

REVISED

AGENDA

RIO DELL PLANNING COMMISSION

REGULAR MEETING– 6:30 P.M

THURSDAY, JULY 23, 2015

CITY COUNCIL CHAMBERS

675 WILDWOOD AVENUE, RIO DELL



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 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 Planning Commission meetings often.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL

E. CONSENT CALENDAR

1) 2015/0723.01 - Approve Minutes of the June 25, 2015 Regular Meeting (**ACTION**)

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 intended. Items requiring Commission action not listed on this agenda may be placed on the next regular agenda for consideration if the Commission directs, 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. Please limit comments to a maximum of 3 minutes.

G. SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

1) 2015/0723.02 - Adopt Resolution No. PC 89-2015 approving a one (1) year extension of the Teasley Subdivision, 364 Center St., APN 052-301-012, Case No. PMS12-01 (**ACTION**)

2) 2015/**0723.03** - Review final version of Land Use Matrix and recommended changes to the Zoning and General Plan Land Use Designations (**DISCUSSION/POSSIBLE ACTION**)

H. ADJOURNMENT



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.

The next Regular meeting is scheduled for August 27, 2015 at 6:30 p.m.

**CITY OF RIO DELL
PLANNING COMMISSION
REGULAR MEETING
JUNE 25, 2015**

The regular meeting of the Rio Dell Planning Commission was called to order at 6:30 p.m. by Commissioner Angeloff.

Present were Commissioners Angeloff, Long, Leonard and Millington. Absent was Commissioner Wilson.

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

CONSENT CALENDAR

Approve Minutes of the March 26, 2015 Regular Meeting

Community Development Director Caldwell referred to page 3 of the minutes and said he wanted to confirm the Commission's intent regarding *Nurseries and Garden Centers* to recommend they be principally permitted in R and TC zones. He said that currently the R designation allows for roadside sales of products produced on-site and based on the lack of larger, vacant TC parcels, staff would recommend that *Nurseries and Garden Centers* not be allowed in the TC zone but be principally permitted in the CC zone.

Commissioner Millington recalled discussing whether to principally permit nurseries in the TC and at the end of the discussion found no reason not to. She mentioned the former nursery at Cedar and Sequoia and said she could see small scale nurseries in the TC zone.

The Commission agreed to keep the door of opportunity open by principally permitting nurseries and garden centers in R, TC, NC and IC as noted on the draft Land Use Matrix.

Motion was made by Long/Millington to approve the minutes of the March 26, 2015.
Motion carried 4-0.

PUBLIC PRESENTATIONS

None

SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSION

Conditional Use Permit for Design Review of a proposed 840 square foot restaurant and 200 square foot attached deck with a drive-up window (The Green Bean) located at 281 Wildwood Ave. (APN 053-141-052)

Community Development Director Caldwell provided a staff report and said the proposed restaurant (The Green Bean) is for the most part organic and will be providing coffee, smoothies, pastries, soups and sandwiches.

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JUNE 25, 2015 MINUTES
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He noted the proposed use is principally permitted in the TC zone however; is subject to the City's Design Review regulations for the purpose of encouraging high quality land/site planning, architecture and landscape design; and to ensure physical, visual and functional compatibility between uses; and to ensure proper attention is paid to the site and architectural design, thereby protecting land values.

He said staff sent out 45 notices to neighboring property owners and received no calls objecting to the project. He noted that those that did stop by to look at the plans were in support of the project.

He stated that the picture included in the planning commission packet to depict a traditional western look as the type of store front is no longer being proposed. He said the applicant recently contracted with a designer to modify the plans accordingly and came up with some very nice renderings.

The applicant, Tawny Morse presented a large rendering of the new design which staff and commissioners were very pleased with.

He pointed out that staff indicated to the applicant that the City would be willing to support a parking exemption because of the close proximity to the City Parking Lot but she agreed to put in not only the required number of parking spaces, but one additional space.

He continued with review of the three (3) required Design Review findings found in Section 17.25.050(8) of the RDMC which were all made. He pointed out that the architecture, without a doubt enhances the character of the neighborhood.

Staff then reviewed the seven (7) Conditions of Approval including four (4) additional Operational Conditions.

He noted that the proposed plans satisfy the required one-way driveway requirement of 16 feet wide however; the City would be willing to support reducing the drive-thru lane to 12 feet, except in the radius of the drive-thru lane if the applicant chooses to allow more landscaping or a larger footprint of the building. Also, he said the applicant is proposing to put in a bicycle rack although not required, and LED lighting.

He said staff's recommendation is to open the public hearing, receive public input, close the public hearing and deliberate; make the finding that the proposed project is consistent with current zoning and general plan requirements, the Design Review CUP has been processed in accordance with the applicable provisions of CEQA; and adopt Resolution

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No. PC 087-2015 approving the Design Review Conditional Use Permit subject to the recommended Conditions of Approval in Exhibit A.

Commissioner Leonard asked if the parcel was created as the result of a lot split with 255 Wildwood Ave. and asked if the parcel is a Brownfields site. He referred to the contamination at 255 Wildwood Ave. and the existing tanks that still need to be removed.

