

AGENDA
RIO DELL PLANNING COMMISSION
REGULAR MEETING – 6:30 P.M
TUESDAY, FEBRUARY 28, 2017
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 MATTERS

- 1) 2017/0228.01 - Swearing in of Julie Woodall as Planning Commissioner and Bryan Richter as Alternate Planning Commissioner for three (3) year terms ending 12/31/19

E. CONSENT CALENDAR

- 1) 2017/0228.02 - Approve Minutes of the January 10, 2017 Special Meeting
(ACTION)

1

F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. As such, a dialogue with the Commission or staff is not 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) 2017/0228.03 - Adopt Resolution No. PC-106-2017 recommending the City Council Amend Chapter 17.30.020 "Accessory Uses and Buildings" of the Rio Dell Municipal Code to include Cargo/Shipping Containers used as Accessory Structures **(DISCUSSION/POSSIBLE ACTION)**

6

H. ADJOURNMENT



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

*The next Regular Planning Commission meeting is scheduled for
Tuesday, March 28, 2017 at 6:30 p.m.*

**RIO DELL PLANNING COMMISSION
SPECIAL MINUTES
JANUARY 10, 2017**

A Special meeting of the Rio Dell Planning Commission was called to order at 6:38 p.m. by Commissioner Angeloff.

Present were Commissioners Angeloff, Marks, Strahan and Woodall. Absent was Commissioner Kemp.

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

CEREMONIAL MATTERS

Appointment of Chair and Vice-Chair to the Rio Dell Planning Commission

City Clerk Dunham provided a brief staff report and explained that Section 2.60.030(3) of the Rio Dell Municipal Code (RDMC) establishes that the Planning Commission elect a chairperson and vice chairperson from among the appointed members at their first meeting in January of each year or as soon thereafter. She noted that Commissioner Angeloff has served as chairperson since January 2015 and the position of vice-chairperson has been vacant since the resignation of Billie Joe Long in May of last year.

She said all members of the Commission are considered to be nominated unless a member wishes to decline nomination. Commissioners Marks and Strahan both declined nomination.

Beginning with the position of chairperson, Commissioners were asked to vote for the nominee of their choice by written ballot. Commissioner Angeloff received three out of four votes and was appointed as chairperson. Commissioner Woodall received three out of four votes for the position of vice-chairperson and was appointed as vice-chairperson.

CONSENT CALENDAR

Motion was made by Woodall/Marks to approve the consent calendar including approval of minutes of the December 13, 2016 special meeting. Motion carried 4-0.

PUBLIC PRESENTATIONS

None

RIO DELL PLANNING COMMISSION
JANUARY 10, 2017 MINUTES
Page 2

SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

Adopt Resolution No. PC-106-2017 recommending the City Council amends Chapter 17.30.020 "Accessory Uses and Buildings" of the Rio Dell Municipal Code to include Cargo/Shipping Containers used as Accessory Structures

Consensus of the Commission was to continue this item to the next regular meeting.

Adopt Resolution No. PC 105-2017 recommending the City Council amends Ordinance No. 353-2016 "Commercial Medical Cannabis Land Use Regulations "Section 17.30.195 of the Rio Dell Municipal Code (RDMC) regarding Permit Renewals, Changes to Ownership or Modifications to Premises, Inspections, Cultivation Setbacks, and Definitions of "Indoor" Cultivation

Community Development Director Caldwell provided a staff report and said as the Commission is aware, the City Council recently adopted Cannabis Activity Permit fees and based on the fee structure minor amendments are needed to the Cannabis Land Use Regulations.

He reviewed the amendments and said the changes are very minor in nature. The first amendment was related to permit renewals, adding language regarding renewal and operation fees. Other amendments included changes to ownership or modification to premises, inspections, cultivation setbacks and definitions of "indoor" cultivation.

Community Development Director Caldwell said with regard to cultivation setbacks, the original recommended setback of fifty (50) feet was based on possible cultivation activities in the Rural (R) zoning designation. Since that did not happen, staff is recommending the fifty (50) foot setback in the Industrial Commercial zone be amended to zero (0) feet. He said staff is recommending the cultivation setback in the Natural Resources (NR) zone be maintained at fifty (50) feet.

