

Dixon Comprehensive Zoning Code Update

Citywide Standards



Study Session Draft

February 2023



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Introduction

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Zoning updates are significant undertakings for any community. Proceeding with discrete, digestible groups of specific sections make the project more approachable. To this end, this paper presents draft provisions for regulations or programs that apply citywide, including general site regulations, affordable housing density bonus provisions, landscaping, nonconforming provisions, parking and loading requirements, performance standards, and signs. This paper also includes rules for performing calculations and measurements required to implement the zoning regulations included in the Zoning Code.

Notations summarizing the purpose of the provisions and revisions to current regulations are provided below.

GENERAL SITE REGULATIONS

This chapter contains general site regulations applicable to all land within some or all zones, regardless of use. These types of regulations are primarily located in Chapter 18.20, General Provisions and Exceptions, Chapter 18.34, Administrative Fence Permit, and Chapter 18.36, Conservation Regulations, of the current code.

Accessory Structures. Draft regulations for accessory buildings and structures carry forward existing standards applicable to accessory structures, with revisions made for clarity and consistency. Accessory structures must meet the development standards of the district in which they are located except that accessory structures under certain heights, and garages on alleys, are allowed certain encroachments into side and rear setbacks. Accessory structures within front yards are limited to open structures such as gazebos and trellises, unless specifically allowed pursuant to a modification.

Building Design Standards. This new section establishes objective design standards applicable to development, except single-family residences, in the RL, RM, CMX, and DMX Districts. The standards address building location and orientation, entrance design, building wall articulation, windows and transparency, open space, and parking area design. For certain specific types of development, State law may limit the City's review of projects to compliance with objective standards. Should an applicant elect not to meet the objective standards, the applicant may request consideration of alternative approaches through a discretionary process. The City may still conduct design review for projects that are not submit to State streamlining requirements.

Encroachment into Required Setbacks. Draft regulations carry forward existing allowances for encroachments into setbacks, with revisions made for clarity and consistency. Generally, building

projections are allowed limited projections into required setback areas and mechanical and other equipment may be located in interior side and rear setback areas, provided they are a minimum of three feet from the property line. Regulations have been formatted in a user-friendly table for usability.

Fences and Freestanding Walls. This section carries forward and revises provisions applicable to fences. In The allowed height of front-yard fencing is increased from three feet to four feet, however any portion of the fence above three feet must be open fencing, such as lattice work. In Nonresidential Districts, a modification may be approved to allow higher fencing within 10 feet of a street-facing property line, provided any portion of the fence over three feet is open, the area between the sidewalk and the fence is landscaped, and the fence is constructed of durable, non-corrosive material such as wrought iron. Hazardous fencing materials are prohibited unless required by law or necessary for security purposes. Chain-link fencing must not be visible from the street in Residential Districts. In Nonresidential Districts, chain-link fencing visible from the street shall be vinyl coated, slatted, or landscaped with vines. Concrete-block walls must use decorative block or be finished with stucco; plain concrete block is not permitted.

Height Exceptions. This section carries forward height exceptions for specific features such as chimneys, decorative features, and mechanical equipment. Design review is required for any projection over the height limit except flag poles.

Lighting and Illumination. This new section applies to all new development and additions that involve light fixtures or systems. Draft regulations include standards for height, design, timing controls, and light trespass. Standards are included to minimize outdoor artificial light that may have a detrimental effect on surrounding property.

Screening. Draft regulations include screening requirements for mechanical equipment, outdoor storage, outdoor use areas, and common property lines between industrial and utility uses and a Residential District. Screening requirements for outdoor storage areas visible from any street or residential area vary based on location. Outdoor storage areas visible from any street or residential area are also subject to design review.

Swimming Pools and Spas. This section carries forward existing provisions for the location of swimming pools and spas and related equipment. A provision has been added to require mechanical equipment to be located a minimum of 15 feet from a bedroom window on an adjacent lot.

Visibility at Intersections and Driveways. This section carries forward existing “vision triangle” requirements that limit the height of vegetation and structures near intersections and driveways.

AFFORDABLE HOUSING DENSITY BONUS

Regulations and permit procedures governing the density bonus incentive program in Chapter 18.20A, Density Bonuses, of the existing code are reorganized, clarified, streamlined to improve usability, and updated to ensure consistency State law (Cal. Gov. Code §65915).

LANDSCAPING

This chapter includes provisions for the amount and type of required landscaping, as well as water efficiency requirements pursuant to State law. Consistent with current requirements, all required street-facing setbacks are required to be landscaped. Requirements for landscape buffers between nonresidential and multi-unit development and low-density residential development have been consolidated, simplified, and standardized. Existing requirements for street and front-yard trees are carried forward and complemented with requirements for ground cover and shrub planting, as well as water-efficient planting practices consistent with State law. Flexibility is provided by allowing for review and approval of alternative compliance landscape plans where it can be demonstrated that the intent of the landscape requirements can be still be achieved.

NONCONFORMING USES AND STRUCTURES, AND LOTS

This chapter includes provisions for nonconforming uses, structures and lots which are currently addressed in Section 18.20.020, Use of Nonconforming Sites, and Chapter 18.41, Nonconforming Uses and Structures. Provisions are included to allow flexibility for nonconforming uses that are not contrary to public health and safety to continue and expand, while restricting those that are a public nuisance. Generally, nonconforming uses, structure, and lots may remain and be utilized, provided there is no increase in the nonconformity.

PARKING

Regulations governing off-street parking in Chapter 18.27 of the existing code are revised, clarified, and updated to simplify and standardize parking requirements. Wherever possible, consistent parking requirements are used for uses with similar parking demand. This is intended to ease administration and provide flexibility with regards to re-use and changes of occupancy.

Provisions have been incorporated to encourage investment and occupancy in the DMX District. For non-residential uses, there is no minimum parking requirement in the DMX District, consistent with current practice. In order to encourage residential uses in the DMX District, there is a reduced residential parking requirement. Further, additional parking is not required for the adaptive reuse of an existing building in the DMX District, regardless of the new use.

New provisions also include expanded opportunities for shared parking, allowances for reduced parking requirements, bicycle parking requirements, and guidelines for alternative compliance.

Existing provisions requiring all vehicles (including automobiles, trucks, recreational vehicles, campers, trailers, or motorcycles), boats, or snowmobiles that are parked in the front yard in an RL District to be parked on a paved surface or on an unpaved surface, such as gravel, which complies with City standards regarding materials, placement and compaction are carried forward. Additional provisions clarifying that

such parking area shall be accessed through an approved curb cut and requiring vehicles to be parked such that safe visibility is maintained at driveways have been added.

PERFORMANCE STANDARDS

This chapter incorporates applicable portions of Chapter 18.28 of the current code. Performance standards establish clear, measurable standards for determining if a use or activity creates a nuisance on adjoining property. Where an impact is also addressed in another part of the Municipal Code, the regulations reference the applicable code.

SIGNS

Sign regulations and permit procedures in Chapter 18.24, Signs, of the existing code are consolidated, reorganized, clarified, and updated to improve usability and comply with the most current legal decisions by the U.S. Supreme Court and U.S. District Courts of Appeal. Relief from the dimensional requirements of up to 20 percent of the requirement may be granted pursuant to a Modification. Other deviations from the sign standards may be considered through a Comprehensive Sign Program reviewed and approved by the Planning Commission.

RULES OF MEASUREMENT

This section of the paper includes rules for performing calculations and measurements required to implement the zoning regulations included in the Zoning Code, such as measuring height, calculating floor area ratio, and determining lot coverage. These provisions are located in a single section to make them easier to find and help ensure consistency of interpretation and measurement. Existing provisions and procedures for calculations and measurements are carried forward. Refinements are made to provide more detail on measurement rules or to codify current practices

Citywide Standards

Chapter 18.11 General Site Regulations

18.11.010 Purpose and Applicability

The purpose of this Chapter is to prescribe site regulations that apply, except where specifically stated, to development in all zoning districts. These standards shall be used in conjunction with the standards for each zoning district established in Division II, District Regulations. In any case of conflict, the standards specific to the zoning district shall control.

18.11.020 Accessory Structures

A. Applicability.

1. **Detached Structures.** The provisions of this Section apply to roofed structures, including but not limited to garages, carports, sheds, workshops, gazebos, and covered patios which are detached from and accessory to a main building on the site. These provisions also apply to open, unroofed structures such as play equipment, decks and trellises, that are over 30 inches in height and are detached from and accessory to a main building on the site.
2. **Attached Structures.** The provisions of this Section do not apply to accessory structures attached to a main building, which shall comply in all respects with the requirements of this Title applicable to the main building.
 - a. Structures with a common wall or roof with the main building four feet in length or more shall be considered attached and part of the main building.
3. **Accessory Dwelling Units.** Accessory Dwelling Units, attached or detached, are subject to the standards of Section TBD, Accessory Dwelling Units.

B. **Relation to Existing Structures.** A detached accessory structure may only be constructed on a lot on which there is a permitted main building to which the accessory structure is related.

C. **Development Standards.** Accessory structures shall meet the development standards of the district in which it is located except as follows:

1. **Front and Street-Side Yard Location Limitation.** Accessory structures located in the front yard or street-side yard shall be limited to decorative objects up to eight feet in height that

are open on all sides, such as gazebos and trellises, unless specifically allowed through the approval of a Modification.

2. ***Side and Rear Setbacks.***

a. *Interior Side and Rear Setbacks.*

- i. Accessory structures up to 10 feet in height may be located up to three feet from the side or rear property lines.
- ii. Accessory structures up to 14 feet in height may be located up to five feet from the rear or side property lines provided structures cover no more than 30 percent of the required rear setback area or 400 square feet, whichever is less.

b. *Reversed Corner Lots.* On a reversed corner lot, an accessory structure shall be located no closer to the rear property line than the required side setback on the adjoining key lot and no closer to the property line on the side yard adjoining the street than the required front setback on the adjoining key lot.

c. *Garages on Alleys.* Where an alley abuts a property's rear lot line, accessory structures which provide covered parking for automobiles may be located up to five feet from the rear lot line if access to the covered parking is from the alley. Covered parking accessed from an alley may cover 30 percent of the area of the required rear setback area or 400 square feet, whichever is less.

18.11.030 Building Design Standards - Residential and Mixed-Use Districts

A. **Applicability.** All development within the RL, RM, CMX, and DMX Districts shall meet the design standards of this Section, except as provided below.

1. **Exceptions.** The standards of this Section do not apply to detached single-unit development.

B. **Required Building Location.** The following building location requirements apply in the DMX and CMX Districts.

1. **Build-to Line.** In the DMX and CMX Districts, any property developed with ground floor nonresidential uses, buildings shall be located within five feet of street-facing property line for at least the amount of the linear street frontage listed below.

a. *DMX District.*

- i. Properties with Less Than 75 feet of Linear Street Frontage: 80 percent.

- ii. Properties with 75 or More Feet of Linear Street Frontage: 60 percent.
 - b. *CMX District*.
 - i. Properties with Less Than 160 feet of Linear Street Frontage: 40 feet.
 - ii. Properties with 160 or More Feet of Linear Street Frontage: 25 percent.
- 2. **Modifications.** Should the applicant elect not to meet the above objective standards, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the building location requirements may approved upon finding that:
 - a. Entry courtyards, plazas, entries, or outdoor eating areas are located adjacent to the property line and buildings are built to the edge of the courtyard, plaza, or dining area; or
 - b. The building incorporates an alternative entrance design that creates a welcoming entry feature facing the street.
- C. **Building Orientation.** Unless located behind another building, buildings shall be oriented toward the adjacent front or street side lot line with the building frontages parallel to the fronting adjacent lot line.
- D. **Entrances.**
 - 1. **Ground Floor Nonresidential Uses.**
 - a. There shall be a minimum of one entrance for every 50 feet of building frontage, with a maximum separation of 100 feet between entrances.
 - b. At least one building entrance shall face a public walkway.
 - c. Buildings located on corners shall provide an entrance toward each street or have a common entrance to the building from both streets.
 - d. **Modifications.** Should the applicant elect not to meet the above objective standards, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the entrance requirements for nonresidential uses may approved upon finding that:
 - i. The proposed use has certain operational characteristics with which providing the required entrances is incompatible; and
 - ii. Street-facing building walls exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest and an engaging presence at the pedestrian level.

2. **Residential Uses.** All residential units shall provide a minimum of one principal entrance in accordance with the following standards.
 - a. *Principal Entrance Orientation.* All units located along a sidewalk must have a principal entrance facing and accessed via a walkway or stairway from the sidewalk.
 - i. The principal entrance may be an individual entrance to a single unit or a shared entrance that provides access to more than one unit.
 - b. *Principal Entrance Design.* The principal entry shall be emphasized utilizing at least one of the following methods:
 - i. A projection (e.g., overhang) with a minimum depth of three feet and a minimum horizontal area of 24 square feet.
 - ii. A recess a with a minimum depth of three feet and a minimum horizontal area of 24 square feet.
 - iii. An uncovered landing, deck, or stoop with a minimum six foot by eight foot useable area.
 - c. *Modifications.* Should the applicant elect not to meet the above objective standards, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the entrance requirements for residential uses may approved upon finding that the alternative design creates a welcoming entry feature facing the street, such as a trellis, landscaped courtyard entry, enhanced walkway, columns or other architectural features or treatments.
- E. **Building Articulation.** Buildings shall include the following design features to create visual variety and avoid a large-scale and bulky appearance.
 1. **Maximum Building Dimension.** The maximum dimension of any single building shall not exceed 200 feet.
 - a. In the DMX District along A and 1st Streets, any building over 75 feet wide shall be broken down to read as a series of buildings no wider than 75 feet each through architectural treatments such as changes in colors, materials, and wall plane.
 2. **Roof Line, Buildings with Three or More Stories.** Roof lines of buildings with three or more stories shall be varied and designed to minimize the bulk of a building, screen roof-mounted equipment, and enhance the building's architectural design through the following methods:

- a. A minimum of one roof line offset of at least 18 inches in height and 20 feet in length shall be provided for every 100 feet of façade length.
- b. Where parapets are provided, the minimum 18-inch offset in height required above may be substituted by an offset of at least 18 inches in depth. All parapets shall provide returns of at least six feet in depth at the end of the parapet face to avoid a false front appearance.