Community Development Director Caldwell commented that 255 Wildwood is one of four (4) Brownfields sites that need to be cleaned up including the removal of an estimated 430 tons of soil and said an order has been sent to the State and there will be some enforcement activity real soon. He said this parcel was not part of 255 Wildwood Ave. and is clean from any contamination.

Commissioner Angeloff asked for clarification that condition No. 5 would be revised to read that the 6 foot fence would be constructed along the *west* property line rather that the east property line as stated, and that condition No. 6 would be revised to read that the water meter would be relocated outside the property line. Staff concurred.

Tawny Morse addressed the Commission and said she has been looking at this project on paper as well as in her head for a long time and things are going very well.

A public hearing was opened to receive public input on the proposed Green Bean Coffee Shop Design Review Conditional Use Permit.

Frank Wilson stated that he owns the property at 110 Ash St. and if he still lived there would be even more excited about a new drive-thru coffee shop. He said the project is very complimentary to the City and he fully supports the project. He thanked her for choosing to invest in the development of the downtown and said it may help to bring other businesses into Rio Dell.

There being no further public comment, the public hearing closed.

Commissioner Angeloff extended the Commission's sincere apologies for not getting the project moving forward sooner and thanked her for bringing her business to Rio Dell. As President of the Chamber of Commerce, he said they will look forward to holding a ribbon-cutting ceremony once the business opens.

Ms. Morse said she will be having a grand opening and wants to do everything possible to make it welcoming to citizens. She noted that she previously had a clothing store in Fortuna and realized that clothing is optional whereas food is not. She said she added an espresso bar in the store which ended up paying the bills. She said she does want to break the stereotype that "organic" is too expensive.

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She thanked city staff and the planning commission for making the process painless.

Community Development Director Caldwell commented that it is a breath of fresh air to have someone who is so willing to do the right thing and said it was a pleasure working with Ms. Morse.

Motion was made by Leonard/Long to approve staff's recommendation and adopt Resolution No. PC 087-2015 approving the Design Review Conditional Use Permit subject to the recommended Conditions of Approval in Exhibit A as amended. Motion carried 4-0.

Variance Application to reduce the rear yard setback from 10 feet to 2.5 feet and a side yard setback from 5 feet to 2.5 feet for Anthony Ponnay at 351 First Ave.

Community Development Director Caldwell announced the Ponnay Variance application was deferred to the July 23, 2015 meeting.

Continued Review and Discussion of the Draft Land Use Matrix, Potential New Use Types, Appropriate Zones for New Use Types and Definitions

The Commission resumed discussion of the Land Use Matrix commencing with *Recycling Facilities*.

Recycling Facilities: The Commission recommended they be principally permitted in the PF zone and conditionally permitted in the I zone.

Renewable Energy Development: The Commission recommended the use be principally permitted in all zones if less than 15 kilowatts and conditionally permitted if more than 15 kilowatts.

Research and Development: The Commission recommended the use be principally permitted in the I and IC zones.

Research and Light Industrial: The Commission recommended this use also be principally permitted in the I and IC zones.

Resource Protection: Community Development Director stated this pertains to such things as conservation easements which is at the discretion of the property owner and recommended the use type be deleted. Commissioners concurred.

Restaurants: The Commission recommended restaurants be principally permitted in the TC, CC, NC and IC zones.

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Restaurants and Appurtenant Licensed Premises (Bars): The Commission recommended restaurants with bars, etc. be principally permitted in the TC, CC, NC and IC zones.

Restaurants and Sidewalk Cafes: The Commission recommended these types of restaurants also be principally permitted in the TC, CC, NC and IC zones.

Retail Establishments – Large (Shopping Centers): The Commission recommended large shopping centers be principally permitted in CC, NC and IC zones.

Secondhand Stores: The Commission recommended secondhand stores be principally permitted in the TC, CC and NC zones.

Shoe Repair: The Commission recommended the same as above for shoe repair shops to be principally permit the use in TC, CC and NC zones.

Sporting Goods Stores: The same recommendation was made for sporting goods stores to principally permit the use in TC, CC and NC zones.

Storage Warehouses – Private: Staff explained this use would pertain to huge private storage for items such as boats or RV's. The Commission recommended the use only be principally permitted in the I zone.

Storage Public Enclosed (Mini Storage): Staff recommended mini storage be limited to the IC or I zone. Commissioner Angeloff suggested the use be conditionally permitted in perhaps the CC zone as well. The consensus of the Commission was to recommend mini storage be principally permitted in the I zone and conditionally permitted in the IC zone and to not allow in the CC zone.

Tailors: The recommendation was to principally permit tailors in the TC, CC, NC and IC zones.

Telecommunications Facilities (See Quasi-Public Uses): Staff explained this use type includes things such as cell towers or PG&E substations and under Quasi-Public Uses are conditionally permitted in any zone. After discussion, the Commission recommended the use be principally permitted in the I and IC zones and conditionally permitted in all other zones.

