor court or alley);
5. Home-based businesses, per Section 9.1.1120;
6. Supportive Housing;
7. Transitional Housing”

SECTION 3. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

SECTION 4. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be held unconstitutional, invalid or unenforceable.

SECTION 5. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on December 8th, 2015 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

ORDINANCE NO. XX-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING FINDINGS AND AMENDING SECTIONS 9.1.202 (DEFINITIONS), 9.1.404 (SINGLE FAMILY RESIDENTIAL DISTRICTS), 9.1.406 (MULTIPLE FAMILY RESIDENTIAL DISTRICTS) AND ADDING SECTION 9.1.1228 OF CHAPTER 1 OF TITLE 9 OF THE OAKLEY MUNICIPAL CODE DEALING WITH RESIDENTIAL CARE FACILITIES

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

SECTION 1. Findings.

The City Council hereby finds and determines as follows:

- A. State Law requires the City to provide a means to define and permit Residential Care Facilities; and
- B. The Oakley 2020 General Plan Housing Element identified this as Policy Action Program 4.10; and
- C. The proposed amendments to Section 9.1.202 of Article 2 of Chapter 1 of Title 9 of the Oakley Municipal Code, Sections 9.1.404 and 9.1.406 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code and adding Section 9.1.1228 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code will complete Policy Action 4.10 of the Housing Element of the Oakley 2020 General Plan. Specifically, the amendments to the Zoning Ordinance will provide a definition and permitting process for Residential Care Facilities consistent with State Law; and
- D. The proposed amendments to Section 9.1.202 of Article 2 of Chapter 1 of Title 9 of the Oakley Municipal Code, Sections 9.1.404 and 9.1.406 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code and adding Section 9.1.1228 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code are consistent with the goals and policies in the General Plan in that the outlined regulations will further bring the Zoning Ordinance into compliance with the outlined Policy Actions necessary through the 2015-2023 Housing element planning period.

SECTION 2. Code Amendments

- A. Section 9.1.202 of Article 2 of Chapter 1 of Title 9 of the Oakley Municipal Code is hereby amended to add the following subsections as follows:

“9.1.202

101. Residential Care Facilities – “Residential Care Facilities” means a facility that is a resident-occupied dwelling, licensed by the State and/or County that provides housing and care for children and/or adults on a full-time, live-in basis.”

B. Section 9.1.404 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code is hereby amended in its entirety to read as follows:

“b. Permitted Uses. The following uses are permitted in a single family residential district:

1. A detached single family dwelling on each lot and the accessory structures and uses normally auxiliary to it;

2. Second Dwelling Units, per Section 9.1.1102;

3. Home Based Businesses, per Section 9.1.1120;

4. Large Family Child Care Homes, per Section 9.1.1121

5. Small Family Day Care;

6. Transitional Housing

7. Supportive Housing

8. Residential Care Facilities serving six or fewer persons

98. Horticulture; and

109. Publicly owned parks and playgrounds.

110. Small farming, including the raising of fowl (i.e. chickens, ducks, geese, turkeys, or pheasants raised primarily for home consumption), and small animals (i.e. chinchillas, hamsters, rabbits), shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:

a. Small farming activities shall be permitted only in the R-20 and R-40 residential districts;

b. A maximum of ten (10) of any one or combination of such fowl or small animals shall be permitted on a site of 20,000 sq. ft. or more;

c. A maximum of twenty (20) of any one or combination of such fowl or small animals shall be permitted on a site of no less than one acre (43,560 sq. ft.);

d. No structure housing fowl or small animals shall be closer than 25 feet to a habitable dwelling unit, or school, nor shall such small animal housing be closer than 50 feet from the property line adjacent to any residential district;

e. Fowl and small animal enclosures shall be of sound construction, maintained in a clean and hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;

f. Fowl and small animal feed shall be stored in containers that protect against rodents and insects;

g. All small farming activities shall be conducted in a manner that shall not create a public nuisance to adjacent uses.

124. Horses shall be allowed only under the following conditions, and may require additional conditions as deemed appropriate by the Planning Commission:

i. Horses shall be permitted only in the R-40 residential districts;

ii. Horses permitted in this zoning district are limited to a maximum of two (2) animals on a minimum parcel of one acre and one (1) animal for each additional 10,000 square feet on a parcel greater than one acre;

iii. All stables and equestrian facilities shall be kept in a hygienic manner and shall not be permitted to create offensive odors or allow the propagation of flies and other insects;

iv. No horses shall be permitted to become a public nuisance to adjacent residential uses.

c. Uses Requiring a Conditional Use Permit. The following uses are permitted upon the issuance of a conditional use permit:

1. Assembly Uses;
2. Commercial radio and television receiving and transmitting facilities other than broadcasting studios and business offices;
3. Community buildings, clubs and activities of a quasi-public, social, fraternal or recreational character, such as golf, tennis and swimming clubs, and veterans and fraternal organizations;
4. Day Care Centers;
5. Hospitals, eleemosynary and philanthropic institutions, and convalescent homes;
6. Public, parochial, and private schools including nursery schools;
7. Publicly owned buildings and structures (except that accessory and appurtenant structures forming a part of public utilities, publicly owned utilities and pipelines are not regulated by this chapter);
8. Residential Care Facilities serving seven or more persons;
98. Wineries, tasting rooms, and processing of agricultural products only in the R-20 and R-40 residential districts.”

