



AGENDA
RIO DELL PLANNING COMMISSION
SPECIAL MEETING
WEDNESDAY, JUNE 25, 2025–5:00 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) 2025/0625.01 - Approve Minutes of the April 29, 2025, Special Meeting
(ACTION) Pg. 1

2) 2025/0625.02 - Adopt Resolution No. PC 184-2025 Approving the Humboldt Seed Bank Cannabis Conditional Use Permit (CUP) Subject to the Conditions of Approval – File No. 053-141-035; Case No. CCLUO-CUP 25-01 **(ACTION) Pg 5**

3) 2025/0625.03 - 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 **(ACTION) Pg. 28**

- 4) 2025/0625.04 - Receive and File the 2024 General Plan Annual Progress Report **(ACTION) Pg. 52**

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) 2025/0525.05 - 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 **(ACTION) Pg. 70**

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 July 22, 2025, at 6:00 p.m.***

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CALL TO ORDER

Commissioner Knight called the special meeting of the Rio Dell Planning Commission to order at 5:07 p.m.

Present were Commissioners Knight, Arsenault, Gurney, and Millington. Absent was Commissioner Angeloff (arrived at 5:13 p.m.).

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

CONSENT CALENDAR

Approve Minutes of the January 28, 2025, Regular Meeting

Arsenault/Millington made a motion to approve the Consent Calendar, including approval of the January 28, 2025, regular meeting minutes. Motion carried 4-0.

PUBLIC PRESENTATIONS

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

SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

Review and Consideration of the Margro Building Façade Improvement Program (FIP) Grant Application

Community Development Director Caldwell provided an overview of the Façade Improvement Program (FIP) grant application received from Margro Advisors for the Margro building at 105 Wildwood Ave./30 Monument Rd.

He said that the applicant received a grant under the FIP a few years ago for the mural and the painting of the building. Round 2 of the Façade Improvement Program ends on June 30, 2025, and the applicant would like to utilize the program for additional improvements. The program is provided to businesses and/or property owners for the improvement of existing buildings and provides a matching grant of 50% of the façade improvement cost up to a maximum amount of \$15,000 per approved project.

The proposed application includes fencing between the applicant's building and the building to the north on Wildwood Ave., and on the Monument Road side of the building.

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Solar light caps on the fence posts, downward lighting fixtures above the mural on the Monument Road side, security screen doors with keypad entry for all entries and exits facing Wildwood Ave. and Monument Road, and a planter with flowers, and a bench.

Community Development Director Caldwell noted that staff met with the Façade Improvement Program Adhoc Committee, which reviewed and approved the application as presented.

Commissioner Knight asked if Jim Brickely, listed as the painter, was a licensed contractor.

Community Development Director Caldwell said that he didn't believe that he was licensed, but he was allowed to perform work under an owner-builder permit.

Commissioner Millington commented that she loved the mural on the Margro building and referred to the artwork throughout Eureka, and said that art changes attitudes in a positive way.

Suzanne Maese from Margro Advisors said that she was thankful to the City for the grant funding for the mural and said it means a lot to them.

Angeloff/Arsenault made a motion to approve the Margro Building Façade Improvement (FIP) Grant application. Motion carried 5-0.

Adopt Resolution No. PC 182-2025 Approving the RH Construction Design Review and Conditional Use Permit (CUP) – File No. 053-151-002, Case No. DR-CUP 01-2025

Community Development Director Caldwell provided a staff report recommending approval of Resolution No. PC 182-2025 approving the RH Construction Design Review and Conditional Use Permit (CUP) of a proposed 4-unit Multifamily Dwelling on a vacant parcel located at the corner of First Ave. and Columbus St., subject to the recommended Conditions of Approval.

He noted that attached dwellings/apartments are conditionally permitted uses in the Urban Residential (UR) zone. The only issue is that the zone requires a twenty (20) foot front yard setback, a ten (10) foot rear yard setback, and a five (5) foot interior yard setback.. The proposed building does not meet the prescriptive front yard setback, and as such, the applicant is proposing a ten (10) foot front yard setback. The zoning regulations allow averaging of the improved parcels to determine the required setbacks. First Avenue

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has a number of front-yard setbacks of less than five (5) feet, and staff supports the proposed ten (10) foot setback along First Avenue.

Commissioner Arsenault commented that the proposed building design is beautiful and said that he noticed several holes dug on the site that seem to hold water.

Community Development Director Caldwell noted that the water table is extremely high in that area.

He added that the California Department of Fish and Wildlife has recommended that the existing small ornamental trees be removed before March 15 or after August 15, when most baby birds have fledged, and the project was conditioned accordingly. He then referred to the landscape plan, which identified the various types of rock, mulch, and plant types for the project.

Commissioner Gurney asked when the project would start.

Community Development Director Caldwell indicated that the plan was to begin construction in late summer.

Angeloff/Arsenault made a motion to adopt Resolution No. PC 182-2025 Approving the RH Construction Design Review and Conditional Use Permit (CUP) as conditioned. Motion carried 5-0.

STAFF COMMUNICATIONS/UPDATES

Community Development Director Caldwell said that the next regular meeting was scheduled for May 27, 2025, and on the agenda would be the update of the Density Bonus Regulations, a Façade Improvement Program application for 371-375 Wildwood Avenue, and possibly to include a Cannabis Dispensary application at that location.

A brief discussion occurred regarding needed business types in Rio Dell, which included a bakery and a veterinary office.

Commissioner Arsenault asked for an update on the Cal Fire Development. Community Development Director Caldwell provided a conceptual plan of a preferred development, including revenue-generating retail space.

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ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:45 p.m. to the May 27, 2025, regular meeting.

Attest:

Patrick Knight, Vice-Chair

Karen Dunham, City Clerk




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

For the Meeting of June 25, 2025

☒ Consent Item; ☐ Public Hearing Item

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: June 16, 2025

Subject: The Humboldt Seed Bank; Cannabis Retail Conditional Use Permit
File No. 053-141-035; Case No. CCLUO-CUP 25-01

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed Conditional Use Permit;
2. Open the public hearing, receive public input, close the public hearing and deliberate;
3. Assuming that public testimony is substantially in support of the proposal, find that:
 - (a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;
 - (b) The proposed use is consistent with the general plan and any applicable specific plan;
 - (c) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and

(f) The Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

4. Adopt Resolution No. PC 184-2025 approving the Conditional Use Permit, subject to the Conditions of Approval, Exhibit A.

Background

In March of 2019 the City's cannabis regulations were amended to allow cannabis retail sales in the Town Center zone with a Conditional Use Permit.

The Council directed staff to issue a Request For Proposals (RFP) to identify up to three potential retail operators in the Town Center zone. The RFP was released on April 11, 2019. The City received six proposals.

The Council established an Ad Hoc Committee consisting of Mayor Garnes, Council member Woodall, the Community Development Director and the City Manager.

The proposals were evaluated based primarily on the following elements:

- Experience
- Interior and Exterior Design
- Financial Capital
- Business Model/Plan of Operation

The Ad Hoc Committee recommended that Rio Dell Remedies, Element 7 and the Proper Wellness Center be allowed to make application for the required Conditional Use Permit. Element 7 and the Proper Wellness Center are currently in operation. Rio Dell Remedies financial backing fell through and the Humboldt Seed Bank was the fourth ranked application.

The proposed location for the Humboldt Seed Bank is 371 and 375 Wildwood Avenue. Attachment 1 includes the Plan of Operations for the proposed uses. The Plan of Operations addresses, employees, traffic, security, waste management, etc. Attachment 2 includes the Site plan and Floor Plans of the building.

Required Findings/Staff Analysis

Section 17.35.030 Rio Dell Municipal Code (RDMC) Conditional Use Permits.

1. Zoning Consistency

(a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

Land Use:

The proposed location is designated Town Center. The purpose of the Town Center or TC zone is to provide an area for a broad range of uses which generate high pedestrian traffic and which do not have large space requirements, including artisan workshops and galleries, retail businesses, personal services, offices, eating places, visitor accommodations, and similar uses. Mixed residential-commercial uses are an important component of the TC zone and are encouraged to ensure an economically and socially vibrant downtown that is intended for, and enjoyed by, residents and visitors alike.

Pursuant to *Commercial Cannabis Land Use Regulations*, Section 17.30.195(13) of the Rio Dell Municipal Code, retail cannabis sales may be allowed in the Town Center zone with a Conditional Use Permit.

Development Standards

The building is existing and complies with the setback, building height and lot coverage requirements. The City's Parking Regulations, Section 17.30.220(16)(a)(i) exempts existing structures located on Wildwood Avenue south of Davis Street from requiring additional parking spaces.

Any proposed signing shall comply with the City's sign regulations. The project has been conditioned accordingly. **See Exhibit A.**

Based on the information submitted and recommended conditions of approval staff recommends that the proposed uses be found to be consistent with the development standards of the Town Center zone and the Commercial Cannabis Land Use Ordinance, Section 17.30.195 of the Rio Dell Municipal Code.

Cannabis Retail Performance Standards

Cannabis Retail Sales, Section 17.30.190(13) RDMC

Again, retail cannabis sales are allowed in the Town Center zone with a Conditional Use Permit. Of course, the operators are also required to comply with all State regulations as well.

Section 17.30.190(7)(b) of the RDMC requires that all cannabis activities must be at least 600 feet from any school. The proposed location complies with the provision.

Section 17.30.190(7)(p) of the RDMC and State regulations require a video surveillance system. The applicant is proposing a surveillance system consistent with our local and State regulations. The project has been conditioned that the system be maintained and upgraded as required by changes in State law. The project has been conditioned accordingly. **See Exhibit A.**

A Video Surveillance System as required by Section 5044 of the California Code of Regulations shall be installed in Manufacturing, Processing, Distribution, Testing and Retail facilities. The system shall comply with the following standards:

- Each licensed premises shall have a digital video surveillance system with a minimum camera resolution of 1280 × 720 pixels.
- The video surveillance system shall at all times be able to effectively and clearly record images of the area under surveillance.
- Each camera shall be permanently mounted and in a fixed location. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the licensed premises, and allows for the clear and certain identification of any person and activities in all areas required to be filmed. Areas that shall be recorded on the video surveillance system include the following:
 - Areas where cannabis goods are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the licensed premises; and
 - Limited-access areas and Security rooms; and
 - Areas storing a surveillance-system storage device with at least one camera recording the access points to the secured surveillance recording area; and
 - Entrances and exits to the licensed premises, which shall be recorded from both indoor and outdoor vantage points; and
 - Licensed retailers authorized to engage in retail sales shall also record point-of-sale areas and areas where cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling cannabis goods, or any person in the retail area, with sufficient clarity to determine identity.
- Cameras shall record continuously 24 hours per day and at a minimum of 15 frames per second (FPS).
- The physical media or storage device on which surveillance recordings are stored shall be

secured in a manner to protect the recording from tampering or theft.

- Surveillance recordings shall be kept for a minimum of 90 calendar days.
- Surveillance recordings are subject to inspection by the City, and shall be kept in a manner that allows the City to view and obtain copies of the recordings at the licensed premises immediately upon request. The licensee shall also send or otherwise provide copies of the recordings to the City upon request within the time specified by the City.
- Recorded images shall clearly and accurately display the time and date. Time is to be measured in accordance with the standards issued by the United States National Institute of Standards and Technology.
- The video surveillance system shall be equipped with a failure notification system that provides notification to the licensee of any interruption or failure of the video surveillance system or video surveillance-system storage device.
- If multiple licensed premises are contained within the same building, a single video surveillance system covering the entire building may be used by all of the licensees under the following conditions:
 - Each applicant or licensee shall disclose on their premises diagram where the surveillance recordings are stored.
 - Each applicant or licensee shall include in their security operating procedures, submitted with the application an explanation of how the video surveillance system will be shared, including who is responsible for monitoring the video footage and storing any video recordings.
 - All licensees shall have immediate access to the surveillance recordings to produce them pursuant to subsection (i) of this section.
 - All licensees shall be held responsible and subject to discipline for any violations of the video surveillance requirements.

Limited-Access areas as defined herein shall comply with the following standards:

- (i) Licensees shall ensure that only employees of the licensee and other authorized individuals access the limited-access areas of the licensed premises.
- (ii) For the purpose of this section, authorized individuals include outside vendors, contractors, or other individuals conducting business that requires access to the limited-access areas.
- (iii) An individual who enters the limited-access area and is not employed by the licensee shall be escorted by an employee of the licensee at all times while within the limited-access area.

(iv) A licensee shall maintain a record of all authorized individuals who are not employees of the licensee who enter the limited-access areas. The record shall include the name of the individual, the company the individual works for, the reason the individual entered the limited-access area, the date, and the times the individual entered and exited the limited-access area. These records shall be made available to the Bureau immediately upon request.

(v) A licensee shall not receive consideration or compensation for permitting an individual to enter the limited-access areas.

Entrances to all limited-access areas shall have a solid door and a lock meeting the requirements of section 5046 of the California Code of Regulations (CCR). The door shall remain closed when not in use during regular business hours. A licensee shall ensure that the limited-access areas described in section 5042 of the California Code of Regulations (CCR) can be securely locked using commercial-grade, nonresidential door locks. A licensee shall also use commercial-grade, nonresidential door locks on all points of entry and exit to the licensed premises.

An Alarm System as required by Section 5047 of the California Code of Regulations shall be installed in Manufacturing, Processing, Distribution, Testing and Retail facilities. The system shall comply with the following standards:

(i) A licensee shall maintain an alarm system as defined in Business and Professions Code section 7590.1(n) at the licensed premises.

(ii) A licensee shall ensure a licensed alarm company operator or one or more of its registered alarm agents installs, maintains, monitors, and responds to the alarm system.

(iii) Upon request, a licensee shall make available to the City all information related to the alarm system, monitoring, and alarm activity.

(iv) If multiple licensed premises are contained within the same building, a single alarm system covering the entire building may be used by all of the licensees under the following conditions:

- (1) Each licensee shall include in their security operating procedures, submitted with the application an explanation of how the alarm system will be shared, including who is responsible for contracting with the alarm company.
- (2) All licensees shall have access to and be able to provide the information under subsection (iii) of this section.
- (3) All licensees shall be held responsible and subject to discipline for any violations of the alarm system requirements.

Operating Conditions: Employee Badge Requirement: All agents, officers, or other persons acting for or employed by a licensee shall display a laminated or plastic-coated identification badge issued by the licensee at all times while engaging in commercial cannabis activity. The identification badge shall, at a minimum, include the licensee's "doing business as" name and license number, the employee's first name, an employee number exclusively assigned to that employee for identification purposes, and a color photograph of the employee that clearly shows the full front of the employee's face and that is at least 1 inch in width and 1.5 inches in height.

- Customer access to the licensed premises of a retailer with only an A-designation shall be limited to individuals who are at least 21 years of age.
- Customer access to the licensed premises of a retailer with only an M-designation shall be limited to individuals who are at least 18 years of age and have a valid physician's recommendation for medicinal cannabis, and individuals who are at least 21 years of age. Customer access to the licensed premises of a retailer with both an A- designation and an M-designation may include persons identified in subsections (b) and (c) of this section.
- Individuals shall be granted access to the retail area to purchase cannabis goods only after the retailer or an employee of the retailer has confirmed the individual's age and identity.
- The licensed retailer or at least one employee shall be physically present in the retail area at all times when individuals who are not employees of the licensed retailer are in the retail area.
- All sales of cannabis goods must take place within the retail area of the retailer's licensed premises, except for cannabis goods sold through delivery.
- A licensed retailer shall only sell adult-use cannabis goods to individuals who are at least 21 years of age after confirming the customer's age and identity by inspecting a valid form of identification provided by the customer as required by subsection (j) of this section.
- A licensed retailer shall only sell medicinal cannabis goods to individuals who are at least 18 years of age and possesses a valid physician's recommendation after confirming the customer's age, identity, and physician's recommendation as required by subsection (j) of this section.
- Acceptable forms of identification include the following:
 - A document issued by a federal, state, county, or municipal government, or a political subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, height, gender, and photo of the person;
 - A valid identification card issued to a member of the Armed Forces that includes the person's name, date of birth, and photo; or

- A valid passport issued by the United States or by a foreign government.
- A licensed retailer shall sell and deliver cannabis goods only between the hours of 9:00 a.m. Pacific Time and 10:00 p.m. Pacific Time.
- Cannabis goods for inspection and sale shall only be displayed in the retail area.
- Cannabis goods may be removed from their packaging and placed in containers to allow for customer inspection. The containers shall not be readily accessible to customers without assistance of retailer personnel. A container must be provided to the customer by the licensed retailer or its employees, who shall remain with the customer at all times that the container is being inspected by the customer.
- Cannabis goods removed from their packaging for display shall not be sold, shall not be consumed, and shall be destroyed pursuant to section 5054 of the California Code of Regulations when the cannabis goods are no longer used for display.
- A licensed retailer shall not make any cannabis goods available for sale or delivery to a customer unless:
 - The cannabis goods were received by the retail licensee from a licensed distributor or licensed microbusiness authorized to engage in distribution;
 - The licensed retailer has verified that the cannabis goods have not exceeded their best-by, sell-by, or expiration date if one is provided;
 - In the case of manufactured cannabis products, the product complies with all requirements of Business and Professions Code section 26130 and California Code of Regulations, Title 3, Division 8 and Title 17, Division 1, Chapter 13;
 - The cannabis goods have undergone laboratory testing as required by the Act;
 - The batch number is labeled on the package of cannabis goods and matches the batch number on the corresponding certificate of analysis for regulatory compliance testing;
 - The packaging and labeling of the cannabis goods shall comply with Business and Professions Code Section 26120 and all applicable regulations within the California Code of Regulations, Title 3, Division 8 and Title 17, Division 1, Chapter 13.
- In addition to cannabis goods, a licensed retailer may sell only cannabis accessories as defined by Section 11018.2 of the California Health and Safety Code and licensee's branded merchandise. Licensed retailers may provide customers with promotional materials.

