



AGENDA
RIO DELL PLANNING COMMISSION
REGULAR MEETING
TUESDAY, AUGUST 26, 2025–6:00 P.M.
CITY HALL COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME.... Copies of this agenda, staff reports, and other materials available to the Commission are available at the City Clerk's office in City Hall, 675 Wildwood Avenue, and on the City's website at www.cityofriodell.ca.gov. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell Planning Commission meetings often.

City Council and Planning Commission meetings held in City Hall Council Chambers are open to in-person attendance by the public.

Public Comment by Email:

In balancing the health risks associated with COVID-19 and the need to conduct government openly and transparently, public comments on agenda items can be submitted via email at publiccomment@cityofriodell.ca.gov. Please note which item the comment is directed to, and email your comments to the above email address. The City Clerk will read comments out loud for up to three minutes.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

E. CONSENT CALENDAR

- 1) 2025/0826.01 - Approve Minutes of the June 25, 2025, Special Meeting
(ACTION) Pg. 1

F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. As such, a dialogue with the Commission or staff is not allowed under the Ralph M. Brown Act. Items requiring Commission action not listed on this agenda may be placed on the next regular agenda for consideration if the Commission directs, unless at least 2/3 of the Commission make a finding that the item came up after the agenda was posted and is urgent, requiring immediate action.

Written public comment must be submitted via email no later than 1 hour before the meeting at publiccomment@cityofriodell.ca.gov. Your comments will be read out loud for up to three minutes.

G. SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

- 1) 2025/0826.02 - Adopt Resolution No. PC 186-2025 Recommending that the City Council Amend the City's Accessory Dwelling Unit (ADU) Regulations to Incorporate State Mandated Changes Pursuant to SB 1211 **(ACTION) Pg. 5**

H. STAFF COMMUNICATIONS/UPDATES

I. ADJOURNMENT



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. Assistive listening devices are now available for the hearing-impaired. Please see the City Clerk for a receiver.

***The next Regular Planning Commission meeting
is scheduled for September 23, 2025, at 6:00 p.m.***

**RIO DELL PLANNING COMMISSION
SPECIAL MEETING MINUTES
JUNE 25, 2025**

CALL TO ORDER

Commissioner Knight called the special meeting of the Rio Dell Planning Commission to order at 5:04 p.m.

Present were Commissioners Knight, Angeloff, Gurney, and Millington. Absent was Commissioner Arsenault (arrived at 5:08 p.m.).

Others present were Community Development Director Caldwell and City Clerk Dunham.

CONSENT CALENDAR

Commissioner Knight asked if any Commissioner or member of the public would like to remove any item from the consent calendar for a separate discussion. No items were removed.

A motion was made by Angeloff/Millington to approve the Consent Calendar, including the following items:

Approve Minutes of the April 29, 2025, Special Meeting

Adopt Resolution No. PC 184-2025 Approving the Humboldt Seed Bank Cannabis Conditional Use Permit (CUP) Subject to Conditions of Approval - File No. 053-141-035; Case No. CCLUO-CUP 25-01

Adopt Resolution No. PC 185-2025 Approving a Conditional Use Permit (CUP) to Allow Two (2) Vacation Dwelling Units on the Upper Floor of an Existing Commercial Building – file No. 053-141-045 – Case No. CUP 25-03

Receive and File the 2024 General Plan Annual Progress Report

Motion carried 4-0.

PUBLIC PRESENTATIONS

Commissioner Knight called for public comment on any matter not on the agenda. No public comment was received.

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SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

Adopt Resolution No. PC 183-2025 Recommending that the City Council Adopt Ordinance No. 415-2025 Amending the City's Zoning Regulations to be Consistent with State Law

Community Development Director Caldwell provided a staff report and said that the City was recently contacted by the Department of Housing and Community Development (HCD) inquiring about the status of some implementation programs identified in the Housing Element that were required to be adopted by a specific date.

He said that the programs have to do with the density bonus and explained that when a developer comes in with a project and identifies 25% of a housing project as low-income, they get a boost in density, and the more low-income housing they do, the higher the density bonus is, typically 25-75%.