Timber Production with TPZ Overlay: Staff noted that this use is currently conditionally permitted in the NR zone but since CDF regulates all timber harvest plans there is no reason why someone should have to obtain a CUP through the planning commission. As such, the Commission recommended the use type be eliminated.

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Variety Stores: The Commission recommended variety stores be principally permitted in the TC, CC, NC and IC zones.

Veterinarians (Small Animals) Completely enclosed within a building: Staff commented on the uncertainty of what distinguishes small veterinarians from large veterinarians when it pertains to land use. Commissioner Angeloff said a small veterinarian could realistically be permitted in the TC zone whereas a large veterinarian could not. The consensus was to keep the two use types separate and recommended that small veterinarians be principally permitted in the TC, CC, and NC zones.

Veterinarians (Large Animals): The Commission agreed to recommend large animal veterinarians be principally permitted in the I and IC zones and conditionally permitted in the TC, CC, and NC zones.

Wetland/Watershed Restoration: Staff pointed out that there is really no need for the City to be involved with the restoration of wetlands or watersheds since the State Department of Fish and Game and the Army Corp of Engineers regulates those activities and recommended the use type be deleted. The Commission concurred.

Wholesale Outlet Stores: Staff pointed out that Wholesale Outlet Stores fall under the retail umbrella. As such, the Commission recommended they be principally permitted in the TC, CC, NC and IC zones.

Wood Products Manufacturing (See Manufacturing): The use type was deleted since it falls under the use type *Manufacturing*.

This concluded the review of the draft Land Use Matrix and potential use types.

Community Development Director Caldwell said staff hopes to come back to the Commission at the July 23, 2015 regular meeting with the final draft of the Land Use Matrix including a complete list of definitions and recommendations so the Commission will have one more opportunity to review the document before the joint meeting with the City Council.

Commissioner Angeloff asked if staff would be presenting the old use types with the newly proposed use types to show the public how they have been expanded.

Community Development Director Caldwell noted that the newly proposed use types will be shown in blue.

STAFF COMMUNICATION/REPORTS

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Community Development Director Caldwell reported on items for the next agenda and said in addition to the final draft of the Land Use Matrix and definitions, staff will be bringing back the Ponnay Variance application and explained the reason the item was removed from the agenda was because the fire department recommended denial of the variance and the fire chief wanted the opportunity to talk to the applicant first. Also, he said he may have a pre-zoning item on the agenda related to the City's wastewater disposal site property in Metropolitan. He said the areas needs to be annexed into the City in order to qualify for property tax exemption.

He asked the Commission for potential dates they could be available for a joint meeting with the City Council. The overall consensus was that any Tuesday or Thursday after July 11th would likely work; perhaps the second Tuesday in August.

ADJOURNMENT

Motion was made by Leonard/Long to adjourn the meeting at 8:05 p.m. to the July 23, 2015 regular meeting. Motion carried 4-0.

Nick Angeloff, Chair



Attest:

Karen Dunham, City Clerk

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



For Meeting of: July 23, 2015

To: Planning Commission
From: Kevin Caldwell, Community Development Director 
Through: Kyle Knopp, City Manager 
Date: July 13, 2015
Subject: Extension Approval of the Teasley Subdivision; 364 Center Street
File No. 052-301-012; Case No's. PMS 12-01

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed subdivision approval extension;
2. Open the public hearing, receive public input and deliberate;
3. Close the public hearing;
4. Adopt Resolution No. PC 89-2015 approving the requested extension for an additional 12 months. The extension shall expire on August 9, 2016

Discussion

The Planning Commission originally approved the Teasley minor subdivision of a 24,750 square foot parcel into two parcels of about 12,040 and 12,710 square feet on July 25, 2012. The approval became effective on August 9, 2012 and was set to expire on August 9, 2014. The applicant applied for and the Planning Commission approved a one year extension in August of 2015. The applicant is again requesting a one year extension. If approved the subdivision approval will expire in August of 2016.

Section 66452.6 of the Map Act and Section 16.15.130(2)(c) of the RDMC limits subdivision extensions to twelve (12) months. Both local regulations and the Subdivision Map Act allow a total of a three (3) year extension to the original two (2) year approval. The total life of a tentatively approved map is limited to five (5) years.

Both proposed parcels are developed with single family homes and residential accessory structures. Frontage improvements (curb, gutter and sidewalk) and paving was required along the frontage of the property. In addition, the applicant was required to move or relocate the existing storage sheds to meet setback requirements. Attachment 1 includes a copy of the original staff report and conditions of approval.

Section 16.15.130(2) of the Rio Dell Municipal Code identifies the process for approving extensions, including application submittal, the required Planning Commission action, time limits of extensions, conditions of approval, potential appeals and cost recovery.