- A licensed retailer shall only sell live, immature cannabis plants and cannabis seeds if all of the following requirements are met:
 - The plant is not flowering;
 - The plant or seed originated from a nursery that holds a valid license from the Department of Food and Agriculture or a licensed microbusiness authorized to engage in cultivation;
 - A label is affixed to the plant or package containing any seeds which states "This product has not been tested pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act."
- A licensed retailer may not sell any other live plants;
- A licensed retailer shall not apply nor use any pesticide, nor cause any pesticide to be applied nor used, on live plants.
- A licensed retailer shall not sell more than the amounts to a single adult use customer or a single medicinal cannabis patient or to a patient's primary caregiver purchasing medicinal cannabis on behalf of the patient in a single day than the amounts identified in Section 5409 of the California Code of Regulations.
- A licensed retailer shall only accept customer returns as allowed by Section 5410 of the California Code of Regulations.
- Except as provided by Section 5411(b) *et. seq.* of the California Code of Regulations a licensed retailer shall not provide free cannabis goods to any person and shall not allow individuals who are not employed by the licensed retailer to provide free cannabis goods to any person on the premises.
- A licensed retailer shall not accept, possess or sell cannabis goods that are not packaged as they will be sold at final sale, nor shall a licensed retailer package or label cannabis goods, except as provided by Section 5412(c) of the California Code of Regulations.
- All cannabis goods sold by a licensed retailer shall be in compliance with the packaging and exit packaging requirements found in Section 5413 of the California Code of Regulations.
- All deliveries of cannabis goods shall be in compliance with Sections 5415, 5415.1, 5416, 5417, 5418, 5419, 5420 and 5421 of the California Code of Regulations.

- A licensed retailer shall comply with Section 5422, Receiving Shipments of Inventory, Section 5423, Inventory Documentation, Section 5424, Inventory Reconciliation, Section 5426, Records and Section 5427, Retailer Premises to Retailer Premises Transfer of the California Code of Regulations.

In addition to cannabis goods, a licensed retailer may sell only cannabis accessories as defined by Section 11018.2 of the California Health and Safety Code and licensee's branded merchandise. Licensed retailers may provide customers with promotional materials.

Again, all of the above requirements must be met before the State will approve and issue the State license. Staff has conditioned the project on compliance with all the above requirements and with current and future State regulations as amended. **See Exhibit A.**

2. General Plan Consistency

(b) The proposed use is consistent with the general plan and any applicable specific plan;

The General Plan designation is also Town Center. The use would be considered principally permitted uses if the activities did not involve cannabis.

The proposed uses are consistent with the following General Plan goal: "To promote a variety of commercial uses and allow light manufacturing in appropriate commercial areas."

There are no goals or policies which would preclude the proposed use in the Town Center designation. Therefore, the proposed use as conditioned is consistent with the General Plan.

3. Land Use Compatibility

(c) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

Based on the recommended conditions of approval, including the City's Performance Standards and the State regulations, staff believes the project can be found to be consistent with the existing and future land uses in the vicinity.

4. Site Suitability

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

The site is already developed with a commercial building with a long history of retail uses. Only minor interior remodeling is required. Based on the historic use of the property and the

recommended conditions of approval, staff believes the site is physically suitable for the intended uses.

5. Public Interest, Health, Safety and Welfare

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located;

Again, based the history of the two existing dispensaries and on information on file and the recommended conditions of approval, staff believes there is no evidence to suggest that the proposed project (business) will be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

6. California Environmental Quality Act

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project. Based on the nature of the project, including the proposed operating protocols and recommended conditions of approval, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a **significant** effect on the environment. No new construction, other than some minor interior remodeling, is proposed. Based on the nature of the proposed project, staff believes there is no evidence to suggest that the project will have a **significant** effect on the environment.

Attachments:

Attachment 1: Plan of Operations.

Attachment 2: Site Plan and Floor Plan.

Attachment 3: Exhibit A, Conditions of Approval.

Attachment 4: Resolution No. PC 184-2025.

The Humboldt Seed Bank — Operations Plan 375 Wildwood Avenue, Rio Dell, California

The Humboldt Seed Bank is a locally owned and operated cannabis dispensary located at 375 Wildwood Avenue in Rio Dell, California. Our mission is to provide high-quality seeds, clones, and flower products to the community, along with a curated selection of edibles, topicals, and concentrates. The dispensary is committed to supporting the legacy cannabis culture of the Emerald Triangle region while maintaining the highest standards of safety, compliance, and customer service.

Emerald Triangle Legacy LLC, doing business as The Humboldt Seed Bank, operates as a sister company to CSI:Humboldt LLC. CSI:Humboldt will be establishing a licensed nursery, distribution, and cultivation business. Through this vertical integration, the dispensary will ensure product quality, regulatory compliance, and traceability from seed to sale.

The facility consists of approximately 1,584 square feet, housed in a rectangular building facing Wildwood Avenue. The interior layout will include a reception and ID check area at the main entrance, and a large retail sales floor occupying the right side of the building. Employee-only areas at the rear of the building will include an employee break room, and an administrative area. An employee exit at the back provides direct access to designated staff parking spaces and a delivery entrance. The left portion of the building will be a limited access office and storage room.

The store will initially operate Thursday, Friday, and Saturday from 12:00 PM to 6:00 PM, year-round. Hours of operation may expand based on customer demand and with City approval. At launch, Emerald Triangle Legacy will employ two part-time staff members, all of whom will undergo background checks prior to hire to ensure compliance with California cannabis employment regulations.

Security is a top priority. The premises will be secured with high-resolution video surveillance cameras operating 24 hours a day, with at least 90 days of footage retention. In addition to cameras an alarm will be included and a professional security company will be hired to install and maintain the system. Restricted areas such as the storage vault and employee-only zones will be secured with limited access protocols. Cash handling will remain in-house during the initial year of operations, with funds stored securely on-site.

Emerald Triangle Legacy will strictly follow the California Cannabis Track-and-Trace system (METRC) to maintain accurate inventory control. Daily inventory updates and regular audits will ensure accountability. Incoming product deliveries will be verified upon receipt, logged immediately, and stored in secure locations.

Employees will be trained comprehensively in compliance, security, customer service, and cannabis product knowledge. All staff will wear identification badges during working hours. A

dedicated employee break room will support staff well-being and regulatory compliance regarding work breaks.

In compliance with Section 19322(a)(1)(A) of the California Business and Professions Code, Emerald Triangle Legacy will ensure that all employees undergo comprehensive background checks prior to commencing employment. We are committed to hiring individuals who meet all legal and regulatory requirements for working in a cannabis facility. Background checks will be conducted to verify that employees have no disqualifying convictions and meet the standards established by state and local law. All background records will be maintained securely and will be made available for inspection by authorized regulatory agencies upon request.

Customer experience is a critical focus. Customers must present valid government-issued photo identification proving they are 21 years or older, or 18 years or older with a valid medical cannabis recommendation, prior to entering the retail sales floor. Purchase limits will strictly follow California Department of Cannabis Control regulations.

Waste management procedures will comply with state standards, ensuring that cannabis waste is rendered unusable and unrecognizable before disposal. Non-cannabis waste will be removed through regular municipal services.

Environmental sustainability and minimal community impact are core to the business model. The dispensary will operate with minimal increases to local road use, utilizing Pacific Gas & Electric (PG&E) services for power, and employing only two half-bathrooms to keep water and sewer impacts low. No discharges or emissions will result from operations.

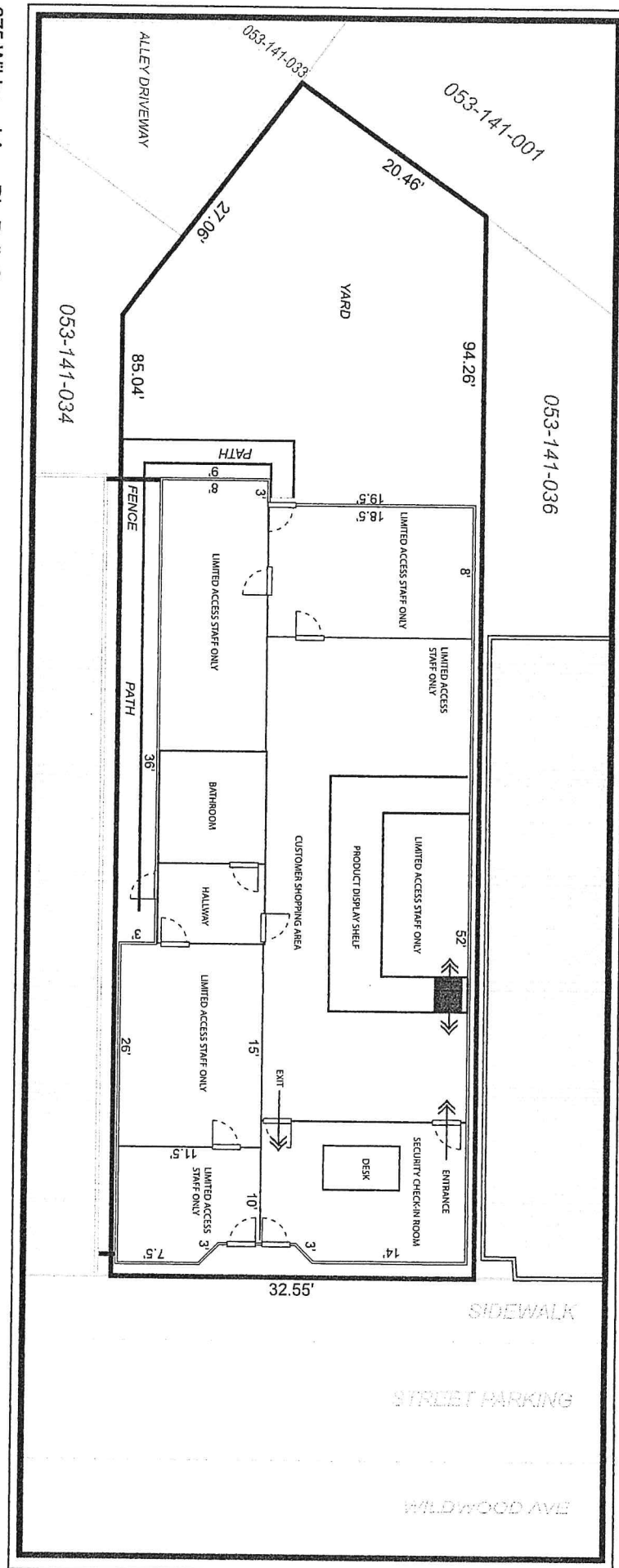
Emerald Triangle Legacy is committed to being a positive contributor to the Rio Dell community. The company will prioritize local hiring whenever possible, support local events and initiatives, maintain a clean and attractive storefront, and engage in open communication with community members. By emphasizing seeds, clones, and locally sourced cannabis products, Emerald Triangle Legacy reinforces the region's historic agricultural identity.

To foster strong communication and positive relations with the City of Rio Dell and our neighboring businesses, Emerald Triangle Legacy will designate a Community Relations Representative who will be available to address any operational concerns or public complaints. The City Manager or their designee will be provided with the name, phone number, and email address of this representative. Additionally, Emerald Triangle Legacy will distribute this contact information to all business neighbors located within 300 feet of the facility. Our goal is to ensure that any issues are responded to promptly and professionally, maintaining transparency and promoting a cooperative relationship with the community.

The dispensary will operate fully within the regulatory framework established by the California Department of Cannabis Control and the City of Rio Dell. Operations will be regularly reviewed and adjusted to maintain full compliance with all applicable laws and regulations.

In the future, Emerald Triangle Legacy may seek to expand its services to include cannabis delivery, pending operational stability and receipt of any necessary regulatory approvals.

375 Wildwood Ave. Rio Dell, Ca.
APN: 053-141-035



The Humboldt Seed Bank

EXHIBIT A

Conditions of Approval

The Humboldt Seed Bank Conditional Use Permit

File No. 053-141-035; Case No. CCLUO-CUP 25-01

Conditions of Approval

1. Security Plan: A Video Surveillance System as required by Section 5044 of the California Code of Regulations shall be installed. The system shall comply with the following standards:

- Each licensed premises shall have a digital video surveillance system with a minimum camera resolution of 1280 × 720 pixels.
- The video surveillance system shall at all times be able to effectively and clearly record images of the area under surveillance.
- Each camera shall be permanently mounted and in a fixed location. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the licensed premises, and allows for the clear and certain identification of any person and activities in all areas required to be filmed. Areas that shall be recorded on the video surveillance system include the following:
 - Areas where cannabis goods are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the licensed premises; and
 - Limited-access areas and Security rooms; and
 - Areas storing a surveillance-system storage device with at least one camera recording the access points to the secured surveillance recording area; and
 - Entrances and exits to the licensed premises, which shall be recorded from both indoor and outdoor vantage points; and
 - Licensed retailers authorized to engage in retail sales shall also record point-of-sale areas and areas where cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling cannabis goods, or any person in the retail area, with sufficient clarity to determine identity.
- Cameras shall record continuously 24 hours per day and at a minimum of 15 frames per second (FPS).
- The physical media or storage device on which surveillance recordings are stored shall be secured in a manner to protect the recording from tampering or theft.

- Surveillance recordings shall be kept for a minimum of 90 calendar days.
- Surveillance recordings are subject to inspection by the City, and shall be kept in a manner that allows the City to view and obtain copies of the recordings at the licensed premises immediately upon request. The licensee shall also send or otherwise provide copies of the recordings to the City upon request within the time specified by the City.
- Recorded images shall clearly and accurately display the time and date. Time is to be measured in accordance with the standards issued by the United States National Institute of Standards and Technology.
- The video surveillance system shall be equipped with a failure notification system that provides notification to the licensee of any interruption or failure of the video surveillance system or video surveillance-system storage device.
- If multiple licensed premises are contained within the same building, a single video surveillance system covering the entire building may be used by all of the licensees under the following conditions:
 - Each applicant or licensee shall disclose on their premises diagram where the surveillance recordings are stored.
 - Each applicant or licensee shall include in their security operating procedures, submitted with the application an explanation of how the video surveillance system will be shared, including who is responsible for monitoring the video footage and storing any video recordings.
 - All licensees shall have immediate access to the surveillance recordings to produce them pursuant to subsection (i) of this section.
 - All licensees shall be held responsible and subject to discipline for any violations of the video surveillance requirements.

2. Records and Reporting

Record Retention. The term record includes: all records, applications, reports or other supporting documents required by the City and the State.

- Each permittee shall keep and maintain the records listed for at least 7 years from the date the document was created.
- Records shall be kept in a manner that allows the records to be immediately produced for the City at the permitted premises.

- All records related to commercial cannabis activity are subject to inspection by the City.
- A permittee may contract with a third party to provide custodial or management services of the records. Such a contract shall not relieve the licensee of its responsibilities under this condition.
- Each permittee shall maintain all of the following records on the licensed premises or at a different location identified by the licensee and approved by the City, including but not limited to:
 - City and State issued permits and license(s);
 - Plan of Operations;
 - All records evidencing compliance with the environmental protection measures required in Sections 8313, 8314, and 8315 of the California Code of Regulations;
 - Any supporting documentation for data or information input into the track-and-trace system;
 - Financial records, including but not limited to, bank statements, tax records, invoices, and sales receipts;
 - Personnel records, including each employee's full name, social security, or individual tax payer identification number, date of beginning employment, and date of termination of employment if applicable;
 - Training records, including but not limited to the content of the training provided and the names of the employees that received the training;
 - Contracts with other state licensed medical cannabis businesses;
 - Permits, licenses, and other local authorizations to conduct the licensee's commercial cannabis activity;
 - Security records; and
 - Records associated with the composting or disposal of waste.

- All required records shall be prepared and retained in accordance with the following conditions:

- Records shall be legible; and
- Records shall be stored in a secured area where the records are protected from debris, moisture, contamination, hazardous waste, fire and theft.

