



AGENDA

**RIO DELL PLANNING COMMISSION
REGULAR MEETING 6:30 P.M.
THURSDAY JANUARY 22, 2015
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE**

WELCOME . . . *By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the Planning Commission are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council and Planning Commission meetings often.*

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. PUBLIC COMMENTS**

This time is for persons who wish to address the Planning Commission on any matter not on this agenda and over which the Commission has jurisdiction. Items requiring Commission action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds of the Commission that the item came up after the agenda was posted and is of an urgency nature requiring immediate action.

Members of the Public are encouraged to attend and shall have an opportunity to directly address the Planning Commission concerning any item described in this meeting agenda before or during consideration of that item.

E. Ceremonial

- 1. 2015/01.22.01 – Swearing and seating of Planning Commissioner Jared Wilson.
- 2. 2015/01.22.02 – Selection of Chair and Vice-Chair

F. Scheduled Matters/Public Hearings/Study Sessions

- 1. 2015/01/22.03 - A text Amendment to Section 17.30.050 of the Rio Dell Municipal Code (RDMC) to establish (1) a young domestic animals substitution schedule; and (2) animal shelter setback requirements in residential zones (Urban Residential (UR), Suburban Residential (SR) and Residential Multifamily (RM)). **(ACTION)**
- 2. 2015/01/22.04 – Continued review and discussion of the Draft Land Use Matrix, Potential New Use Types and Definitions.

G. ADJOURNMENT

The next Regular Meeting is scheduled for February 26, 2015 at 6:30 p.m.



In compliance with the American with Disabilities Act, 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 prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

POSTED: January 19, 2015

675 Wildwood Avenue
Rio Dell, CA 95562



TO: Planning Commissioners
FROM: Karen Dunham, City Clerk
THROUGH: Kyle Knopp, City Manager
DATE: January 22, 2015
SUBJECT: Appointment of Chair and Vice-Chair to the Rio Dell Planning Commission

RECOMMENDATION

Vote to elect a person among the appointed voting members of the Commission to serve as Chair and Vice-Chair.

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION

With the resignation of Commissioner Chapman in July, 2014 Commissioner Angeloff has been serving as Acting Chair to the Planning Commission. Vacancies now exist for both the position of Chair and Vice-Chair on the Commission.


At this time, I am requesting appointments to be made to the respective seats. All members of the Commission are considered to be nominated unless a member wishes to decline nomination.

Ballots will be provided at the meeting.



For Meeting of: January 22, 2015

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: January 19, 2015

Subject: A Text Amendment to Section 17.30.050 of the Rio Dell Municipal Code (RDMC) to establish (1) a young domestic animals substitution schedule; (2) animal shelter setback requirements; and (3) maintenance and operation standards in Residential zones (Urban Residential (UR), Suburban Residential (SR) and Residential Multifamily (RM)).

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed text amendment;
2. Open the public hearing, receive public input, close the public hearing and deliberate;
3. Find that:
 - (a) The proposed text amendment is consistent with the General Plan; and
 - (b) The proposed text amendment 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 086-2015 recommending approval of the text amendment to the Rio Dell City Council.

Background/Summary

Staff has been contacted on a number of occasions regarding animal shelter/enclosure setbacks from property lines and residences. The inquiries are typically related to complaints. Although Section 17.30.050 of the Rio Dell Municipal Code (RDMC) is entitled "Animals and Animal Shelters", there are no provisions regarding "Animal Shelters". Below is a copy of the Section 17.30.050:

17.30.050 Animals and Animal Shelters.

Barnyard animals may be kept as accessory to any residential use, according to the following schedule:

- (1) One large domestic bovine and equine animal may be kept on any parcel of not less than one acre. One additional animal may be kept for each one-half acre of area by which such parcel exceeds one acre.
- (2) Four medium-sized domestic animals, including sheep and goats, may be kept on any parcel of not less than one acre. One additional animal may be kept for each 10,000 square feet of area by which such parcel exceeds one acre.
- (3) Small animals, including rabbits and poultry, may be kept on any parcel of not less than 15,000 square feet, and not more than 10 such animals may be kept on such parcel. One additional animal may be kept for each 500 square feet of area by which such parcel exceeds 10,000 square feet. [Ord. 252 § 6.04, 2004.]

In reviewing Ordinance No. 252-2004, staff discovered an error in the required minimum parcel size for small animals, including rabbits and poultry. The required minimum parcel size is 10,000 square feet and not 15,000 square feet as identified in the Rio Dell Municipal Code. Ordinance No. 252-2004 clearly identifies the minimum parcel size as 10,000 square feet. Because the error is typographical a text amendment is not required.