F. **Windows and Openings.**

- 1. **Minimum Windows.** No façade facing a public right-of-way shall run in a continuous plane of more than 20 feet without at least one window.
- 2. **Groundfloor Transparency.** Exterior walls of nonresidential uses and residential common areas facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between three and eight feet above the level of the sidewalk.
 - a. **Design of Required Openings.** Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
 - b. **Modifications.** Should the applicant elect not to meet the above objective standards, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the groundfloor transparency requirements may be approved upon finding that:
 - i. The proposed use has certain operational characteristics with which providing the required windows and openings is incompatible; and
 - ii. Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.
- 3. **Residential Uses; Window Trim or Recess.** Windows for residential uses shall have trim at least two inches wide and at least one-half inch in depth or must be recessed at least two inches from the plane of the surrounding exterior wall.
 - a. **Modifications.** Should the applicant elect not to meet the above objective standard, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the window trim requirements for residential uses may be approved to accommodate alternative window design complementary to the architectural style of the structure.

- G. **Façade Design.** No façade facing a public right-of-way shall run in a continuous plane of more than 50 feet without incorporating one or more of the following:
1. A vertical wall shift at least two feet deep and a minimum of one story in height.
 2. A change in material. The material change shall be a minimum of three feet wide and a minimum of one story in height.
 3. A building entrance.
 4. A projection such as a stoop, bay, or overhang.
 5. A massing break with a minimum width of 10 feet and minimum depth of two feet.
 6. *Modifications.* Should the applicant elect not to meet the above objective standards, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the façade design requirements may approved upon finding that adequate design features have been incorporated to create visual variety and avoid a bulky or monolithic appearance.
- H. **Open Space.** Open space, unoccupied by main or accessory structures, parking areas, driveways, and loading areas and open and unobstructed to the sky, shall be provided in accordance with the following standards.
1. ***Minimum Amount of Open Space.***
 - a. *Residential Districts.* A minimum of 200 square feet of open space shall be provided per residential unit, a minimum of which 50 square feet per unit shall be private open space. The balance of the required open space may be provided as private or common open space.
 - b. *DMX District.* A minimum of 100 square feet of open space shall be provided per residential unit, a minimum of which 50 square feet per unit shall be private open space. The balance of the required open space may be provided as private or common open space.
 - c. *CMX District.* A minimum of 125 square feet of open space shall be provided per residential unit, a minimum of which 50 square feet per unit shall be private open space. The balance of the required open space may be provided as private or common open space.
 2. ***Configuration.***
 - a. Private open space typically consists of balconies, decks, patios, fenced yards, and other similar areas outside the residential unit.

- b. Common open space typically consists of landscaped areas, patios, swimming pools, barbeque areas, playgrounds, turf, or other such improvements as are appropriate to enhance the outdoor environment of the development.

3. **Minimum Dimensions.**

- a. *Private Open Space.* Private open space located on the ground level (e.g., yards, decks, patios) shall be a minimum of eight feet in length and eight feet in width. Private open space located above ground level (e.g., balconies) shall be a minimum of six feet in length and six feet in width.
- b. *Common Open Space.* Common open space areas shall be a minimum of 15 feet in length and 15 feet in width.

4. **Usability.** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. Slope shall not exceed 10 percent.

5. **Accessibility.**

- a. *Private Open Space.* The space shall be accessible to only the individual residential unit it serves and shall be accessible by a doorway to a habitable room or hallway.
- b. *Common Open Space.* The space shall be accessible to all living units on the lot.

I. **Parking Area Design.**

- 1. **Curb Cuts.** Curb cuts shall be minimized and located on side streets wherever possible.
- 2. **Maximum Parking Frontage.** On lots 50 feet or wider, the total width of parking areas visible from the street, including open parking, carports, and garages, shall not exceed 40 percent of any public street frontage.
 - a. *Modifications.* Should the applicant elect not to meet the above objective standard, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the maximum parking frontage requirement may be approved upon finding that:
 - i. The lot is constrained such that limiting the visibility of parking to 40 percent of the public street frontage is infeasible; and
 - ii. Landscaping and other treatments have been incorporated to minimize the visibility of above ground parking from the public street frontage.

3. **Location.** Parking shall be located a minimum of 40 feet from the primary street facing property line.
 - a. *Modifications.* Should the applicant elect not to meet the above objective standard, the applicant may request a Modification pursuant to Chapter TBD, Modifications. A Modification to the parking location requirement may be approved upon finding that:
 - i. The design incorporates conditioned, usable space or active open space close to the public sidewalk to the maximum extent feasible; and
 - ii. The site is physically constrained such that parking located more than 40 feet from the primary street frontage is not feasible.

18.11.040 Conservation Regulations

- A. **Purpose.** The purpose of these provisions is to implement General Plan policies related to air quality and energy conservation by encouraging the conservation of nonrenewable energy resources, to facilitate the utilization of alternative, renewable energy resources, including wind and solar energy, and reduce vehicle miles traveled.
- B. **Circulation and Transportation.**
 1. Subdivisions, planned unit developments, and large scale commercial developments shall be designed to encourage energy conserving transportation practices while discouraging unnecessary automobile use. Applications for these developments shall include pedestrian and bicycle circulation systems which are orderly, well-maintained, and convenient to use.
 2. Nonresidential developments which include more than 100 employee parking spaces should include ancillary employee services, such as cafeterias or other food sources, banking facilities, or child care, to reduce the number of midday vehicle trips generated by the development.
- C. **Efficient Use of Solar Energy.**
 1. Subdivision and residential planned developments shall be designed to the maximum extent possible so that dwelling units are oriented to the south to permit maximum exposure to the winter sun for solar heating. Minimum yard requirements may be waived through approval of a Conditional Use Permit where the Planning Commission finds it necessary in order to achieve a southerly orientation for individual dwelling units.
 2. Buildings, landscaping, vegetation, fences, and other solar screens should be located and sited to the minimum extent possible so that they do not preclude or discourage the use of solar energy in adjacent properties and buildings. Where necessary, the Planning

Director may require submission of a map showing shadows cast by solar screens, including landscaping and vegetation at maturity, for 12:00 noon (solar time) on December 21st.

3. Exterior clothes drying facilities shall not be prohibited in subdivisions and shall be provided in apartment house and condominium developments.
4. Exterior active and passive solar energy collectors and ancillary equipment shall not be prohibited in subdivisions, apartment houses, and condominiums.

18.11.050 Encroachments into Required Setbacks

Where setbacks are required in this Title, they shall be not less in depth or width than the minimum dimension specified, shall be open at every point, and shall not be obstructed with non-movable features from the ground upward, except as provided below, or as specifically identified in another section of this Title. Encroachments are also subject to Section TBD, Visibility at Intersections and Driveways.

TABLE TBD: ALLOWED ENCROACHMENTS INTO REQUIRED SETBACKS			
<i>Encroachment</i>	<i>Front and Street Side Setbacks</i>	<i>Interior Side Setback</i>	<i>Rear Setback</i>
All encroachments	No encroachment may extend closer than three feet to an interior lot line or any distance into a public utility easement. Where any allowance of this Title conflicts with applicable building codes, the more restrictive shall apply.		
Architectural features including sills, chimneys, cornices and eaves	2 ft	2 ft	2 ft
Open, unenclosed, uncovered balconies, porches, platforms, stairways and landing places no part of which is more than three feet above the surface of the ground	4 ft	4 ft	4 ft
Open, unenclosed, uncovered metal fire escapes	3 ft	3 ft	3 ft
Rain barrels and cisterns with a maximum capacity of 1,000 gallons, or other similar storm water management equipment	Shall not encroach		No closer than 3 feet from the lot line
Mechanical and other equipment, detached or attached, such as water heaters, air conditioners, electric meters, electric transformers, cable television or phone utility boxes	Shall not encroach		No closer than 3 feet from the lot line
Ramps and similar structures that provide access for persons with disabilities	Reasonable accommodation will be made, consistent with the Americans with Disabilities Act; see §TBD, Reasonable Accommodation		

18.11.060 Fences, Walls, and Hedges

Fences, walls, dense hedges, and similar structures shall comply with the standards of this Section.

A. **Maximum Height.** Fences, walls, dense hedges, and similar structures are limited to a maximum height as follows:

1. ***Residential Districts.***

- a. *Within Required Front Setback Areas.* Four feet, provided any portion of the fence over three feet shall be a minimum of 50 percent transparent.
- b. *Within 10 feet of Any Other Street-facing Property Line.* Four feet, provided any portion of the fence over three feet shall be a minimum of 50 percent transparent. Additional height may be allowed in a required street side setback as follows:
 - i. Fences up to seven feet in height may be allowed within a required street side setback subject to approval of a Modification and the following:
 - (1) The area between the property line or back of sidewalk and the fence shall be landscaped and maintained free of weeds.
 - (2) The fence shall not extend beyond the nearest front corner of the main structure.
- c. *Other Areas.* In all areas of a site outside the required front setback and more than 10 feet of any other street-facing property line, the maximum fence height is seven feet.

2. ***Nonresidential Districts.***

- a. *Within 10 feet of Any Street-facing Property Line.* Four feet, provided any portion of the fence over three feet shall be a minimum of 50 percent transparent. Additional height may be allowed as follows:
 - i. Fences up to seven feet in height may be allowed within 10 feet of a street-facing property subject to approval of a Modification and the following:
 - (1) Any portion of the fence over three feet shall be a minimum of 50 percent transparent.
 - (2) The area between the property line or back of sidewalk and the fence shall be landscaped and maintained free of weeds.
 - (3) The fence shall be constructed of durable, corrosion-resistant material, such as wrought iron.
- b. *Other Areas.* In all areas of a site more than 10 feet of any street-facing property line, the maximum fence height is seven feet unless a higher fence is approved pursuant to a Modification.

3. ***Recreational Fencing.*** Fencing located around sport courts and similar areas may be allowed to exceed the maximum height listed above pursuant to approval of a

Modification, provided that all parts of the fence over seven feet are made of open-wire construction or other corrosion-resistant materials.

4. **Public Safety Facilities.** Fencing height standards of this Section shall not be applicable to any public safety facility.
5. **Decorative Features.** One entry gateway, trellis, or other entry structure is permitted in the required front or street-facing side setback of each lot, provided that the maximum height or width of the structure does not exceed eight feet and the maximum depth does not exceed five feet.
6. **Intersection and Driveway Visibility.** Notwithstanding other provisions of this Section, fences, walls, and related structures shall comply with Section TBD, Visibility at Intersections and Driveways.

B. Materials.

1. **Prohibition on Hazardous Fencing Materials.** The use of barbed wire, razor wire, ultra-barrier, electrified, and other hazardous fencing is not permitted unless such fencing is required by any law or regulation of the City, the State of California, Federal Government, or other public agency.
 - a. **Exception.** The Director may approve an exception to this standard for sites in Industrial Districts, provided the hazardous fencing materials are located at the top portion of a fence which is at least six feet in height and the Director finds such fencing is necessary for security purposes.
2. **Limitation on Chain-Link Fencing.**
 - a. In Residential Districts, chain-link fencing shall not be visible from the street.
 - b. In Nonresidential Districts, chain-link fencing visible from the street shall be vinyl coated, slatted, or landscaped with climbing vines.
3. **Limitation on Concrete Block.** Plain, concrete block is not permitted as a fencing material. Concrete block must be finished with stucco (or decorative split-faced block) and capped with a decorative cap.

18.11.070 Height Limitation Exceptions

Towers, spires, cupolas, chimneys, penthouses, water tanks, flagpoles, monuments, scenery lofts, radio and television aerials and antennas, fire towers and similar structures and necessary mechanical appurtenances covering not more than 10 percent of the ground area covered by the main structure may be erected to a

height not more than 25 feet above the limit prescribed by the regulations for the district in which they are located.

- A. **Design Review Required.** Design Review, pursuant to Chapter TBD, Design Review, is required for any projection over the height limit except flag poles.

18.11.080 Lighting and Illumination

- A. **Applicability.** The standards of this Section apply to all new development and to exterior alterations and additions that involve replacement light fixtures or systems, except as provided below.
 - 1. **Exemptions.** The following lighting is exempt from the provisions of this Section.
 - a. *Public and Private Street Lighting.*
 - b. *Athletic Field Lights.* Athletic field lights within a City recreation area.
 - c. *Public Facility Safety and Security Lighting.* Safety and security lighting for public facilities.
 - d. *Construction and Emergency Lighting.* Construction or emergency lighting fixtures, provided they are temporary and are discontinued immediately upon completion of the construction work or abatement of the emergency.
 - e. *Seasonal Lighting.* Seasonal lighting displays related to cultural or religious celebrations.
- B. **Prohibitions.** The following types of exterior lighting are prohibited.
 - 1. **Searchlights.** The operation of searchlights for advertising purposes.
 - 2. **Mercury Vapor.** Mercury vapor lights.
 - 3. **Other Light Types.** Laser lights or any other lighting that flashes, blinks, alternates, or moves.
- C. **General Requirements.**
 - 1. **Fixture Types.** All luminaries shall meet the most recently adopted criteria of the Illuminating Engineering Society of North America (IESNA) for "Cut Off" or "Full Cut Off" luminaries.
 - 2. **Design of Fixtures.** Fixtures shall be appropriate to the style and scale of the architecture. Fixtures on buildings shall be attached only to walls or eaves, and the top of the fixture shall not exceed the height of the parapet or roof or eave of roof.

3. **Timing Controls.** All outdoor lighting in nonresidential development shall be on a time clock or photo-sensor system and turned off during daylight hours and during hours when the building are not in use and the lighting is not required for security.
4. **Trespass.** All lights shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties. The light level at any property line shall not exceed one foot-candle, unless otherwise required by Police Department.

