

DIXON PLANNING COMMISSION

RESOLUTION NO. 2024- 003

A RESOLUTION OF THE DIXON PLANNING COMMISSION RECOMMENDING TO THE DIXON CITY COUNCIL APPROVAL OF AN ORDINANCE: (1) REPEALING AND REENACTING TITLE 18 (ZONING) OF THE DIXON MUNICIPAL CODE; (2) REPEALING AND REENACTING THE CITY OF DIXON ZONING MAP; AND (3) AMENDING VARIOUS SECTIONS OF THE DIXON MUNICIPAL CODE (SECTIONS 6.12.040.B.2, 6.12.040.E, 7.03.010, 7.04.050, 9.05.010, 11.14.070, 11.15.040, 12.06.050, 13.05.030, 14.02.275, AND 17.01.040) (COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP UPDATE)

WHEREAS, the Dixon City Council adopted the General Plan 2040 on May 18, 2021, and as part of the comprehensive update, there were new goals and policies adopted and changes to the General Plan 2040 land use map, including creation of new land use designations and changes to the land use designation for properties within Dixon; and

WHEREAS, on May 18, 2021, through adoption of Resolution No. 21-098, the City Council certified the Final Environmental Impact Report (EIR) (SCH 2018112035) for the General Plan 2040, including (1) certification of the Final EIR; (2) adoption of CEQA findings for significant environmental impacts and a statement of overriding considerations; and (3) adoption of the Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS on March 21, 2023, the Dixon City Council adopted Resolution No. 23-057, adopting the 6th Cycle Housing Element (2023-2031) for the City of Dixon. The Dixon Housing Element was subsequently certified by the State Department of Housing and Community Development on May 24, 2023; and

WHEREAS, on March 21, 2023, the City Council also adopted Resolution No. 23-056, adopting an Addendum to the Final EIR for the General Plan 2040 in connection with the Housing Element update; and

WHEREAS, given the adoption of the new General Plan 2040 and Housing Element, the current Zoning Ordinance (Title 18 of the Dixon Municipal Code (DMC)) and Zoning Map require a comprehensive update to be consistent with the General Plan 2040; and

WHEREAS, given the age and disorganized and outdated condition of the current Zoning Ordinance, the City determined that a comprehensive update and overhaul to the Zoning Ordinance was necessary, as opposed to specific amendments implementing the General Plan 2040; and

WHEREAS, in October 2021, the City initiated a comprehensive update to the Dixon Zoning Ordinance and Zoning Map to implement the new goals and policies of the General Plan 2040 and to modernize the Zoning Ordinance, with the following goals:

- Implement General Plan 2040.
- Reflect Dixon and respond to community concerns.
- Is streamlined and transparent in its administration and decision-making processes.
- Promotes economic development and high-quality design.
- Provides flexibility.
- Is intuitive, graphic, and user-friendly.
- Conforms to current state and federal law.

WHEREAS, the proposed comprehensive Zoning Ordinance and Zoning Map update project have been prepared by City staff with the assistance of a professional consultant; and

WHEREAS, the Final EIR for the General Plan 2040 was evaluated to determine whether it adequately addressed potential impacts from the Zoning Ordinance and Zoning Map update project. It was determined that none of the conditions described in Section 15162 of the CEQA guidelines requiring the preparation of a subsequent EIR have occurred. No new or unanticipated levels of development are anticipated that were not previously identified in the General Plan 2040 and Final EIR, and no new or unanticipated traffic, density, or construction impacts are expected to be generated as a result of adoption of the new regulations. Therefore, the proposed Zoning Code and Zoning Map substantially conform to the goals and policies set forth in the General Plan 2040 that were analyzed in the related Final EIR. No further environmental review is necessary, as it was determined that the Zoning Ordinance and Zoning Map update project is within the scope of the Final EIR; and

WHEREAS, the Planning Commission and City Council conducted public meetings on February 1, 2022 (Planning Commission) and February 8, 2022 (City Council), and received a presentation on the introduction to the Zoning Ordinance update project; and

WHEREAS, the Planning Commission conducted a public meeting on March 8, 2023, to review the recommendation memo that outlined the steps for the upcoming update process, explained the purpose and function of zoning, outlined recommended changes to implement the General Plan 2040, improve code usability and review processes, comply with state and federal law, and also summarized the code user interviews; and

WHEREAS, two (2) community workshops were conducted on July 20, 2022, and July 21, 2022, to provide a project overview, explain the purpose and function of zoning, solicit community input, and review focus areas like Downtown, residential neighborhoods, and employment centers east of 1st Street; and

WHEREAS, the City initiated and released a community-wide survey from July 20, 2022, through August 31, 2022, to solicit input on a variety of questions to shape the update process; and

