



**MINUTES**  
**SPECIAL MEETING OF THE**  
**DIXON CITY COUNCIL**

APRIL 23, 2012

**7:00 P.M.**

1. **CALL TO ORDER**

The Special Meeting of the Dixon City Council was called to order in the City Council Chambers at 6:03 p.m. by Mayor Jack Batchelor, Jr.

2. **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Jack Batchelor, Jr.

3. **ROLL CALL**

Present: Councilmembers Thom Bogue, Michael Ceremello, Rick Fuller  
Mayor Jack Batchelor, Jr.  
Absent: Vice Mayor Dane Besneatte \*

**AUDIENCE/PUBLIC COMMENT (NON-AGENDA ITEMS)**

None.

5. **APPROVAL OF AGENDA**

There was no discussion on this item.

A motion was made by Councilmember Fuller, seconded by Councilmember Bogue, to approve the agenda, as submitted. Roll call was taken as follows:

AYES: Bogue, Ceremello, Fuller, Batchelor  
NOES: None  
ABSTAIN: None  
ABSENT: Besneatte

\*Vice Mayor Besneatte arrived at 6:05 p.m.

6. **UNFINISHED BUSINESS**

**6.1 Review and discussion of proposed Omnibus V Ordinance Amendments relating to Chapter 12 of Article II of the Dixon City Code.**

Dave Dowswell, Interim Community Development Director, reported the staff report and Omnibus V Ordinance Amendments remain the same as presented at the Regular City Council Meeting of April 10, 2012, with the exception of the addition of fence regulations that will be included in the next public hearing for Omnibus V. He noted, at the April 10, 2012 City Council Meeting, City Council referred Sections 12.05, 12.06, 12.12, 12.19 and 12.23 back to the Planning Commission to further address concerns of the Old Town Neighbors and planned to discuss all other sections of Omnibus V recommended for approval by the Planning Commission at this special meeting.

Mr. Dowswell reviewed the boundaries of the Old Town area, concerns of the Old Town Neighbors regarding RM1, RM2, RM3, and RM4 zoning, and the ordinance changes to which they object.

Vice Mayor Besneatte noted it is not the entire Old Town Neighborhood that is objecting to the changes but a group of Old Town residents, and they are not speaking for him as an Old Town resident.

Councilmember Ceremello noted if the intention is to preserve the area "as is" and maintain single-family housing, zoning adjustments need to be made, he did not want to see the area change to a lot of multi-family units, felt downzoning is an alternative, but there is a need to satisfy HCD's Housing Element requirement in another area.

Mayor Batchelor noted the purpose of the meeting is to discuss the components of Omnibus V recommended by the Planning Commission for approval and discussion of the Old Town zoning issues were deferred until the residents are able to speak with the Department of Housing and Community Development (HCD).

Mr. Dowswell discussed the ordinance changes recommended by the Planning Commission that included definitions addressing different types of housing, residential multi-family permitted uses, industrial zoning requirements, amendments to the list of Downtown Commercial zoning districts, an updated sign ordinance, HOP language, fence regulations, language relating to "Pepper the sheep", and various typographical errors that were corrected.

Mayor Batchelor noted when the agreement was approved for the Lindy Lane Tea Room, parking was authorized for the dental office Monday through Friday and given that the dental office is now closed on Fridays, the parking should be made available to others, the agreement should be modified to allow a sign change, and

he asked that it be addressed by either the Transportation Advisory Commission or Planning Commission.

Jim Lindley, City Manager, obtained consensus that the rest of the Council agreed with the Mayor's parking request.

Councilmember Bogue noted there are several items that he would like to review later, will provide a list for staff to provide feedback and answers, and will then request additional amendments for those he deems necessary.

Councilmember Ceremello noted certain sections on Page 3 where numbering is confusing and inconsistent with the Municipal Code, objectives of the Zoning Ordinance, the person or entity that should be responsible for determination of land use, and his preference to review the amendments section-by section to determine they are worded correctly,

Mr. Lindley noted that what is most important is the public process in determining what the City will look like and reference to the "City" means the citizens who are represented by the City Council.