18.11.090 Screening

- A. **Screening of Mechanical and Electrical Equipment.** All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from adjacent at-grade public rights-of-way and/or adjacent Residential Districts. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, heaters, utility meters, cable equipment, telephone entry boxes, backflow devices, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems. Screening materials shall be consistent with the exterior colors and materials of the building. Exceptions may be granted by the Director where screening is infeasible due to health and safety, structural limitations, or utility requirements.
- B. **Common Property Lines.** A solid screening wall seven feet in height shall be provided on the interior lot lines of any lot that contains any use in the Industrial Use Classification or any use in the Transportation, Communication, and Utilities Use Classification (except Telecommunications Facilities) and abuts a Residential District.
 1. **Timing.** The screening wall shall be provided at the time of new construction or expansion of buildings, or changes from one use classification to another nonresidential use classification.
 2. **Location.** Screening walls shall follow the lot line of the lot to be screened, or shall be arranged within the boundaries of the lot so as to substantially hide from adjoining lots the building, facility, or activity required to be screened.
 3. **Materials.** Industrial uses shall provide a solid screening wall of stucco, decorative block, or concrete panel. Screening walls for other uses shall be constructed of stucco, decorative block, concrete panel, wood, or other substantially equivalent material.
- C. **Outdoor Storage Areas.** Outdoor storage areas visible from any public street or highway, existing or planned residential area; or publicly accessible open space area are subject to Design Review pursuant to Chapter TBD, Design Review, and shall be fenced or screened in accordance with Table TBD, Outdoor Storage Area Fencing and Screening Requirements.

TABLE TBD: OUTDOOR STORAGE AREA SCREENING AND FENCING REQUIREMENTS

Maximum Height	Screening walls and fences shall not exceed the maximum allowable fence heights unless allowed pursuant to approval of a Modification.		
Allowable Materials (✓: allowed; X: not allowed)	Solid Wall (stucco, decorative block, or concrete panel)	Solid Fence (wood, vinyl, or similar material)	Slatted Chain Link Fence
<i>Visible from the freeway</i>	✓	X	X
<i>Commercial and Mixed Use Districts, not visible from the freeway</i>	✓	✓	X
<i>Industrial Districts, not visible from the freeway</i>	✓	✓	✓

- D. **Other Outdoor Activity Areas.** Where the Director finds that an outdoor use without screening would have a detrimental effect, the outdoor use shall be screened from view from any public street or freeway; existing or planned residential area; or publicly accessible open space area.
- E. **Maintenance.** Screening walls shall be maintained in good repair, including painting, if required, and shall be kept free of litter and advertising. Graffiti shall be removed within two days of notice of its placement. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the required and the maximum allowed height.

18.11.100 Swimming Pools and Spas

Swimming pools, spas, and any body of water having a depth of more than 18 inches and related equipment shall comply with the following standards:

- A. No swimming pool, spa, or any body of water having a depth of more than 18 inches shall be located in a required front or side setback nor less than five feet from a property line, measured to the outside edge of water.
- B. Accessory mechanical equipment and related structures shall not be located in a required front or side setback, less than three feet from a property line, or within 15 feet of a bedroom window on an adjacent lot.

18.11.110 Visibility at Intersections and Driveways

Vegetation and structures located in the following areas near intersections and driveways shall be subject to review and approval by the City Engineer/Director of Utilities:

- A. Within 10 feet of the point of intersection of:
 - 1. A vehicular accessway or driveway and a street; or
 - 2. A vehicular accessway or driveway and a sidewalk.
- B. Within 20 feet of the point of intersection of two or more vehicular accessway, driveways, or streets.

Chapter 18.12 Affordable Housing Density Bonus

18.12.010 Purpose

The purpose of this Chapter is to implement the State Density Bonus Law, California Government Code Section 65915 et seq.

18.12.020 Applicable Zoning Districts

This Chapter shall be applicable in all zoning districts that allow residential uses.

18.12.030 Qualifications

All proposed housing developments that qualify under California Government Code Section 65915 for a density increase and other incentives, and any qualified land transfer under California Government Code Section 65915 shall be eligible to apply for a density bonus (including incentives and/or concessions) consistent with the requirements, provisions and obligations set forth in California Government Code Section 65915, as may be amended.

18.12.040 Density Bonus, Incentives and Concessions

The City of Dixon shall grant qualifying housing developments and qualifying land transfers a density bonus, the amount of which shall be as specified in California Government Code Section 65915 et seq., and incentives or concessions also as described in California Government Code Section 65915 et seq.

18.12.050 Application

An application for a density bonus or other incentive under this Chapter for a housing development shall be submitted in writing to the Planning Division to be processed concurrently with all other entitlements of the proposed housing development. The application for a housing development shall contain information sufficient to fully evaluate the request under the requirements of this Chapter and applicable State law.

18.12.060 Review and Consideration

The application shall be considered by the Planning Commission or City Council at the same time the project for which the request is being made is considered. If the project is not to be otherwise considered by the Planning Commission or the City Council, the request being made under this Chapter shall be considered

by the Community Development Director. The request shall be approved if the applicant complies with the provisions of California Government Code Section 65915 et seq.

18.12.070 Continued Affordability

Consistent with the provisions of California Government Code Section 65915 et seq., prior to a density bonus or other incentives being approved for a project, the City and the applicant shall agree to an appropriate method of assuring the continued availability of the density bonus units.

Chapter 18.13 Landscaping

18.13.010 Purpose

The purposes of the landscaping regulations are to:

- A. Improve the appearance of the community by requiring permanently maintained landscaping;
- B. Enhance the appearance of development and minimize or eliminate conflicts between potentially incompatible uses through landscaping;
- C. Aid in energy conservation by providing shade from the sun and shelter from the wind;
- D. Provide areas on site to absorb rainfall and assist in reducing storm water runoff;
- E. Assist in erosion control;
- F. Promote conservation and efficient use of water; and
- G. Implement the Water Conservation in Landscaping Act.

18.13.020 Applicability

The provisions of this Chapter shall apply to the following:

- A. All new development.
- B. Additions to multi-unit and non-residential development that expand existing floor area by 10 percent or more.
- C. All new and rehabilitated landscaping projects that include new irrigated landscaping over 2,500 square feet.
- D. **Exceptions.** The provisions of this Chapter do not apply to the following:
 - 1. Farming, agriculture, and crop production including vegetable gardens, vineyards, and small orchards.
 - 2. Public recreational areas (designated for active play, recreation or public assembly).
 - 3. Registered local, state or federal historical sites.
 - 4. Habitat restoration projects that do not require a permanent irrigation system.
 - 5. Mined-land reclamation projects that do not require a permanent irrigation system.
 - 6. Existing plant collections, as part of botanical gardens and arboretums open to the public.

18.13.030 Areas to be Landscaped

In addition to areas required to be landscaped pursuant to other sections of this Title, the following areas shall be landscaped.

- A. **Required Street-Facing Setbacks.** All required street-facing setbacks shall be landscaped except for areas used for exit and entry.
- B. **Sloped Areas.** All areas with 3:1 or greater slope.
- C. **Nonresidential Use Abutting or Within Residential Districts.** Whenever a non-residential use is located within or adjacent to a Residential District, a five foot wide landscape buffer shall be provided along all interior property lines.
- D. **Multi-Unit Residential Development Abutting or Within an RL District.** Whenever multi-unit residential development is located within or adjacent to an RL District, a five foot wide landscape buffer shall be provided along all interior property lines.
- E. **Parking Areas.** Parking areas as required by Chapter TBD, Parking and Loading.
- F. **Unused Areas.** All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be landscaped or hydroseeded.

18.13.040 Landscape Plan

A landscape plan showing compliance with the standards of this Chapter shall be submitted with the permit application for all projects for which landscaping is required.

- A. **Information Required.** Landscape plans shall be drawn to scale and shall include the following:
 - 1. Proposed plant locations, species, sizes, and plant factor. Plants with similar water needs shall be grouped together on the landscape plan. The plant factor, established in the California Department of Water Resources study, Water Use Classification of Landscape Species (WUCOLS), shall be identified for all landscaped areas on a site. All water features shall be identified as high water use, and temporarily irrigated areas shall be identified as low water use.
 - 2. Location of any existing tree over six inches in diameter or over two inches in diameter for oak trees, as measured at 48 inches above natural grade, and whether each such tree is proposed for retention or removal.
 - 3. Areas to be covered by non-decorative hardscape features (e.g., concrete, asphalt, gravel, driveways, sidewalks, etc.)

4. Areas to be covered by decorative permeable hardscape features (e.g., brick, stone, mulch, water feature, etc.)
 5. Walkways, plazas and sitting areas, play areas, street furniture and other existing or proposed permanent outdoor equipment or decorative landscape features, if any.
 6. Proposed method and location of irrigation.
 7. Interim landscaping for future phases where deemed necessary by the City.
- B. **Alternative Landscape Plan.** A modification to the standards of this Chapter may be approved through a Modification pursuant to Chapter TBD, Modifications. The applicant shall demonstrate that the intent of the landscape requirements of this Chapter will be achieved through an alternative landscape plan, prepared in accordance with the purposes set forth in this Chapter. The alternative landscape plan shall clearly detail the modifications being requested from the provisions of this Chapter and the alternative landscape plan reflects the evaluation criteria listed below.
1. Innovative use of plant materials and design techniques in response to unique characteristics of the site or the proposed use.
 2. Preservation or incorporation of existing native vegetation.
 3. Incorporation of naturalistic design principles, such as variations in topography, meandering or curvilinear plantings, and grouping of dominant plant materials (trees, large shrubs) in a manner consistent with existing native vegetation.
 4. Integration of landscaping and pedestrian facilities in a manner that improves access or incorporates pedestrian-friendly design.
 5. Use of additional shade trees to create a greater canopy effect.
 6. A greater degree of compatibility with surrounding uses than a standard landscape plan would offer.

18.13.050 General Requirements

- A. **Materials.**
1. **General.**
 - a. Required landscaped areas shall be planted with a combination of ground covers, shrubs, vines, and trees.
 - b. Landscaping may include paved and graveled walkways and the use of decorative materials such as brick, bark, sand, wood, decorative rock, structural features, or

other decorative features, provided they do not cover more than 30 percent of the area required to be landscaped.

- c. Garden areas and other areas dedicated to edible plants are considered landscaped areas and count toward required landscaping.

2. **Required Water Efficient Plants.** One of the following options of types of plants shall be chosen to ensure that the landscape project meets water efficiency requirements.

- a. *Option A: Primarily Low Water Plants.* Exclusive of garden areas, at least 75 percent of the landscape area shall contain low or very low water use plants (average California Department of Water Resources study, Water Use Classification of Landscape Species (WUCOLS) plant factor of 0.3).

- b. *Option B: Water Use Calculation.* The estimated total water use (ETWU) of the landscaping shall not exceed the maximum applied water allowance (MAWA), calculated pursuant to the State Model Water Efficient Landscape Ordinance (MWELO).

- i. Department of Water Resources Model Water Efficient Landscape Ordinance Compliance Required. Where Option B: Water Use Calculation is selected, all requirements of the Department of Water Resources Model Water Efficient Landscape Ordinance shall apply.

3. **Size and Spacing.** Plant materials shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun and light), and maintenance needs. Plants shall be of the following size and spacing at the time of installation:

- a. *Ground Covers.* Ground cover plants other than grasses shall be at least four-inch pot size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of 50 percent of the plant's maximum width at maturity.

- b. *Shrubs.* Shrubs shall be a minimum size of one gallon. When planted to serve as a hedge or screen, shrubs shall be planted with two to four feet of spacing, depending on the plant species.

- c. *Trees.*

- i. Required Trees.

- (1) RL District. A minimum of one street tree is required for every 50 feet of street frontage, or fraction thereof.

- (2) RM District. A minimum of two street trees are required for every 50 feet of street frontage, or fraction thereof.

- (3) Commercial and Mixed-Use Districts. A minimum of two street trees are required for every 50 feet of street frontage, or fraction thereof.
 - (4) Industrial Districts. A minimum of one street tree is required for every 50 feet of street frontage, or fraction thereof.
 - ii. Minimum Size. Trees shall be a minimum 15-gallon size having a minimum height of six feet and a one-inch caliper at planting unless the Director approves an equivalent quality of tree based on tree species and quality of stock.
 - iii. Tree Selection. Trees shall be selected and planted in compliance with the City of Dixon Tree Selection for Street Trees and Front Yard Trees, and any other applicable list or guide the City adopts for tree selection. Tree selection should consider the Sacramento Tree Foundation’s Air Quality Beneficial Volatile Organic Compound List, or comparable. When all other factors are equal, trees with the highest rating for air quality benefits should be selected.
- 4. **Natural Turf.** Natural turf is subject to the following limitations.
 - a. No more than 25 percent of the landscaped area may be natural turf.
 - b. The installation of natural turf on slopes greater than 25 percent is prohibited.
 - c. Natural turf is prohibited in locations that are less than 10 feet wide.
- 5. **Mulch.** A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
- 6. **Compost.** Compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test) shall be incorporated.
- B. **Water Features.** Recirculating water shall be used for all decorative water features.
- C. **Dimension of Landscaped Areas.** No landscaped area smaller than four feet in any horizontal dimension shall count toward required landscaping.
- D. **Prescribed Heights.** The prescribed heights of landscaping shall indicate the height to be attained within three years after planting unless otherwise noted.
- E. **Intersection Visibility.** All landscaping shall comply with Section TBD, Visibility at Intersections and Driveways.

- F. **Maintenance.** All planting and other landscape elements shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Inert matter, such as gravel, decorative stone, or other acceptable materials not consisting of live vegetation shall be kept neat, well-ordered, and clear of the public right-of-way. Wherever necessary, plantings shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements.

18.13.060 Irrigation Specifications

All landscaped areas shall be provided with an automatic irrigation system capable of complete coverage of the landscaped areas.

A. **General Requirements.**

1. All irrigation equipment must meet American National Standards Institute (ANSI), American Society of Agricultural and Biological Engineers/ International Code Council (ASABE/ICC)802-2014. "Landscape Irrigation Sprinkler and Emitter Standard".
2. The following areas shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
 - a. Slopes exceeding 25 percent.
 - b. Areas less than 10 feet wide in any direction.
3. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas such as adjacent property or hardscapes.
 - a. Irrigation systems shall be designed for zero run-off onto paved surfaces unless that surface drains to another landscape area.
 - b. Spray irrigation must be placed two-feet away from impervious surfaces unless that surface drains to another landscape area.
 - c. Proper irrigation equipment and schedules, including features such as repeated cycles, shall be used to closely match application rates to infiltration rates therefore minimizing runoff.
 - d. Slopes greater than 25 percent shall not be irrigated with an irrigation system with an application rate exceeding 0.75 inches per hour, and check valves shall be utilized.