WHEREAS, the Planning Commission and City Council received updates on the outcomes of the two (2) public workshops and community survey at their October 11, 2022 (Planning Commission) and October 18, 2022 (City Council) meetings; and

WHEREAS, the Planning Commission and City Council held three (3) public study sessions on the proposed Zoning Ordinance and Zoning Map (January 31, 2023, March 20, 2023, and April 24, 2023) to review preliminary drafts of the Zoning Ordinance and Zoning Map, accept public input, ask questions, and provide input; and

WHEREAS, based on the comprehensive update to the Dixon Zoning Ordinance (Title 18 of the DMC), other sections of the DMC also need updating to maintain consistency with the updated Zoning Ordinance; and

WHEREAS, on December 1, 2023, the Public Review Draft of the Comprehensive Update to the Zoning Ordinance and Map, Municipal Code Amendments and the General Plan technical amendments were released for public review and posted on the City's web site and an email was sent to the interested parties list that the Public Review Draft was available for review; and

WHEREAS, on February 13, 2023, the Dixon Planning Commission, following notification in the prescribed manner, conducted a public hearing at which the Planning Commission considered the draft Zoning Ordinance and Zoning Map and various Dixon Municipal Code amendments, received public testimony and evidence, and received a staff report and presentation.

NOW, THEREFORE, BE IT RESOLVED, upon its review of all documents and exhibits contained herein, and after due deliberation and based on its independent judgement and substantial evidence in the record, that the Planning Commission hereby recommends to the Dixon City Council adoption of the attached Ordinance (**Exhibit 1**) composed of a complete repeal and reenactment of Title 18 of the Dixon Municipal Code and the Dixon Zoning Map, as shown in **Exhibit 1-A** and **Exhibit 1-C**, along with various edits to other sections of the DMC, as shown in **Exhibit 1-B**, based on the following findings:

1. The Planning Commission hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.
2. The Planning Commission finds that Zoning Ordinance update (**Exhibit 1-A**) and Comprehensive Zoning Map (**Exhibit 1-C**), including the various amendments to other sections of the DMC (**Exhibit 1-B**), will not result in new or unanticipated levels of development that were not previously identified in the General Plan 2040 and related Final EIR, and further, that no new or unanticipated traffic, density, or construction impacts are expected to be generated as a result of adoption of the new regulations. Therefore, the proposed Zoning Ordinance and Zoning Map substantially conform to the Goals and Policies set forth in the General Plan 2040 and that were analyzed in the related Final EIR. No further environmental review is necessary, as the Zoning Ordinance and Zoning Map update project is within the scope of the Final EIR for the General Plan 2040.

3. The Planning Commission recommends that the City Council find that the project is within the scope of the Final EIR for the General Plan 2040, and that no new or substantially adverse impacts would occur through implementation of the comprehensive Zoning Ordinance and Zoning Map update project.
4. The Planning Commission finds that no new environmental document is required, pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2).
5. The Comprehensive Update to the Dixon Zoning Ordinance and Zoning Map and various edits to the DMC are consistent with the goals and policies of the General Plan 2040, specifically the following:

Land Use and Community Character (LCC) Chapter Policies

- a. **LCC-1.F** which calls for the revision of the existing Zoning Ordinance to achieve consistency with the Dixon General Plan.
- b. Provides appropriate implementation regulations and standards to implement the Land Use Categories established by the General Plan 2040, as amended.
- c. Establishes appropriate land use regulations and standards to ensure consistency with Policies **LCC-2.1 to LCC-2.8** by creating standards to protect and improve vistas, encourage high standards of property maintenance, ensure appropriate transitions in building height and massing, maintain the small town character while allowing for population and business growth, and increase shopping and other tax generating uses.
- d. **LCC-4.1 to LCC-4.6** by incorporating development standards to establish a mix of daytime and evening uses including restaurants, professional offices, entertainment, and housing to encourage activity throughout the day, encourage infill development and adaptive reuse of existing buildings, require active ground floor uses along First Street, East A Street, and Jackson Street, and attract commercial and retail uses for everyday needs to residents and allowing for housing downtown to be in proximity of a future train station.
- e. **LCC-5.2** Add regulations and standards to strengthen the role of First Street as a key commercial corridor north of the railway tracks by encouraging additional commercial uses.
- f. **LCC-5.3** Add regulations and standards to generally require a minimum floorplate of 15,000 square feet for regional commercial uses to ensure that these uses do not compete directly with specialty retail and entertainment uses in Downtown.
- g. **LCC-5.7** by adding standards to require buffering and context-responsive transitions for industrial and commercial development to minimize impacts on adjacent less intensive uses, particularly residential uses.
- h. **LCC-6.5** by adding landscaping standards to incorporate greenery to development projects.