3. Operating Conditions: Employee Badge Requirement: All agents, officers, or other persons acting for or employed by a licensee shall display a laminated or plastic-coated identification badge issued by the licensee at all times while engaging in commercial cannabis activity. The identification badge shall, at a minimum, include the licensee's "doing business as" name and license number, the employee's first name, an employee number exclusively assigned to that employee for identification purposes, and a color photograph of the employee that clearly shows the full front of the employee's face and that is at least 1 inch in width and 1.5 inches in height.

- Customer access to the licensed premises of a retailer with only an A-designation shall be limited to individuals who are at least 21 years of age.
- Customer access to the licensed premises of a retailer with only an M-designation shall be limited to individuals who are at least 18 years of age and have a valid physician's recommendation for medicinal cannabis, and individuals who are at least 21 years of age. Customer access to the licensed premises of a retailer with both an A- designation and an M-designation may include persons identified in subsections (b) and (c) of this section.
- Individuals shall be granted access to the retail area to purchase cannabis goods only after the retailer or an employee of the retailer has confirmed the individual's age and identity.
- The licensed retailer or at least one employee shall be physically present in the retail area at all times when individuals who are not employees of the licensed retailer are in the retail area.
- All sales of cannabis goods must take place within the retail area of the retailer's licensed premises, except for cannabis goods sold through delivery.
- A licensed retailer shall only sell adult-use cannabis goods to individuals who are at least 21 years of age after confirming the customer's age and identity by inspecting a valid form of identification provided by the customer as required by subsection (j) of this section.
- A licensed retailer shall only sell medicinal cannabis goods to individuals who are at least 18 years of age and possesses a valid physician's recommendation after confirming the customer's age, identity, and physician's recommendation as required by subsection (j) of this section.

- Acceptable forms of identification include the following:
 - A document issued by a federal, state, county, or municipal government, or a political subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, height, gender, and photo of the person;
 - A valid identification card issued to a member of the Armed Forces that includes the person's name, date of birth, and photo; or
 - A valid passport issued by the United States or by a foreign government.
- A licensed retailer shall sell and deliver cannabis goods only between the hours of 9:00 a.m. Pacific Time and 10:00 p.m. Pacific Time.
- Cannabis goods for inspection and sale shall only be displayed in the retail area.
- Cannabis goods may be removed from their packaging and placed in containers to allow for customer inspection. The containers shall not be readily accessible to customers without assistance of retailer personnel. A container must be provided to the customer by the licensed retailer or its employees, who shall remain with the customer at all times that the container is being inspected by the customer.
- Cannabis goods removed from their packaging for display shall not be sold, shall not be consumed, and shall be destroyed pursuant to section 5054 of the California Code of Regulations when the cannabis goods are no longer used for display.
- A licensed retailer shall not make any cannabis goods available for sale or delivery to a customer unless:
 - The cannabis goods were received by the retail licensee from a licensed distributor or licensed microbusiness authorized to engage in distribution;
 - The licensed retailer has verified that the cannabis goods have not exceeded their best-by, sell-by, or expiration date if one is provided;
 - In the case of manufactured cannabis products, the product complies with all requirements of Business and Professions Code section 26130 and California Code of Regulations, Title 3, Division 8 and Title 17, Division 1, Chapter 13;
 - The cannabis goods have undergone laboratory testing as required by the Act;
 - The batch number is labeled on the package of cannabis goods and matches the batch number on the corresponding certificate of analysis for regulatory compliance testing;
 - The packaging and labeling of the cannabis goods shall comply with Business and

Professions Code Section 26120 and all applicable regulations within the California Code of Regulations, Title 3, Division 8 and Title 17, Division 1, Chapter 13.

- In addition to cannabis goods, a licensed retailer may sell only cannabis accessories as defined by Section 11018.2 of the California Health and Safety Code and licensee's branded merchandise. Licensed retailers may provide customers with promotional materials.

- A licensed retailer shall only sell live, immature cannabis plants and cannabis seeds if all of the following requirements are met:

- The plant is not flowering;
- The plant or seed originated from a nursery that holds a valid license from the Department of Food and Agriculture or a licensed microbusiness authorized to engage in cultivation;
- A label is affixed to the plant or package containing any seeds which states "This product has not been tested pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act."

- A licensed retailer may not sell any other live plants;

- A licensed retailer shall not apply nor use any pesticide, nor cause any pesticide to be applied nor used, on live plants.

- A licensed retailer shall not sell more than the amounts to a single adult use customer or a single medicinal cannabis patient or to a patient's primary caregiver purchasing medicinal cannabis on behalf of the patient in a single day than the amounts identified in Section 5409 of the California Code of Regulations.

- A licensed retailer shall only accept customer returns as allowed by Section 5410 of the California Code of Regulations.

- Except as provided by Section 5411(b) *et. seq.* of the California Code of Regulations a licensed retailer shall not provide free cannabis goods to any person and shall not allow individuals who are not employed by the licensed retailer to provide free cannabis goods to any person on the premises.

- A licensed retailer shall not accept, possess or sell cannabis goods that are not packaged as they will be sold at final sale, nor shall a licensed retailer package or label cannabis goods, except as provided by Section 5412(c) of the California Code of Regulations.

- All cannabis goods sold by a licensed retailer shall be in compliance with the packaging and exit packaging requirements found in Section 5413 of the California Code of Regulations.

- All deliveries of cannabis goods shall be in compliance with Sections 5415, 5415.1, 5416, 5417, 5418, 5419, 5420 and 5421 of the California Code of Regulations.

- A licensed retailer shall comply with Section 5422, Receiving Shipments of Inventory, Section 5423, Inventory Documentation, Section 5424, Inventory Reconciliation, Section 5426, Records and Section 5427, Retailer Premises to Retailer Premises Transfer of the California Code of Regulations.

4. All signage shall comply with the City's Sign regulations, Section 17.30.300 of the Rio Dell Municipal Code.

5. Community Relations: Each medical cannabis facility shall provide the City Manager or designee with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom the City can provide notice if there are operating problems associated with the medical cannabis facility or refer members of the public who may have any concerns or complaints regarding the operation of the medical cannabis facility. Each medical cannabis facility shall also provide the above information to its business neighbors located within 300 feet of the medical cannabis facility.

6. Inspections: Consent to a minimum of at least one quarterly on-site compliance inspection, to be conducted by appropriate City officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Inspection Fee in effect at that time.

7. The applicant shall execute the Release of Liability and Hold Harmless Agreement required by Section 17.30.195(4) of the Rio Dell Municipal Code (RDMC).

8. The operations shall comply with all local and State regulations at all times.

RESOLUTION NO. PC 184-2025



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
APPROVING THE HUMBOLDT SEED BANK
CANNABIS RETAIL SALES CONDITIONAL USE PERMIT.**

WHEREAS in March of 2019 the City's cannabis regulations were amended to allow cannabis retail sales in the Town Center zone with a Conditional Use Permit; and

WHEREAS the Humboldt Seed Bank has made application for a Conditional Use Permit to allow cannabis retail sales at 317 & 375 Wildwood Avenue; and

WHEREAS based on the information submitted, staff recommends that the Planning Commission approve the applicant's request; and

WHEREAS the proposed project has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Based on the nature of the proposed project, staff believes there is no evidence to suggest that the project will have a *significant* effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell, finds

(a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

- (b) The proposed use is consistent with the general plan and any applicable specific plan;
- (c) The design, location, size, and operating characteristics of the proposed activities are compatible with the existing and future land uses in the vicinity;
- (d) The site is physically suitable for the type, density and intensity of uses being proposed, including access, utilities, and the absence of physical constraints;
- (e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- (f) The Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell, approves the applicant's Conditional Use Permit application for cannabis retail sales as allowed by local regulations and State law.

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on June 25, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Nick Angeloff, 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 184-2025 adopted by the Planning Commission of the City of Rio Dell on June 25, 2025.

Karen Dunham, City Clerk, City of Rio Dell



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

For the Meeting of June 25, 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", written over the name Kevin Caldwell.

Through: Kyle Knopp, City Manager

Date: June 16, 2025

Subject: Margo Properties Conditional Use Permit
File No. 053-141-045; Case No. CUP 03-25

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed Conditional Use Permit;
2. Open the public hearing, receive public input, close the public hearing and deliberate;
3. Assuming that public testimony is substantially in support of the proposal, find that:
 - (a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;
 - (b) The proposed use is consistent with the general plan and any applicable specific plan;
 - (c) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and

(f) The Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

4. Adopt Resolution No. PC 184-2025 approving the Conditional Use Permit, subject to the Conditions of Approval, Exhibit A.

Background

Margro Properties has made application for a Conditional Use Permit to allow two Vacation Dwelling Units on the upper floor of an existing commercial building. The units have historically been used as apartments. The building is located at 117 Wildwood Avenue. The parcel is provided with community water sewer. Attachment 1 includes the project referral and application materials.



Required Findings/Staff Analysis

Section 17.35.030 Rio Dell Municipal Code (RDMC) Conditional Use Permits.

1. Zoning Consistency

(a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

Land Use:

The proposed location is designated Town Center. The purpose of the Town Center or TC zone is to provide an area for a broad range of uses which generate high pedestrian traffic and which do not have large space requirements, including artisan workshops and galleries, retail businesses, personal services, offices, eating places, visitor accommodations, and similar uses. Mixed residential-commercial uses are an important component of the TC zone and are encouraged to ensure an economically and socially vibrant downtown that is intended for, and enjoyed by, residents and visitors alike.

Although Vacation Dwelling Units (VDU's) are not specifically identified as a principally or conditionally permitted, motels, hotels and bed and breakfast inns are allowed with a Conditional Use Permit (CUP). In addition, apartments on upper floors of multistory buildings are principally permitted. The Town Center zone, like all zones in the City allows uses not specifically identified, but similar to and compatible with the uses permitted in the zone with a CUP. Staff believes the proposed use is similar to and compatible with the allowed uses.

Development Standards

The building is existing and complies with the setback, building height and lot coverage requirements. The City's Parking Regulations, Section 17.30.220(16)(a)(i) exempts existing structures located on Wildwood Avenue south of Davis Street from requiring additional parking spaces.

The proposed use is allowed in the Town Center zone and complies with all applicable Zoning regulations.

2. General Plan Consistency

(b) The proposed use is consistent with the general plan and any applicable specific plan;

The General Plan designation is also Town Center. The proposed use consistent with the following General Plan goal: "To promote a variety of commercial uses and allow light manufacturing in appropriate commercial areas." Allowing transient lodging (hotels, motels, short-term rentals) in downtown areas can significantly benefit local businesses in several ways:

- **Increased Foot Traffic and Spending:** Visitors staying in downtown lodging are inherently in close proximity to local businesses. They are more likely to frequent downtown restaurants, shops, cafes, and entertainment venues, directly increasing sales for these establishments. This is especially true for leisure travelers who often spend more on dining, entertainment, and shopping compared to day-trippers.
- **Boost to the Local Economy:** The spending by transient guests creates a ripple effect throughout the local economy. Businesses that see increased sales may hire more staff, purchase more supplies from local vendors, and invest in their own operations, further stimulating economic activity.
- **Diversified Revenue Streams:** For cities, transient lodging generates significant revenue through Transient Occupancy Taxes (TOT), also known as "bed taxes" or "hotel taxes." This tax revenue can be used to fund various local services, infrastructure improvements, and even tourism promotion efforts, which in turn can attract even more visitors.
- **Support for Tourism-Related Businesses:** Beyond direct spending at shops and restaurants, transient lodging directly supports other tourism-related businesses like tour operators, transportation services, and attractions.
- **Enhanced Downtown Vibrancy and Activation:** A lively downtown with visitors staying overnight contributes to a more vibrant atmosphere, especially in the evenings. This can make the downtown area more attractive for locals as well, encouraging them to spend more time and money there.
- **Attracting Business Travelers:** Downtown locations are often convenient for business travelers attending conferences, meetings, or visiting local companies. These travelers not only utilize lodging but also spend on meals, transportation, and other services during their stay, often with higher expense accounts.
- **Filling Gaps in Occupancy:** Transient guests, particularly those making last-minute bookings, can help hotels and other lodging options fill otherwise vacant rooms, maximizing their revenue.
- **Marketing and Promotion:** The presence of lodging in downtown areas can be a key part of a city's tourism marketing strategy, making the area a more attractive destination for potential visitors.

In essence, transient lodging brings new money into the local economy, increases demand for goods and services, and can contribute to the overall revitalization and sustainability of downtown areas.

There are no goals or policies which would preclude the proposed use in the Town Center designation. Therefore, the proposed use is consistent with the General Plan.

3. Land Use Compatibility

(c) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

Staff provided public notice to approximately forty-five (45) surrounding properties. The City has not received any comments or concerns regarding the proposed use. As such, staff believes the project is similar to and compatible with allowed uses in the Town Center designation and can be found to be consistent with the existing and future land uses in the vicinity.

4. Site Suitability

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

The site is already developed with a mixed-use commercial building with a long history of residential uses on the upper floor. In fact, staff understands the upper floor was used as a hotel in the past. The owner has invested a significant amount of money remodeling the units. Based on the historic use of the building, staff believes the site is physically suitable for the intended uses.

5. Public Interest, Health, Safety and Welfare

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located;

Staff believes there is no evidence to suggest that the proposed project (business) will be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

6. California Environmental Quality Act

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project. Based on the nature of the project, including the proposed operating protocols and recommended conditions of approval, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered

by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Based on the insignificant nature of the proposed project, staff believes there is no evidence to suggest that the project will have a *significant* effect on the environment.

Attachments:

Attachment 1: Referral and Application Materials.

Attachment 2: Exhibit A, Conditions of Approval.

Attachment 3: Town Center Regulations

Attachment 4: Vacation Dwelling Unit Regulations in Section 17.30.340 of the Rio Dell
Municipal Code (RDMC)

Attachment 5: Resolution No. PC 185-2025.



Margro Advisors Conditional Use Permit Application
File No. 053-141-045; Case No. CUP 03-2025

To: ☒ Public Works ☒ Rio Dell City Manager
☒ Rio Dell Fire District ☒ City Engineer (GHD)
☒ Rio Dell Police Department ☐ Caltrans District #1
☐ County Environmental Health ☒ Fish and Wildlife
☒ Bear River/Wiyot Tribes ☒ PG&E
☒ Regional Water Quality Control Board ☒ Applicant/Agent

Agent: Margro Advisors
Address: 117 Wildwood Ave
City/State/Zip: Rio Dell, CA. 95662
Telephone: (707) 500-2420
Email: info@margroadvisors.com

General Plan/Zoning Designation: Town Center

Project Location: The project site is located at **117 Wildwood Avenue Street.**

If you have any questions concerning the project, please contact Kevin Caldwell, Community Development Director between 8:00 a.m. and 5:00 p.m. Monday through Thursday at (707) 764-3532.

☐ Recommend approval. The Department has no comment at this time.

☐ Recommend conditional approval. Suggested conditions attached.

☐ Other comments:

Date: _____

Email: _____

APPLICATION FORM
City of Rio Dell Community Development Department
675 Wildwood Avenue • Rio Dell, CA. 95562 • (707) 764-3532 • Fax (707) 764-5480



INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule a Pre-Application meeting with the Community Development Department. A minimal fee is required for the meeting. This is not a mandatory meeting, however, Pre-Application meeting will identify potential issues associated with the project and could help avoid processing delays.
3. **Applicant/Agent must submit all marked items on the reverse side of this form.**

SECTION I

APPLICANT (Project will be processed under the Business name, if applicable.)

Business Name: Margro Advisors LLC dba Margro Properties
Contact Person: Suzanne Maese
Mailing Address: 117 Wildwood Avenue
City, St, Zip: Rio Dell, CA 95562
Phone: 707.500.2420 Fax: _____
Email: info@margroadvisors.com

AGENT (Communications from the City will be directed to agent.)

Business Name: _____
Contact Person: _____
Mailing Address: _____
City, St, Zip: _____
Phone: _____ Fax: _____
Email: _____

OWNER(S) OF RECORD (If different from applicant.)

Owner's Name: Margro Advisors LLC
Mailing Address: 117 Wildwood Ave
City, St, Zip: _____
Phone: 707.500.2420 Fax: _____
Email: ino@margroadvisors.com

Owner's Name: _____
Mailing Address: _____
City, St, Zip: _____
Phone: _____ Fax: _____
Email: _____

PROJECT LOCATION: Address: _____

Parcel Size (acres or sq. ft.) 5,000; Assessor Parcel Number(s) 053-141-045-000

SECTION II

PROJECT DESCRIPTION Describe the proposed project (attach additional sheets if necessary)

Request to permit 2 units (Unit 3 and Unit 4) at 30 Monument Road for vacation rentals. The two units are located on the Northern side of the building on the 2nd floor. Access will be made through a Wildwood Avenue facing gate with a keypad. Each unit is a one bedroom, one bathroom apartment. Unit 3 has a full kitchen and full bath. It will be furnished to sleep up to four people. Unit 4 has only a kitchen sink, refrigerator, toaster oven and microwave for food preparation and storage. Unit 4 can also accomodate up to 4 people per visit.