- B. **Sprinkler Heads.** Where used, sprinkler heads shall be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.

1. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
- C. **Water Meters.** A dedicated meter for irrigation is required for non-residential projects with landscape areas of 1,000 square feet or more.
- D. **Backflow Prevention Devices.** Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system.
- E. **Pressure Regulating Equipment.** Pressure regulating valves or assemblies shall be installed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
- F. **Flow Sensors.** Flow sensors are required to detect high flow conditions created by system damage on all non-residential projects and residential projects 5,000 square feet and greater.
- G. **Controllers.** Automatic control systems shall be required for all irrigation systems and must be able to accommodate all aspects of the design.
 1. Automatic irrigation controllers shall utilize either evapotranspiration or soil moisture sensor data, or rain sensing override devices.
 2. Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.
- H. **Check Valves.** Where required on steep slopes, check valves shall be installed to prevent low-head drainage.
- I. **Shut-Off Valves.** Shut off valves are required and shall be located as close as possible to the point of connection of the water supply, and placed where needed to minimize water loss in case of an emergency (such as a main line break) or routine repair.

18.13.070 Installation and Completion

- A. **Consistency with Approved Plans.** All landscaping shall be installed consistent with approved plans and specifications, in a manner designed to promote and maintain healthy plant growth.
- B. **Timing of Installation.** Required landscaping shall be installed prior to the issuance of a certificate of occupancy for the project.
- C. **Exception—Assurance of Landscaping Completion.** The Director may permit the required landscaping to be installed within 120 days after the issuance of a certificate of occupancy in special circumstances related to weather conditions or plant availability. A surety in the amount equal to 150 percent of the estimated cost of landscaping, including materials and labor, as well as an agreement that the required landscaping will be installed within 120 days, must be filed with the

City to assure completion of landscaping installation within such time. The surety may take the form of cash deposit, irrevocable letter of credit or bond; and together with the agreement, would provide for payment to the City of any costs incurred in contracting for completion of the required landscaping.

- D. **Certification of Completion.** Where Required Water Efficient Plant Option B: Water Use Calculation, was installed, a licensed landscape architect shall verify and the applicant shall submit a Certificate of Completion pursuant to the Department of Water Resources Model Water Efficient Landscape Ordinance.

Chapter 18.14 Nonconforming Uses, Structures, and Lots

18.14.010 Purpose

This Chapter is intended to permit the use of lots, continuation of uses, and continued occupancy and maintenance of structures that were legally established but do not comply with all of the standards and requirements of this Title in a manner that does not conflict with the General Plan or impact public health, safety, or general welfare. To that end, this Chapter establishes the circumstances under which a nonconforming lot, use, or structure may be continued or changed and provides for the removal of nonconforming uses and structures when their continuation conflicts with the General Plan and public health, safety, and general welfare.

18.14.020 Applicability

The provisions of this Chapter apply to structures, lots, and uses that have become nonconforming by adoption of this Title as well as structures, lots, and uses that become nonconforming due to subsequent amendments to this Title or to the Zoning Map.

18.14.030 General Provisions

- A. **Nonconformities, Generally.** Any lawfully established use, structure, or lot that is in existence on the effective date of this Title or any subsequent amendment but does not comply with all of the standards and requirements of this Title shall be considered nonconforming.
- B. **Right to Continue.** Any use or structure that was lawfully established prior to the effective date of this Title or of any subsequent amendments to its text or to the Zoning Map may only be continued and maintained provided there is no alteration, enlargement, addition, or other change to any building or structure; no substitution, expansion, or other change including an increase in occupant load or any enlargement of the area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Chapter.
 - 1. The right to continue a nonconforming use or structure shall attach to the land and shall not be affected by a change in ownership.
 - 2. The right to continue a nonconforming use or structure shall not apply to uses or structures deemed to be a public nuisance because of health or safety conditions.
 - 3. The right to continue a nonconforming use shall not apply if the nonconforming use has been abandoned or vacated for the relevant period of time described in Section TBD, Abandonment of Nonconforming Uses.

18.14.040 Nonconforming Lots

Any lot that is smaller than the minimum lot size required by this Title or does not meet the applicable dimensional requirements shall be considered a lawful nonconforming lot if it is shown on a duly recorded subdivision map or if a certificate of compliance has been issued for the lot.

- A. A nonconforming lot may be used as a building site subject to compliance with all applicable requirements, unless a variance or other waiver, modification, or exception is approved as provided for in this Title.
- B. A nonconforming lot shall not be further reduced in area, width, or depth, unless such reduction is allowed pursuant to a provision of the Municipal Code, required as part of a public improvement, or otherwise specifically allowed pursuant to State law.
- C. Nonconforming contiguous lots held by the same owner shall be involuntarily merged if one or more of the lots does not conform to the minimum lot size in compliance with Government Code Section 66451.11.

18.14.050 Maintenance of and Alterations and Additions to Nonconforming Structures

Lawful nonconforming structures may be continued and maintained in compliance with the requirements of this Section unless deemed by the Building Official to be a public nuisance because of health or safety conditions.

- A. **Maintenance and Repairs.** Structural and nonstructural maintenance, repair, and interior alterations to a nonconforming structure are permitted if the changes and improvements do not enlarge the structure, change the building footprint, or increase building height.
- B. **Alterations and Additions.** Alterations and additions to nonconforming structures are allowed if the alteration or addition complies with all applicable laws and requirements of this Title, the use of the property is conforming, and there is no increase in the discrepancy between existing conditions and the requirements of this Title (i.e. there is no increase in the nonconformity).
- C. **Nonconforming Signs.** Lawfully established signs that do not conform to the requirements of this Title may only be maintained in compliance with the requirements of Chapter TBD, Signs.

18.14.060 Repair and Replacement of Damaged or Destroyed Nonconforming Structures

A nonconforming structure that is damaged or partially destroyed by fire, explosion, earthquake, or natural disaster which is not caused by an act or deliberate omission of a property owner, their agent, or person acting on their behalf or in concert with, may be restored or rebuilt subject to the following provisions.

- A. **Restoration When Damage is 50 Percent or Less of Value.** If the cost of repair or reconstruction is less than or equal to 50 percent of its replacement value immediately prior to such damage, as established by a certified appraiser, replacement of the damaged portions of the structure is allowed by right provided that the replaced portions are the same size, extent, and configuration as previously existed.
- B. **Restoration When Damage Exceeds 50 Percent of Value.** If the cost of repair or reconstruction exceeds 50 percent of its replacement value immediately prior to such damage, as established by a certified appraiser, the land and building shall be subject to all of the requirements of this Title, except as provided below.
 - 1. ***Non-residential Uses and Structures.*** Any nonconforming use must permanently cease and the structure shall only be restored and used only in compliance with the requirements of this Title.
 - 2. ***Residential Uses and Structures.*** Nonconforming residential use may be reconstructed, restored, or rebuilt up to the size and number of dwelling units prior to the damage and the nonconforming use, if any, may be resumed provided the rebuilt development complies with all current design and property development standards.
 - 3. ***Timing.*** Building permits must be obtained within one year of the date of the damage or destruction and construction shall start within 180 days and diligently pursued to completion unless another time period is specified through Conditional Use Permit approval.

18.14.070 Expansions, Changes, and Substitutions of Nonconforming Uses

Nonconforming uses shall not be expanded, moved, or changed except as provided below.

- A. **Change in Tenancy, Ownership, or Management.** Any nonconforming use may change ownership, tenancy, or management where the new use is of the same use classification as the previous use, as defined in Chapter TBD, Use Classifications.
- B. **Change from Nonconforming to Permitted Use.** Any nonconforming use may be changed to a use that is allowed by right in the zoning district in which it is located and complies with all applicable standards for such use. Once a nonconforming use has been changed, it shall not be reestablished.
- C. **Absence of Permit.** Any use that is nonconforming solely by reason of the absence of a permit or approval may be changed to a conforming use by obtaining the appropriate permit or approval.

18.14.080 Abandonment of Nonconforming Uses

No nonconforming use may be resumed, reestablished, reopened or replaced by any other nonconforming use after it has been abandoned or vacated for a period of six months. The six month-period shall commence when the use ceases and any one of the following occurs:

- A. The site is vacated;
- B. The business license lapses;
- C. Utilities are terminated; or
- D. The lease is terminated.

Chapter 18.15 Parking and Loading

18.15.010 Purpose

The purposes of the parking and loading regulations are to:

- A. Ensure that adequate off-street parking and loading facilities are provided for new land uses and major alterations to existing uses;
- B. Minimize the negative environmental and design impacts that can result from parking and loading areas;
- C. Ensure that adequate bicycle parking facilities are provided;
- D. Establish standards and regulations for safe and well-designed parking, unloading, and vehicle circulation areas that minimize conflicts between pedestrian and vehicles within parking lots and, where appropriate, create buffers from surrounding land uses; and
- E. Offer flexible means of minimizing the amount of area devoted to parking by allowing reductions in the number of required spaces in situations expected to have lower vehicle parking demand.

18.15.020 Applicability

The requirements of this Chapter apply to the establishment, alteration, expansion, or change in any use or structure, as provided in this Section.

- A. **New Buildings and Land Uses.** Parking and loading in accordance with this Chapter shall be provided at the time any main building or structure is erected or any new land use is established.
- B. **Existing Buildings and Land Uses.**
 - 1. **Change of Use of Existing Buildings.** When a new use is established in an existing building, parking shall be provided as follows.
 - a. *DMX District.* No additional parking is required for a change of use in the DMX District provided the building square footage on site is not increased by more than 500 square feet.
 - b. *Districts Other Than DMX.* In all districts other than the DMX District, additional on-site parking and loading shall be provided when a change in use creates an increase of 10 percent or more in the number of required on-site parking or loading spaces. Additional on-site parking and loading shall be provided for the change in use and not for the entire building or site.

2. **Additions or Expansions of Existing Buildings.** When an addition or expansion of floor area creates an increase of 10 percent or more in the number of required on-site parking or loading spaces, additional on-site parking and loading shall be provided for the increased square footage and not for the entire building or site.
 3. Existing parking and loading that is not in excess of the required spaces shall be maintained.
 4. A change in occupancy is not considered a change in use unless the new occupant is in a different use classification as defined in Chapter TBD, Use Classifications, than the former occupant.
 5. Additional parking and loading spaces are not required for the reconstruction of an existing building when there is no increase in floor area.
- C. **When Constructed.** Parking and loading facilities required by this Chapter shall be constructed or installed prior to the issuance of a Certificate of Occupancy for the uses that they serve.

18.15.030 General Provisions

- A. **Existing Parking and Loading to be Maintained.** No existing parking and/or loading serving any use may be reduced in amount or changed in design, location or maintenance below the requirements for such use, unless equivalent substitute facilities are provided. This provision does not apply to stalls converted to accommodate ADA parking.
- B. **Nonconforming Parking or Loading.** An existing use of land or structure shall not be deemed to be nonconforming solely because of a lack of parking and/or loading facilities required by this Chapter, provided that facilities used for parking and/or loading as of the date of adoption of this Code are not reduced in number to less than what this Chapter requires.
- C. **Accessibility.** Parking and loading areas must be accessible for its intended purpose during all hours of operation.

18.15.040 Required Parking Spaces

- A. **Minimum Number of Spaces Required.** Each land use shall be provided at least the number of parking spaces stated in Table TBD, Required Number of Parking Spaces. The parking requirement for any use not listed in Table TBD shall be determined by the Director based upon the requirements for the most similar comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand.

TABLE TBD: REQUIRED NUMBER OF PARKING SPACES	
<i>Land Use Classification</i>	<i>Required Parking Spaces</i>
Residential Uses	As specified for each land use classification below
Residential Dwelling Unit	See requirements below for Residential Dwelling Units in the DMX District and in Districts Other Than DMX
<i>DMX District</i>	<ul style="list-style-type: none"> • Studio and 1 bedroom units: 1 space/unit • 2 or more bedroom units: 1.5 spaces/unit
<i>Districts Other Than DMX</i>	<ul style="list-style-type: none"> • Studio units: 1 covered space/unit • 1 bedroom units: 1.5 spaces/unit, of which at least 1 space shall be covered • 2 or more bedroom units: 2 covered spaces/unit • Guest spaces: 1 per 5 units
Accessory Dwelling Unit	See Section TBD, Accessory Dwelling Units
Caretaker Unit	1 per unit
Family Day Care	See requirements below for Small and Large Family Day Care
<i>Small</i>	None beyond what is required for the residential unit type
<i>Large</i>	1 for each nonresident employee plus parking required for the residential use
Group Residential	1 space per bedroom
Mobilehome Park	2 spaces per unit, of which at least 1 space shall be covered
Residential Care Facilities	See requirements below for Small and Large Residential Care Facilities
<i>Small</i>	None beyond what is required for the Residential Housing Type
<i>Large</i>	1 for every 3 beds
Residential Facility, Assisted Living	1 for every 3 beds
Single Room Occupancy	1 space/unit plus 1 guest space per 5 units
Supportive Housing	None beyond what is required for the residential unit type
Transitional Housing	None beyond what is required for the residential unit type
Public/Semi-Public Uses	<u>DMX District</u> : No minimum required <u>Districts Other Than DMX</u> : 1 per 300 square feet of floor area except as specified below
Community Assembly	1 for each 8 permanent seats or 1 for every 84 square feet of assembly area where no seats or where temporary or moveable seats are provided
Community Garden	None
Emergency Shelter	1 for every 3 beds
Hospitals	1 for every 3 beds
Low Barrier Navigation Center	1 for every 3 beds