He also reported that staff was recently approached by a potential developer regarding indoor cultivation in a building with a clear roof and said apparently this type of cultivation is gaining popularity due to its ability to reduce energy consumption by supplementing the indoor grow with natural sunlight. He explained the definition of "indoor" means indoor cultivation using exclusively artificial lighting. The definition of "mixed-light" means cultivation occurring in a greenhouse using a combination of natural and supplemental artificial lighting at a maximum threshold as set forth in the performance standards of the ordinance.

**RIO DELL PLANNING COMMISSION
JANUARY 10, 2017 MINUTES
Page 3**

Staff recommended the definition of "indoor" cultivation be amended to read: "Indoor" means cultivation using exclusively artificial lighting *or a combination of artificial lighting and natural sunlight in a building with a glass, polycarbonate plastic or similar roof.*"

Community Development Director Caldwell stated that the owner of *Fools Gold Enterprises* is present with his agent, Larry Henderson to provide a brief presentation on their proposed facility.

Larry Henderson provided a short presentation and explained that *Fools Gold Enterprises* is a horticulture business and Cannabis farmers are among their clients. He said in working with Hummert International they provide indoor facilities dedicated for indoor Cannabis cultivation. The hybrid greenhouses (CEA houses) are state of the art facilities, incorporating the newest, best-practice measures for sustainable Cannabis production and have clear roofs to minimize energy consumption.

He said these CEA houses don't conform to Rio Dell's Commercial Cannabis Land Use Regulations even though they are specifically designed, built and used for indoor cultivation, they do not operate exclusively on artificial lighting; rather operate with a combination of artificial and natural lighting. He noted that the structures incorporate the black-out system which blocks out 99.9% of visible light, making interior light undetectable outside the building.

He presented three illustrations of the structures and said their hope is to have at least one building located at the Eel River Industrial Park.

Commissioner Angeloff questioned whether there would be any odors associated with use of these type buildings.

Mr. Henderson explained the units they are looking at are all self-contained with recycled air and have filters/scrubbers. He said apparently there is some air involved but the idea is to have zero discharge as far as odor. He said from an engineering point, they looked at water, noise, smell and light when looking at the various units. He said these new facilities have improved mechanics and are modular to the point the air coming in is circulated and controlled.

**RIO DELL PLANNING COMMISSION
JANUARY 10, 2017 MINUTES
Page 4**

Commissioner Strahan asked if any of these units are being used in Humboldt County.

Mr. Henderson said they are currently working on putting one in at Blue Lake and once they do they will hold an open house. He indicated the closest units currently in use are in Colorado.

Community Development Director Caldwell commented that staff was recently contacted by Hummert International's engineers regarding the City's seismic categories; specifically wind loads and noted the 2016 code changed the wind loads from 85 mph to 110 mph so the buildings will have to be stouter under the new code requirements.

Commissioner Angeloff called for public comment.

Sue Strahan questioned the filters on the exhaust fans.

Mr. Henderson explained there are filtered exhaust fans which filters and recycles the air before it comes out.

Community Development Director Caldwell said he understands there are filters on both the intake and discharge.

Commissioner Angeloff asked if there is a website to research these buildings more; he was directed to go to the Hummert International website for more information.

Staff stated for clarification that the Commission is not approving an application for Fool's Gold Enterprises at this time but merely allowing them to make application down the road using this type of system.

He said the recommended action is to adopt the resolution recommending the City Council amends Ordinance No. 353-2016 "Commercial Medical Cannabis Land Use Regulations" Section 17.30.195 of the Rio Dell Municipal Code regarding the proposed changes.

Commissioner Marks referred to cultivation setbacks and asked if there are any Industrial Commercial zones in the City that would be affected.

**RIO DELL PLANNING COMMISSION
JANUARY 10, 2017 MINUTES
Page 5**

Community Development Director Caldwell explained that there are some parcels at the north end of Eeloa Ave. zoned Industrial Commercial (IC) but the setbacks for those parcels will remain unchanged at zero feet. He noted the 50 foot setback was specific to only cultivation activities.