In reviewing requests for subdivision extensions, staff considers any changes in the original required findings. The original required findings are identified below:

- 1. That the proposed subdivision together with the provisions for its design and improvements is consistent with the City's General Plan; and*
- 2. That the proposed subdivision complies with the requirements and standards of the City's zoning regulations; and*
- 3. That the proposed subdivision complies with the requirements and standards of the City's subdivision regulations; and*
- 4. That the proposed subdivision is physically suitable for the type of development; and*
- 5. The proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

There have been no changes to the original required findings. The subdivision is still consistent with the General Plan, Zoning and Subdivision regulations. In addition, the subdivision (parcels) are suitable for their intended use and there is no evidence to suggest that granting the extension will cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Staff determined that the original approval of the subdivision was Statutorily Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15315 of the CEQA Guidelines this exemption applies to the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is consistent with the General Plan and zoning and no variances or exceptions are required. There is no evidence to suggest that the extension of the original subdivision approval will result in a significant impact to the environment. Therefore, staff recommends that subdivision extension approval be found to be statutorily exempt pursuant to Section 15315 of the CEQA Guidelines.

Because there have been no changes in the General Plan, Zoning and Subdivision regulations which would affect the original approval, staff recommends that the Planning Commission approve a one (1) year extension to the approved subdivision. Accordingly, the subdivision will expire on August 9, 2016.

Attachments:

Attachment 1: Original Staff Report and Conditions of Approval.

Attachment 2: Resolution No. PC 89-2015

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



Public Notice
City of Rio Dell Planning Commission
Notice of Public Hearing

On **Thursday, July 23, 2015 at 6:30 p.m.** or as soon thereafter as the matters can be heard, the Rio Dell Planning Commission will hold a public hearing in the City Council Chamber at City Hall to consider the matters listed below. If you have any questions regarding the proposed projects, contact Kevin Caldwell, Community Development Director at (707) 764-3532.

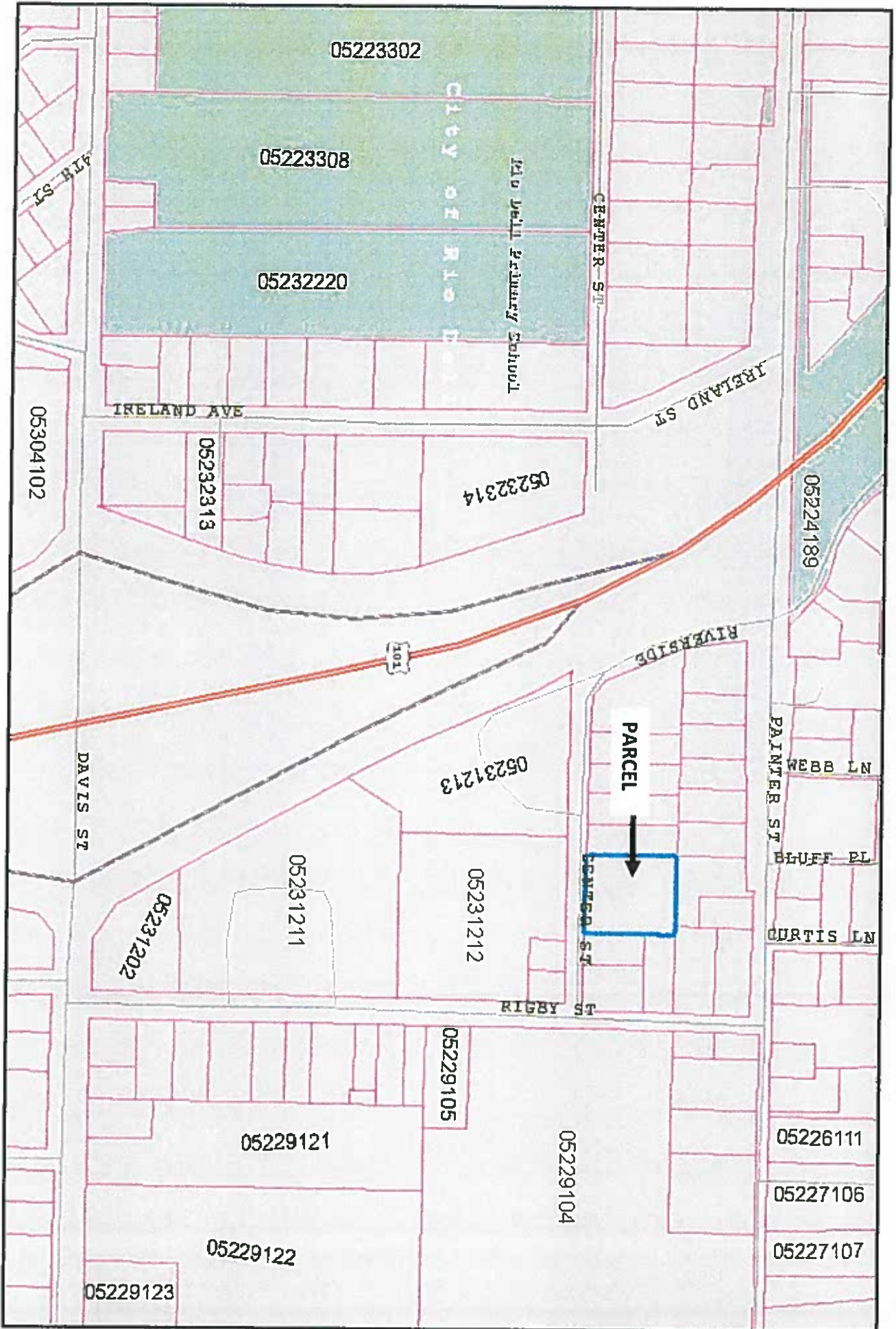
Teasley Minor Subdivision; APN 052-301-012: Approval of a one (1) year extension to a minor subdivision of a 24,750 square foot parcel into two parcels of about 12,040 square feet and 12,710 square feet. The extension will expire on August 9, 2016. The parcel is currently developed with two single family residences. The purpose of the subdivision is to site each residence on its own parcel. **The project is located on property known as 364 Center Street.**