He noted that the current density bonus was adopted in 2014, and there have been a lot of changes since then. The proposed density bonus regulations, as presented, will bring the City's regulations current with State law.

The second item was related to Single-Room Occupancy (SRO) units, which the City is required to provide an area for. Staff is looking to provide those units in the Town Center zone (TC) and the Residential Multi-Family zone. These units are typically found in former motels and are basically around 400 square feet and have a kitchen or kitchenette, although they are not required to have one.

Community Development Director Caldwell said that the last item is related to Reasonable Accommodation and explained that, California, like federal law, mandates reasonable accommodation in housing for individuals with disabilities. He said that if someone with a disability wanted to install a handicap ramp to their house, and it extended into the front yard setback, instead of requiring them to go through the variance process, this provision would allow ministerial approval by the Planning Director.

He reiterated that the three recommended text amendments are State-mandated and will bring the City's regulations current with State law. He then called for questions from the Commission.

Commissioner Arsenault asked how many housing units the City will need to meet under the new Housing Element.

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Community Development Director Caldwell indicated that the City would have to identify an additional 54 units for this housing cycle. He said that it is going to be difficult because in the last update, 98 units were identified on the former Todd property, which is no longer available. He said that staff is hoping for leniency from the State to allow the City to provide 54 units rather than 54 plus the additional 98 that the Housing Element is going to require.

He said that in discussions today with the other cities, the county, and HCAOG, who facilitates the Regional Housing Needs Allocation (RHNA) numbers, comes up with numbers and submits them to HCD for approval of the methodology and the City is then required to have its Housing Element updated by August, 2027.

He noted that it makes sense to provide a regional approach and provide housing where the jobs and transportation opportunities are. Since Rio Dell is a bedroom community and does not have a lot of jobs, it would make sense to put the housing in Arcata, Eureka, or even McKinleyville, where there are job opportunities.

Community Development Director Caldwell noted that most of the parcels on the other side of the freeway are zoned 1-acre minimum, and there are constraints with regard to sewer capacity. During high river flows, the City experiences Sewer Sanitary Overflows (SSO's) and the City is working on a project to upsize the sewer line from Painter St. to the Wastewater Treatment Plant. Once that project is complete, that should eliminate SSO's. and the City will increase the density to the Urban Residential density, which is up to 10 units per acre, and perhaps allow some multi-family residential housing.

Commissioner Millington asked if anyone had expressed interest in the development of Phase 2 or Phase 3 of the Riverside Estates Mobile Home Park.

Community Development Director Caldwell commented that one of the issues has to do with a secondary access to the parcel.

Commissioner Arsenault referred to the Single Room Occupancy Unit Regulations under *Facility Management*, requiring a facility with ten or more units to have an on-site manager and facilities with fewer than ten units to have a management office on-site. He asked if that means that if there is only one unit, there must be an office manager.

Community Development Director Caldwell explained that even with one unit, there needs to be a manager on site to answer questions; however, it is doubtful that there would only

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be one unit. He said that there may be an exception at the State level, but he was not aware of one. The idea is to have somebody available if someone needs assistance.

Motion was made by Knight/Angeloff to adopt Resolution No. PC 183-2025 Recommending that the City Council Adopt Ordinance No. 415-2025 Amending the City's Zoning Regulations to be Consistent with State Law. Motion carried 5-0.

STAFF COMMUNICATIONS/UPDATES

Community Development Director Caldwell reported that there currently are no scheduled items on the agenda for the next regular meeting on July 22, 2025.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:25 p.m. to the July 22, 2025, regular meeting.

Patrick Knight, Vice-Chair

Attest:

Karen Dunham, City Clerk



Community Development Department
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532

For the Meeting of August 26, 2025

☐ Consent Item; ☒ Public Hearing Item

To: Planning Commission

From: Kevin Caldwell, Community Development Director

A handwritten signature in blue ink, appearing to be "K Caldwell", enclosed in a blue circular stamp.