Mr. Dowswell responded to questions from Councilmember Ceremello regarding the need for consistent terminology when referring to RM-1, RM-2 versus R-1 or R1., large domestic animals, efficiency units, farm employee housing definition that does not fit with the Pulte subdivision, the definition of floor area for businesses, and noted on Page 7 there are two items numbered 22, on Page 7 #23 should read Frontage and Frontage –Double, on Page 8 #34 Lot Corner and #35 Lot Depth definitions, #41 a Manufactured Home is different from a trailer park home and is set on a foundation, #49 Office, Medical & Dental should cross-reference #10.

Mayor Batchelor asked for public comments on Section 12.01.

Ginger Emerson commented on the farm worker unit definition and noted the General Plan provides the target population for transitional housing and recommended it also be specified in the Zoning Ordinance.

There were no further public comments on Section 12.01.

Michael Dean, City Attorney, noted that Section 12.03.04 Site Area should actually read 12.03.05 and the text should read "one (1) acre".

Mayor Batchelor asked for public comments on Section 12.03.04. There were no public comments.

Mr. Dowswell noted in Section 12.04 the most significant change is at the bottom of Page 17, Section 12.04.07A, where the minimum site area has been changed from ten acres to two and one-half acres.

Councilmember Bogue noted Section 12.04.03N regarding schools has contradictory language and recommended striking the word “not” in the third line to include all of the currently excluded types of schools.

Mr. Dowswell agreed to that change.

Dan Figueroa supported changing the section to include all schools, as recommended.

Ginger Emerson noted that the discussion is difficult to follow because the Council was not provided with the purposes of the agricultural and other districts and some of the uses don't seem to fit and should stay consistent with the General Plan.

Mayor Batchelor noted the uses are conditional.

Mr. Dean noted the majority of uses belong in the Agricultural Zone, the question is whether schools are acceptable or not acceptable in that zone, and the General Plan governs the Zoning Ordinance and not the other way around.

Dan Figueroa noted this might be a good time to redefine the Agricultural Zones since there are only a couple of those zones left and if there is a conflict with the intentions of the General Plan and the types of uses, those should be reviewed now, either by the Council or the Planning Commission.

Councilmember Ceremello noted Mr. Figueroa's comments make sense and asked if five acre ranchettes would be a good idea.

Mr. Figueroa noted his preference for a reduction to two acre ranchettes.

There were no further questions on Section 12.04.

Mayor Batchelor asked for comments on Section 12.07.02

Councilmember Bogue asked if windmills and solar units should be added to Section 12.07.02C since they are both related to sustainable energy.

Mr. Dowswell noted that windmills were added last year and solar is allowed everywhere so it is not necessary to add it.

Mr. Dean clarified that it is an ancillary use allowable in all areas for homes and not for sale to others.

There were no public comments on Section 12.07.02.

Discussion moved to Section 12.07.03.

Councilmember Ceremello confirmed with Mr. Dowswell that medical cannabis dispensaries were removed when they were not approved by Council.

Mr. Dowswell discussed the changes in Sections 12.07.06, 12.08.02 and 12.08.03.

Councilmember Ceremello asked why gasoline sales are not permitted as a stand-alone use in Section 12.08.03.

Mr. Dowswell reported that he needs to fix the definitions regarding gasoline sales and service stations in Section 12.08.02 and Section 12.08.03.

Mr. Dean noted the numbering in Section 12.08.02 needs to be fixed, Item 7 has no number, and Item 12 has no wording.

Mr. Dowswell discussed Sections 12.08.07 and 12.08.08 which had no substantive changes.

Mayor Batchelor asked for public comments. There were no public comments.

Mr. Dowswell noted the businesses listed in Section 12.09.02 were struck because they are listed in Section 12.08.02.

Ginger Emerson felt it was important to note that there is no maximum density in the Downtown, in properties such as Adam Ascher's building children live in the units and the only place to play is the parking lot.

Councilmember Ceremello discussed the Priority Development Area (PDA) designation for Downtown and noted it relies on transportation rather than parking.