California Environmental Quality Act (CEQA): Based on the proposed project, staff has determined that the project is Statutorily Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15315 of the CEQA Guidelines this exemption applies to the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is consistent with the General Plan and zoning and no variances or exceptions are required.

Any person may appear and present testimony in regard to these matters at the hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

The Planning Commission needs **10 copies** of any materials submitted either prior to, or at the meeting. The Planning Commission's decision will become effective if an appeal is not filed within the appropriate filing period. An appeal may be filed by any aggrieved person and must be submitted in writing with the required fees to the City of Rio Dell before the end of the appeal period. If appealed, the decision will not become effective until the appeal is resolved.

General questions regarding the projects, the planning process, submission of materials and information not specific to this project may be obtained from the City, 675 Wildwood Avenue, Rio Dell, CA. 95562; telephone (707) 764-3532.

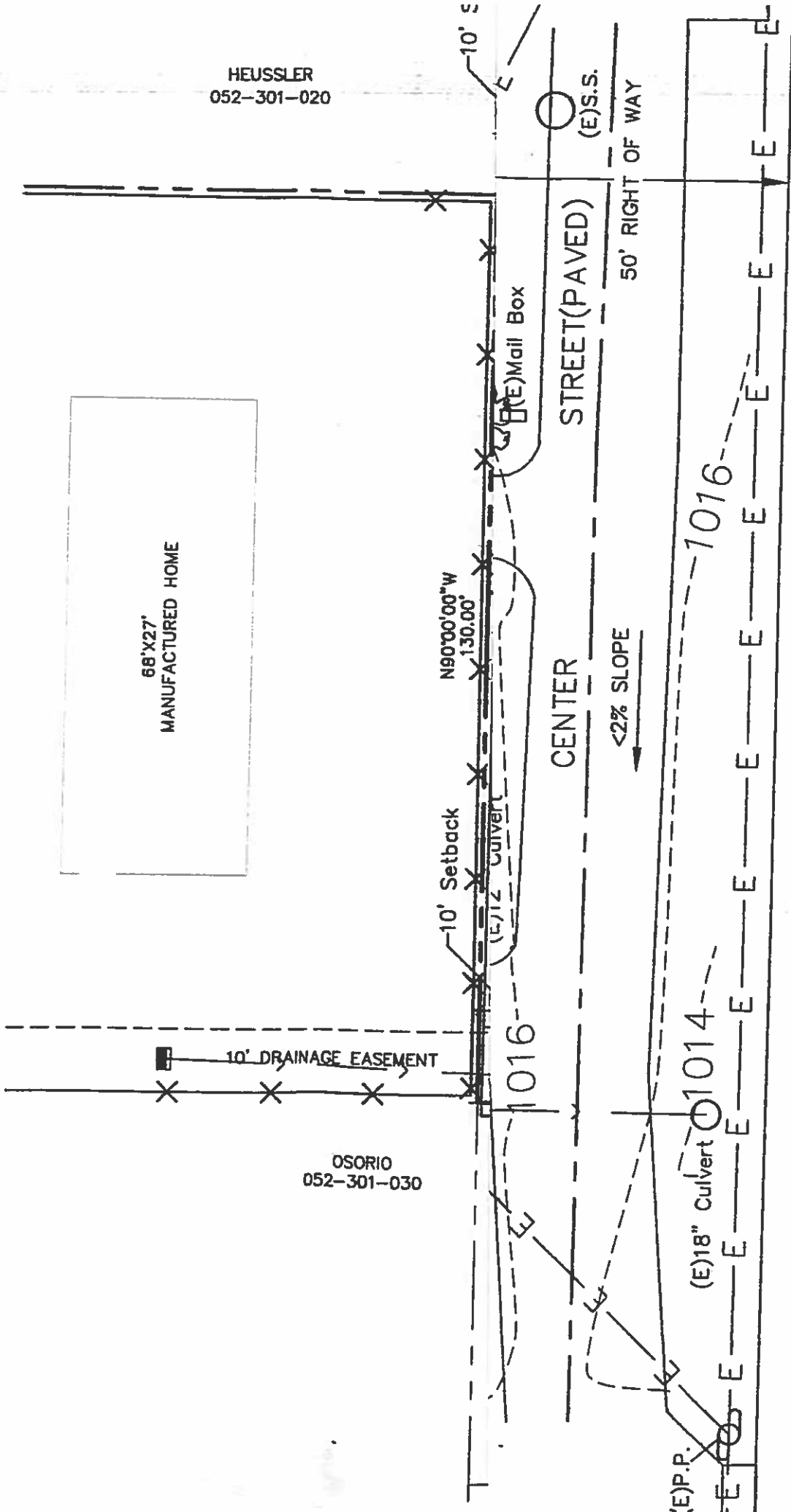


Tasley Subdivision; APN 052-301-012

HEUSSLER
052-301-020

66'x27'
MANUFACTURED HOME

OSORIO
052-301-030



TEASLEY PMS
APJ 052.301.12

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



For Meeting of: July 25, 2012

To: Planning Commission
From: Kevin Caldwell, Community Development Director
Through: Jim Stretch, City Manager
Date: June 18, 2012
Subject: Teasley Subdivision; 364 Center Street
File No. 052-301-012; Case No's. PMS 12-01