C. Section 9.1.406 of Article 4 of Chapter 1 of Title 9 of the Oakley Municipal Code is hereby amended in its entirety to read as follows:

“b. Permitted Uses. Uses permitted in the M-9, M-12, and M-17 districts shall be as follows:

1. A detached single-family dwelling on each lot and the accessory structures normally auxiliary to it;
2. Duplex;
3. Multiple family buildings, but not including motels or hotels;
4. Motor court and greenway cluster housing (small lot detached housing with garages accessed off a motor court or alley);
5. Home-based businesses, per Section 9.1.1120;
6. Residential Care Facilities serving six or fewer persons
76. Supportive Housing;
87. Transitional Housing

c. Uses Requiring a Conditional Use Permit. In the M-9, M-12, and M-17 districts, the following uses are permitted on the issuance of a conditional use permit:

1. Hospitals, eleemosynary and philanthropic institutions, convalescent homes, and boarding homes;
2. Assembly uses;

3. Community buildings, clubs and activities of a quasi-public, social, fraternal, or recreational character, such as golf, tennis, and swimming clubs; veterans and fraternal organizations not organized for monetary profit;
4. Day care centers;
5. Public, parochial, and private schools, including nursery schools;
6. Publicly owned buildings and structures, except as provided in Chapters 1, 2, and 9;
7. Commercial radio and television receiving and transmitting facilities but not including broadcasting studios or business offices;
8. Residential Care Facilities serving seven or more persons;
- 9g. Transitional shelters and homeless shelters consistent with Section 65008 of the Government Code.”

D. Section 9.1.1228 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code is hereby added to the Oakley Municipal Code, to read as follows:

“9.1.1228 – Residential Care Facilities.

a. The following requirements apply to residential care facilities for more than six persons as defined by this Code. Residential facilities for six or fewer residents shall be treated as a residential use and subject only to the same requirements as any other permitted residential use of the same housing type that are in the same district.

1. The minimum distance from any other residential facility shall be 300 feet as specified by Cal. Health and Safety Code § 1267.9(b);

2. At least 20 square feet of usable open space shall be provided for each person who resides in the facility;

3. At least one parking space shall be provided for every two persons who reside in the facility;

4. Residential care facilities shall be licensed and certified by the State of California and shall be operated according to all applicable state and local regulations.”

SECTION 3. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

SECTION 4. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions,

paragraphs, sentences, clauses or phrases may be held unconstitutional, invalid or unenforceable.

SECTION 5. Effective Date and Posting.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on December 8th, 2015 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

ORDINANCE NO. XX-15

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY MAKING
FINDINGS AND ADDING SECTION 9.1.1226 OF CHAPTER 1 OF TITLE 9 OF THE
OAKLEY MUNICIPAL CODE DEALING WITH EMPLOYEE AND FARMWORKER
HOUSING**

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

SECTION 1. Findings.

The City Council hereby finds and determines as follows:

- A. State Law requires the City to provide a means for Employee and Farmworker Housing as required by Health and Safety Code Sections 17021.5 and 17021.6; and
- B. The Oakley 2020 General Plan Housing Element identified this as Policy Action Program 4.11; and
- C. The proposed Section 9.1.1226 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code will complete Policy Action 4.11 of the Housing Element of the Oakley 2020 General Plan. Specifically, the new section of the Zoning Ordinance will provide a definition of a Employee and Farmworker Housing as well as provide a permitting process; and
- D. The proposed Section 9.1.1226 of Article 12 of Chapter 1 of Title 9 of the Oakley Municipal Code is consistent with the goals and policies in the General Plan in that the outlined regulations will further bring the Zoning Ordinance into compliance with the outlined Policy Actions necessary through the 2015-2023 Housing element planning period.

SECTION 2. Code Amendment

Section 9.1.1226 is hereby added to the Oakley Municipal Code, to read as follows:

“9.1.1226 – Employee and Farmworker Housing.

a. It is the purpose and intent of this section to regulate any employee and farmworker housing as defined below, consistent with California Health and Safety Code Sections 17021.5 and 17021.6.. For the purpose of this section, employee and farmworker housing shall not be deemed a use that implies that the employee housing is an activity that differs in any other way from an agricultural use. No conditional use permit, zoning variance, or other zoning clearance is required of this employee housing that is not required of any other agricultural activity in the same zone.

b. The following definition shall apply to this Section 9.1.1226.

i. "Farmworker Dwelling Unit" shall mean Housing for up to six agricultural (farm) employees. The accommodations may consist of any living quarters, dwelling, boarding house, bunkhouse, mobile home, manufactured home, recreational vehicle, or travel trailer.

ii "Farmworker Housing Complex" shall mean Agricultural (farm) employee housing with up to 36 beds in group quarters and 12 units designed for use by single families or households.

c. Employee and Farmworker Housing as defined in Section 9.1.1226(b)(1) shall be:

i. Permitted in all residential zones, subject to the same standards and permit requirements as a single-family residence.

d. Employee and Farmworker Housing as defined in Section 9.1.1226(b)(2) shall be:

i. Permitted in the Limited Agriculture (AL), Agriculture Preserve (A-4) and the Delta Recreation (DR) Zone Districts.

e. Any proposed Employee or Farmworker Housing shall apply for and receive a building permit prior to the occupancy of the structure(s)."

SECTION 3. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

SECTION 4. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be held unconstitutional, invalid or unenforceable.

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summary of the ordinance with the names of the Council Members voting for and against the ordinance.

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APPROVED:

, Mayor

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Libby Vreonis, City Clerk

Date