Shirley Humphrey noted that in approving the Priority Development Area (PDA) the Council has agreed to provide walkable communities and public spaces, asked which houses will need to be torn down, and where will the money come from in the budget.

Councilmember Cermello noted Ms. Humphrey is a member of the General Plan Advisory Committee and that committee should provide input.

Mayor Batchelor asked for questions regarding Section 12.10.02 regarding Permitted Uses.

Dan Figueroa asked if the intent was to cross out restaurants without drive-throughs in the CN Zone.

Mr. Dean noted the former permitted list is being carried through from the former lists and there is no need to restate it.

The Council recessed for break at 8:34 p.m.

The Council reconvened at 8:41 p.m.

Mr. Dowswell reported Section 12.11.02 was essentially just renumbered, Section 12.12 will be going back for review by the Planning Commission, and Sections 12.12A.07 and .08 had no substantive changes other than spelling out the numbers.

Mayor Batchelor asked for public comments. There were no public comments.

Discussion moved to Section 12.13.02 Permitted Uses.

Councilmember Bogue questioned why restaurants with drive-throughs and service stations were not permitted in a Light Industrial area.

Mr. Dowswell noted that service stations were included separately as Item I and restaurants with drive-throughs have not traditionally been included.

Councilmember Ceremello asked about the appropriateness of blacksmith shops and some of the dated wording and asked Mr. Dowswell to work on eliminating the items that no longer make sense.

Discussion moved to Section 12.14.02 related to Heavy Industrial.

Councilmember Ceremello asked if microbreweries could be added as a permitted use in the Central Commercial District, as well as some of the others that have already been discussed.

Mr. Dowswell noted it would be best to incorporate with a tasting area or a restaurant.

Mayor Batchelor asked for public comments.

Mary Savage noted there are enough bars already, and an approval process should be required to add a microbrewery.

Dan Figueroa noted many times there is a catch-all category that fits zoning criteria and the categories don't need to be that specific.

Discussion moved to Section 12.14A.02 related to permitted uses that apply to governmental uses.

Councilmember Fuller noted that libraries should be included. Mr. Dowswell confirmed that libraries would be added.

There were no public comments.

It was noted that the numbering for Section 12.14.03 should be changed since it starts with number 1 and skips to number 53.

Discussion moved to Section 12.15, Planned Development District. Mr. Dowswell reported that Section 12.15.16 was deleted because it was never adopted and no other zoning section has it, and the rest are non-substantive grammatical or spelling errors.

Mayor Batchelor requested that future changes be submitted in color for better ease of reading. Mr. Dowswell noted the next submittal will be in color on the I-pads.

There were no questions or public comments.

Mr. Dowswell noted that Section 12.18 related to Accessory and Temporary use Regulations was not listed on the Agenda, therefore it cannot be discussed, but will be included the next time.

Mr. Dowswell noted that Sections 12.19 and 12.23 would be returning to the Planning Commission for further discussion.

Discussion moved to Section 12.20, Permits for Signage.

Councilmember Bogue requested an example of Outdoor Structures noted on Page 93, C, and on Page 95, E should remain and F should be eliminated since they are duplicates.

Mr. Dowswell reported the structures would be such things as billboards and provided examples.

Mayor Batchelor asked for public comments. There were no public comments.

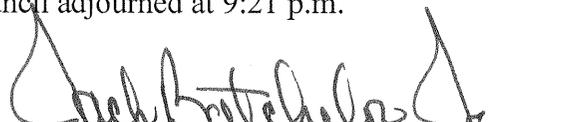
Mr. Dowswell noted that Sections 12.25, 12.26, 12.27, 12.30 were not included in the notice and he will need to make corrections before the next discussion.

Councilmember Ceremello requested that Section 12.25 be brought back in it's entirety for further discussion of Home Occupational Permits.

7. **ADJOURNMENT**

The Special Meeting of the Dixon City Council adjourned at 9:21 p.m.

  
\_\_\_\_\_  
Suellen Johnston, Deputy City Clerk

  
\_\_\_\_\_  
Jack Batchelor, Jr., Mayor