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed subdivision;
2. Open the public hearing, receive public input and deliberate;
3. Close the public hearing;
4. Find that the proposed subdivision: (1) is consistent with the Rio Dell General Plan; (2) complies with the requirements and standards of the City's zoning regulations; (3) complies with the requirements and standards of the City's subdivision regulations; (4) is physically suitable for the type of development; and (5) is Categorically Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations
5. Make the following motion: "I move to make the all the required findings, based on evidence in the staff report and approve the proposed subdivision subject to the recommended conditions of approval."

Summary

The applicant is proposing a minor subdivision of a 24,750 square foot parcel into two parcels of about 12,040 and 12,710 square feet respectively. Both proposed parcels are developed with single family homes and a residential accessory structure.

Frontage improvements (curb, gutter and sidewalk) and paving will be required along the frontage of the property. In addition, the applicant will be required to move or relocate the existing storage sheds to meet setback requirements. All referral agencies have recommended approval of the proposed subdivision.

Based on the proposed project, staff has determined that the project is Statutorily Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15315 of the CEQA Guidelines this exemption applies to the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is consistent with the General Plan and zoning and no variances or exceptions are required.

Based on a site inspection, the nature of the proposed project, comments from referral agencies, staff believes the project will not result in a significant impact on the environment.

The applicant has submitted evidence in support of making the required findings. Therefore staff recommends that the Planning Commission approve the project as conditioned.

Required Findings

Pursuant to Section 66474 of the Subdivision Map Act and Title 16 of the Rio Dell Municipal Code (RDMC) in order approve this project the Planning Commission must determine that the applicant has submitted evidence in support of making all of the following required findings:

1. That the proposed subdivision together with the provisions for its design and improvements is consistent with the City's General Plan; and
2. That the proposed subdivision complies with the requirements and standards of the City's zoning regulations; and
3. That the proposed subdivision complies with the requirements and standards of the City's subdivision regulations; and
4. That the proposed subdivision is physically suitable for the type of development; and
5. The proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Staff Analysis

1. General Plan Consistency:

The General Plan designation for the project site is Urban Residential (UR). The Urban Residential designation provides for neighborhood residential areas and establishes two density ranges. The minimum lot size is 6,000 square feet for detached single family dwellings with a density of 4 – 7 units per net acre, and 4,000 square feet for attached single family dwellings with a density range of 7 – 10 units per acre. The proposed subdivision is based on detached single family dwellings. Proposed parcels sizes range from 12,040 and 12,710 square feet respectively. The proposed density is 3.97 dwelling units per acre. The proposed subdivision complies with the required minimum lot size and the density range of 4 – 7 units per acre.

There are a number of General Plan goals and policies related to the proposed subdivision. The following table identifies the evidence which supports the finding that the proposed subdivision is in conformance with all applicable policies of the General Plan.

Relevant Plan Section(s)	Summary of General Plan Goal, Policy or Standard	Evidence Which Supports the Required Finding
Natural Environment G2.1-3	Preserve drainage channels, habitat and open space.	Both proposed parcels are currently developed and no additional development is proposed. Therefore the proposed subdivision will not adversely affect existing drainage channels, riparian habitat or open space.
Natural Environment G2.1-5	Regulate clearing and development of steep slopes, river, stream and drainage channels.	Both proposed parcels are currently developed and no additional development is proposed. Therefore the proposed subdivision will not require the clearing and development of steep slopes, river, stream or drainage channels.
Natural Environment G2.1-8	Maintain existing air quality.	Both proposed parcels are currently developed and no additional development is proposed. Therefore the proposed subdivision will not affect existing air quality.
Natural Environment G2.1-9	Minimize loss of life and property from natural and man-made hazards.	The project site is not located within a mapped flood zone, dam inundation zone or Alquist-Priolo Earthquake Fault Hazard zone. There are no known man-made hazards, including contaminated soils, on site or in the area
Soils & Geologic Resources P2.1.1-4	Require geo-technical reports to ensure that slope and stability measures are incorporated into project design.	Again, both proposed parcels are currently developed and no additional development is proposed. In addition, the parcels are virtually flat and there are no issues associated with slope stability.
Aesthetics P2.2.5-2	Encourage street trees and landscaping in new developments.	Both proposed parcels are currently developed and no additional development is proposed.
Water Resources P2.1.2-3	Incorporate on-site drainage facilities such as retention and infiltration systems to reduce run-off and maximize infiltration.	Both proposed parcels are currently developed and no additional development is proposed. Therefore the proposed subdivision will not result in additional stormwater run-off.