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the City of Rio Dell to process this application for a development permit and further authorize the City of Rio Dell and employees of the California Department of Fish and Game to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are not complete or do not contain truthful and accurate information will be delayed, and may result in denial or revocation of approvals. I further acknowledge that the applicant is responsible to pay 100% of all actual costs based on the City current hourly burdened rates. If processing costs exceed 80% of the deposit, an additional deposit will be required to continue processing the application. The City will not commence with the processing of any application or consultation unless accounts owed the City are paid in full.

[Signature]
Applicant's Signature

June 17, 2025
Date

If the applicant is not the owner of record: I hereby authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

Owner of Record Signature

Date

Owner of Record Signature

Date

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



VACATION DWELLING UNIT APPLICATION

Please complete the information below and return the application with the required fees. If you have any questions, please do not hesitate to contact the City.

Property Owner	Applicant
Name: <u>Margro Advisors LLC</u>	Name: _____
Mailing Address: <u>117 Wildwood Avenue</u>	Mailing Address: _____
City: <u>Rio Dell</u> St: <u>CA</u> Zip: <u>95562</u>	City: _____ St: _____ Zip: _____
Phone: <u>707.500.2420</u>	Phone: _____
Email: <u>info@margroadvisors.com</u>	Email: _____

Vacation Dwelling Unit Location

Address: 30 Monument Rd. Unit 3 & 4

Assessor Parcel No. 053-141-045-000

Emergency 24 Hour Contact
Name: <u>Suzanne Maese</u>
Mailing Address: <u>117 Wildwood Ave</u>
City: <u>Rio Dell</u> St: <u>CA</u> Zip: <u>95562</u>
Home Phone: _____
Cell Phone: <u>626.203.1703</u>
Email: _____

Vacation Dwelling Unit Information
Number of On-Site Parking Spaces: <u>0</u>
Number of Bedrooms: <u>1 per unit</u>
Smoke Alarms: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Carbon Monoxide Alarms: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Fire Extinguisher: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Type of Fire Extinguisher ¹ : _____

¹ A Type 2A10BC every 75 feet of travel distance, mounted in a conspicuous location, along the path of egress from the highest hazard area (i.e. kitchen or laundry room)

Good Guest Guide
A "Good Guest Guide" shall be provided to the occupants and a copy to the City. The Good Guest Guide shall identify the Emergency 24 Contact person and house rules, including maximum occupants, quiet hours.
Fees
Inspection & Notice Fee: \$75.00
Business License: <input checked="" type="checkbox"/> \$31.00 – A <input type="checkbox"/> \$61.00 – B
Business License fee are based on anticipated income of business. Class A Business Licenses have yearly gross receipts between \$500 and \$30,000. Class B Business Licenses have yearly gross receipts over \$30,000.

Applicable Taxes.

The rental or other contractual use of a Vacation Dwelling Unit shall be subject to a Transient Occupancy Tax ("TOT") and any other mandated taxes. Each vacation dwelling unit owner and/or manager shall comply with § 3.15 of the Rio Dell Municipal Code, which addresses the collection, record keeping, reporting and remittances of applicable TOT.

Owner's Authorization

I hereby authorize the City of Rio Dell to process this application. I have completed or reviewed this application and the Vacation Dwelling Unit Regulations, Section 17.30.340 of the Rio Dell Municipal Code. I declare under penalty of perjury, that the information contained herein is true and correct. I agree to hold harmless, indemnify and defend the City, its officers, officials, employees, and volunteers from and against all claims, damages, losses and expenses, including attorney fees, arising out of or in connection with this application.

Property Owner's Signature:  Date: May 27, 2025

Staff Use

Receipt No: _____ Received By: _____ Date: _____

NOTES: _____

Good Guest Guide
Short Term Rental Rules and Neighbor Expectations
Unit 3 & Unit 4
30 Monument Road, Rio Dell, CA 95562

Welcome, and thank you for choosing to stay in Rio Dell. To ensure a safe, comfortable, and respectful experience for everyone, please take a few moments to review the following important guidelines. These rules are required by both the property owner and the City of Rio Dell, and must be followed by all occupants. Thank you for being a respectful guest and helping to maintain the quality of life in our community. Your cooperation is essential and appreciated.

Occupancy Limits This property is approved for a maximum of 4 overnight occupants. Exceeding the approved occupancy limit is a violation and may result in immediate termination of your stay and additional fines.

Parking Only on street parking is available. Parking is not permitted on unpaved surfaces or landscaped areas. Vehicles must not block driveways, sidewalks, or neighboring properties. On-street parking is permitted and must not obstruct traffic or emergency vehicle access.

Check Out We ask on your last day of stay that you vacate the property by 11:30 am. An extension may be requested for a later check out time but only approved based on incoming guest reservations. All trash bagged ready for removal. All dishes should be cleaned and left in the drying dish rack. Turn off all lights.

Fire Hazards **Smoking** is allowed but only outside on Monument where you will find a cigarette receptacle. You may smoke in the gated fenced area at night, but only if the neighbor's window is closed (it is obvious, only one window). **Candles** are not allowed - no exception.

Wifi Password is You are asked to use your media accounts for entertainment. You are provided internet access for your computer. If any charges are accessed for media usage there will be a \$50 penalty plus the fee incurred. These additional charges will be submitted for reimbursement against the payment method used in booking the reservation. There are free channels to access and we encourage you to use those available for free if you do not have your own subscription account.

Noise and Quiet Hours Please be considerate of neighboring residents and maintain low noise levels at all times. Quiet hours are strictly enforced between 10:00 p.m. and 7:00 a.m. Amplified sound that can be heard beyond the property line is prohibited. Parties, events, or disruptive gatherings are not permitted.

Neighborhood Etiquette Do not trespass onto neighboring properties. Maintain a clean, orderly appearance of the property exterior during your stay. No outdoor sleeping, tents, or camping is permitted on the premises.

Trash and Recycling Trash and recycling must be placed in the appropriate containers in the gated entrance area. Do not leave trash outside where it can attract animals.

Enforcement and Remedial Actions Violations of these rules may result in fines, eviction, or in severe cases, enforcement by City authorities. If any issues arise, or if you need assistance, please contact the property owner at (626) 203-1703 any time of day/night.

Emergency Information In case of emergency, call 9-1-1. The physical address of this property is 30 Monument Avenue. There are two entrance/exit accesses, 30 Monument (door directly on Monument Road) and 123 Wildwood Avenue (keypad on gated entrance, keypad at upstairs door to building and keypad for individual unit access). Nearest hospital: Redwood Memorial Hospital, 3300 Renner Drive, Fortuna, CA Phone: (707) 725-3361. City of Rio Dell non-emergency Dispatch: (707) 764-5641

EXHIBIT A

Conditions of Approval

Margro Properties Conditional Use Permit

File No. 053-141-045; Case No. CUP 03-25

Conditions of Approval

1. The Owner-Operator shall execute and return the required Hold Harmless Agreement.

Operational Conditions

1. The Vacation Dwelling Unit shall comply with the Vacation Dwelling Unit Regulations in Section 17.30.340 of the Rio Dell Municipal Code (RDMC) at all times.
2. The Good Guest Guide shall be placed in a conspicuous location and maintained.
3. Smoke Alarms and Carbon Monoxide Alarms shall be maintained in working order at all times.
4. A 10-pound Class ABC Fire Extinguisher shall be maintained in working condition at all times in a conspicuous location in or near the kitchen areas.

17.20.040 Town Center or TC zone.

The purpose of the Town Center or TC zone is to provide an area for a broad range of uses which generate high pedestrian traffic and which do not have large space requirements, including artisan workshops and galleries, retail businesses, personal services, offices, eating places, visitor accommodations, and similar uses. Mixed residential-commercial uses are an important component of the TC zone and are encouraged to ensure an economically and socially vibrant downtown that is intended for, and enjoyed by, residents and visitors alike.

The following regulations shall apply in all Town Center or TC zones:

(1) Principal Permitted Uses.

- (a) Resident and visitor-serving retail and service uses conducted entirely within an enclosed building, including, but not limited to: grocery stores; drug stores; hardware stores; variety stores; sporting goods stores; bakeries; coffee shops; fruit and vegetable markets; bicycle sales, rentals and repair shops; bowling alleys; furniture sales; audio-video stores; florists; frame shops; clothing and apparel businesses; health clubs; dry cleaning (not including processing plants); laundromats; tailors; shoe repair; retail sales and repair of household goods and appliances; and hobby and craft shops;
- (b) Apartments on the upper floors of multistory buildings;
- (c) Service establishments, such as spas, nail salons, beauty salons, and barbershops;
- (d) Business and professional offices, such as for accountants, lawyers, architects, engineers, realtors, financial advisors, medical and dental offices;
- (e) Banks and financial institutions without drive-up facilities;
- (f) Restaurants and licensed premises (bars) appurtenant thereto;
- (g) Movie Theaters;
- (h) Galleries, museums and gift shops.

(2) Uses Permitted with a Use Permit.

- (a) Civic and cultural organizations such as Elk and Moose Lodges, Rotary clubs, garden clubs;
- (b) Hotels and motels; Bed and Breakfast Inns;
- (c) Licensed premises (bars) not appurtenant to any restaurant.

(d) Artisan studios and showrooms including, but not limited to: woodworking, glass blowing, metal works, ceramics, crafts, and clothing manufacturers.

(e) Live-Work units where residential activities are located at the back of buildings, do not occupy more than 40% of the gross floor area.

(f) Uses not specifically identified, but similar to and compatible with the uses permitted in the zone.

(3) Other Regulations. See Table 17.20.040 for development standards for the town center (TC) zone.

Table 17.20.040

Development Standards for the Town Center or
TC Zone

Site Development Standard	Zone Requirement
Minimum Lot Area:	2,500 square feet
Maximum Ground Coverage:	100% for commercial [Floor Area Ratio = 2]
Minimum Lot Width:	25 feet
Minimum Yards	
Front:	None.
Rear:	None. 10 feet if abutting a residential zone.
Side:	None. 5 feet if abutting a residential zone.
Maximum Building Height:	3 stories or 45 feet

[Ord. 297, 2012]

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



**City of Rio Dell Vacation Dwelling Unit Regulations
Section 17.30.340 Rio Dell Municipal Code**

§ 17.30.340 VACATION DWELLING UNITS

(1) Purpose and Intent.

The purpose and intent of the vacation dwelling unit regulations are:

(a) To provide the opportunity for vacation rentals for transient use within Urban Residential (UR), Suburban Residential (SR), Suburban (S) and Rural (R) zones.



(b) To regulate the location and number of vacation dwelling units within Rio Dell.

(c) To mitigate impacts on parking by requiring the use of existing off-street parking facilities.

(d) To protect the visual appearance and character of residential zones.

(e) To minimize disruptions to surrounding neighborhoods.

(f) To ensure that all vacation dwelling units are operating with valid business licenses and paying all applicable taxes and fees.

(2) Definitions.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) "Good Guest Guide" means a document provided to occupants by the property owner that summarizes general rules of conduct, consideration, respect, and potential remedial actions. In particular provisions, for parking, occupancy limits, emergency response, and minimizing noise and quiet hours shall be included.

(b) "Occupant" means a person in possession of, or with the right to use, any public or private dwelling or lodging for sleeping purposes. As used in this chapter, an occupant is a person sleeping overnight at a vacation rental unit.

(c) "Property" means a parcel of land in its entirety, including all structures within the parcel boundaries.

(d) "Transient Use" means any contractual use of a dwelling or portion thereof for residential or sleeping purposes by an occupant, for any period of time which is less than 30 consecutive days.

(e) "Vacation Dwelling Unit" means an entire dwelling which is contracted for transient use. The dwelling shall provide complete independent living facilities for 1 or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. A vacation dwelling unit is differentiated from a lodging house or Bed and Breakfast Inn in that a vacation dwelling unit is rented in its entirety, whereas lodging houses and Bed and Breakfast Inns rent individual rooms. Bed and Breakfast Inns go further by having a full time resident inhabiting the dwelling unit, and may provide 1 or more meals to occupants.

(f) "Visitor" means a guest of an occupant visiting temporarily at a vacation dwelling unit, but not an overnight "occupant."

(3) Permits, Application Requirements, Fees, Inspection and Notice Requirements.

(a) Permits.

(i) An approved vacation dwelling unit permit shall be obtained prior to operation. Vacation dwelling unit permits shall be ministerial, without discretionary review or a hearing.

(ii) Individual properties with multiple vacation dwelling units need only acquire a single vacation dwelling unit permit; however, property owners adding a new vacation dwelling unit to an existing permit shall be required to reapply for a vacation dwelling unit permit.

(iii) Vacation dwelling unit permits shall be subject to annual review and no-fee renewal by the Department of Community Development.

(iv) A vacation dwelling unit permit shall lapse and become void by July 31st of each year unless the business license for the vacation dwelling unit is renewed and in good standing, all applicable taxes and fees are paid, and there are no outstanding Police, Fire, or Building Department violations.

(v) If a vacation dwelling unit permit lapses, a new vacation dwelling unit permit shall be required.

(vi) Unless a lapse occurs pursuant to division (a)(iii) above, approval of a vacation dwelling unit permit shall run with the land and shall be fully transferable to a new property owner provided the new property owner obtains a business license within 2 months of the purchase of the property.

(b) Application Requirements.

(i) Applications for vacation dwelling unit permits shall be filed with the Community Development Director on forms provided by the Department.

(ii) Each vacation dwelling unit applicant shall designate a local emergency contact person on the application form, including a 24-hour-emergency contact phone number. That person may be the property owner, property manager, or designee, and that person shall live within 30 miles of the city limits so that he or she can respond personally to an emergency. The Development Services Department shall forward the emergency contact phone number to the Police Department and Rio Dell Fire Protection District, and shall notify the property owners within 300 feet of the property. The property owner shall immediately notify the Community Development Department in writing of any changes to the designated emergency contact person or number.

(c) Fees.

(i) Vacation dwelling unit permit applications shall be accompanied by fees established by resolution of the City Council to cover the cost of processing the application, noticing, and inspections as prescribed in this subchapter. Existing vacation dwelling units in operation prior to the effective date of this subchapter shall not be subject to the vacation dwelling unit permit fee, provided the unit has a history of operating with a valid business license and has paid all applicable taxes.

(d) Inspections.

(i) All vacation dwelling units shall be inspected by the Building Department and the Rio Dell Fire Protection District for the required smoke alarms, carbon monoxide alarms, fire extinguishers (Type 2A10BC every 75 feet of travel distance, mounted in a conspicuous location, along the path of egress from the highest hazard area (i.e kitchen or laundry rooms)) and emergency egress prior to the approval of the required Business License.

(ii) Additional inspections may be required at the discretion of the Chief Building Official. The cost of any required inspection shall be borne by the vacation dwelling unit owner.

(f) Notice.

(i) Within 5 days of the approval or conditional approval of a vacation dwelling unit permit by the Director, written notice shall be mailed to the applicant and to all property owners within 300 feet of the vacation dwelling unit property.

(ii) The notice shall include the 24-hour emergency contact number for the vacation dwelling unit, and the procedure to appeal.

(4) Appeals.

(a) Except as provided in division (b) of this section, within 30 days following the decision of the Director on a vacation dwelling unit permit application, the decision may be appealed to the Planning Commission by the applicant or any property owner located within 300 feet of the vacation dwelling unit property. An appeal shall be filed with the City Clerk and state specifically wherein it is claimed there was an error or abuse of discretion by the Director. Notice of the date, time and place of an appeal to the Planning Commission shall be provided to all property owners located within 300 feet of the vacation dwelling unit property at least 10 days prior to the appeal meeting.

(b) The decision of the Director to deny the annual permit renewal may be appealed to the Planning Commission solely by the applicant. The appeal must be filed within 10 days of the date of denial.

(5) Business License Required.

Following the approval of a vacation dwelling unit permit, the property owner or vacation dwelling unit manager shall obtain a Business License before commencing operations. Property owner or managers with multiple vacation dwelling units or properties need only acquire a single business license.

(6) Existing Vacation Dwelling Units; Permit Required.

Existing vacation dwelling units shall apply for a permit within 6 months of the effective date of this subchapter, and diligently pursue until approved to avoid abatement action.

(7) Development Standards.

All vacation dwelling units shall comply with the following development standards.

(a) Vacation dwelling units are principally permitted in the Urban Residential (UR), Suburban Residential (SR), Suburban (S) and Rural (R) zones.

(b) A vacation dwelling unit may either be a principal dwelling or a legally established secondary dwelling unit.