TABLE TBD: REQUIRED NUMBER OF PARKING SPACES	
<i>Land Use Classification</i>	<i>Required Parking Spaces</i>
Skilled Nursing Facility	1 for every 3 beds
Park and Recreation Facilities	As determined by the Director
Parking Lots and Structures	None
Recreational Vehicle Parks and Campgrounds	1 for each camping or RV site plus one common space for each 5 sites
Schools, Private	1 for every 3 employees
Commercial Uses	<u>DMX District:</u> No minimum required <u>Districts Other Than DMX:</u> 1 per 300 square feet of floor area plus 1 per 2,000 square feet of outdoor display and storage area except as specified below
Commercial Entertainment and Recreation	1 for every 150 square feet plus 2 additional spaces per outdoor athletic court
Convention Facility	1 for each 8 permanent seats or 1 for every 84 square feet of assembly area where no seats or where temporary or moveable seats are provided
Drive-through Facility	Parking for the primary use according to the parking requirements for the specific use plus 8 queuing spaces per service window or as determined by the Planning Commission. Each queue space shall be at least 22 feet in length and shall be located separately from the internal driveways or other driveways serving other parking lots
Eating and Drinking Establishments	1 for every 140 square feet
Farmer's Markets	None
Lodging	1 for each guest unit Additional parking required for ancillary uses, such as restaurants, according to the parking requirements for the ancillary use
Market Garden	None
Smoking Lounge	1 for every 140 square feet
Industrial Uses	<u>DMX District:</u> No minimum required <u>Districts Other Than DMX:</u> 1 per 300 square feet of office floor area plus 1 per 5,000 square feet of other indoor area and any outdoor use area
Personal Storage	As determined by the Director
Transportation, Communication, and Utility Uses	<u>DMX District:</u> No minimum required <u>Districts Other Than DMX:</u> 1 per 300 square feet of office floor area plus 1 for every fleet vehicle

- B. **Calculation of Required Spaces.** The number of required parking spaces shall be calculated according to the following rules:

1. **Floor Area.** Where a parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be total floor area, unless otherwise stated. See Section TBD, Determining Floor Area.
 2. **Employees.** Where a parking or loading requirement is stated as a ratio of parking spaces to employees, the number of employees shall be based on the largest shift that occurs in a typical week.
 3. **Bedrooms.** Where a parking requirement is stated as a ratio of parking spaces to bedrooms, any room meeting the standards of the Building Code as a sleeping room shall be counted as a bedroom.
 4. **Seats.** Where parking requirements are stated as a ratio of parking spaces to seats, each 80 inches of bench-type seating at maximum seating capacity is counted as one seat.
- C. **Sites with Multiple Uses.** If more than one use is located on a site, the number of required parking spaces and loading spaces shall be equal to the sum of the requirements calculated separately for each use unless a reduction is approved pursuant to Section TBD, Parking Reductions.

18.15.050 Parking Reductions

The number of parking spaces required by Section TBD, Required Parking Spaces, may be reduced as follows.

- A. **Motorcycle Parking.** Motorcycle parking may substitute for up to five percent of required automobile parking. Each motorcycle space must be at least four feet wide and seven feet deep.
- B. **Shared Parking.** Where a shared parking facility serving more than one use will be provided, the total number of required parking spaces may be reduced with approval of an Administrative Use Permit, if the review authority finds that:
 1. The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
 2. The proposed number of parking spaces to be provided will be adequate to serve each use; and
 3. In the case of a shared parking facility that serves more than one property, a parking agreement has been prepared consistent with the provisions of Section TBD, Allowance for Off-Site Parking.
- C. **Other Parking Reductions.** Required parking for any use may be reduced through approval of an Administrative Use Permit as follows.
 1. **Criteria for Approval.** The review authority may only approve an Administrative Use Permit for reduced parking if it finds that:

- a. Special conditions—including, but not limited to, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a transportation demand management program—exist that will reduce parking demand at the site; and
 - b. The use will adequately be served by the proposed parking.
2. **Parking Demand Study.** In order to evaluate a proposed project’s compliance with the above criteria, submittal of a parking demand study by a licensed Traffic Engineer that substantiates the basis for granting a reduced number of spaces may be required.

18.15.060 Municipal Parking Assessment District

Parking requirements of this Chapter may be satisfied within an area heretofore designated under a plan or plans and approved by the City Council by participation in a municipal parking assessment district formed under provisions of California legislation.

18.15.070 Location of Required Parking

- A. **Front and Street Side Setbacks.** Parking spaces required pursuant to this Chapter shall not be located within a required front or street side setback.
- B. **On-Site Parking Required.** Required parking shall be located on the same lot as the use it serves except as allowed below.
 1. **Allowance for Off-Site Parking.** Required parking may be located off-site provided the off-site parking facility is located within 500 feet of the principal entrance containing the use for which the parking is required, along a pedestrian route, and a written agreement as provided below is provided by the applicant.
 - a. **Parking Agreement.** A written agreement between the owner of the parking facility and the applicant shall be provided in a form acceptable to the City that provides, at a minimum, a guarantee that the spaces to be provided will be maintained and reserved for the uses served for as long as such uses are in operation.

18.15.080 Front Yard Parking Restrictions in the RL District

- A. Construction equipment, including but not limited to tractors, backhoes, Bobcats, dump trucks and forklifts, and farm equipment shall not be parked in the front yard in an RL District, except for such

construction equipment as is necessary as a result of active construction occurring on that property.

- B. All vehicles (including without limitation automobiles, trucks, recreational vehicles, campers, trailers, or motorcycles), boats, or snowmobiles that are parked in the front yard in an RL District shall comply with the following standards:
1. **Access.** Vehicles shall be parked in an area accessed through a curb cut approved and constructed for vehicle access to the subject property.
 2. **Visibility at Driveways on Neighboring Property.** Vehicles shall not be parked within five feet of the point of intersection of the front and side property lines.
 3. **Surfacing.** Vehicles shall be parked on a paved surface or on an unpaved surface, such as gravel, which complies with City standards regarding materials, placement and compaction.

18.15.090 Bicycle Parking

- A. **Short-Term Bicycle Parking.** Short-term bicycle parking intended to serve shoppers, customers, messengers, guests and other visitors to a site who generally stay for a short time, shall be provided as specified below.
1. **Parking Spaces Required.** Every parking lot containing ten or more automobile parking spaces shall provide short-term bicycle parking spaces at a rate of 20 percent of the total number of automobile parking spaces.
 2. **Location.**
 - a. Short-term bicycle parking shall be located within 50 feet of a main entrance to the building it serves.
 - b. Where the bicycle parking area is not visible from the main entrance of the building, signs located at the main entrance of the building shall identify the location of bicycle parking.
 3. **Anchoring and Security.** For each short-term bicycle parking space required, a stationary, securely anchored object shall be provided to which a bicycle frame and one wheel (two points of contact) can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One such object may serve multiple bicycle parking spaces.
 4. **Size and Accessibility.** Each short-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls,

poles, landscaping, street furniture, drive aisles, pedestrian ways, and vehicle parking spaces.

B. **Long-Term Bicycle Parking.** Long-term bicycle parking shall be provided in order to serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.

1. ***Parking Spaces Required.***

a. *Residential Uses.* A minimum of one long-term bicycle parking space shall be provided for every five units for Multi-Unit Residential and Group Residential development.

b. *Other Uses.* Any establishment with 25 or more full time equivalent employees shall provide long-term bicycle parking at a minimum ratio of one space per 30 vehicle spaces.

2. ***Location.*** Long-term bicycle parking must be located on the same lot as the use it serves.

3. ***Covered Spaces.*** At least 50 percent of required long-term bicycle parking must be covered. Covered parking can be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.

4. ***Security.*** Long-term bicycle parking must be in:

a. An enclosed bicycle locker;

b. A fenced, covered, and locked or guarded bicycle storage area;

c. A rack or stand inside a building that is within view of an attendant or security guard or visible from employee work areas or within secure/restricted bicycle storage room; or

d. Other secure area approved by the Director.

5. ***Size and Accessibility.*** Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, pedestrian ways, and vehicle parking spaces.

C. **Bicycle Parking Reductions and Modifications.** A Modification for a reduction in the number of required bicycle parking spaces or to other standards of this Section may be granted pursuant to Chapter TBD, Modifications, if the review authority finds that:

1. Adequate site space is not available on an existing development to provide bicycle parking;
or

2. Reduced bicycle parking is justified by reasonably anticipated demand; or
3. Other criteria based on unusual or specific circumstances of the particular case as deemed appropriate by the review authority.

18.15.100 Loading

All uses requiring the receipt or distribution by vehicles or trucks of material or merchandise shall provide off-street loading and unloading areas to handle the volume of truck traffic and loading requirements.

- A. **Nonresidential Buildings.** Every new nonresidential building, and every nonresidential building enlarged by more than 10,000 square feet of floor area that is to be occupied by a use requiring the receipt or distribution by vehicles or trucks of material or merchandise shall provide off-street loading and unloading areas as stated in Table TBD, Required Loading Spaces.

TABLE TBD: REQUIRED LOADING SPACES	
Floor Area	Required Loading Spaces
0-9,999	0
10,000-19,999	1
20,000-29,999	2
30,000-49,999	3
50,000-75,000	4
75,001+	4 plus 1 per each additional 25,000 over 75,001

1. **Multi-Tenant Buildings.** The floor area of the entire building shall be used in determining spaces for multi-tenant buildings. A common loading area may be required, if each tenant space is not provided a loading area. Drive-in roll-up doors for multi-tenant industrial projects may be substituted for required loading areas.
2. **Reduction in Number of Loading Spaces Required.** The loading space requirement may be waived if the Director finds that the applicant has satisfactorily demonstrated that due to the nature of the proposed use and/or location, such loading space will not be needed or is not practical.
3. **Additional Loading Spaces Required.** The required number of loading spaces may be increased to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement shall be based on the anticipated frequency of truck pickups and deliveries and of the truck storage requirements of the use for which the on-site loading spaces are required.

- B. **Design and Development of Loading Areas.** All loading areas shall be designed and developed consistent with adopted City standards and the following standards
1. **Location.** All required loading areas shall be located on the same site as the use served. Loading areas shall not be located within the required front setback.
 2. **Screening.** Loading areas shall be screened from public view by building walls, or a uniformly solid fence or wall, or any combination thereof, not less than six feet in height.
 3. **Minimum Size.** Each on-site loading space required by this Chapter shall not be less than 12 feet wide, 45 feet long, and 14 feet high, exclusive of driveways for ingress and egress, maneuvering areas and setbacks. The minimum size requirement may be modified if the Director finds that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such size will not be needed.
 4. **Driveways for Ingress and Egress and Maneuvering Areas.** Each loading berth shall be accessible from a street or alley.
 5. **Entrances and Exits.** Entrances and exits shall be provided at locations approved by the Director of Public Works.
 6. **Surfacing.** All loading areas shall be paved to provide a durable, dustless surface, and shall be graded and drained to allow disposal of surface water.

18.15.110 Parking Area Design Standards

All parking areas shall be designed and developed consistent with adopted City standards and the following standards.

- A. **Tandem Parking.** Tandem parking may be permitted to satisfy parking requirements in accordance with the following.
1. No more than two vehicles shall be placed one behind the other.
 2. Both spaces shall be assigned to a single dwelling unit or non-residential establishment.
 3. Tandem parking to meet required parking for multi-unit residential development shall be located within an enclosed structure.
 4. Tandem parking shall not be used to meet the guest parking requirement.
- B. **Parking Access.** Parking access areas shall be designed to ensure vehicular access to parking spaces as determined by the Public Works Director.
1. **Entrance and Exit Location.** Entrances and exits shall be provided at locations approved by City staff.

2. **RL District Limitation on Curb Cuts.** In the RL District, no more than 40 percent of a property’s frontage shall be used for curb cuts for driveways.
- C. **Size and Dimensions of Parking Spaces and Drive Aisles.** Parking spaces located in a garage or carport shall not be less than 10 feet in width and 20 feet in length. All other parking spaces shall have minimum dimensions as indicated in Table TBD.C, Minimum Parking Space and Drive Aisle Dimensions.
1. **Compact Car Parking Spaces.** In any parking lot with over 30 spaces, up to 30 percent of the required number of off-street parking spaces may be compact car size.

TABLE TBD: MINIMUM PARKING SPACE AND DRIVE AISLE DIMENSIONS						
Angle of Parking	Stall Width		Stall Length		Aisle Width	
	Regular	Compact	Regular	Compact	One-Way	Two-Way
Parallel	10 ft	8 ft	24 ft	18 ft	12 ft	25 ft
30	10 ft	8 ft	20 ft	16 ft	14 ft	25 ft
45	10 ft	8 ft	20 ft	16 ft	16 ft	25 ft
60	10 ft	8 ft	20 ft	16 ft	18 ft	25 ft
90	10 ft	8 ft	20 ft	16 ft	20 ft	25 ft

- D. **Carpool, Vanpool, and Alternate Fuel Vehicle Parking.** In nonresidential development which requires more than 100 parking spaces, a minimum of five percent of the total spaces shall be posted as reserved spaces in preferred locations (shortest pedestrian route after accessible parking spaces) for carpools, vanpools, and alternate fuel vehicles to encourage use of these modes of transportation.
- E. **Bumper Rails.** Bumper rails shall be provided where needed for safety or to protect property.
1. A six-inch high concrete curb surrounding a landscape area at least six feet wide may be used as a bumper rail, provided that the overhang does not exceed two feet and will not damage or interfere with plant growth or its irrigation.
 2. A concrete sidewalk may be used as a bumper rail if the vehicle overhang does not exceed two feet and the walkway maintains the minimum width required by ADA or other provision of this Title.
 3. An overhang provided pursuant to E.1. and E.2., above, may count toward the stall length dimension of the parking space.