Relevant Plan Section(s)	Summary of General Plan Goal, Policy or Standard	Evidence Which Supports the Required Finding
Biological Resources P2.1.7-2	Require setbacks (buffers) from environmentally sensitive habitat areas (ESHA's) such as riparian corridors, forested or wetland areas.	There are no known environmentally sensitive areas onsite. The closest environmentally sensitive area is the eel River and associated riparian area which is approximately 1,200 feet east of the project site.
Public Services P2.2.3-2	Cooperate with the Rio Dell Fire Protection District to ensure that emergency services are adequate.	The Rio Dell Fire Protection District has recommended approval of the proposed subdivision.
Public Services P2.2.3-4	Encourage new development to contribute its fair share of infrastructure improvements to serve the proposed development.	The only required infrastructure improvements are curb, gutter, sidewalks and some minimal paving along the frontage of the parcel.
Public Services P2.2.3-4	Require underground utilities for new development.	This policy has only been applied to new development. Where development is existing on the proposed parcels, utilities have not been required to be placed underground.
Housing A-13	Minimize housing construction in areas subject to hazards, such as flooding or geologic instability.	The project site is not located within a flood zone or an area of geologic instability.
Community Environment G2.2-12	Provide a safe and balanced transportation system for pedestrians, transit riders, bicyclists and vehicles.	The project is conditioned to require curb, gutter, sidewalks and paving along the frontage of the parcel. Public transportation is available and within walking distance of the proposed project. Recommended road improvements will provide for the safe movement of vehicles.
Cultural Resources P2.2.4-1	Coordinate with outside entities regarding land use decisions and impacts to cultural resources.	Because both proposed parcels are developed the project was not referred to the Bear River Band.

Again, based on comments from referral agencies and information submitted by the applicant, the evidence supports the finding that the proposed subdivision is in conformance with all applicable policies of the General Plan.

2. Zoning Consistency:

The project site is in an area zoned Urban Residential (UR). The purpose of the Urban Residential or UR zone is to provide neighborhood residential areas with varying densities for single-family dwellings. The following regulations apply in all Urban Residential or UR zones:

(1) Principal Permitted Uses.

- (a) Detached single-family dwellings.

(2) Uses Permitted with a Use Permit.

- (a) Attached dwellings with a minimum lot size of 4,000 square feet;
- (b) Home occupation businesses, including health services related businesses;
- (c) Rooming and boarding of not more than two persons not employed on the premises;
- (d) Public and private non-commercial recreation facilities;
- (e) Schools, churches, civic and cultural uses including City offices and day care centers.

(3) Development Standards.

Development Standard	Zone Requirement
Minimum Lot Area	6,000 square feet
Maximum Ground Coverage	50%
Minimum Lot Width	60 feet
Minimum Open Space	50%
Minimum Yards	
Front	20 feet
Rear	10 feet
Side	5 feet
Maximum Building Height	35 feet

The proposed subdivision would create two lots of 12,040 and 12,710 square feet. Therefore, the proposed lots meet the minimum lot size of 6,000 square feet. In addition, each lot meets the required minimum lot width of 60 feet. As previously indicated, the applicant will be required to move or relocate the existing storage sheds to meet setback requirements. The project has been conditioned accordingly.

Any additional development must comply with the lot coverage, open space, setback and building height requirements for the Urban Residential zone. Review for compliance will at the time a building permit is applied for.

Based on the proposed subdivision, the proposed project complies with the requirements of the City's Zoning Regulations.

3. Subdivision Regulations Consistency:

The following table identifies the evidence which supports findings that the proposed subdivision is in conformance with all applicable policies and standards of the City's Subdivision Regulations, Title 16 of the Rio Dell Municipal Code (RDMC) and the City's Standard Improvement Specifications.

Relevant Section(s)	Summary of Regulation or Standard	Evidence Which Supports the Required Finding
16.05.030	General Plan and Zoning Compliance	See discussion above. Based on evidence submitted by the applicant and comments from referral agencies, staff believes the proposed subdivision is consistent with the City General Plan and Zoning regulations.
16.10.040	Tentative Map Requirements	The Tentative Map requirements identify the required information on the map. The submitted Tentative Map for the proposed subdivision complies with the requirements of Section 16.10.040 of the RDMC.
16.10.050	Accompanying Data and Reports ➤ Soils Report ➤ Title Report ➤ Environmental Assessment	<p>A Preliminary Soils Report was not required because both of the proposed parcels are already developed with single family residences.</p> <p>The required Title Report was submitted with the application.</p> <p>Based on the proposed project, staff has determined that the project is Statutorily Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15315 of the CEQA Guidelines this exemption applies to the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is consistent with the General Plan and zoning and no variances or exceptions are required.</p>

Attachments:

Attachment 1: Conditions of Approval

Teasley Minor Subdivision

File No. 052-301-012; Case No. PMS 12-01

Teasley Subdivision PC July 25, 2012

Conditions of Approval

Approval of the subdivision is conditioned upon the following terms and requirements which must be fulfilled before the Parcel Map may be recorded.