(c) A newly constructed vacation dwelling unit shall comply with the development standards and building requirements for residential dwellings, and may be operated as a vacation dwelling unit only after the Building Department has issued a certificate of occupancy for the dwelling unit.

(d) All vacation dwelling units shall have smoke alarms, carbon monoxide alarms and a fire extinguisher. Carbon Monoxide alarms are not required in dwellings which do not contain fuel-burning appliances and that do not have an attached garage.

(e) Existing off-street parking spaces shall be reserved for occupants of the vacation dwelling unit. Occupants shall be encouraged to park in existing, legal off-street parking spaces, in order to minimize impacts to on-street parking.

(f) The existence of the vacation dwelling unit shall not be apparent. The vacation dwelling unit shall not change the residential or commercial character of the property or neighborhood by the use of colors, materials, or lighting.

(8) Operation

(a) Vacation dwelling units shall not be permitted for any use other than transient occupancy or residential use.

(c) The maximum number of occupants allowed in a vacation dwelling unit shall not exceed 2 persons per bedroom plus an additional 2 persons (e.g. a 2-bedroom unit may have 6 occupants). Children aged 8 and under are not counted toward the occupancy total.

(c) The total number of visitors and occupants at a vacation dwelling unit shall not exceed a number greater than double the maximum number of occupants (e.g. a 2-bedroom unit with a 6 occupant limit, may have a total of 12 people at one time). Visitors are not allowed on the premises between 10:00 p.m. and 7:00 a.m.

(d) All vacation dwelling units shall be provided weekly garbage collection services. Trash and refuse shall not accumulate or be stored within public view, except in proper containers for the purposes of collection. There shall be no storage of trash and/or debris on the site or within the unit.

(e) Emergency preparedness information regarding local hazards, such as earthquakes and ocean related hazards, in a form approved by the city, shall be posted within the vacation rental in an easily visible location, such as the entry or kitchen area.

(f) The Good Guest Guide (House Rules) and the 24-hour emergency contact phone number shall be prominently placed for the occupants' use inside the vacation dwelling unit.

(g) In the event of an emergency, concerned persons are encouraged to promptly call the emergency contact number, and if appropriate, report the emergency through the 911 emergency calling system or the Police Department. It is unlawful to make a false report or complaint regarding activities associated with a vacation dwelling unit.

(h) The property owner and emergency contact shall act in good faith to resolve complaints regarding the vacation dwelling unit, and engage in dispute resolution with neighbors. The Community Development Department and/or Police Department shall investigate any vacation dwelling unit with recurrent emergency calls or complaints.

(i) If the vacation dwelling unit owner or emergency contact is deemed to be negligent in responding to an emergency situation more than 2 times in a 12-month period, or if more than 2 documented law enforcement violations occur in any 12-month period, the vacation dwelling unit permit may be revoked. The Director of Community Development may also revoke a permit if the vacation dwelling unit is deemed chronically non-compliant with the provisions of this chapter, or is negligent or remiss in correcting noted Building or Fire Code violations or issues. Documented, significant violations may include copies of citations, written warnings, or other documentation maintained by law enforcement, Fire Department, or Building Department.

(j) Properties with gated entries shall have a Fire Department approved device such as a Knox box with keys for the lock, Knox lock, or Knox key actuated switch on electric gates installed which permits emergency response vehicles and personnel to enter the property.

(k) Each individual holding a valid business license for a vacation dwelling unit existing at the time the vacation dwelling unit ordinance is adopted, shall be subject to the requirements of this subchapter upon its effective date. In order to avoid abatement proceedings, the owner of an existing vacation dwelling unit shall apply for a vacation dwelling unit and permit and City of Rio Dell business license permit within 6 months of the effective date of this chapter, and diligently pursue the application unit approved.

(l) Violations of this chapter are punishable as either infractions or misdemeanors, pursuant to the provisions of Rio Dell Municipal Code. Each separate day in which a violation exists shall be considered a separate violation.

(9) Applicable Taxes.

The rental or other contractual use of a vacation dwelling unit shall be subject to a Transient Occupancy Tax ("TOT") and any other mandated taxes. Each vacation dwelling unit owner and/or manager shall comply with § 3.15 of the Rio Dell Municipal Code, which addresses the collection, record keeping, reporting and remittances of applicable TOT.

RESOLUTION NO. PC 185-2025



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
APPROVING THE MARGRO PROPERTIES VDU CONDITIONAL USE PERMIT.**

WHEREAS Margro Properties has made application for a Conditional Use Permit to allow two Vacation Dwelling Units on the upper floor of an existing commercial building; and

WHEREAS the units have historically been used as apartments; and

WHEREAS the proposed location is designated Town Center; and

WHEREAS although Vacation Dwelling Units (VDU's) are not specifically identified as a principally or conditionally permitted, motels, hotels and bed and breakfast inns are allowed with a Conditional Use Permit (CUP); and

WHEREAS the Town Center zone, like all zones in the City allows uses not specifically identified, but similar to and compatible with the uses permitted in the zone with a CUP; and

WHEREAS based on the information submitted, staff recommends that the Planning Commission approve the applicant's request; and

WHEREAS the proposed project has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Based on the nature of the proposed project, staff believes there is no evidence to suggest that the project will have a *significant* effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell, finds

(a) The proposed use is allowed within the Town Center Zone with a Conditional Use Permit and complies with all other applicable provisions of this title and all other City ordinances; and

(b) The proposed use and modification is consistent with the general plan and any applicable specific plan; and

(c) The design, location, size, and operating characteristics of the proposed activities are compatible with the existing and future land uses in the vicinity; and

(d) The site is physically suitable for the type, density and intensity of uses being proposed, including access, utilities, and the absence of physical constraints; and

(e) Granting the ppermit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and

(f) The Conditional Use Permit modification has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell, approves the applicant's Conditional Use Permit application for two Vacation Dwelling Units at 117 Wildwood Avenue.

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on June 25, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Nick Angeloff, 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 185-2025 adopted by the Planning Commission of the City of Rio Dell on June 25, 2025.

Karen Dunham, City Clerk, City of Rio Dell



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

For Meeting of: June 25, 2025

☒ Consent Item; ☐ Public Hearing Item

To: Planning Commission
From: Kevin Caldwell, Community Development Director
Through: Kyle Knopp, City Manager
Date: June 17, 2025
Subject: 2024 General Plan Annual Progress Report

A handwritten signature in blue ink, appearing to be "K" or "C", located next to the "From" field.

Recommendation:

That the Planning Commission:

1. Receive and file the General Plan Annual Progress Report.

Discussion:

Every jurisdiction in the State is required to prepare an annual General Plan Progress Report. The report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for preparation of the report is provided by the Governor's Office of Planning and Research (OPR).

The purpose of the document is to report on the City of Rio Dell's progress in implementing its General Plan. The Report was presented to the City Council at their meeting of February 18, 2025. The report has been submitted to OPR as required by State law.

Attachment 1: General Plan Annual Progress Report

City of Rio Dell General Plan Annual Progress Report Year 2024



**Prepared by the
Community Development Department**

February 10, 2025

City of Rio Dell **General Plan Annual Progress Report** **Year 2024**

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I. Introduction

This report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for the preparation of the report is provided by the Governor's Office of Planning and Research (OPR).

The purpose of the document is to report on the City of Rio Dell's progress in implementing its General Plan. The document was provided to the City Council and Planning Commission for their review on February 18, 2025, and February 25, 2025, respectively, and will be submitted to OPR and the Department of Housing and Community Development following these reviews.

Background

The City adopted a comprehensive update to the General Plan in 2008. The Plan replaced, reformatted, and updated the previous General Plan in its entirety. As a result of many meetings, the General Plan was updated to include new land use designations and associated zoning text amendments.

The City's Circulation, Open Space and Conservation Elements were updated in 2013. The Safety Element was updated and adopted in 2016 and amended in 2023. The Housing Element was updated in November of 2020 and again in 2022.

All of the City's General Plan Elements and Zoning Regulations can be found at the City's website: <https://cityofriodell.ca.gov/>

Informational Document

This document is a reporting document and does not create or alter policy. The content is provided for informational purposes only and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306, Information Collection.

Organization

After the previous introductory section, a summary of projects and issues addressed in the last year is provided, and then each General Plan element is addressed. Following these topics, the City's continuing efforts to address minor implementation issues, compliance activities, and changes in state law requiring updates to the General Plan and Zoning Ordinance are addressed.

II. Plans, Projects, and Accomplishments

During 2024 the City processed numerous projects, including Building Permits, Use Permits, Lot Line Adjustments, Subdivisions(s) text amendments to both the City's Zoning Regulations and General Plan. The following summaries provide a brief overview of these projects and

programs, and are not intended to be exhaustive.

Building Permits

The Building Division of the Community Development Department issued 149 Building Permits in 2024. Total valuation of these projects was \$3,504,687.00. There were no Building permits issued for single-family homes or Accessory Dwelling Unit's (ADU's). Thirty-four (34) permits were issued for new roofs and four (4) permits for new solar systems. The City issued one-hundred-eleven (111) other permits for foundation repairs, interior improvements, electrical panel upgrades, HVAC systems, hot water heaters, and siding replacement among other things. The City received approximately \$92,095.00 in Building Permit Fees in 2024.

Planning Projects

The Planning Division processed a variety of planning projects during 2024, including Use Permits, Design Review, General Plan and Zoning Amendments, Phase II of the Dog Park project, updating the City's CDBG Guidelines, and establishing a Rental Housing Inspection Program that was approved and adopted in January 2024. Of the projects heard by the Planning Commission, General Plan and Zoning Amendments are sent to the City Council with a recommendation of approval for the Council to consider the applications.

Projects Reviewed During 2024

The following projects were reviewed by the Planning Commission and/or the City Council in 2024.

1. Amendment of the Cannabis Tax Regulations. This item related to the City's cannabis land use regulations. Staff presented an Ordinance to ensure that the City receives its cannabis taxes. Staff had significant concerns that there was a real possibility that a farmer can "grow and go" without paying their cultivation taxes. Due to the concern and the instability of the outdoor cannabis market, staff recommended that the City amend the City's Cannabis Tax regulations to establish a tax guarantee.

The text amendment allows the City, at its sole discretion, to require either a ***surety bond, a deposit in escrow, or a letter of credit*** from a bank or other responsible financial institution authorized to do such business in the state.

Result: The City Council approved the recommended text amendment.

2. Housing Text Amendments. Staff processed text amendments to **(1)** define and allow for residential care homes with six or fewer persons by right in all residential zones subject only to the same restrictions in that zone.; **(2)** Update the definition of family to state the following. Family -- "one or more persons living together in a dwelling unit."; and **(3)** provide for farm employee housing in zones that allow agriculture as a permitted use pursuant to the State

Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6.

Result: The Planning Commission and City Council approved the recommended text amendments.

3. Housing Condition Survey. Assembly Bill (AB) 101 established the REAP 1.0 grant program to accelerate housing production and facilitate compliance in implementing Housing Elements throughout the State. The Humboldt County Association of Governments (HCOAG) is administering the funds. Funds are allocated to each jurisdiction based on population

The City's approved 2019 - 2027 Housing Element identifies several goals, policies, and implementation programs addressing housing production, rehabilitation, equal opportunity to housing, infrastructure needs, energy conservation, and information needs. One of the implementation programs, Program D-2, requires the City to complete a Housing Condition Survey.

Result: The City Council approved Resolution No. 1598-2024 authorizing the application for a Regional Early Action Planning (REAP) Grant for a Housing Condition Survey. Staff made application and the application was approved. Shortly thereafter, the City's GIS intern who was scheduled to complete the Survey left the City. HCAOG allowed the City to utilize the funds to facilitate housing related text amendments.

4. Petranoff Lot Line Adjustment. Staff processed a lot line adjustment between two parcels, Lots 13 and 14 of Block Sixteen as shown on the map of the First Addition to New Rio Dell Tract, recorded April 14, 1930, in Book 11 of Maps, pages 76-79. The proposed lot line adjustment adjusted approximately 500 square feet from one parcel to another resulting in two parcels of 5,500 square and 4,500 square feet. purpose of the lot line adjustment is to is to adjust the common property line from being built over. The parcels are provided with community water and sewer.

Result: The Planning Commission approved the lot line adjustment with findings and conditions of approval.

5. Roscoe Subdivision Extension. The Planning Commission considered approving a one (1) year extension. The Planning Commission originally approved the Roscoe minor subdivision of a 2.59-acre parcel into four parcels: Parcel 1 - 6918 sq. ft.; Parcel 2 - 7,606 sq. ft.; Parcel 3 - 16,667 sq. ft.; and Parcel 4 - 91,789 sq. ft on January 18, 2022.

Result: The Planning Commission approved the extension with findings and subject to the original conditions of approval.

6. Northwestern Flower Company Conditional Use Permit for Cannabis Cultivation Expansion & Design Review. Northwestern Flower Company (Applicant and Operator) made application for a Conditional Use Permit (CUP) for the indoor cannabis cultivation of an additional 12,200 square feet of canopy. The site is currently developed with an existing two-story 19,200 square-foot building accommodating 9,600 square feet of cannabis cultivation.

The expansion is proposed to occur in two phases. **Phase I** will include a 60' x 200' building (B2) accommodating approximately 6,480 square feet of cultivation. **Phase II** will include three additional buildings, B3, B4 and B5. Buildings B3 and B4 will be 60' x 100' (6,000 square feet each) and will accommodate approximately 3,240 square feet of cultivation each. Building B5 will be 60' x 60' and will be used for drying, processing and storage.

Result: The Planning Commission approved the proposed Conditional Use Permit with findings and conditions of approval.

7. Family Humboldt Motorcycle Club Conditional Use Permit. The club acquired 185 Wildwood Avenue, formerly the Pizza Factory in December of 2023. The club use is considered a civic use which is allowed in the Town Center zone with a Conditional Use Permit.

Result: The Planning Commission approved the proposed Conditional Use Permit with findings and conditions of approval.

8. Wendt-Studebaker Lot Line Adjustment. Staff processed an application for a lot line adjustment between two parcels. Approximately 1.47 acres will be adjusted from APN 205-111-075 and added to APN 205-111-068 resulting in two parcels of 6.2+/- acres and 11.7+/- acres. The purpose of the lot line adjustment is to utilize the north boundary of the road as the common property line. The parcels are provided with community water and on-site septic systems.

Result: The Planning Commission approved the lot line adjustment with findings and conditions of approval.

9. CDBG Guidelines Minor Text Amendment. Staff processed a minor text amendment requiring a minimum of three bids for Owner Occupied Rehabilitation and Investor Owned Rehabilitation projects.

Result: The City Council approved the minor modification.

10. Vacation Dwelling Unit Regulations Minor Text Amendment. Staff processed a minor text amendment so that the appeal period is consistent with the appeal provisions identified in Section 17.35.060 of the RDMC.

Result: The Planning Commission and City Council approved the recommended text amendments.

11. 2024 CDBG NOFA Grant Application. Staff prepared a grant application on response to the Department of Housing and Community Development (HCD) 2024 NOFA for CDBG funds. The application included funds for Phase II of the Eel River Trail and funds for drainage a drainage study and construction drawings and specification for shovel ready drainage, pedestrian and street improvements for Pacific Avenue and Second Avenue.

Result: The City is awaiting the results of the grant application submittals.

12. Pre-Application Submittal to the Wildlife Conservation Board for Phase II of the Eel River Trail. Staff prepared and the City Council authorized the submittal of a pre-application to the WCB for Phase II of the Eel River Trail project in November of 2024. The Eel River Trail project includes a 1,600+/- foot Class I shared-use path (pedestrian, bicycle) with associated trailhead improvements. Phase II includes a concrete accessible switch-back style ramp structure to transition from Davis Street down to the lower trail grade. The ramp also includes stairs as part of the design of the ramp.

Result: The WCB approved the pre-application and requested that the City make a complete formal application. Staff hopes to submit the application by the end of February 2025.

13. Text Amendments to the Industrial Commercial Zoning and Land Use designation. The Rio Dell Municipal Code (RDMC) Zoning Regulations for the principal zones often refer to other zoning designations to determine allowed uses. Case in point, the Industrial Commercial (IC) zone refers to the **Industrial (I)** zone which in turn refers to compatible commercial uses described in the **Community Commercial (CC)** land use designation, which also includes conditionally permitted uses in the **Neighborhood Commercial (NC)** zone without the need to obtain a use permit.

Staff and the Planning Commission worked a land use matrix years ago, identifying what we believed were appropriate land uses for the various zoning designations. This matrix was used to develop potential principally and conditionally permitted use types. Staff presented the recommended changes to the Planning Commission at their November 2024 meeting.

Result: The Planning Commission approved the recommended changes and is recommending that the City Council approve and adopt the changes. The City Council is scheduled to consider the recommended changes at their February 18, 2025 meeting.

14. 2023 Housing Element and General Plan Annual Progress Report: Every jurisdiction in the State is required to prepare a General Plan Annual Progress Report. The 2023 report was prepared pursuant to the requirements of Government Code Section 65400. Guidance for the preparation of the report is provided by the Governor's Office of Planning and Research (OPR).