- F. **Surfacing.** The parking area, aisles, and access drives shall be paved to provide a durable, dustless surface, and shall be graded and drained to allow disposal of surface water.
1. **Landscaping Alternative.** Up to two feet of the front of a parking space as measured from a line parallel to the direction of the bumper of a vehicle using the space may be landscaped with ground cover plants instead of paving.
- G. **Perimeter Curbing.** Parking areas designed to accommodate six or more vehicles shall provide a six-inch wide and six-inch high concrete curb along the outer edge of the parking facility pavement, except where said pavement abuts a fence or wall. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.
- H. **Shading.** Parking areas designed to accommodate six or more vehicles shall provide shading for a minimum of 40 percent of the parking areas. Shade may be provided by structures (such as solar canopies or carports), trees, or other equivalent mechanism. If shade is provided by trees, sufficient trees shall be planted so that, upon those trees reaching 15 years of age, the stalls and back-up areas are at least 40 percent shaded on June 22nd of each year when the sun is directly overhead.
- I. **Lighting.** Parking lot lighting shall be required for areas designed to accommodate six or more vehicles, providing a minimum of one-half foot-candle and a maximum of three foot-candles of light during the hours of use from one-half hour before dusk until one-half hour after dawn.
1. The height of lighting fixtures shall not exceed 30 feet.
 2. Light standards shall be mounted on reinforced concrete pedestals or otherwise protected from damage from automobiles.
 3. All lighting used to illuminate an off-street parking or loading area shall be designed to direct light and glare away from any adjoining lots, residential areas, and public streets.
 4. Lighting design shall be coordinated with the landscape plan to ensure that vegetation will not substantially impair the intended illumination.
- J. **Landscaping.** Parking areas designed to accommodate six or more vehicles must be landscaped according to the general standards of Chapter TBD, Landscaping, as well as the standards of this Subsection.
1. **Landscape Area Required.** A minimum of five percent of uncovered parking lot area (i.e. not under a solar canopy or other cover) shall be landscaped.
 2. **Minimum Planter Dimension.** No landscape planter that is to be counted toward the required landscape area shall be smaller than 25 square feet in area, or four feet in any horizontal dimension, excluding curbing.

3. **Layout.** Landscaped areas shall be well-distributed throughout the parking lot area. Parking lot landscaping may be provided in any combination of:
 - a. Landscaped planting strips at least four feet wide between rows of parking stalls;
 - b. Landscaped planting strips between parking areas and adjacent buildings or internal pedestrian walkways;
 - c. Landscaped islands located between parking stalls or at the ends of rows of parking stalls; and
 - d. On-site landscaping at the parking lot perimeter.
4. **Required Landscaped Islands.** A landscaped island at least four feet in all interior dimensions and containing at least one 15-gallon tree shall be provided at each end of each row of uncovered parking stalls and a minimum of one landscaped island every 35 feet of an uncovered parking stall row.
5. **Landscaped Buffer Adjacent to Right-of-Way.** A landscaped area at least five feet wide shall be provided between any surface parking area and any property line adjacent to a public street.
 - a. Where the parking area is located across the street from a Residential District, the landscaped area shall contain shrubs or fencing a minimum of 30 inches high.
6. **Landscaped Buffer Abutting Interior Lot Line.**
 - a. *Residential Districts.* In Residential Districts, a landscaped area at least five feet wide shall be provided between any surface parking area containing six or more required parking spaces and any adjacent lot for the length of the parking area.
 - b. *Other Districts.* In all Districts other than Residential Districts, a landscaped area at least three feet wide shall be provided between any surface parking area and any adjacent lot for the length of the parking area except where abutting a Residential District boundary, the landscaped area shall be at least five feet wide for the length of the parking area.
7. **Protection of Vegetation.**
 - a. *Clearance from Vehicles.* All required landscaped areas shall be designed so that plant materials, at maturity, are protected from vehicle damage by providing a minimum two-foot clearance of low-growing plants where a vehicle overhang is permitted, or by wheel stops set a minimum of two feet from the back of the curb.
 - b. *Planters.* All required parking lot landscaping shall be within planters bounded by a concrete curb at least six inches wide and six inches high. Curbs separating

landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.

8. **Visibility and Clearance.** Parking area landscaping shall comply with Section TBD, Visibility at Driveways and Intersections.
 - a. Landscaping in planters at the end of parking aisles shall not obstruct driver's vision of vehicular and pedestrian cross-traffic.
- K. **Alternative Parking Area Designs.** Alternative parking area designs may be approved with a Modification pursuant to Chapter TBD, Modifications, where the review authority finds that variations in the requirements of this Section are warranted to achieve environmental design and green building objectives, including but not limited to achieving certification under the LEED Green Building Rating System or equivalent.
- L. **Maintenance.** Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall always be kept in good repair.

Chapter 18.16 Performance Standards

18.16.010 Purpose

The purposes of this Chapter are to:

- A. Establish permissible limits and permit objective measurement of nuisances, hazards, and objectionable conditions;
- B. Ensure that all uses will provide necessary control measures to protect the community from nuisances, hazards, and objectionable conditions; and
- C. Protect industry from arbitrary exclusion from areas of the City.

18.16.020 Applicability

The minimum requirements in this Chapter apply to all land uses in all districts except the following uses and activities are exempt from compliance with the requirements of this Chapter:

- A. Legal nonconforming uses, which have an established right not to comply with the provisions of this Chapter.
- B. Temporary events with approved Temporary Use Permits or other required permits, where such activities otherwise comply with other applicable provisions of this Title and the Dixon Municipal Code.
- C. Any emergency activity on the part of the City or a private party.
- D. Temporary construction activity where such activity is explicitly regulated by and in conformance with other regulations of the Municipal Code.
- E. Other uses and activities as otherwise specified in this Title.

18.16.030 General Standard

No land or building in any zoning district shall be occupied or used in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or amount as to adversely affect the surrounding area or adjoining premises; the foregoing are referred to as “dangerous or objectionable elements”; provided, that any use permitted or not expressly prohibited by this Chapter may be undertaken and maintained if it conforms to the regulations of this Chapter limiting dangerous and objectionable elements at the point of the determination of their existence.

18.16.040 Measurement of Impacts

Unless otherwise stated, measurements necessary for determining compliance with the standards of this Chapter shall be taken at the lot line of the establishment or use that is the source of a potentially objectionable condition, hazard, or nuisance.

18.16.050 Air Contaminants

All uses shall comply with the current regulations of the Yolo-Solano Air Quality Management District with respect to odor, smoke, fly ash, dust, fumes, vapors, gases and other forms of air pollution.

18.16.060 Radioactivity or Electric Disturbance

No activities shall be permitted which emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

18.16.070 Fire and Explosive Hazards

All activities, processes and uses involving the use of, or storage of, flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Firefighting and fire suppression equipment and devices standard in industry shall be approved by the Fire Department. All incineration is prohibited with the exception of those substances such as, but not limited to, chemicals, insecticides, hospital materials and waste products, required by law to be disposed of by burning, in which case incineration shall be conducted in accordance with all local, state and federal regulations, and those instances where the Fire Department deems it a practical necessity.

18.16.080 Hazardous and Extremely Hazardous Materials

The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations and the California Fire and Building Codes, as well as the laws and regulations of the California Department of Toxic Substances Control and the County Environmental Health Agency. Activities, processes, and uses shall not generate or emit any fissionable or radioactive materials into the atmosphere, a sewage system or onto the ground .

18.16.090 Heat, Humidity, Cold, and Glare

When located in a zoning district specified below, all commercial and industrial uses shall be so operated as not to produce humidity, heat, cold, or glare which is readily detectable without instruments by the average person at the following points of determination:

TABLE TBD: POINT OF DETERMINATION-HEAT, HUMIDITY, COLD, OR GLARE	
Zoning District in Which Uses Are Located	Point of Determination
Industrial District	At or beyond any boundary of the zone.
Any District Other than an Industrial District	At or beyond any lot line of the lot containing the uses.

18.16.100 Liquid or Solid Waste

- A. **Discharges to Water or Sewers.** Liquids and solids of any kind shall not be discharged, either directly or indirectly, into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the California Regional Water Quality Control Board (California Administrative Code, Title 23, Chapter 3 and California Water Code, Division) and any other agency as shall have jurisdiction of such activities.
- B. **Containment.** Waste shall be handled and stored so as to prevent nuisances, health, safety and fire hazards, and to facilitate recycling. Material, including but not limited to paper products, plastic, dirt, sand, lime, seed, bran, chaff, wood refuse, and other readily transportable compounds, shall be contained in a way it cannot be tracked or carried by wind off-site. Closed containers shall be provided and used for the storage of any materials which by their nature are combustible, volatile, dust, or odor producing or edible or attractive to rodents, vermin, or insects.

18.16.110 Noise

- A. **Noise Limits.** Unless excepted pursuant Section TBD.C, Noise Limit Exceptions, no land use shall generate sound exceeding the maximum levels identified in Table TBD: Noise Limits or as amended pursuant to the correction factors in Table TBD: Noise Limit Correction Factors.

TABLE TBD: NOISE LIMITS	
Zoning District	Maximum Sound Pressure Level in Decibels
Residential Districts	
RL	55 dB
RM	60 dB
Commercial and Mixed Use Districts	70 dB

TABLE TBD: NOISE LIMITS	
<i>Zoning District</i>	<i>Maximum Sound Pressure Level in Decibels</i>
Industrial Districts	75 dB

- B. **Noise Limit Correction Factors.** The following correction factors, shall be applied to the maximum sound pressure levels in Table TBD: Noise Limits.

TABLE TBD: NOISE LIMIT CORRECTION FACTORS	
<i>Time and Operation of Type of Noise</i>	<i>Correction in Maximum Permitted Decibels</i>
Emission only between 7 a.m. and 10 p.m.	Plus 5
Noise of unusual impulsive character such as hammering or drill pressing	Minus 5
Noise of unusual periodic character such as hammering or screeching	Minus 5

- C. **Noise Limit Exceptions.** The following sounds may exceed the maximum sound pressure levels established in Table TBD: Noise Limits.

1. Time signals produced by places of employment or worship and school recess signals providing no one sound exceeds five seconds in duration and no one series of sounds exceeds 24 seconds in duration;
2. Devotional and patriotic music of worship, provided such music is emitted only between the hours of 7:00 a.m. and 10:00 p.m.;
3. Sounds from transportation equipment used exclusively in the movement of goods and people to and from a given premises, temporary construction or demolition work; and
4. Sounds made in the interests of public safety.

- D. **Noise Level Measurement.** The following provisions shall determine means for measuring noise levels. Where these provisions conflict with other provisions of the Dixon Municipal Code, the following shall remain applicable for purposes of this Title.

1. **Setting of Meter.** Any sound or noise level measurement made pursuant to the provisions of this Chapter shall be measured with a sound level meter using an A-weighting and “slow” response pursuant to applicable manufacturer’s instructions, except that for sounds of a duration of two seconds or less the “fast” response shall be used and the average level during the occurrence of the sound reported.
2. **Calibration of Meter.** The sound level meter shall be appropriately calibrated and adjusted as necessary by means of an acoustical calibrator of the coupler type to assure meter accuracy within the tolerances set forth in American National Standards ANSI-SI.4-1971.

3. ***Location of Microphone.*** All measurements shall be taken at any lot line of a lot within the applicable zoning district. The measuring microphone shall not be less than four feet above the ground, at least four feet distant from walls or other large reflecting surfaces and shall be protected from the effects of wind noises by the use of appropriate wind screens. In cases when the microphone must be located within 10 feet of walls or similar large reflecting surfaces, the actual measured distances and orientation of sources, microphone and reflecting surfaces shall be noted and recorded. In no case shall a noise measurement be taken within five feet of the noise source.
4. ***Measured Sound Levels.*** The measurement of sound level limits shall be the average sound level for a period of one hour.

18.16.120 Vibration

No use shall be operated in a manner which produces vibrations discernible without instruments at any point on the property line of the lot on which the use is located.

Chapter 18.17 Signs

18.17.010 Purpose

The purpose of this Chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. More specifically, this Chapter is intended to:

- A. Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
- B. Allow signs to serve as an effective channel of communication while preventing visual clutter that will detract from the aesthetic character of the City;
- C. Maintain and enhance the City's appearance by regulating the location, number, type, quality of materials, size, illumination, and maintenance of signs;
- D. Restrict signs that may create a nuisance to nearby properties, violate privacy, or create hazards or unreasonable distractions for pedestrians or drivers;
- E. Provide clear and unambiguous sign standards that enable fair and consistent enforcement; and
- F. Ensure that the constitutionally guaranteed right of free speech is protected.

18.17.020 Applicability

The provisions of this Chapter apply to all signs in all districts, constructed or physically altered on or after the effective date of this Title, unless otherwise specified. The provisions of this Chapter apply in addition to any other section of the Municipal Code, including Chapter 6.12, Cannabis Business Pilot Program.

- A. **Message Neutrality.** It is the City's policy and intent to regulate signs in a manner consistent with the U.S. and California constitutions, which is content neutral as to non-commercial speech and does not favor commercial speech over non-commercial speech.
- B. **Public Forum.** The provisions of this Chapter shall not be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, so long as the person holding the sign does not block ingress and egress from buildings; create a safety hazard by impeding travel on sidewalks, bike lanes, or vehicle lanes; or violate any other reasonable time, place, and manner restrictions adopted by the City.
- C. **Registered Mark.** The provisions of this Chapter shall not require alteration of the display of any registered mark, trademark, service mark, trade name, or corporate name that may be associated

with or incorporated into a registered mark, where such alteration would require the registered mark to be displayed in a manner differing from the mark as exhibited in the certificate of registration issued by the United States Patent and Trademark Office. It is the responsibility of the applicant to established that a proposed sign includes a registered mark.

- D. **Regulatory Interpretations.** All interpretations of this Chapter are to be exercised in light of the message neutrality and message substitution policies.
- E. **Noncommercial Signs.** Non-commercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this Chapter.

18.17.030 Exemptions

The following signs are exempt from the permit requirements of this Chapter, and do not count toward the maximum sign area limitation for a site, provided that they conform to the specified standards.

- A. **Address Signs.** Required address identification signs that are in conformance with the Building Code.
- B. **Commercial Displays on Vehicles.** Displays on vehicles related to the goods or services provided by the vehicle owner or operator and public transit/public carrier graphics on properly licensed buses, taxicabs, and similar vehicles for hire that legally pass through the City.
- C. **Directional/Informational Signs.** Directional and/or informational signs not more than eight square feet in area or four feet in height for the direction or convenience of the public such as outlining/assisting vehicle and pedestrian circulation within a site, egress, ingress, and any public facilities such as restrooms, telephones, walkways, and other similar features.
- D. **Flags.** Flags that do not display a commercial message.
- E. **Government Signs.** Official notices issued by a court, public body, or office and posted in the performance of a public duty; notices posted by a utility or other quasi-public agency; signs erected by a governmental body to direct or regulate pedestrian or vehicular traffic; non-commercial bus stop signs erected by a public transit agency, or other signs required or authorized by law.
- F. **Historic Plaques and Commemorative Signs.** Historic plaques, memorial signs or tablets, or commemorative signs indicating names of buildings and dates of building erection, either attached to or cut into the surfaces of buildings, with a maximum allowable sign area of four square feet per sign.
- G. **Interior Signs.** Signs that are in the interior areas of a building or site not visible from the public right-of-way, and at least five feet from a window, door, or other exterior wall opening.