Through: Kyle Knopp, City Manager

Date: August 11, 2025

Subject: Approve Resolution No. 186-2025 recommending the City Council amend the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.

Recommendation:

That the Planning Commission:

1. Approve Resolution No. 186-2025 recommending the City Council amend the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.

Discussion

California's housing crisis has led to a series of legislative actions aimed at increasing housing density. SB 1211 is the latest in this effort, specifically targeting multifamily properties. The law provides new rules for the construction of ADUs, particularly concerning the number of units

allowed, parking requirements, and the permit approval process. The City of Rio Dell's current ADU ordinance, last updated in 2022, is not aligned with these new state mandates.

Staff recommends that the City initiate the process of updating the Rio Dell Municipal Code (RDMC) to incorporate the provisions of California Senate Bill (SB) 1211. This legislation, which became law on January 1, 2025, mandates specific changes to local accessory dwelling unit (ADU) regulations. Rio Dell's current code is not in full compliance with the new state law. Failure to update the RDMC could expose the city to legal challenges and limit its ability to effectively regulate ADU development. Updating the code will ensure compliance, provide clear guidance for residents and developers, and help increase the local housing supply.

SB 1211 introduced several key provisions that directly conflict with or are not addressed in the current RDMC. The primary areas of non-compliance are:

- **Number of Units:** The current RDMC allows a maximum of two detached ADUs on a multifamily lot. SB 1211 increases this to up to eight, provided the number of new ADUs does not exceed the number of existing primary units.
- **Parking Requirements:** The RDMC may require replacement parking when a garage or carport is converted. SB 1211 explicitly prohibits local governments from requiring the replacement of parking spaces when they are eliminated to build an ADU. This is a significant change that simplifies the development process for property owners.
- **Definition of "Livable Space":** SB 1211 provides a clear, state-mandated definition of "livable space" to streamline the approval of interior ADUs. The RDMC's current definitions do not include "Livable Space".
- **Ministerial Review:** The new state law reinforces a **ministerial review process** for ADU permits, which means the city must approve a qualifying application without a discretionary review. The City's existing ADU regulations are consistent with the ministerial review requirements.

Conclusion

Updating the Rio Dell Municipal Code to reflect SB 1211 is a necessary and timely action. It will ensure the City remains in compliance with State law, reduce potential legal risks, and provide a clear, consistent framework for property owners looking to add housing to their properties.

Attachment 1: Resolution No. 186-2025 recommending the City Council amend the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.

Attachment 2: Draft Ordinance 418-2025 amending the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.

RESOLUTION NO. 186-2025



**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
RECOMMENDING THAT THE COUNCIL AMEND THE CITY'S ACCESSORY
DWELLING UNIT (ADU) REGULATIONS TO INCORPORATE STATE MANDATED
CHANGES PURSUANT TO SB 1211.**

WHEREAS, California Senate Bill (SB) 1211, which became law on January 1, 2025, is designed to encourage the construction of accessory dwelling units (ADUs) on multifamily properties; and

WHEREAS, this legislation aims to increase California's housing supply by removing barriers that previously limited the number and type of ADUs that could be built; and

WHEREAS, the bill raises the maximum number of detached ADUs allowed on a lot with an existing multifamily dwelling from two to up to eight. The total number of ADUs cannot, however, exceed the number of existing units on the property; and

WHEREAS, SB 1211 prohibits local governments from requiring the replacement of parking spaces when a surface lot, garage, or carport is demolished to build an ADU. This addresses a major obstacle to ADU development by making it easier to convert underutilized areas like parking lots into new housing; and

WHEREAS SB 1211 provides a clear, state-mandated definition of "livable space" to streamline the approval of interior ADUs. The RDMC's current definitions do not include "Livable Space"; and

WHEREAS, updating the Rio Dell Municipal Code to reflect SB 1211 is a necessary and timely action. It will ensure the City remains in compliance with State law, reduce potential legal risks, and provide a clear, consistent framework for property owners looking to add housing to their properties; and

WHEREAS, the Planning Commission has reviewed the proposed amendments to the Municipal Code, has found that the proposed amendments are consistent with goals and policies of the City's General Plan, and recommends adoption of the proposed amendments by the City Council; and