Staff also discovered that the City does not have any provisions related to the substitution of younger animals, maintenance of animal shelters or enclosures and the killing or dressing of large or medium domestic animals. Apparently, these issues have also been raised in the past. The County actually has a "Young Animal Substitution Schedule" which allows the substitution of a greater number of younger animals than adult animals.

Therefore, staff is recommending that animal shelter/enclosure setbacks from property lines and residences, an animal substitution schedule, maintenance and killing and/or dressing provisions be established.

Staff's recommended animal shelter/enclosure setbacks from property lines and residences provisions are below:

Section 17.30.050(4)

Animal Enclosure Setback Table. In addition to conforming with all applicable yard requirements, enclosures for animals in residential zones (Urban Residential (UR), Suburban Residential (SR) and Residential Multifamily (RM)) shall have the minimum setbacks specified in the Animal Enclosure Table.

Animal Enclosure Setback Table			
Animal Enclosure Location	Large Domestic Animals	Medium Domestic Animals	Small Domestic Animals
Distance from Dwelling	40 feet	30 feet	25 feet
Distance from Front Lot Line	50 feet	50 feet	50 feet
Distance from Side Lot Line	20 feet	15 feet	10 feet
Distance from Rear Lot Line	20 feet	15 feet	10 feet

- Notes:
- (a) Animal enclosures includes shelters, pens, coops, runs, hutches, stables, corrals, barns used for the keeping of poultry or animals.
 - (b) No crowing rooster may be maintained in any residential zone (Urban Residential (UR), Suburban Residential (SR) and Residential Multifamily (RM)).

Section 17.30.050(5)

Young Domestic Animals Substitution Schedule. The maximum animal densities permitted under subsections 17.30.050 (1) (2) and (3) may be modified by substituting young animals according to the following schedule.

Young Animal Substitution Schedule	
Animal Type	Permitted Substitution
Large Domestic Animals, bovine and equine	For each one (1) adult animal, three (3) young animals less than six (6) months old may be substituted.
Medium Domestic Animals, including sheep and goats	For each one (1) adult animal, three (3) young animals less than six (6) months old may be substituted.
Small Domestic Animals, including rabbits and poultry	For each one (1) adult animal, three (3) young animals less than three (3) months old may be substituted.

Section 17.30.050(6)

Maintenance and Operational Standards. All animal keeping shall comply with all of the following maintenance and operational standards.

(a) Odor and Vector Control. All animal enclosures, including but not limited to shelters, pens, coops, runs, hutches, stables, corrals, barns, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Manure shall also not be allowed to accumulate within setback areas. Each site shall be maintained in a neat and sanitary manner.

(b) Containment. All animals shall be effectively contained on the site and shall not be allowed to run free on any parcel in a separate ownership or in a public right-of-way.

(c) Erosion and Sediment Control. In no case shall any animal keeping operation be managed and maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel or other waterway. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.

(d) Killing and Dressing of Large or Medium Domestic Animals. The killing or dressing of large or medium domestic animals is prohibited in residential zones (Urban Residential (UR), Suburban Residential (SR) and Residential Multifamily (RM)).

Procedures for Zoning Ordinance Amendments

Pursuant to Section 17.35.010 of the City of Rio Dell Municipal Code, the following City procedures are required to amend the Ordinance:

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.

- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Reclassification Required Finding:

- 1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.**

There are no polices in the General Plan which would preclude or prohibit the recommended provisions. Therefore, the recommended amendments are consistent and compatible with the General Plan.

- 2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).**

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, 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. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, staff believes there is no evidence to suggest that the amendments will have a significant effect on the environment.

Financial Impact

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

Attachments:

1. Resolution No. PC 086 - 2015 recommending approval of the text amendment to the Rio Dell City Council.

RESOLUTION NO. PC 086-2015



RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL RECOMMENDING APPROVAL OF AMENDING SECTION 17.30.050 OF THE RIO DELL MUNICIPAL CODE (RDMC) TO ESTABLISH (1) A YOUNG DOMESTIC ANIMALS SUBSTITUTION SCHEDULE; (2) ANIMAL SHELTER SETBACK REQUIREMENTS; AND (3) MAINTENANCE AND OPERATION STANDARDS IN RESIDENTIAL ZONES (URBAN RESIDENTIAL (UR), SUBURBAN RESIDENTIAL (SR) AND RESIDENTIAL MULTIFAMILY (RM)) TO THE CITY COUNCIL.