- H. **Manufacturer's Mark.** Manufacturer's marks, including signs on items such as vending machines, gas pumps, and ice containers with a maximum allowable sign area of four square feet per sign.
- I. **Nameplate.** One nameplate for each tenant or occupancy not to exceed two square feet in area indicating the name of the occupant or tenant.

18.17.040 Prohibitions

Unless otherwise permitted by a specific provision of this Chapter, the following sign types are prohibited:

- A. **Animated or Moving Signs.** Animated, flashing, blinking, reflecting, revolving, or other similar sign with visibly moving or rotating elements or visible mechanical movement of any kind, unless expressly permitted by another section of this Chapter.
- B. **Balloons, Inflatable Signs, Streamers, Pennants and Other Attention-Getting Devices.** Balloons, inflatable signs, streamers, pennants, and other attention-getting devices, made of light-weight fabric or similar material, designed to rotate or move with the wind, that direct, promote, or that are otherwise designed to attract attention.
- C. **Mobile Billboards.** Any sign carried or conveyed by a vehicle for the primary purpose of general advertising for hire. This prohibition eliminates mobile billboard advertising within the City to reduce traffic congestion, promote the safe movement of vehicular traffic, to reduce air pollution, and improve the aesthetic appearance of the City. This prohibition does not apply to displays on vehicles related to the goods or services provided by the vehicle owner or operator and public transit/public carrier graphics on properly licensed buses, taxicabs, and similar vehicles for hire that legally pass through the City.
- D. **Off-Site Signs.** Any sign advertising any activity, business, product, or service that are not conducted on the premises upon which the sign is located, unless expressly permitted by another section of this Chapter.
- E. **Roof Signs.**
 - 1. Attached signs that extend above the roofline or parapet (whichever is higher) of a building with a flat roof.
 - 2. Attached signs that extend above the deck line of a mansard or false-mansard roof.
 - 3. Signs on rooftop structures, such as penthouse walls or mechanical enclosures.
- F. **Search Lights and Klieg Lights.** Search and Klieg lights when used as attention-attracting devices for commercial uses.

- G. **Signs Located in the Public Right-of-Way or on Public Property.** Other than official government signs or warning signs required by law, no inanimate sign can be placed in or project into the public right-of-way or on public property unless authorized by an encroachment permit.
- H. **Signs Affixed to Trees.** Signs affixed to or cut into trees or other living vegetation shall be prohibited.
- I. **Signs on Terrain.** Signs cut, burned, marked, or displayed in any manner on a street, sidewalk, cliff, hillside, or other terrain feature shall be prohibited.
- J. **Signs Creating Traffic or Pedestrian Safety Hazards.** Signs placed, located, or displayed in such a manner as to constitute a traffic or pedestrian safety hazard shall be prohibited.
 - 1. Signs that obstruct use of any door, window, or fire escape.
 - 2. Signs that impede normal pedestrian use of public sidewalks. A minimum unobstructed width of four feet must always be maintained.
 - 3. Signs that constitute a traffic hazard or obstruct the view of traffic, any authorized traffic sign, or signal device.
 - 4. Signs that create confusion or conflict with any authorized traffic sign or signal device due to color, location, wording, or use of specific phrases, symbols, or characters.
- K. **Signs Producing Noise or Emissions.** Signs producing visible smoke, vapor, particles, odor, noise, or sounds that can be heard at the property line shall be prohibited. This prohibition excludes menu boards with voice units at Drive-Through Facilities.
- L. **Signs for Prohibited Uses.** A sign displaying a commercial message promoting a business that is a prohibited use and has not been established as a legal nonconforming use.
- M. **Unauthorized Signs.** Signs shall not be placed on private or public property without the permission of the property owner.

18.17.050 Sign Measurement

- A. **Measuring Sign Area.** The area of a sign face includes the entire area within a single continuous perimeter composed of squares and rectangles that enclose the extreme limits of all sign elements, including, without limitation, sign structures or borders, written copy, logos, symbols, illustrations, and color. Supporting structures, such as sign bases and columns, are not included in sign area provided that they contain no lettering or graphics except for addresses. The area of an individual sign shall be calculated as follows.
 - 1. **Single-Faced Signs.** The sign area of a sign with a single face area is the area of the sign face.

2. **Double-Faced Signs.** Where two faces of a double-faced sign are located two feet or less from one another at all points, or located at an interior angle of 45 degrees or less from one another, the sign area of double-faced signs is computed as the area of one face. Where the two faces are not equal in size, the larger sign face will be used. Where two faces of a double-faced sign are located more than two feet or greater than 45 degrees from one another, both sign faces are counted toward sign area.
 3. **Multi-Faced Signs.** On a three-faced sign, where at least one interior angle is 45 degrees or less, the area of two faces (the largest and smallest face) must be summed to determine sign area. In all other situations involving a sign with three or more sides, sign area will be calculated as the sum of all faces.
 4. **Three-Dimensional Signs.** Signs that consist of, or have attached to them, one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), may have a sign area that is the sum of all areas using the four vertical sides of the smallest rectangular prism that will encompass the sign.
- B. **Measuring Sign Height.** The height of a sign is the vertical distance from the uppermost point used to measure sign area to the existing grade immediately below the sign.
- C. **Measuring Sign Clearance.** Sign clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or background embellishments.

18.17.060 General Provisions

This Section establishes general standards that apply to all sign types and in all districts.

- A. **Applicable Codes.** In addition to complying with the provisions of this Section, all signs must be constructed in accordance with applicable construction, sign, and building codes and all other applicable laws, rules, regulations, and policies.
- B. **Sign Clearance.** Signs shall have a minimum of eight feet clearance when located above any walkway or area where people may walk and 14 feet above any parking area or drive aisle.
- C. **Illumination.** An illuminated sign within 300 feet of Residential District within the City limits, measured along the radius of a 180 degree arc in front of a face of a sign, shall not be directly lighted but may be indirectly lighted or may have semi-indirect or diffused lighting. The lighting fixture shall be shielded such that the lamp (light bulb) is not visible.
- D. **Projections into the Public Right-of-Way.** In the DMX District, signs mounted on private property may project into or above public property or the public right-of-way up to within two feet of the

curb line of a street or alley with approval of an encroachment permit by the Public Works Director. Such signs shall also meet the sign clearance requirements of Section TBD.B, Sign Clearance, above.

- E. **Materials.** Signs shall be made of sturdy, durable materials. Paper, cardboard and other materials subject to rapid deterioration shall be limited to temporary signs. Fabric signs are limited to awnings, canopies, flags, and temporary signs.

18.17.070 Signage Allowances by Zoning District

This Section establishes the types of signs allowed per Zoning District. These signs are also subject the regulations in Section TBD, General Provisions, and all standards specific to the specific sign type.

- A. **Types of Signs Allowed.** Table TBD, Allowed Signs by Zoning District, establishes the types of signs allowed per zoning district.

TABLE TBD: ALLOWED SIGNS BY ZONING DISTRICT							
✓ Allowed (subject to compliance with this Chapter)				- Not Allowed			
Zoning Districts	Sign Type						
	Wall Signs	Freestanding Signs	Awning and Canopy Signs	Projecting and Shingle Signs	Window Signs	Freeway Oriented Signs	Temporary Signs
All Zoning Districts							
See Section TBD, Signage Allowances for Specific Uses and Development and Section TBD.G, Temporary Signs							
Commercial and Mixed-Use Districts							
CMX	✓	✓	✓	✓	✓	-	✓
DMX	✓	✓	✓	✓	✓	-	✓
CN	✓	✓	✓	✓	✓	-	✓
CR	✓	✓	✓	✓	✓	✓	✓
CS	✓	✓	✓	✓	✓	-	✓
Industrial Districts							
IL	✓	✓	✓	✓	✓	-	✓
IG	✓	✓	✓	✓	✓	-	✓
Public and Semi-Public Districts							
PF	✓	✓	✓	✓	✓	✓	✓
PR	✓	✓	✓	✓	✓	✓	✓

- B. **Allowed Sign Area.** Table TBD.B establishes the maximum aggregate sign area allowed per site.

1. **Calculation of Aggregate Sign Area.** The sign area of all signs on-site is included in the calculation of aggregate sign area, except for the signs listed below, which are excluded from the calculation.
 - a. **Sign Area Excluded from the Calculation of Aggregate Sign Area.** The sign area of the following signs are excluded from the calculation of aggregate sign area:
 - i. Signs that are exempt from the permit requirements of this Chapter pursuant to Section TBD, Exemptions.
 - ii. Signs allowed pursuant to Section TBD, Signage Allowances for Specific Uses and Development.
 - iii. Freeway Oriented Signs consistent with Section TBD, Freeway Oriented Signs.
 - iv. Temporary Signs consistent with Section TBD, Temporary Signs.

TABLE TBD: MAXIMUM ALLOWABLE AGGREGATE SIGN AREA	
<i>Zoning District</i>	<i>Maximum Allowable Aggregate Sign Area</i>
Residential Districts	Allowable sign area is determined by the specific sign allowances in Section TBD, Signage Allowances for Specific Uses and Development
CMX, DMX, and CN Districts	1 square foot per linear foot of building frontage or width of tenant space or 20 square feet per tenant space, whichever is greater
CR and CS Districts	2 square feet per linear foot of building frontage or width of tenant space or 20 square feet per tenant space, whichever is greater
IL and IG Districts	1 square foot per linear foot of building frontage or width of tenant space or 20 square feet per tenant space, whichever is greater

18.17.080 Signage Allowances for Specific Uses and Development

This Section establishes signage allowances for specific uses and development. These signs are allowed in addition to the signs allowed by zoning district in Section TBD Allowed Signs by Zone District, and are not included in the calculation of aggregate sign area. These signs are also subject to the regulations in “Standards for Specific Sign Types” unless otherwise stated.

- A. **Residential Developments.** Residential developments of four or more units or lots are allowed freestanding and wall signs up to a total aggregate sign area of one square foot per dwelling unit, subject to the following standards.
 1. **Maximum Number of Signs.** Two per entrance to the development.

2. **Maximum Size per Sign.** 40 square feet.
 3. **Illumination.** Sign lighting is limited to external illumination. Internally illuminated signs and bare bulbs are prohibited.
- B. **Non-Residential Uses in Residential Districts.** Nonresidential uses that are the primary use on a site in a Residential District are allowed up to a total aggregate sign area of one square foot per linear foot of building frontage. Allowed sign types, maximum sign area for individual signs, and allowed illumination is as follows.
1. **Awning and Canopy Signs.** Maximum size of six square feet or 25 percent of the surface area of the awning, whichever is less.
 2. **Window Signs.** Maximum size of 15 percent of window area.
 3. **Wall Signs.** Maximum size of 20 square feet.
 4. **Freestanding Signs.** Maximum size of 30 square feet.
 5. **Illumination.** Sign lighting is limited to external illumination. Internally illuminated signs and bare bulbs are prohibited.

18.17.090 Signage Standards for Specific Sign Types

This Section establishes standards for specific sign types that apply to all districts where such signs are allowed.

- A. **Awning and Canopy Signs.** Signs painted or printed on awnings, canopies, arcades, or similar attachments or structures are subject to the following standards.
1. **Maximum Allowable Sign Area.** Awning and canopy signs shall have a maximum allowable sign area of 10 square feet, or 25 percent of the total awning area, whichever is less.
 2. **Maximum Sign Height.** Awning and canopy signs shall have a maximum height of 14 feet.
- B. **Freestanding Signs.** Freestanding signs are subject to the following standards.
1. **Maximum Sign Height.** Eight feet.
 2. **Maximum Number of Signs.** One freestanding sign per 75 feet of street frontage.
- C. **Projecting and Shingle Signs.** Signs that project horizontally from the exterior wall of a building or are suspended beneath a marquee, covered walkway, canopy, or awning, are subject to the following standards.
1. **Maximum Allowable Sign Area.** Six square feet.
 2. **Maximum Sign Height.** 15 feet.

3. **Maximum Number of Signs.** One for each building frontage or tenant space.
 4. **Projection Allowed.**
 - a. **Projecting Sign.** A projecting sign cannot extend more than four feet from the building to which it is attached.
 - b. **Shingle Sign.** A shingle sign cannot extend further than the outer edge of the marquee, covered walkway, canopy, or awning from which it is suspended.
- D. **Wall Signs.** Wall signs include any sign attached to, erected against or painted upon the wall of a building or structure. Wall signs are subject to the following standards.
1. **Maximum Allowable Sign Area.** In all cases, wall sign copy shall not occupy more than 25 percent of the total area of the wall to which the sign is attached.
 2. **Location of Sign.**
 - a. Wall signs shall not be placed higher than the second story of a building.
 - b. Wall signs shall not cover or interrupt major architectural features, including such features as doors, windows, or tile embellishments.
 - c. Wall signs shall not extend higher than the building wall upon which they are attached.
 3. **Maximum Number of Signs.** One per building frontage or tenant space.
- E. **Window Signs.** Signs painted on or otherwise adhered directly onto a window and signs that block a window in any way are subject to the following standards.
1. **Maximum Allowable Sign Area.** 20 percent of the window area.
 2. **Maximum Sign Height.** Window signs shall not be placed on windows higher than the second story.

18.17.100 Freeway Oriented Signs

Placeholder. No changes to existing standards for Freeway Oriented Signs are other than revisions for consistency with the updated Zoning Code are being considered at this time. These provisions will be incorporated into the final Zoning Code. Should changes be considered, they will be brought forward for discussion.