Result: The Planning Commission and City Council received and discussed the report.

Other Plans and Projects

The following discussion summarizes other projects that involved efforts from the Community Development Department, Planning Division staff in 202.

● **Parks Master Plan** – Staff presented an overview of the City’s parks and a possible Parks Master Plan. The City of Rio Dell is currently in the process of updating its Parks Master Plan. This plan will guide the future of the city's parks and recreation facilities.

- **Purpose:** The plan aims to outline the future of Rio Dell's parks. It will assess current park facilities, identify community needs, and propose improvements and developments for the coming years.
- **Community Input:** The city conducted a Parks Survey to gather input from residents. The survey is now closed, but the city thanks those who participated. This suggests that community engagement is a key part of the planning process.

● **Cannabis** - The City allows and taxes commercial cannabis activities. The Council recognized the state of the cannabis industry has changed dramatically over the past few years. The City has three outdoor farms located on the Dinsmore Plateau. In addition, there are two indoor cultivation facilities located at the Humboldt Rio Dell Business Park. There are also two cannabis retail facilities in the City. Staff continually monitors the activity of the cannabis operations within the City and changes at the State level.

● **Climate Action Plan Update**

The City has been collaborating with the County of Humboldt, the City of Eureka, the City of Arcata, the City of Blue Lake, the City of Trinidad, the City of Ferndale, the City of Fortuna to craft a regional approach for addressing the challenges of climate change through the development of a Regional Climate Action Plan (CAP).

This regional approach enables improved coordination and maximizes the effectiveness of Green House Gas (GHG) reduction measures. Throughout the development process of the draft CAP, all jurisdictions have been included in the conversations around decision-making.

The Draft Humboldt Regional Climate Action Plan was released on August 14, 2024 for its 30-day public review period. Planning Staff provided an update to the Planning Commission and City Council in October of 2024. The Draft EIR was released on February 14, 2025. Staff continues to monitor and provide input. The CAP is expected to be approved in the summer of 2025.

● Dog Park

The Planning Department assumed the lead role in the grant from the California Department of Parks and Recreation application for a proposed Dog Park. Construction of Phase I was completed in the summer 2024. Staff prepared and released a Request for Proposals (RFP) for Phase II, a small dog run in December of 2024. Construction is expected to occur in the summer of 2025.

● Nuisance Committee

The Community Development staff provides support to the City's Nuisance Committee which meets monthly. The Nuisance Committee provides oversight and advice to the Code Compliance Manager and the Police Chief on priorities and courses of action.

● Traffic Committee

The Community Development staff provides support to the City's Traffic Committee which meets on an "as-needed basis". The Traffic Committee provides oversight and advice to the City Council, City Manager and the Police Chief on priorities and courses of action, including text amendments to the City's traffic regulations.

● CDBG Loan Committee

The Community Development Director along with the City Manager and Finance Director make up the City's CDBG Loan Committee. Committee members consider applications for low- to moderate-income family's homebuyer and rehabilitation loans under CDBG grant programs. A number of loans were processed and made for repairs for earthquake damage in 2024.

III. General Plan Elements

California state law requires that every city adopt a General Plan to guide the physical development of both public and private lands within the city limits. The role of a community's general plan is to act as a "constitution;" a basis for rational decisions regarding a city's long-term physical development.

The General Plan details the City's goals and guiding principles for a variety of planning topics and is the constitution for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

- Land Use
- Circulation
- Conservation
- Open Space

- Noise
- Safety
- Housing

The elements may be combined or renamed, but basic requirements must be included. An agency may adopt any type of optional element, such as an Economic Element, at its discretion. Only the Housing Element must be certified by another agency (i.e., HCD).

The General Plan is a snap shot of a certain period in time and is both an expression of Rio Dell's community values and a legal document. The General Plan must be comprehensive, long term, and internally consistent. All of the City's other land use regulations, including zoning, subdivisions, specific plans, and redevelopment plans must conform to the General Plan. The General Plan is a bridge between these physical regulations and Rio Dell's community values, visions, and goals.

Land Use Element

The City of Rio Dell is required to periodically update their General Plan. The City adopted the current Land Use element in 2008. The prior Land Use Element was revised in 1980.

There have been a number of amendments since the adoption of the current Land Use Element. The most significant amendment occurred in 2012 when the City redesignated approximately 37 acres in the "Avenues" neighborhood from Town Center to Urban Residential. The area was redesignated after residents complained about the ability to insure residences which were considered legal non-conforming uses.

In 2022, staff discovered that residential densities were not included in the Neighborhood Center and Community Commercial designations. In addition, the Town Center designation specified a density range of 10 – 22 units per net acre. The City approved Resolution No. 1542-2022 specifying a density of up to 20 units per net acre for all three commercial designations and amending the City's Residential Multifamily and commercial land use designations to include State mandated Supportive and Transitional Housing projects and Low Barrier Navigation Centers.

Circulation Element

The Circulation Element was adopted in 2013. The previous Circulation Element was adopted in 1977.

The Circulation Element identifies the guiding principles for moving people and goods within the City and identifies the infrastructure necessary to assure that the transportation network will serve the City at General Plan build-out.

A majority of trips are made by automobile. The Circulation Element identifies the roadway system necessary for automobile traffic by setting levels of service, hierarchy of roads, and

areas where road improvements are necessary.

The Circulation Element also identifies alternative travel modes, such as walking, bicycles, bus transit, and rail transit. The alternative transportation is important to reduce pressure on roads, conserve energy, and improve the public health through exercise.

The road system provides many functions in addition to carrying vehicle traffic. It provides open space separating dwelling units and commercial uses. If properly landscaped, street side landscaping provides location for trees to support the urban forest. If developed with safe pedestrian and bike ways, it serves as a non-motorized transportation corridor, a linear park, and an attractive network for healthy exercise. If properly designed, it provides the background for the community urban design and appearance. Finally, it provides the right of way for most of the City's public utilities infrastructure.

Conservation and Open Space Element

The previous Conservation Element was adopted in 2001 and the previous Open Space Element was adopted in 1972. The current Open Space and Conservation Element was adopted in 2013.

The Open Space and Conservation Element is concerned with the conservation of natural resources and the provision of open space within community. Open Space and Conservation are combined because the natural resources and open space provide the framework for the built areas of the City, and the overall appearance of the City integrates natural and man-made elements.

The primary vision of the Open Space and Conservation element is to maintain and encourage development that compliments the natural visual setting of Rio Dell. The City is located in a portion of the County with high quality aesthetic value due to its many natural and community resources. The bluffs on the east side of the City provide outstanding aesthetic value. In addition, Rio Dell is at a transition point where the Eel River Valley's redwood covered slopes open up to the broad Eel River delta. Sweeping vistas associated with the Eel River valley contribute to the City aesthetic setting.

The Conservation Element guides the conservation, development, and utilization of natural resources (water, forests, soils, rivers, mineral deposits, and others), while the Open Space Element guides the comprehensive and long-range preservation and conservation of open-space lands, including parks. Together, these elements present a framework of goals and policies for use and protection of all the natural resource and open space assets of the City.

Conservation goals include development, and utilization of natural resources such as water and its hydraulic force, forests, soils, rivers and other waters, fisheries, wildlife, minerals, and cultural resources. Open space goals include limiting hillside development, creek and river setback areas, biologically sensitive habitat, and natural forests.

The Open Space and Conservation elements address the conservation of open space lands, including issues related to working lands and park lands, the orderly development of residential land, and coordination with other agency programs related to conserving open space lands.

State planning law provides a detailed description of open space lands and the topics that must be addressed in the Open Space and Conservation Elements. These topics include Open Space for the Preservation of Natural Resources, Open Space for the Managed Production of Resources, Open Space for Outdoor Recreation and Open Space for Public Health and Safety:

State law (Government Code 65560 et seq.) requires a local open-space plan (element) for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction, and that the open space plan contain an action program that identifies how the plan or element is to be implemented.

The City continues to consult with tribal intergovernmental representatives to conserve and protect cultural and historical resources. Cooperation with the two incorporated cities, special districts, and State and Federal agencies continues to preserve the County's cultural heritage, historical and archaeological structures, sites, and landmarks.

Noise Element

The Noise Element is one of the City's older General Plan Elements. It was approved and adopted in August of 2001. Although noise standards have not dramatically changed since 2001, City staff hopes to update the Noise Element in 2024.

Government Code Section 65302(f) requires each California city and county to include within its general plan a noise element that analyzes and quantifies noise levels and the extent of noise exposure in their jurisdictions from the following sources:

- Highways and freeways;
- Primary arterial and major local streets;
- Passenger and freight online railroad operations and ground rapid transit systems;
- Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation;
- Local industrial plants, including, but not limited to, railroad classification yards; and
- Other ground stationary noise sources identified by local agencies as contributing to the community noise environment.

The Noise Element is required to map noise level contours such that it may be used as a basis

for land use decisions. It must include implementation measures and possible solutions to existing and foreseeable noise problems. Furthermore, the policies and standards of the Noise Element must be sufficient to serve as a guideline for compliance with sound transmission control requirements.

The Noise Element aims to protect the City's residents and visitors from the harmful and annoying effects of exposure to excessive noise. The primary source of noise within the City is Highway 101.

Safety Element

The Safety Element was updated and adopted in 2016. The purpose of the safety element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, earthquakes, landslides, and other hazards. The safety element overlaps topics also mandated in the land use, conservation, and open-space elements. The components of this Element include:

- Geologic/Seismic Hazards
- Flood Hazards
- Fire Hazards
- Airport Safety
- Industrial Hazards
- Hazardous Materials
- Emergency Management

The safety element must identify hazards and hazard abatement provisions to guide local decisions related to zoning, subdivisions, and entitlement permits. The element contains general hazard and risk reduction strategies and policies supporting hazard mitigation measures. Policies address the identification of hazards and emergency response, as well as mitigation through avoidance of hazards by new projects and reduction of risk in developed areas.

Land development is subject to a number of hazards to life and property, including seismic and non-seismic land instability, flooding, fire, and dangers from airport operations.

The degree of risk associated with these hazards can only be measured in relative terms. What constitutes 'acceptable risk' varies with the type of development involved. For instance, a hospital should meet very strict earthquake standards in order to ensure that it is able to function in the event of a serious earthquake. A warehouse, on the other hand, would not need to be designed to the same rigorous standards because its functions during an earthquake would not be critical to the community's response to the emergency, nor would it pose serious risk to large numbers of people should it fail.

The General Plan manages risk through the use of land use designations to limit exposure to hazardous areas and through policies tailored to specific hazardous conditions. The goals,

policies and implementation measures of this Element are many of the same existing policies found in Chapter 5, the Open Space and Conservation Element. All of the goals, policies and implementation measures are designed to proactively improve overall safety conditions within the City.

As mentioned previously, the City Safety Element was updated in 2023 to include a brief discussion on the December 20, 2022 and January 1, 2023 earthquakes and to incorporate the County Local Hazard Mitigation Plan (LHMP) by reference and to include the Rio Dell element of the LHMP in the Safety Element.

Housing Element

The Housing Element identifies existing and projected housing needs and establishes goals, policies, standards, and implementation measures for the preservation, improvement, and development of housing in the City of Rio Dell (City). It meets detailed requirements of state Housing Element law, including requirements for a residential land inventory sufficient to meet the City's share of the state-prescribed regional housing need. The Housing Element is the component of the City's General Plan that provides an eight-year vision for housing.

The California housing element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. This document presents an effective housing element that discusses the necessary conditions for preserving and producing an adequate supply of affordable housing. Among other things, the housing element provides an inventory of land adequately zoned or planned to be zoned for housing, certainty in permit processing procedures, and a commitment to assist in housing development through regulatory concessions and incentives.

The California state legislature has identified the attainment of a decent home and suitable living environment for every resident as the state's major housing goal. Recognizing the important role of local planning programs in pursuing this goal, the legislature has mandated that all cities and counties prepare a housing element as part of their comprehensive general plan. Section 65302(c) of the Government Code sets forth the specific components to be contained in a community's housing element.

The primary purpose of a housing element is to:

- Preserve and improve housing and neighborhoods,
- Provide adequate housing sites,
- Assist in the provision of affordable housing,
- Remove governmental constraints to housing investment, and
- Promote fair and equal housing opportunities.

This Housing Element consists of the following sections:

1. Housing Goals, Policies, and Programs
2. Review of the Previous Housing Element Programs
3. Housing Needs Assessment
4. Housing Resources
5. Housing Constraints
6. Quantified Objectives

California law requires that each city and county, when preparing its state-mandated housing element, develop local housing programs to meet its “fair share” of existing and future housing needs for all income groups. This fair-share concept seeks to ensure that each jurisdiction provides housing for its residents with a variety appropriate to their needs. The fair share is allocated to each city and the county by HCD. One of the major goals of the housing element is to develop policies and programs to meet the goals established through the fair-share allocation.

State law requires local governments to provide adequate sites for the construction of housing to meet the Regional Housing Needs Assessment (RHNA) plan. Table 26 presents the fair-share allocation for each city in Humboldt County as well as the unincorporated County area during the sixth-cycle Housing Element planning period, as published in the Humboldt County Association of Governments (HCAOG) Regional Housing Needs Plan (RHNP).

Meeting the housing needs of the City’s residents is an important goal for the City. The Housing Element works to provide housing for all of the community, and addresses the needs of specified populations based on income. The City is not obligated to ensure the units are built, the City only needs to ensure that sites are available for the units. At present, the City is responsible for accounting for potential development sites for both its fifth- and sixth cycle RHNA allocation in this Housing Element Update. Accordingly, the City will need to identify sites for a total of 82 units, as shown in Table 28 of the Housing Element.

Table 28
Comparison of the Regional Housing Need and Residential Sites Capacity

Income Group	Fifth and Sixth Cycle RHNA	Approved Project Capacity	Remaining RHNA	Site Inventory Capacity	Projected ADU Capacity	RHNA Surplus
Very Low	20	25	7	38	30	61
Low	12					
Moderate	13		13	28	10	25
Above Moderate	37	1	36	22	--	0*
Total	82	26	56	88	40	72

Source: City of Rio Dell 2020; HCAOG.

* It is assumed that surplus from other income categories would provide additional capacity for the above moderate-income group.

Table 28 of the Housing Element compares the City of Rio Dell's RHNA to the site inventory capacity. Based on the River Bluff Cottages, and the current sites capacity, the City has a surplus of 61 units available to lower-income households (including extremely low-, very low), 25 units available to moderate-income households. The City's biggest need for housing is for Above Moderate housing sites.

In 2023, Calfire purchased what is locally known as the Todd property. The Todd property is an 18+/- acre parcel that was and still is designated Community Commercial. The acquisition by CalFire is truly a "game-changer" for the City. Not only was the City's largest prime commercial site removed from potential commercial, visitor-serving, housing, all tax-generating uses, it also had a significant impact on our Housing Element. Approximately 100 units were identified on the Todd property. Staff hopes to initiate a comprehensive General Plan update to redesignate properties in the City in 2025-2026 to make up for the potential loss.

The City continues to work with service providers to provide for the needs of lower- income households, the disabled, and other special needs populations, per the direction provided in the Housing Element.

IV. General Plan and Zoning Code Updates

In 2023 City staff continued to identify and address minor implementation issues based on specific projects, compliance activities, and changes in state law that affect these land use documents. Amendments to the Zoning Code were completed addressing these issues. This update approach will be repeated on an as-needed basis.

V. Conclusion

The General Plan is the City's constitution, development blue-print and guiding vision. Upkeep and maintenance of the General Plan is a continuous process. The City implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process.

The City conducted many planning activities in 2024, as identified in this report, and continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures. Updates to the remainder of the General Plan and the zoning ordinance are expected to continue to move forward in 2025.



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

For the Meeting of June 25, 2025

☐ Consent Item; ☒ Public Hearing Item

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: June 10, 2025

Subject: State Mandated Housing Text Amendments (1) Density Bonus Regulations Section 17.30.110; (2) Reasonable Accommodations Regulations, Section 17.30.290; (3) Single Room Occupancy Units Section 17.30.320; and (4) amending the Town Center (TC) and Residential Multifamily (RM) designations to allow Single Room Occupancy Units.

Recommendation:

That the Planning Commission:

1. Allow staff to introduce and discuss Ordinance No. 415-2025 (1) repealing the existing Density Bonus Regulations, establishing new Density Bonus Regulations, Section 17.30.110; (2) establishing new Reasonable Accommodations Regulations, Section 17.30.290; (3) Single Room Occupancy Units Section 17.30.320 of the Rio Dell Municipal Code (RDMC); and (4) amending the Town Center (TC) and Residential Multifamily (RM) designations to allow Single Room Occupancy Units.

2. Open the public hearing, receive public input, and deliberate; and
3. Adopt Resolution No. 183-2025 recommending that the City Council adopt Ordinance No. 415-2025 amend the City's Zoning Regulations to be consistent with State law.