WHEREAS the proposed amendments are Statutorily Exempt pursuant to Section 21080.17 of the Public Resources Code. This exemption applies to the adoption of an ordinance by a city or county that implements the state's Accessory Dwelling Unit (ADU) law. Since SB 1211 makes technical changes and updates to ADU law, the adoption of a local ordinance to comply with it is considered to fall under this existing exemption.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council adopt Ordinance No. 418-2025 amending Chapter 17, "ZONING," of the Rio Dell Municipal Code to amend the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a Special meeting of the Planning Commission of the City of Rio Dell on August 26, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Patrick Knight, Vice-Chairperson

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 186-2025 adopted by the Planning Commission of the City of Rio Dell on August 26, 2025.

Karen Dunham, City Clerk, City of Rio Dell

ORDINANCE NO. 418-2025



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE
CITY'S ACCESSORY DWELLING UNIT (ADU) REGULATIONS TO INCORPORATE
STATE MANDATED CHANGES PURSUANT TO SB 1211.**

WHEREAS, California Senate Bill (SB) 1211, which became law on January 1, 2025, is designed to encourage the construction of accessory dwelling units (ADUs) on multifamily properties; and

WHEREAS, this legislation aims to increase California's housing supply by removing barriers that previously limited the number and type of ADUs that could be built; and

WHEREAS, the bill raises the maximum number of detached ADUs allowed on a lot with an existing multifamily dwelling from two to up to eight. The total number of ADUs cannot, however, exceed the number of existing units on the property; and

WHEREAS, SB 1211 prohibits local governments from requiring the replacement of parking spaces when a surface lot, garage, or carport is demolished to build an ADU. This addresses a major obstacle to ADU development by making it easier to convert underutilized areas like parking lots into new housing; and

WHEREAS SB 1211 provides a clear, state-mandated definition of "livable space" to streamline the approval of interior ADUs. The RDMC's current definitions do not include "Livable Space"; and

WHEREAS, updating the Rio Dell Municipal Code to reflect SB 1211 is a necessary and timely action. It will ensure the City remains in compliance with State law, reduce potential legal risks, and provide a clear, consistent framework for property owners looking to add housing to their properties; and

WHEREAS, the Planning Commission has reviewed the proposed amendments to the Municipal Code, has found that the proposed amendments are consistent with goals and policies of the City's General Plan, and recommends adoption of the proposed amendments by the City Council; and

WHEREAS, the City Council finds and determines that the proposed amendments to the Municipal Code are adopted pursuant to the City's police power authority to protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rio Dell as follows:

SECTION 1. Incorporation of Recitals.

The City Council of the City of Rio Dell finds that the above recitals are true and correct and are incorporated herein by reference.

SECTION 2. Amendments to Chapter 17 of the Rio Dell Municipal Code.

Section 17.10.010 Definitions is amended to include:

"Livable space" means any area within a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

Section 17.20.020 is amended as follows:

(2) General Provisions that Apply to All ADUs. The following provisions apply to all ADUs:

(a) One ADU and One JADU per Lot. One ADU is permitted per lot developed or proposed to be developed with a single-family ~~or multifamily~~ dwelling.

(b) Development Standards for ADUs on Multifamily Properties.

(i) Detached ADUs. Up to eight (8) detached ADUs may be created on a lot with an existing multifamily dwelling. The total number of detached ADUs cannot exceed the number of existing dwelling units on the property. These units must comply with all applicable development standards of this section.

(ii) Internal ADUs. One or more ADUs may be created within the existing space of a multifamily dwelling structure. The number of such ADUs shall be at least one and no more than twenty-five percent (25%) of the existing units on the lot.

(iii) Combination of ADUs. A property may combine detached and internal ADUs, provided the total number of units and the location of each unit are in compliance with the provisions of this section.

(~~b~~c) Ownership. An ADU and/or JADU shall not be sold separately from the principal dwelling.

(~~e~~d) Renting Permitted. The ADU and/or JADU may, but need not be, rented.