18.17.110 Temporary Signs

Temporary signs intended to be displayed for a limited period of time are allowed subject to the following standards:

- A. **Real Estate Signs.** One sign pertaining to the sale, lease, rental or display of a structure or land, not exceeding six square feet in a Residential District or 20 square feet in a Nonresidential District.
- B. **Open House Signs.** A maximum of four open house directional portable signs may be placed off the premises offered for sale or lease in accordance with the following:
 - 1. Signs shall not exceed four square feet in area or three feet in height.
 - 2. Signs may be placed off-site on private property only after obtaining permission from the property owner.
 - 3. Signs may be permitted in the public right-of-way when abutting property lines and placed in such a manner that does not interrupt the normal flow of vehicle or pedestrian traffic. Signs are prohibited in the center divider and/or traffic islands of public streets. These signs shall not cause a sight distance problem.
 - 4. Signs may be displayed only on weekends, holidays, and broker tour days, between 10:00 a.m. and 5:00 p.m., during the period when the property is available for public showing. Signs shall be removed after each day of showing.
 - 5. An encroachment permit may be required from Caltrans and the City of Dixon before placing an open house directional portable sign in the public right-of-way.
- C. **Subdivision Signs.** Temporary subdivision signs in conformance with the following are permitted in Residential Districts:
 - 1. One sign pertaining to a subdivision, not illuminated, not exceeding 24 square feet in area, may be erected or displayed, for each 10 acres in the subdivision. In no case shall the total sign area of such signs exceed 48 square feet.
 - 2. If a subdivision has an area of less than 10 acres, one sign, not illuminated, not exceeding 24 square feet in area, may be erected or displayed.
 - 3. The total number of subdivision signs, other than model home signs and directional signs as permitted in Subsections 4 and 5 below, shall not exceed three.
 - 4. One sign not exceeding six square feet in area, not illuminated, advertising a model home may be erected or displayed on the site of each model home in a subdivision.
 - 5. Not more than four off-site directional signs subject to the following restrictions:
 - a. Not illuminated.

- b. Not more than 64 square feet in area, may be erected or displayed, for each subdivision.
 - c. At least two of the four off-site signs shall be constructed to have three additional panels that will be available to advertise other subdivisions.
 - d. Signs must be located on private property and must have the owner's consent.
 - e. Signs shall be located not to cause a safety hazard.
 - f. Location and design of signs must first be approved by the Community Development Director.
6. A sign permit shall be required for all temporary subdivision signs. A permit may be issued by the Community Development Director at any time after recordation of the subdivision and shall become void one year following the date on which the permit was issued, unless prior to the expiration of that one year a building permit is issued and construction commenced on the homes. A sign permit may be renewed for one additional year if, prior to the expiration of one year of the date when the permit was issued an application for a renewal is filed with Community Development Department.
- D. **Banners and Streamers.** Temporary banners in compliance with the following may be placed on any business.
1. Temporary banners designed to identify the name of a new business, change in the name of an existing business or the coming of a new business may be installed for a maximum of 120 days and only until a permanent sign is approved and installed.
 2. Temporary banners shall not individually exceed 60 square feet or collectively 120 square feet. No more than three temporary banners may be displayed at one time.
 3. Temporary banners must be affixed directly to the wall or facade of a building and shall not be displayed above the eave of the roofline.
 4. Streamers may be displayed on or above an open car or vehicle lot on a continual basis and may be displayed from a building or structure to another building or structure located on private property. Streamers may not be attached to any structure located on City property.
- E. **Noncommercial Event Signs.**
1. One noncommercial event sign may be erected, displayed or permitted on a lot less than one acre in size pertaining to an event or an election, such as a charitable or civic event, on private property. Up to four noncommercial event signs may be erected, displayed or permitted on a lot of more than one acre.

2. Noncommercial event signs shall be nonilluminated and shall not individually exceed 24 square feet in area per side.
3. Noncommercial event signs shall not be erected, displayed, or permitted earlier than 60 days before the event to which they relate and must be removed within seven days after the event.

F. Portable Signs.

1. One portable sign may be erected, displayed, or permitted pertaining to a business located on the same property as the sign.
2. Sign shall be nonilluminated and not exceed 10 square feet in area per side and four feet six inches in height.
3. Portable signs shall be displayed on private property, except in the downtown commercial district. A portable sign displayed in a public right-of-way within the downtown commercial district shall comply with any applicable encroachment regulations of the City and the California Department of Transportation.
4. Portable signs may be displayed in a required landscaped area, but may not block a required access, be located in an area approved for parking or cause a sight distance problem.
5. Portable signs shall be professionally manufactured. They shall only be displayed between sunrise and sunset and must be removed during other times of the day.

G. Mobile Sign or Mobile Billboard.

1. No vehicle may be used as a platform or substitute for a billboard, freestanding sign or portable sign, whether parked on private property or public right-of-way.
2. A vehicle may display a mobile sign or mobile billboard so long as it complies with the following:
 - a. It is moving along any street for the sole or primary purpose of displaying advertising or for the sole or primary purpose of being a mobile sign or mobile billboard.
 - b. Is prohibited from residentially zoned areas.
 - c. Is nonilluminated.
 - d. Is limited to being displayed between 8:00 a.m. and 8:00 p.m.
 - e. Shall not exceed 72 square feet in area on one side.
3. The following exceptions are permissible:

- a. Driving, operating and movement of vehicles displaying political campaign advertisements for candidates for public office or for ballot measures, or other forms of noncommercial speech.
- b. Vehicles whose primary purpose is for regular transportation of passengers, such as buses or taxis.
- c. Transporting a mobile sign or mobile billboard to a site where the sign can be displayed in a manner that does not violate any subsection in this Section.

18.17.120 Modification to Sign Standards

- A. **Modification up to 20 Percent of Dimensional Standard.** Relief from dimensional requirements of sign standards specified in this Chapter up to 20 percent of the requirement may be granted with the approval of a Modification pursuant to Chapter TBD, Modifications.
- B. **Other Modifications to Sign Standards.** Relief from dimensional requirements of sign standards specified in this Chapter in excess of 20 percent of the requirement, as well as modifications from other standards of this Chapter, may be granted with the approval of a Comprehensive Sign Program pursuant to Section TBD, Comprehensive Sign Program.

18.17.130 Review Procedures

- A. **Sign Permit Required.** A sign permit shall be required for all signs that may remain, or is intended to remain, for more than 120 calendar days.
- B. **Application.** Application for a permit shall be made upon forms provided by the Community Development Department and accompanied by the required fee and application materials showing the following:
 - 1. Site plan showing the location and dimensions of existing structures and the relationship of the proposed sign to the existing structures;
 - 2. Location, dimension, and design of all existing signs; and
 - 3. Location, dimension, and design of the proposed sign.
- C. **Review and Decision.** Upon acceptance of a sign application, the Director shall review the request for compliance with the standards and requirements of this Chapter, and with any standards established in a Comprehensive Sign Program pursuant to Section TBD, Comprehensive Sign Program.

18.17.140 Comprehensive Sign Program

- A. **Purpose.** The purpose of a Comprehensive Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a project with the overall development design to achieve a more unified appearance.
- B. **Application.** A Comprehensive Sign Program application shall contain all written and graphic information needed to fully describe the proposed sign program, including the proposed location and dimension of each sign, as well as proposed color schemes, font types, materials, methods of attachment or support, and methods of illumination. A Comprehensive Sign Program application shall also include calculation of maximum allowable sign area, and total proposed sign area, for the site.
- C. **Review Authority.** All Comprehensive Sign Programs are subject to review and approval of the Review Authority for the project with which the signs are associated, except as provided below.
 - 1. **Requests for Modifications to Sign Standards.** All Comprehensive Sign Programs that include a request for a deviation from the standards of this Chapter other than those allowable with a Modification pursuant to Section TBD, Modifications to Sign Standards, are subject to review and approval by the Planning Commission.
- D. **Required Findings.** The Review Authority must make all of the following findings in order to approve a Comprehensive Sign Program, in addition to the other applicable regulations in this Section. The inability to make one or more of the findings is grounds for denial of an application.
 - 1. The proposed signs are compatible in style and character with any building to which the signs are to be attached, any surrounding structures and any adjoining signage on the site;
 - 2. Future tenants will be provided with adequate opportunities to construct, erect, or maintain a sign for identification; and
 - 3. Directional signage and building addressing are adequate for pedestrian and vehicular circulation and emergency vehicle access.
- E. **Lessees to Be Informed of Comprehensive Sign Program.** Lessees within developments subject to the requirements of an approved Comprehensive Sign Program shall be made aware of the Comprehensive Sign Program in their lease.

18.17.150 Nonconforming Signs

- A. **Continuance and Maintenance.** Reasonable and routine maintenance and repairs may be performed on signs that are nonconforming provided there is no expansion of any nonconformity.

- B. **Abandonment of Nonconforming Sign.** Whenever a nonconforming sign has been abandoned, or the use of the property has been discontinued for a continuous period of 90 days, the nonconforming sign must be removed.
- C. **Restoration of a Damaged Sign.** A nonconforming sign may be restored if it meets either of the following criteria:
 - 1. A sign with damage that does not exceed 50 percent of the total sign area, including hardware and attachments, provided that the repairs start within 60 days of the date of damage and are diligently pursued to completion.
 - 2. A sign that is a danger to the public or is unsafe as determined by the Building Official.

18.17.160 Maintenance

- A. Any signage, sign face, or sign structure which ceases, for a period in excess of 90 days, to advertise a bona fide business, product, service, or entity presently in operation shall be removed by the owner of said signage, sign face, or sign structure or the owner of the property upon which signage is located, and shall not be permitted to be reestablished or reconstructed or replaced without being subject to the provisions of this Chapter.
- B. All signs, including any appurtenant component, background, or supporting structure, shall be maintained in a state of good repair, be kept clean, be structurally sound, and be visually attractive. Any dilapidated sign shall be repaired or replaced within 60 calendar days following written notification by the City. Noncompliance with the notification is subject to an administrative citation, as set forth in Chapter 1.07 DMC, and nuisance abatement, as set forth in Chapter 9.01 DMC. The City Council shall be the hearing officer for appeals of administrative citations issued pursuant to this Section. All hearing and appeal procedures for administrative citations as set forth in Chapter 1.07 DMC otherwise apply.

18.17.170 Enforcement

Signs which do not conform to the provisions of this Chapter and are erected after its effective date and signs erected after the effective date of this Chapter without obtaining the permit required thereby are declared to be unlawful and a public nuisance. All signs declared to be unlawful by this Section and all persons erecting or maintaining them shall be subject to the terms of Chapter TBD, Enforcement.

Rules of Measurement

18.17.180 Rules of Measurement

For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Director.

- A. **Fractions.** Whenever this Title requires consideration of distances, parking spaces, dwelling units or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:
1. **General Rounding.** Fractions of one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions of less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.
 2. **Exception for State Affordable Housing Density Bonus.** The calculation of fractions related to permitted bonus density units for projects eligible for bonus density pursuant to Government Code Section 65915 or any successor statute and Chapter TBD, Affordable Housing Density Bonus, any fractional number of units shall be rounded up to the next whole number.
- B. **Measuring Distances.**
1. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
 2. **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
 3. **Measurements Involving a Structure.** Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.
 4. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are

measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

5. **Measuring Radius.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project, in all directions.
- C. **Measuring Height.** The height of a structure shall be measured vertically from the average elevation of the surface of the ground covered by the structure to the highest point of the structure or to the coping of a flat roof, to the deck line of a mansard roof or the mean height between eaves and ridges for a hip, gable or gambrel roof, except as provided below.
1. **Measuring Height of Fences or Walls.** The height of a fence or wall is measured as the vertical distance from the lowest ground level immediately adjacent to the fence or wall to the highest point of such fence or wall, except as provided below.
 - a. All fences and walls located within three feet of each other, including fences and walls on adjoining lots, shall be considered a single fence or wall.
 2. **Measuring the Height of Decks.** Deck height is determined by measuring from the ground to the top of the floor of the deck directly above the ground below.
- D. **Measuring Lot Width and Depth.**
1. **Lot Width.** Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
 2. **Lot Depth.** Lot depth is measured along a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.
- E. **Determining Floor Area.** The floor area of a building is the sum of the gross horizontal areas of all floors of a building or other enclosed structure, measured from the outside perimeter of the exterior walls and/or the centerline of interior walls.
1. **Included in Floor Area.** Floor area includes, but is not limited to, all habitable space (as defined in the Building Code) that is below the roof and within the outer surface of the main walls of primary or accessory buildings or the centerlines of party walls separating such buildings or portions thereof or within lines drawn parallel to and two feet within the roof line of any building without walls. In the case of a multi-story building that has covered or enclosed stairways, stairwells or elevator shafts, the horizontal area of such features shall be counted only once at the floor level of their greatest area of horizontal extent.
 2. **Excluded from Floor Area.** Floor area does not include the following:

- a. Mechanical, electrical, and communication equipment rooms that do not exceed two percent of the building's total floor area;
 - b. Bay windows or other architectural projections where the vertical distance between the lowest surface of the projection and the finished floor is 30 inches or greater;
 - c. Areas that qualify as usable open space;
 - d. Covered porticoes, paseos, corridors, and courtyards designed for use by and accessible to the general public; and
 - e. In non-residential buildings, areas used for off-street parking spaces or loading spaces, driveways, and maneuvering aisles.
- F. **Determining Floor Area Ratio.** The floor area ratio (FAR) is the ratio of the floor area, excluding the areas described below, of all primary and accessory buildings on a site to the site area. To calculate the FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.
- G. **Determining Lot Coverage.** Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed in order to calculate lot coverage. The following structures shall be excluded from the calculation:
1. Unenclosed and unroofed decks, uncovered patio slab, porches, landings, balconies and stairways less than four feet in height;
 2. Eaves and roof overhangs projecting up to two feet from a wall;
 3. Trellises and similar structures that have roofs that are at least 50 percent open to the sky through with uniformly distributed openings;
 4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks; and
 5. One small, non-habitable accessory structure under 120 square feet. Structures above quantity of one shall be included in lot coverage.
- H. **Determining Lot Frontage.**
1. **Corner Lot.** The front of a lot is the narrowest dimension of the lot with street frontage.
 2. **Through Lot.** The front of a through lot abuts the street that neighboring lots use to provide primary access.

- I. **Determining Setbacks.** Setbacks are measured parallel to and at the specified distance from the corresponding front, side, or rear property line or other identified reference.
 1. **Official Plan Lines.** Where official plan lines exist, setbacks shall be measured from such official plan line. If a proposed new sidewalk or right-of-way differs from that existing, then the required yard shall be measured from the property line.
- J. **Measuring Signs.** The calculations of measurements related to signs are described in Chapter TBD, Signs.