Background

The Housing element contains a number of policies and programs mandated by the State to encourage and facilitate housing opportunities. The Department of Housing and Community Development recently reached out to the City on our progress in implementing some of the required programs.

Program B-2 of the Housing Element requires a number of zoning text amendments, including Density Bonus, Reasonable Accommodations, and Single Room Occupancy Units (SRO's). The recommended amendments will bring the City into compliance with these State mandates.

Density Bonus

The City's current Density Bonus Regulations do not comply with current State Law. The California Density Bonus Law, codified in California Government Code Sections 65915-65918, incentivizes affordable housing development by allowing developers to increase the density of their projects in exchange for providing a certain percentage of below-market-rate units. This law mandates that cities and counties grant a density bonus (and other incentives/concessions) to housing developments that include a specified percentage of affordable units for low-income, very-low income, senior citizen, moderate-income, or student housing. The bonus amount is based on the percentage of affordable units, with higher percentages leading to greater bonuses.

Reasonable Accommodation

California, like federal law, mandates reasonable accommodations in housing for individuals with disabilities. This is primarily enforced through the **California Fair Employment and Housing Act (FEHA)**, which often provides broader protections than federal statutes like the Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA).

A reasonable accommodation request includes any encroachment into the front yard setback area, results in a building size increase above what is allowed in the applicable zoning district with respect to height, lot coverage and floor area ratio maximums, or whenever a reduction in required parking is requested. The request is an administrative process reviewed and approved by the Planning Director. The Planning Director or appointed designee may refer the matter to the Planning Commission, as appropriate. The process is identified in the draft ordinance.

Single Room Occupancy Units

California recognizes Single Room Occupancy (SRO) units as a vital component of its affordable housing strategy, particularly for lower-income individuals and those transitioning out of homelessness. While there isn't one single statewide "SRO regulation" that covers every detail, SROs are governed by a combination of state laws, the California Building Standards Code (Title 24 of the California Code of Regulations), and most importantly, local ordinances that interpret and apply these general frameworks.

"Single room occupancy" means a facility providing six or more dwelling units where each unit has a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.

The draft regulations include a number of development standards. Please refer to the draft regulations which satisfy the State's requirements for SRO's.

Town Center and Residential Multifamily

Staff is recommending that SRO's be allowed in the Town Center zone on the upper floor of multistory commercial buildings and the Residential Multifamily zone.

Attachment 1: Draft Ordinance No. 415-2025

Attachment 2: Resolution No. 183-2025 recommending that the City Council adopt Ordinance No. 415-2025 amend the City's Zoning Regulations to be consistent with State law.

ORDINANCE NO. 415-2025



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING
CHAPTER 17, "ZONING," OF THE MUNICIPAL CODE TO UPDATE THE CITY'S
DENSITY BONUS ORDINANCE TO REFLECT CHANGES MADE IN STATE LAW,
ESTABLISH REASONABLE ACCOMMODATION'S REQUEST AND SINGLE ROOM
OCCUPANCY REGULATIONS AND AMEND THE TOWN CENTER AND RESIDENTIAL
MULTIFAMILY DESIGNATIONS TO ALLOW SINGLE ROOM OCCUPANCY USES**

WHEREAS, Sections 65915 et seq. of the California Government Code, known as State Density Bonus Law, requires the City to provide a developer that proposes a housing development within the jurisdictional boundaries of the City containing affordable and other types of housing with a density bonus and other incentives; and

WHEREAS, California Government Code Section 65915(a) requires that all jurisdictions within the state adopt an ordinance that specifies how compliance with State Density Bonus Law will be implemented; and

WHEREAS, since adoption of the City's current density bonus ordinance, the State Legislature has passed, and the Governor has signed into law numerous changes to State Density Bonus Law; and

WHEREAS, California, like federal law, mandates reasonable accommodations in housing for individuals with disabilities; and

WHEREAS a reasonable accommodation request includes any encroachment into the front yard setback area, results in a building size increase above what is allowed in the applicable zoning district with respect to height, lot coverage and floor area ratio maximums, or whenever a reduction in required parking is requested; and

WHEREAS, California recognizes Single Room Occupancy (SRO) units as a vital component of its affordable housing strategy, particularly for lower-income individuals and those transitioning out of homelessness; and

WHEREAS, in order to accommodate Single Room Occupancy Units, the Town Center and Residential Multifamily designations must be amended; and

WHEREAS, the 2019- 2027 Housing Element, which was adopted on November 3, 2020, and subsequently found in compliance with housing element law by the California Department of Housing and Community Development, provides that the City will update its Density Bonus regulations, Reasonable Accommodation regulations and Single Room Occupancy regulations to comply with State law; 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 I. 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.

(a) Chapter 17.30 of the Rio Dell Municipal Code is amended as follows:

- 17.30.290 Recreational vehicle park development standards.
- 17.30.300 ~~Removal of natural materials.~~ Reasonable accommodations.
- 17.30.310 ~~Repealed.~~ Removal of natural materials.
- 17.30.320 ~~Signs and nameplates.~~ Single room occupancies.
- 17.30.330 ~~Street dedication and improvement.~~ Signs and nameplates.
- 17.30.340 ~~Swimming pools.~~ Street dedication and improvement.
- 17.30.350 ~~Tract offices.~~ Swimming pools.
- 17.30.360 ~~Vacation dwelling units.~~ Tract offices.
- 17.30.370 Vacation dwelling units.

(b) Section 17.30.110, Density Bonus regulations of Chapter 17 of the Rio Dell Municipal Code is repealed and replaced with the Ordinance shown in Exhibit "A" attached hereto and incorporated herein by reference.

(c) Section 17.30.300, Reasonable Accommodation regulations of Chapter 17 of the Rio Dell Municipal Code are established with the Ordinance shown in Exhibit "B" attached hereto and incorporated herein by reference.

(d) Section 17.30.320, Single Room Occupancy Units of Chapter 17 of the Rio Dell Municipal Code are established with the Ordinance shown in Exhibit "C" attached hereto and incorporated herein by reference.

(e) Section 17.20.040, the Town Center regulations and Section 17.20.035 Residential Multifamily regulations are hereby amended with the Ordinance shown in Exhibit “D” attached hereto and incorporated herein by reference.

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

The City Council finds that this Ordinance is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (the common sense exemption) because it can be seen with certainty that there is no possibility that the adoption of this ordinance may have a significant effect on the environment, in that the ordinance merely implements the provisions of state law and includes no provisions beyond those included in State Density Bonus Law that may result in a direct or indirect impact on the physical environment.

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 June 3, 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 June 17, 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. 415-2025 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on June 17, 2025.

Karen Dunham, City Clerk, City of Rio Dell

EXHIBIT “A”
Section 17.30.110 - Chapter 17
DENSITY BONUS

17.30.110 Density Bonus

(1) **Purpose.** In accordance with California Government Code Sections 65915, et seq., this Division specifies how compliance with State Density Bonus Law will be implemented. Specifically, the purpose of this Division is to provide density bonuses, incentives, concessions, and waivers of development standards for the production of housing for very low -, low-, and moderate-income households, senior households, provision of daycare facilities, student housing, and donations of land, and for other housing types as provided by state law. In enacting this Division, it is also the intent of the City to implement the goals, objectives, and policies of the City’s Housing Element of the General Plan.

(2) **Definitions.** The definitions found in State Density Bonus Law shall apply to the terms contained in this Division. “Incentives” include “concessions” as defined in State Density Bonus Law.

(3) Application Requirements.

(a) An applicant for a “housing development” as defined in State Density Bonus Law shall be eligible for a density bonus and other regulatory benefits that are provided by State Density Bonus Law when the applicant seeks and agrees to provide housing as specified in Government Code Section 65915(b), (c), (f), (g), (h), and (v), or in Government Code Section 65195.5, or successor provisions. The density bonus calculations shall be made in accordance with State Density Bonus Law.

(b) The granting of a density bonus, incentive, or concession, pursuant to this Division, shall not be interpreted, in and of itself, to require a general plan amendment, development code amendment, zone change, other discretionary approval, or the waiver of a City ordinance or provisions of a City ordinance unrelated to development standards.

(c) All requests for density bonuses, incentives, parking reductions, and waivers for a housing development shall be filed with and on a form provided by the Community Development Director, or their designee, concurrently with the filing of the planning application for the first discretionary or ministerial permit required for the housing development, whichever permit is earliest. The applicant shall be informed whether the application is complete consistent with Government Code Section 65943.

(d) The application shall include the required fee and the following minimum information:

(l) For a requested density bonus.

(aa) Summary table showing the maximum number of dwelling units permitted by the zoning and general plan excluding any density bonus units, proposed affordable units by income level, proposed bonus percentage, number of density bonus units proposed, total number of dwelling units proposed on the site, and resulting density in units per acre.

(bb) Subparagraph of Government Code Section 65915(b)(1) under which the housing development qualifies for a density bonus and reasonable documentation demonstrating that the housing development is eligible for a bonus under that subparagraph.

(cc) Where the housing development is seeking an additional bonus, the subparagraph of Government Code Section 65915(v)(1) under which the housing development qualifies for an additional density bonus and reasonable documentation demonstrating that the housing development is eligible for the additional bonus under that subparagraph.

(dd) A tentative map or preliminary site plan, drawn to scale, showing the number and location of all proposed units, designating the location of proposed affordable units and density bonus units.

(ee) The zoning and general plan designations and assessor's parcel number(s) of the housing development site.

(ff) A description of all dwelling units existing on the site in the five-year period preceding the date of submittal of the application and identification of any units rented in the five-year period; subject to any form of rent control through a public entity's valid exercise of its police power; or subject to a recorded covenant ordinance, or law restricting rents to levels affordable to households of lower or very low income.

(gg) If dwelling units on the site are currently rented, income and household size of all residents of currently occupied units, if known. If any dwelling units on the site were rented in the five-year period, but are not currently rented, the income and household size of residents occupying the dwelling units when the site contained the maximum number of dwelling units, if known.

(hh) The phasing of the construction of the affordable housing units in relation to the nonrestricted units in the housing development.

(ii) If a density bonus is requested for a land donation, the location of the land to be dedicated, proof of site control, and reasonable documentation that each of the requirements included in Government Code Section 65915 (g) can be met.

(II) **Requested incentives.** Incentives are those defined by State Density Bonus Law. The number of incentives that may be requested shall be based upon the number the applicant is entitled to pursuant to State Density Bonus Law. The application shall include the following minimum information for each incentive requested, shown on a site plan (if appropriate):

(aa) The City's usual regulation and the requested regulatory incentive or concession.

(bb) Except where mixed- use zoning is proposed as a concession or incentive, reasonable documentation to show that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs or rents.

(cc) If approval of mixed-use zoning is proposed, reasonable documentation that nonresidential land uses will reduce the costs of the housing development, that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area where the proposed housing development will be located, and that mixed- use zoning will provide for affordable housing costs and rents.

(III) Requested waivers. For each waiver requested, the applicant shall include a list, and shown on a site plan (if possible), the City's required development standard and the requested development standard.

(IV) Parking reductions. If a housing development is eligible for a density bonus pursuant to State Density Bonus Law, the applicant may request an on -site vehicular parking ratio specified in Government Code Section 65915(p). An applicant may request this parking reduction in addition to the incentives and waivers permitted by paragraphs (2) and (3) of this subsection. The application shall include a table showing parking required by the zoning regulations, parking proposed under State Density Bonus Law, paragraph under Government Code Section 65915(p) (or other statute) under which the project qualifies for the parking reduction, and reasonable documentation that the project is eligible for the requested parking reduction.

(V) Density bonus or incentive for a childcare facility in a housing development. The application shall include reasonable documentation that all of the requirements included in Government Code Section 65915(h) can be met.

(VI) Density bonus or incentive for a condominium conversion. The application shall include reasonable documentation that all of the requirements included in Government Code Section 65915. 5 can be met.

(4) Application review process.

(a) All requests under State Density Bonus Law shall be part of the planning application and shall be applied for, reviewed, and acted upon concurrently with the planning application by the approval body with authority to approve the development, within the timelines prescribed by California Government Code Section 65950 et seq. or other statute. Appeals of the planning application in accordance with the requirements of the Rio Dell Municipal Code shall include all requests under State Density Bonus Law if appeals are authorized for the discretionary or ministerial permit applied for.

(b) To ensure that an application for a housing development conforms with the provisions of State Density Bonus Law, the staff report presented to the decision -making body shall state whether the application conforms to the following requirements of State Density Bonus Law, as applicable:

(I) The housing development provides the housing required by State Density Bonus Law to be eligible for a density bonus and any incentives, parking reduction, or waivers requested, including housing required to replace units rented or formerly rented to very low- and low-income households as required by California Government Code Section 65915(c)(3).

(II) If applicable, the housing development provides the housing required by State Density Bonus law to be eligible for an additional density bonus under Government Code Section 65915(v)(1).

(III) If an incentive is requested, reasonable documentation has been presented showing that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing or costs or rents; except that, if a mixed-use development is requested, the application must instead meet all of the requirements of Government Code Section 65915(k)(2).

(IV) If a waiver is requested, the development standards for which a waiver is requested would have the effect of physically precluding the construction of the housing development at the densities or with the incentives permitted.

(V) The housing development is eligible for any requested parking reductions under Government Code Section 65915(p) or other statute.

(VI) If the density bonus is based all or in part on donation of land, the requirements of Government Code Section 65915(g) have been met.

(VII) If the density bonus or incentive is based all or in part on the inclusion of a child care facility or condominium conversion, the requirements included in Government Code Section 65915(h) or 65915.5, as appropriate, have been met.

(c) The decision-making body shall grant an incentive requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:

(I) The proposed incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5; or for affordable rents, as defined in Health and Safety Code Section 50053; or

(II) The proposed incentive would be contrary to state or federal law; or

(III) The proposed incentive would have a specific, adverse impact upon the public health or safety or on any real property that is listed in the California Register of Historic Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low - and moderate- income households. For the purpose of this subsection, “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete as defined in Government Code Section 65589. 5.

d) The decision- making body shall grant the waiver of development standards requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:

(I) The proposed waiver would be contrary to state or federal law; or

(II) The proposed waiver would have an adverse impact on any real property listed in the California Register of Historic Resources; or

(III) The proposed waiver would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low -and moderate-income households. For the purpose of this subsection, “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete as defined in Government Code Section 65589.5.

e) If a child care center complies with the requirements of Government Code Section 65915(h), the decision-making body may deny a density bonus or incentive that is based on the

provision of child care facilities only if it makes a written finding, based on substantial evidence, that the City already has adequate child care facilities.

f) A request for minor modification of an approved density bonus housing plan may be granted by the City Manager, or their designee, if the modification substantially complies with the original density bonus housing plan and conditions of approval. Other modifications to the density bonus housing plan shall be processed in the same manner as the original plan.

5. Density bonus housing agreement.

(a) If a density bonus, incentive, parking reduction, or waiver is approved pursuant to this Division, the applicant shall enter into a binding affordable housing agreement and/ or restrictive covenant, as described below, with the City, which sets forth the conditions and guidelines to be met in the implementation of State Density Bonus Law and that ensures compliance with all of the provisions of this chapter. The agreement will also establish specific compliance standards and remedies available to the City upon failure by the applicant to comply with State Density Bonus Law, this Division, or the affordable housing agreement.

(b) For rental projects, the applicant shall enter into an affordable housing agreement with the City, running with the land, in a form approved by the City Attorney, to be executed by the City Manager, or their designee. The agreement shall require the continued affordability of all rental units that qualified the applicant for the receipt of the density bonus, incentive, waiver, or parking reduction for a minimum of 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program; shall identify the type, size and location of each affordable unit; shall specify the eligible occupants; shall specify phasing of the affordable units in relation to the market- rate units; and shall contain other relevant provisions approved by the City Attorney. Rents for the lower income density bonus units shall be set at an affordable rent as defined in State Density Bonus Law.

(c) For for-sale projects, the applicant shall enter into an affordable housing agreement with the City, running with the land, in a form approved by the City Attorney, to be executed by the City Manager, or their designee. The affordable housing agreement shall require that, the initial purchasers of those for-sale units that qualified the applicant for the receipt of the density bonus, incentive, waiver, or parking reduction are persons and families of lower or moderate income, as applicable, or if any for-sale unit is not purchased by an income-qualified household within one-hundred eighty (180) days after the issuance of the certificate of occupancy, then the unit(s) must be sold pursuant to a contract that satisfies the requirements of Revenue and Taxation Code Section 402.1(a)(10) to a qualified non-profit housing corporation as defined in State Density Bonus Law and that the units are offered at an affordable housing cost, as that cost is defined in Health and Safety Code Section 50052.5; and shall contain other relevant provisions approved by the City Attorney. The City shall enforce an equity sharing agreement consistent with State Density Bonus Law unless it is in conflict with

the requirements of another public funding source or law. The affordable housing agreement shall require the continued affordability of the for-sale units for 45 years.

d) Where a density bonus, waiver, or parking reduction is provided for a market-rate senior housing development, the applicant shall enter into a restrictive covenant with the City, running with the land, in a form approved by the City Attorney, to be executed by the City Manager, or their designee, to require the housing development to be operated as "housing for older persons" consistent with state and federal fair housing laws.

e) The executed affordable housing agreement shall be recorded against the housing development prior to final or parcel map approval, or, where a map is not being processed, prior to issuance of building permits for the housing development, whichever is earliest. The affordable housing agreement shall be binding on all future owners and successors in interest.