WHEREAS staff has been contacted on a number of occasions regarding animal shelter/enclosure setbacks from property lines and residences; and

WHEREAS the inquiries are typically related to complaints; and

WHEREAS although Section 17.30.050 of the Rio Dell Municipal Code (RDMC) is entitled "Animals and Animal Shelters", there are no provisions regarding "Animal Shelters"; and

WHEREAS staff also discovered that the City does not have any provisions related to the substitution of younger animals, maintenance of animal shelters or enclosures and the killing or dressing of large or medium domestic animals; and

WHEREAS staff is therefore recommending that animal shelter/enclosure setbacks from property lines and residences, an animal substitution schedule, maintenance and killing and/or dressing provisions be established; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the Planning Commission finds that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

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

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

1. The proposed amendments are consistent with the General Plan and any applicable specific plan; and
2. The proposed amendments are Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council approve the proposed amendments to Section 17.30.050 of the Rio Dell Municipal Code.

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 January 22, 2015 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 086-2015 adopted by the Planning Commission of the City of Rio Dell on January 22, 2015.

Karen Dunham, City Clerk, City of Rio Dell

675 Wildwood Avenue
Rio Dell, CA 95562



TO: Planning Commissioners
FROM: Karen Dunham, City Clerk
THROUGH: Kyle Knopp, City Manager
DATE: January 22, 2015
SUBJECT: Appointment of Chair and Vice-Chair to the Rio Dell Planning Commission

RECOMMENDATION

Vote to elect a person among the appointed voting members of the Commission to serve as Chair and Vice-Chair.

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION


With the resignation of Commissioner Chapman in July, 2014 Commissioner Angeloff has been serving as Acting Chair to the Planning Commission. Vacancies now exist for both the position of Chair and Vice-Chair on the Commission.

At this time, I am requesting appointments to be made to the respective seats. All members of the Commission are considered to be nominated unless a member wishes to decline nomination.

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For Meeting of: January 22, 2015

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: January 19, 2015

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Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed text amendment;
2. Open the public hearing, receive public input, close the public hearing and deliberate;
3. Find that:
 - (a) The proposed text amendment is consistent with the General Plan; and
 - (b) The proposed text amendment 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 086-2015 recommending approval of the text amendment to the Rio Dell City Council.

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- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.

- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Reclassification Required Finding:

1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

There are no polices in the General Plan which would preclude or prohibit the recommended provisions. Therefore, the recommended amendments are consistent and compatible with the General Plan.

2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

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, 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. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, staff believes there is no evidence to suggest that the amendments will have a significant effect on the environment.

Financial Impact

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

Attachments:

1. Resolution No. PC 086 - 2015 recommending approval of the text amendment to the Rio Dell City Council.

RESOLUTION NO. PC 086-2015



RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
RECOMMENDING APPROVAL OF AMENDING SECTION 17.30.050 OF THE RIO DELL
MUNICIPAL CODE (RDMC) TO ESTABLISH (1) A YOUNG DOMESTIC ANIMALS
SUBSTITUTION SCHEDULE; (2) ANIMAL SHELTER SETBACK REQUIREMENTS; AND
(3) MAINTENANCE AND OPERATION STANDARDS IN RESIDENTIAL ZONES (URBAN
RESIDENTIAL (UR), SUBURBAN RESIDENTIAL (SR) AND RESIDENTIAL MULTIFAMILY
(RM)) TO THE CITY COUNCIL.

WHEREAS staff has been contacted on a number of occasions regarding animal
shelter/enclosure setbacks from property lines and residences; and

WHEREAS the inquiries are typically related to complaints; and

WHEREAS although Section 17.30.050 of the Rio Dell Municipal Code (RDMC) is entitled
"Animals and Animal Shelters", there are no provisions regarding "Animal Shelters"; and

WHEREAS staff also discovered that the City does not have any provisions related to the
substitution of younger animals, maintenance of animal shelters or enclosures and the killing or
dressing of large or medium domestic animals; and

WHEREAS staff is therefore recommending that animal shelter/enclosure setbacks from
property lines and residences, an animal substitution schedule, maintenance and killing and/or
dressing provisions be established; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with
Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with
Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the Planning Commission finds that based on evidence on file and presented in the
staff report that the proposed amendment is consistent and compatible with the General Plan
and any implementation programs that may be affected; and

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

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

1. The proposed amendments are consistent with the General Plan and any applicable specific plan; and
2. The proposed amendments are Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council approve the proposed amendments to Section 17.30.050 of the Rio Dell Municipal Code.

I HEREBY CERTIFY that the foregoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on January 22, 2015 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 086-2015 adopted by the Planning Commission of the City of Rio Dell on January 22, 2015.

Karen Dunham, City Clerk, City of Rio Dell