Commissioner Marks then asked if those residential uses on Eeloa Ave. were to burn down if they could be rebuilt.

Community Development Director Caldwell stated that if the structures were destroyed more than 60% they could be rebuilt provided they were owner-occupied at the time. He noted that non-conforming uses vacant for one year revert back to the intended use of the zone and that staff will be looking into those vacant properties.

Motion was made by Marks/Woodall to adopt Resolution No. PC 105-2017 recommending the City Council amends Ordinance No. 353-2016 "Commercial Medical Cannabis Land Use Regulations" Section 17.30.195 of the Rio Dell Municipal Code regarding Permit Renewals, changes to Ownership or Modifications to Premises, Inspections, Cultivation Setbacks, and Definition of "Indoor" Cultivation. Motion carried 4-0.

ADOURNMENT

Motion was made by Commissioner Marks/Woodall to adjourn the meeting at 7:08 p.m. to the January 24, 2017 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: February 28, 2017

To: Planning Commission
From: Kevin Caldwell, Community Development Director 
Through: Kyle Knopp, City Manager
Date: February 24, 2017
Subject: Amending Section 17.30.020 *Accessory Uses and Buildings* of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as Accessory Structures.

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding amending Section 17.30.020 *Accessory Uses and Buildings* of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as Accessory Structures; and
2. Open the public hearing, receive public input and deliberate; and
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); and
4. Adopt Resolution No. PC 106-2017 recommending that the City Council amend Section 17.30.020 *Accessory Uses and Buildings* of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as Accessory Structures.

Background

As the Commission is aware, the Commission discussed the use of cargo/shipping containers and recommended development standards at the meeting of October 27, 2016. A copy of the Staff Report is included as Attachment 1.

At the meeting of October 27, 2016 your Commission identified development standards. Staff has compiled the recommendations and is presenting them to your Commission for final consideration and recommendation to the City Council. The recommended development standards are included as Attachment 2.

Staff is recommending that Chapter 17.10, Definitions of the RDMC be amended to include the following definition of "Cargo/Shipping Container":

Cargo/Shipping Container means a container made of steel or similar material which is designed for securing and protecting items for transport or storage. Cargo/Shipping containers include, but are not limited to, containers commonly used as shipping containers on ships and railroads, and/or tractor trailers, PODS (Portable On Demand Storage) and other similar units.

Procedural Requirements

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 Findings

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 preclude or discourage the recommended minor text amendments. As such, the proposed 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).

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 minor text amendments, staff believes there is no evidence to suggest that the minor amendments will have a **significant** effect on the environment.

Attachment 1: Copy of the October 25, 2016 Staff Report.

Attachment 2: Draft Recommended Amendments to Section 17.30.020 *Accessory Uses and Buildings* of the Rio Dell Municipal Code (RDMC).

Attachment 3: Resolution No. PC 106-2017 recommending that the City Council amend Section 17.30.020 *Accessory Uses and Buildings* of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as Accessory Structures.

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



For Meeting of: October 25, 2016

To: Planning Commission
From: Kevin Caldwell, Community Development Director
Through: Kyle Knopp, City Manager
Date: October 20, 2016
Subject: Discussion of Cargo Containers used as Accessory Structures

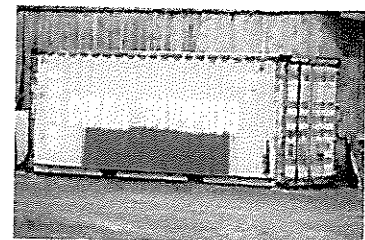
Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the use of cargo/shipping containers used as accessory structures; and
2. Open the public hearing, receive public input and deliberate;
3. Direct Staff to return with any recommended regulations as a result of tonight's meeting.

Background

As previously reported, staff has been contacted a number of times the past few years from those who would like to place and utilize cargo/shipping containers on their parcels and those who have expressed concern regarding the visual appearance of cargo containers. The City does not currently have any regulations regarding the use of cargo/shipping containers used as accessory structures.