1. Map Expiration: The approval of the Tentative Map shall expire 24 months after all appeal periods have lapsed. Approval may be extended in accordance with the Rio Dell Municipal Code and the Subdivision Map Act.

2. Taxes: All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable to the satisfaction of the County's Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Final Map to satisfy this condition.

4. Map Type: The applicant must cause to be filed a Parcel Map in accordance with the Final Map requirements of Section 16.10.120 et. seq. of the Rio Dell Municipal Code (RDMC). The approved lot line adjustment shall be reflected on the Final Map. A subdivision map checking deposit of \$500.00 shall be paid at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County recorder for filing.

5. Improvement Plans: Pursuant to Section 16.25.060 of the Rio Dell Municipal Code (RDMC) the applicant shall submit improvement/construction plans for the required curb, gutter, sidewalk and paving. Improvement plans must be prepared by a Civil Engineer registered by the State of California. Improvement plans shall be on 24" x 36" sheets, unless otherwise approved by the City Engineer.

The Improvement Plans shall be reviewed, signed as approved by Rio Dell Public Works Department. A plan checking deposit of \$500.00 shall be paid at the time the Improvement Plans are submitted for checking.

6. Unknown Improvements: Other on-site and/or off-site improvements may be required which cannot be determined from the Tentative Map at this time. These improvements, if any, will be determined after a complete review of the required Improvement Plans.

7. Easements: All easements that encumber or are appurtenant to the subdivision shall be shown graphically on the Parcel Map. Those easements that do not have a metes and bounds description shall be noted on the Final Map and shown as to their approximate location.

8. Fees: The applicant shall pay the \$50.00 CEQA Notice of Exemption filing fee (payable to the County of Humboldt) within five (5) days all other associated processing fees within 30 days of billing.

9. Existing Accessory Structures: The existing accessory structures shall be relocated to comply with the required yard setbacks.

RESOLUTION NO. PC 089-2015



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
APPROVING A ONE (1) YEAR EXTENSION OF THE TEASLEY SUBDIVISION:**

WHEREAS the Planning Commission originally approved the Teasley minor subdivision of a 24,750 square foot parcel into two parcels of about 12,040 and 12,710 square feet on July 25, 2012; and

WHEREAS the approval became effective on August 9, 2012 and was set to expire on August 9, 2014; and

WHEREAS the applicant submitted a request for a one year extension in August of 2014; and

WHEREAS the applicant's agent recently submitted an application for another one year extension; and

WHEREAS if approved the subdivision approval will expire on August 9, 2016; and

WHEREAS the proposed parcels are developed with single family homes and residential accessory structures; and

WHEREAS frontage improvements (curb, gutter and sidewalk) and paving was required along the frontage of the property and the applicant was required to move or relocate existing storage sheds to meet setback requirements; and

WHEREAS Section 16.15.130(2) of the Rio Dell Municipal Code identifies the process for approving extensions, including application submittal, the required Planning Commission action, time limits of extensions, conditions of approval, potential appeals and cost recovery; and

WHEREAS Section 66452.6 of the Map Act and Section 16.15.130(2)(c) of the RDMC limits subdivision extensions to twelve (12) months; and

WHEREAS both local regulations and the Subdivision Map Act allow a total of a three (3) year extension to the original two (2) year approval. The total life of a tentatively approved map is limited to five (5) years; and

WHEREAS in reviewing requests for subdivision extensions, staff considers any changes in the original required findings. The original required findings are identified below:

1. That the subdivision together with the provisions for its design and improvements is consistent with the City's General Plan; and
2. That the subdivision complies with the requirements and standards of the City's zoning regulations; and
3. That the subdivision complies with the requirements and standards of the City's subdivision regulations; and
4. That the subdivision is physically suitable for the type of development; and
5. The subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and

WHEREAS there have been no changes to the original required findings. The subdivision is still consistent with the General Plan, Zoning and Subdivision regulations. In addition, the parcels are suitable for their intended use and there is no evidence to suggest that granting the extension will cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and

WHEREAS staff has determined that the extension is Statutorily Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations; and

NOW, THEREFORE, BE IT RESOLVED the Planning Commission finds that based on evidence on file and presented in the staff report that the proposed subdivision extension complies with all of the following original required findings:

1. That the subdivision together with the provisions for its design and improvements is consistent with the City's General Plan; and
2. That the subdivision complies with the requirements and standards of the City's zoning regulations; and
3. That the subdivision complies with the requirements and standards of

the City's subdivision regulations; and

4. That the subdivision is physically suitable for the type of development; and

5. The subdivision is not likely to cause substantial environmental damage or substantially and avoidably fish or wildlife or their habitat; and

BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell approves the subdivision extension subject to the original conditions of approval.

APPROVED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of July 23, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Nick Angeloff, Chair

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 089-2015 adopted by the Planning Commission of the City of Rio Dell on July 23, 2015.

Karen Dunham, City Clerk, City of Rio Dell