(~~d~~e) Short-Term Lodging Prohibited. The ADU and/or JADU shall not be rented for periods of 30 days or less.

(ef) Building Type. The ADU and/or JADU may be within, attached to, or detached from the existing or proposed principal residence and may be over a garage. An ADU may also be a manufactured home as defined in Section [18007](#) of the Health and Safety Code subject to the development standards in RDMC [17.30.200](#).

(fg) Sewer and Water Service. All new ADUs and/or JADUs within 300 feet of existing wastewater facilities shall connect to City's public wastewater systems. Parcels greater than 300 feet from existing wastewater facilities shall comply with all applicable County Health Department requirements for sewage disposal. All new ADUs shall connect to the City's public water system.

(gh) Existing Single-Family Residence. Where one single-family dwelling unit exists on a lot, a larger home may be constructed as the principal dwelling unit, and the existing unit treated as the ADU, provided all other development regulations and standards can be met for both units.

(hi) ADU and JADU Configurations within Residential and Mixed Use Zones. For purposes of this section, a junior accessory dwelling unit is an attached unit as defined in Government Code Section [65852.22](#). A building permit shall be ministerially approved for creation of any of the following, within a residential or mixed use zone:

(i) ADU or JADU within existing single-family structure.

(ii) One accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(iii) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical

dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(iv) The space has separate exterior access from the proposed or existing single-family dwelling.

(v) The side and rear setbacks are sufficient for fire and safety as established by the local fire authority, for fire response.

(vi) The junior accessory dwelling unit complies with the requirements of Government Code Section [65852.22](#).

(~~j~~) New Detached ADU. One detached, new construction, accessory dwelling unit with minimum four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The detached accessory dwelling unit may be combined with an accessory dwelling unit or a junior accessory dwelling unit within an existing single-family structure or accessory structure as described in subsection (2)(h) of this section if:

(i) The attached ~~ADU or~~ JADU contains no more than 500 square feet of floor space; and

(ii) The detached ADU contains no more than 800 square feet of floor space, and its height is no more than 16 feet. See subsection (3)(b) of this section, Total Floor Area, for detached ADUs that exceed 800 square feet.

(~~j~~) ADUs in Existing Multifamily Structures. Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with State building standards for dwellings. At least one accessory dwelling unit is allowed within an existing multifamily dwelling, and up to 25 percent of the existing multifamily dwelling units may be allowed.

~~(k) Detached ADUs with Existing Multifamily Structures. Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling, subject to a height limit of 16 feet and four foot rear yard and side setbacks.~~

Section 17.20.020(3)(e) is amended as follows:

(e) Parking. Each ADU requires one parking space. These spaces may be provided in tandem on a driveway. Off-street parking shall be permitted in setback areas or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(i) Exceptions to Parking Standards. Parking standards for an ADU shall not apply if the ADU is (A) located within one-half mile walking distance of public transit; (B) located within an architecturally and historically significant district; (C) part of the proposed or existing primary residence or an existing accessory structure; or (D) when on-street parking permits are required but not offered to the occupant of the ADU; or (E) when there is a car share vehicle located within one block of the accessory dwelling unit; **or (F) replacement of parking spaces when they are eliminated to build an ADU is not required.**

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

The City Council finds that this Ordinance is Statutorily Exempt pursuant to Section 21080.17 of the Public Resources Code. This exemption applies to the adoption of an ordinance by a city or county that implements the state's Accessory Dwelling Unit (ADU) law. Since SB 1211 makes technical changes and updates to ADU law, the adoption of a local ordinance to comply with it is considered to fall under this existing exemption.

SECTION 4. Severability.

In the event that a court of competent jurisdiction holds any Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance unconstitutional, preempted, or otherwise invalid, the invalid portion shall be severed from this Ordinance and shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted each Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases in this Ordinance might be declared unconstitutional, preempted, or otherwise invalid.

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 2, 2025, and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on September 16, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 418-2025 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on September 16, 2025.

Karen Dunham, City Clerk, City of Rio Dell