Economic Development (E) Chapter Policies

- a. **E-4.3** Promote and encourage context-sensitive, mixed use residential, office, retail, and restaurant development on infill sites downtown.

E-5.1 to E-5.5 by adopting zoning use regulations to promote highway-oriented retail at freeway interchanges, retail uses along the city's major commercial corridors and nodes of retail shops and services along commercial corridors in Dixon, and adopting development standards to ensure that commercial centers are visible from state highways and are attractively designed and easy to navigate.

- b. **E-6.1 and E-6.3** to streamline permit processes and update zoning ordinance to be more user friendly to foster a healthy and diverse business base in Dixon through the use of clear and consistent regulatory and permit processes and maintain Dixon's competitiveness as a place to do business.

Mobility (M) Chapter Policies

- a. **M-1.9** to adopt standards to ensure projects to implement best practices for street design, stormwater management, and green infrastructure.
- b. **M-5.6** to adopt standards in the Zoning Ordinance to ensure sufficient amount of convenient parking to serve existing and new development, while balancing economic development, livability, sustainability, and public safety.

Housing Element Policies and Programs

- a. **Policy 3.2** to adopt development standards and use regulations to support development of multifamily housing, particularly as part of mixed-use projects, through appropriate land use designations and zoning districts.
 - b. **Program 3.3.2** to adopt state law relating to development standards and level of review to promote Accessory Dwelling Units.
 - c. **Program 4.1.2** adopt standards which do not currently exist for reasonable accommodations for deviations from development standards for special populations or individuals with disabilities.
 - d. **Program 4.1.3** to update the Zoning Ordinance to include and streamline standards to encourage residential development and add sections to comply with state law by including standards and procedures for address accessory dwelling units, employee housing, transitional supportive, residential care facilities, emergency shelter, mobile/manufactured homes, and low barriers navigation center and parking standards.
 - e. **Program 4.1.4** to update the zoning ordinance to include current State density bonus provisions into the code.
6. The Planning Commission finds that the amendments to the various Dixon Municipal Code sections (Sections 6.12.040.B.2, 6.12.040.E, 7.03.010, 7.04.050, 9.05.010, 11.14.070, 11.15.040, 12.06.050, 13.05.030, 14.02.275, and 17.01.040) are appropriate in order to make those sections consistent with terminology and section changes resulting from the updated Zoning Ordinance (Title 18 of the DMC).

BE IT FURTHER RESOLVED, the Dixon Planning Commission includes in their recommendation for approval of the Zoning Ordinance Update to the City Council the following recommendations to be reviewed and potentially incorporated/ revised in the final Ordinance:

1. Staff to review the February 13, 2024 letter from, Law Office of Marcus Lo Duca on behalf of the PW Fund B development, LLC, regarding their concerns of the new section 18.19.110.B dealing with warehousing, storage, freight/trucking terminals and distribution facilities greater than 150,000 s ft and requirements for minimum economic impact; and
2. Review and revise the provisions for the small donation boxes to a) more clearly distinguish recycling from unmanned donation boxes, b) require an Administrative Use Permit for unmanned donation boxes, c) allow unmanned donation facilities in both the IG and IL Districts (subject to Admin Use Permit), but not allow them in the PF District and d) develop performance standards to review the admin use permit where allowed; and
3. Have City Attorney review the RLUPA federal legislation to ensure the draft Zoning Code as it relates to religious institutions is consistent with the parameters established by RLUPA; and
4. Incorporate the staff recommended changes included in the February 13, 2024 memo from staff, including changes to the terminology for residential density and non-conforming provisions.


ADOPTED at a regular meeting of the Planning Commission of the City of Dixon, State of California, on the 13th day of February 2024:

AYES: Cooley, Davis, Hernandez-Covello, Medrano and Chair Caldwell
NOES: None
ABSENT: Diaz and Drayton
ABSTAIN: None



JACK CALDWELL, CHAIR
DIXON PLANNING COMMISSION

ATTEST:



BRANDI ALEXANDER,
SENIOR ADMINISTRATIVE CLERK/SECRETARY

Exhibit 1 – Draft City Council Ordinance

Exhibit 1-A – Comprehensive Update to Zoning Ordinance (Title 18 of Dixon Municipal Code), Public Review Draft Zoning Ordinance (dated 12/1/23)

Exhibit 1-B – Various Edits to Dixon Municipal Code (Sections 6.12.040.B.2, 6.12.040.E, 7.03.010, 7.04.050, 9.05.010, 11.14.070, 11.15.040, 12.06.050, 13.05.030, 14.02.275, and 17.01.040)

Exhibit 1-C – Comprehensive Update to Dixon Zoning Map (Zoning Map and Planned Development Overlay), (dated 12/1/23)