6. Density bonus calculations.

(a) In determining the total number of units to be granted, each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

(b) When calculating the number of affordable units needed to qualify for a given density bonus, any fractions of affordable dwelling units shall be rounded up to the next whole number.

(c) Except where a housing development is eligible for an additional bonus, pursuant to Government Code Section 65915(v), each housing development is entitled to only one density bonus. If a housing development qualifies for a density bonus under more than one category, the applicant shall identify the category under which the density bonus is requested to be granted.

(d) In determining the number of affordable units required to qualify a housing development for a density bonus pursuant to State Density Bonus Law, units added by a density bonus are not included in the calculations.

(e) The applicant may elect to accept a lesser percentage of density bonus than the housing development is entitled to, or no density bonus, but no reduction will be permitted in the percentages of affordable units required by State Density Bonus law. Regardless of the number of affordable units, no housing development shall be entitled to a density bonus greater than what is authorized under State Density Bonus Law.

(f) Nothing in this Division requires the provision of direct financial incentives from the City for the housing development, including, but not limited to, the provision of financial subsidies, publicly owned land, fee waivers, or waiver of dedication requirements. The City, at

its sole discretion, may choose to provide such direct financial incentives.

7. Development standards.

a) Building permits and final inspections or certificates of occupancy shall be issued concurrently for the market rate units and for any affordable units that qualified the project for a density bonus, incentive, waiver, or parking reduction, so that the affordable units comprise the required percentage of total units.

b) The external finish appearance of affordable units shall be indiscernible from that of the market rate units in the project. The internal finish of affordable units shall be identical to those of the market rate units in the project, except that the applicant may request City approval of substitutions for luxury interior finishes, appliances, or fixtures, if such substitutions do not violate any other City Code requirement.

c) To comply with fair housing laws, the affordable units shall contain the same proportional mix of bedroom sizes as the market- rate units. In mixed- income buildings, the occupants of the affordable units shall have the same access to the common entrances and to the common areas, parking, and amenities of the project as the occupants of the market -rate housing units, and the affordable units shall be located throughout the building and not isolated on one floor or to an area on a specific floor.

8. Density bonus for commercial development.

A Commercial Development may request and receive a Development Bonus pursuant to the provisions of Government Code Section 65915.7.

9. Interpretation.

If any portion of this Division conflicts with State Density Bonus Law or other applicable state law, state law shall supersede this Division. Any ambiguities in this Division shall be interpreted to be consistent with State Density Bonus Law. Statutory references in this Division include successor provisions.

EXHIBIT “B”
Section 17.30.290 - Chapter 17
REASONABLE ACCOMMODATION

Section 17.30.290 REASONABLE ACCOMMODATION

(1) Purpose and intent.

This chapter is established pursuant to the provisions of California Government Code Sections 12927(c)(1) and 12955(1) to provide a formal procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies and procedures, and to establish relevant criteria to be used when considering such requests.

(2) Applicability.

In order to make specific housing available to an individual with a disability, any person may request a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This chapter applies only to those persons who are defined as disabled under the Acts.

(3) Application process.

(a) In order to make housing available to an individual with a disability, an applicant may request a reasonable accommodation in zoning and other land use regulations, policies, practices and procedures.

(b) All requests shall be reasonable and limited to the minimum that the applicant believes is necessary to accommodate the disability. Requests for reasonable accommodation shall be submitted via a form approved by the Planning Department, together with the appropriate fee, as established by resolution adopted by the City Council, and shall be filed with the Planning Department. The applicant is requested to provide the following information:

- (i) Name and address of the applicant;
- (ii) Name and address of the property owner(s);
- (iii) Address of the property for which accommodation is requested;
- (iv) The current use of the property for which accommodation is requested;

(v) Description of the requested accommodation, and the regulation(s), policy or procedure for which accommodation is sought, which could include site plans, floor plans, and/or details as necessary to define the extent of the accommodation;

(vi) The basis for the claim that the fair housing laws apply to the individual(s) with a disability and evidence supporting the claim, which may be in the form of a letter from a medical doctor or other licensed healthcare professional, a handicapped license, or other appropriate evidence;

(vii) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the property; and

(viii) How the property will be used by the applicant and individual(s) with disabilities.

(c) Any information identified by the applicant as confidential shall be retained by the City in a manner so as to respect the privacy rights of the individual with a disability and shall not be made available for public inspection.

(d) A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an applicant's obligation to comply with other applicable regulations not at issue in the requested reasonable accommodation.

(e) If an individual needs assistance in making the request for reasonable accommodation, the City will provide assistance to ensure that the process is accessible. Such assistance shall be limited to that which can be provided by existing City staff, and in no case shall the City be responsible for hiring any outside expert to assist an individual.

(f) The fee for an application for reasonable accommodation shall be established by resolution of the City Council.

(4) Approval process.

(a) Administrative Review. The Planning Director or an appointed designee has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter. The Planning Director or appointed designee may refer the matter to the Planning Commission, as appropriate.

(b) Planning Commission Review. The Planning Commission has the authority to review and decide upon requests for reasonable accommodation, including whether the applicant is a disabled person within the meaning of this chapter, when referred by the Planning Director or when a reasonable accommodation request includes any encroachment into the front yard setback area, results in a building size increase above what is allowed in the applicable zoning district with respect to height, lot coverage and floor area ratio maximums, or whenever a reduction in required parking is requested.

(c) Notice. No advance notice or public hearing is required for consideration of reasonable accommodation requests by the Planning Director. Requests for reasonable accommodation subject to review by the Planning Commission shall require advance notice and a public hearing pursuant to the requirements of Chapter 17.35 of the Rio Dell Municipal Code.

(d) Decision. The Planning Director or an appointed designee shall render a decision or refer the matter to the Planning Commission within 30 days after the application is complete, and shall approve, approve with conditions or deny the application, based on the findings set forth in Chapter 17.35 of the Rio Dell Municipal Code. The decision shall be in writing and mailed to the applicant.

(i) If the application for reasonable accommodation involves another discretionary decision, the reviewing body for that decision shall accept as final the determination regarding reasonable accommodation by the Planning Director or an appointed designee, unless the reasonable accommodation request has been referred by the Planning Director or an appointed designee to the Planning Commission for consideration.

(ii) If the application for reasonable accommodation is referred to, or reviewed by, the Planning Commission, a decision to approve, approve with conditions, or deny the application shall be rendered within 20 working days after the close of the public hearing, based on the findings set forth above.

(5) Findings and decision.

(a) Any decision on an application under this chapter shall be supported by written findings addressing the criteria set forth in this subsection. An application under this chapter for a reasonable accommodation shall be granted if all of the following findings are made:

(i) The housing, which is the subject of the request, will be used by an individual disabled as defined under the Acts.

(ii) The requested reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.

(iii) The requested reasonable accommodation would not impose an undue financial or administrative burden on the City.

(iv) The requested reasonable accommodation would not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning.

(v) There are no reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the City's applicable rules, standards and practices.

(b) In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by subsection (a) of this section.

(6) Appeals determination.

Any decision on an application under this chapter shall be subject to appeal pursuant to Section 17.35.060 of the Rio Dell Municipal Code.

EXHIBIT "C"
Section 17.30.320 - Chapter 17
SINGLE ROOM OCCUPANCY UNITS

Section 17.30.320 SINGLE ROOM OCCUPANCY UNITS

(1) Purpose and intent.

It is the purpose and intent of this chapter to regulate the development and operation of single room occupancy land uses. Single room occupancy (SRO) units provide housing opportunities for lower-income individuals, persons with disabilities, seniors, and formerly homeless individuals.

(2) Definitions.

For the purposes of this chapter, the following word shall have the meaning respectively ascribed to it in this section:

"Single room occupancy" means a facility providing six or more dwelling units where each unit has a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.

(3) Standards.

(a) Single Room Occupancy Units. The following standards apply to single room occupancy units. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this section shall apply.

(i) Unit Size. The minimum size of a unit shall be one hundred fifty (150) square feet and the maximum size shall be four hundred (400) square feet.

(ii) Bathroom Facilities. An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink, and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with California Building Code for congregate residences with at least one full bathroom per every three units on a floor.

(iii) Kitchen. An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator, and a stove, range top, or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.

(iv) Closet. Each SRO shall have a separate closet.

(v) Code Compliance. All SRO units shall comply with all requirements of the California Building Code.

(b) Single Room Occupancy Facilities. In addition to the development standards in the underlying zoning district, the following standards apply to single room occupancy facilities. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this section shall apply.

(i) Density. A single room occupancy facility is not required to meet density standards of the general plan.

(ii) Common Area. Four square feet of interior common space per unit shall be provided, with at least two hundred (200) square feet in area of interior common space, excluding janitorial storage, laundry facilities, and common hallways. All common areas shall comply with all applicable ADA accessibility and adaptability requirements.

(iii) Bathroom Facilities. If private bathing facilities are not provided for each unit, shared shower or bathtub facilities shall be provided in accordance with the most recent edition of the California Building Code for congregate residences with at least one full bathroom (including toilets, sinks, and bathing facilities) per every three units on a floor. The shared shower or bathtub facility shall be accessible from a common area or hallway. Each shared shower or bathtub facility shall be provided with an interior lockable door.

(iv) Laundry Facilities. Laundry facilities shall be provided in a separate room at the ratio of one washer and dryer for every ten (10) units, with at least one washer and dryer per floor.

(v) Cleaning Supply Room. A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO facility.

(vi) Management Plan. A management plan shall be submitted with the development application for an SRO facility and shall be approved by the community development director and housing programs manager. The management plan must address management and operation of the facility, rental procedures, safety and security of the residents and building maintenance.

(vii) Facility Management. An SRO facility with ten (10) or more units shall have an on-site manager. An SRO facility with less than ten (10) units shall provide a management office on-site.

(viii) Parking. Parking shall be provided for an SRO facility at a rate of one parking space per unit plus an additional space for the on-site manager. Different parking standards apply in the form-based code area. See Section 17.30.230(17).

(ix) Accessibility. All SRO facilities shall comply with all applicable ADA accessibility and adaptability requirements.

(x) Existing Structures. An existing structure may be converted to an SRO facility, consistent with the provisions of this section.

EXHIBIT “D”
Section 17.20.40 & 17.20.35 - Chapter 17
TOWN CENTER & RESIDENTIAL MULTIFAMILY

17.20.040 Town center or TC zone.

The purpose of the town center or TC zone is to provide an area for a broad range of uses which generate high pedestrian traffic and which do not have large space requirements, including artisan workshops and galleries, retail businesses, personal services, offices, eating places, visitor accommodations, and similar uses. Mixed residential-commercial uses are an important component of the TC zone and are encouraged to ensure an economically and socially vibrant downtown that is intended for, and enjoyed by, residents and visitors alike.

The following regulations shall apply in all town center or TC zones:

(1) Principal Permitted Uses.

(a) Resident and visitor-serving retail and service uses conducted entirely within an enclosed building, including, but not limited to: grocery stores; drug stores; hardware stores; variety stores; sporting goods stores; bakeries; coffee shops; fruit and vegetable markets; bicycle sales, rentals and repair shops; bowling alleys; furniture sales; audio-video stores; florists; frame shops; clothing and apparel businesses; health clubs; dry cleaning (not including processing plants); laundromats; tailors; shoe repair; retail sales and repair of household goods and appliances; and hobby and craft shops;

(b) Apartments on the upper floors of multistory buildings;

(c) Service establishments, such as spas, nail salons, beauty salons, and barbershops;

(d) Business and professional offices, such as for accountants, lawyers, architects, engineers, realtors, financial advisors, medical and dental offices;

(e) Banks and financial institutions without drive-up facilities;

(f) Restaurants and licensed premises (bars) appurtenant thereto;

(g) Movie theaters;

(h) Galleries, museums and gift shops;

(i) Emergency shelters, supportive and transitional housing projects, ~~and~~ low barrier navigation centers and single room occupancy units subject to the operational standards in RDMC 17.30.320 on the upper floors of multistory buildings.

(2) Uses Permitted with a Use Permit.

(a) Civic and cultural organizations such as Elk and Moose Lodges, Rotary clubs, garden clubs;

- (b) Hotels and motels; bed and breakfast inns;
- (c) Licensed premises (bars) not appurtenant to any restaurant;
- (d) Artisan studios and showrooms including, but not limited to: woodworking, glass blowing, metal works, ceramics, crafts, and clothing manufacturers;
- (e) Live-work units where residential activities are located at the back of buildings, and do not occupy more than 40 percent of the gross floor area;
- (f) Uses not specifically identified, but similar to and compatible with the uses permitted in the zone.

17.20.035 Residential multifamily or RM zone.

The purpose of the residential multifamily or RM zone is to provide land suitable for higher density residential uses. The following regulations shall apply in all residential multifamily or RM zones:

(1) Principal Permitted Uses.

- (a) Detached single-family dwellings, multiple dwellings and dwelling groups;
- (b) Community care facility for six or fewer individuals;
- (c) Family day care home for 12 or fewer children, including children who reside at the residence;
- (d) Emergency shelters/transitional housing subject to the operational standards in RDMC [17.30.120](#);
- (e) Low barrier navigation centers;
- (f) Residential care facilities with six or fewer persons.

[\(g\) Single Room Occupancy Units subject to the operational standards in RDMC 17.30.320.](#)

(2) Uses Permitted with a Use Permit.

- (a) Mobilehome and recreational vehicle parks;
- (b) Community care facility for seven or more individuals;
- (c) Family day care home for 13 or more children, including children who reside at the residence;
- (d) Public and private noncommercial recreation facilities;

(e) Churches, civic and cultural uses;

(f) Any use not specifically enumerated if it is similar to and compatible with the uses permitted in the zone.

RESOLUTION NO. PC 183-2025



RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 415-2025 AMENDING CHAPTER 17, "ZONING," OF THE MUNICIPAL CODE TO UPDATE THE CITY'S DENSITY BONUS ORDINANCE TO REFLECT CHANGES MADE IN STATE LAW, ESTABLISH REASONABLE ACCOMMODATION'S REQUEST AND SINGLE ROOM OCCUPANCY REGULATIONS AND AMEND THE TOWN CENTER AND RESIDENTIAL MULTIFAMILY DESIGNATIONS TO ALLOW SINGLE ROOM OCCUPANCY USES

WHEREAS, Sections 65915 et seq. of the California Government Code, known as State Density Bonus Law, requires the City to provide a developer that proposes a housing development within the jurisdictional boundaries of the City containing affordable and other types of housing with a density bonus and other incentives; and

WHEREAS, California Government Code Section 65915(a) requires that all jurisdictions within the state adopt an ordinance that specifies how compliance with State Density Bonus Law will be implemented; and

WHEREAS, since adoption of the City's current density bonus ordinance, the State Legislature has passed, and the Governor has signed into law numerous changes to State Density Bonus Law; and

WHEREAS, California, like federal law, mandates reasonable accommodations in housing for individuals with disabilities; and

WHEREAS a reasonable accommodation request includes any encroachment into the front yard setback area, results in a building size increase above what is allowed in the applicable zoning district with respect to height, lot coverage and floor area ratio maximums, or whenever a reduction in required parking is requested; and

WHEREAS, California recognizes Single Room Occupancy (SRO) units as a vital component of its affordable housing strategy, particularly for lower-income individuals and those transitioning out of homelessness; and

WHEREAS, in order to accommodate Single Room Occupancy Units, the Town Center and Residential Multifamily designations must be amended; and

WHEREAS, the 2019- 2027 Housing Element, which was adopted on November 3, 2020, and subsequently found in compliance with housing element law by the California Department of Housing and Community Development, provides that the City will update its Density Bonus regulations, Reasonable Accommodation regulations and Single Room Occupancy regulations to comply with State law; and

WHEREAS the proposed project has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council adopt Ordinance No. 415-2025 amending Chapter 17, “ZONING,” of the Rio Dell Municipal Code to update the City’s Density Bonus Ordinance to be consistent with State law, establish reasonable accommodation’s request and single room occupancy regulations and amend the Town Center and Residential Multifamily designations to allow single room occupancy uses.

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 June 25, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Nick Angeloff, 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 183-2025 adopted by the Planning Commission of the City of Rio Dell on June 25, 2025.

Karen Dunham, City Clerk, City of Rio Dell