Millions of cargo/shipping containers have been manufactured in recent years to accommodate trade between North America and Asia. Used ones are plentiful and inexpensive. Not surprisingly, many property owners have found new uses for them as auxiliary storage buildings. Shipping containers are an increasingly common sight in the City and throughout the nation. In response many jurisdictions have enacted regulations regarding the placement and use of cargo/shipping containers the past few years to protect the character of neighborhoods

and communities, reduce the potential for health and safety hazards, maintain and protect the visual qualities and property values of an area.

It appears based on staff's review that larger urban communities do not allow cargo/shipping containers in residential zones. However, quite a few smaller urban and rural jurisdictions do allow one cargo/shipping container not exceeding 320 square feet in residential zones subject to some common general provisions, including:

- A Building Permit is required;
- A 3' x 6'-8" man door is required;
- Lot must be developed with the primary residential use;
- Unit must be placed on a gravel pad;
- Placed on the rear half of the lot;
- Must meet setback requirements;
- Must not exceed allowable lot coverage;
- Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the residence;
- Containers cannot be stacked;

Some jurisdictions require additional provisions to ensure the residential character and compatibility of the neighborhood, including:

- Be sited or screened so as not to be visible from any public or private road that directly abuts the subject parcel; or
- Be sited behind the primary structure (residence) and not prominently visible from the street;
- Limit the size to 160 square feet (8' x 20') on lots less than 10,000 square feet

Staff is also recommending that cargo/shipping containers be allowed in all zones on a temporary basis when utilized during construction or grading operations for the site where located and when utilized solely for the storage of supplies and equipment that are used for construction or grading on that site.

Staff is recommending that existing cargo containers in residential zones not be considered legal nonconforming uses and that they be brought into compliance within 180 days after the effective date of the ordinance.

In regards to the use of cargo/shipping containers in commercial zones, staff would recommend that they not be allowed in the Town Center (TC) zones other than on a temporary basis during construction or grading operations for the site where located and when utilized solely for the storage of supplies and equipment that are used for construction or grading on that site.

In Community Commercial (CC), Neighborhood Center (NC) and Industrial Commercial (IC) zones staff would recommend the following development standards:

- Must be painted the same color as the building or a solid neutral color (i.e. beige, taupe and browns); and
- Be sited behind the building and not prominently visible from the street;

Staff will be recommending that Chapter 17.10, Definitions of the RDMC be amended to include the following definition of "Cargo/Shipping Container":

Cargo/Shipping Container means a container made of steel or similar material which is designed for securing and protecting items for transport or storage. Cargo/Shipping containers include, but are not limited to, containers commonly used as shipping containers on ships and railroads, and/or tractor trailers, PODS (Portable On Demand Storage) and other similar units.

17.30.020 Accessory Uses and Buildings

(1) A use legally permitted in the zone that is accessory to and subordinate to the principal use of the site and serves a purpose which does not change the character of the principal use. Accessory uses, as defined herein, shall be permitted as appurtenant to any permitted use, without the necessity of securing a use permit, unless particularly provided in this chapter; provided, that no accessory use shall be conducted on any property in any urban residential, suburban residential or suburban zone unless and until the main building is erected and occupied, or until a use permit is secured. [Ord. 252 § 6.02, 2004.]

(2) Detached accessory buildings in suburban residential, urban residential, residential multifamily and suburban zones shall conform to the following development standards. See "Building Height" definition, Section 17.10.010.

(a) Maximum Building Height

(i) Fifteen feet (15') on lots 20,000 square feet or less.

(ii) Twenty feet (20') on lots larger than 20,000 square feet.

(b) Maximum Gross Floor Area

(i) 1,000 square feet on lots 20,000 square feet or less.

(ii) 1,500 square feet on lots larger than 20,000 square feet.

(3) Exceptions. The Planning Commission may modify by use permit, the height and floor area requirements of this part, upon a showing of good cause. For any such modification, the Planning Commission shall be required to make the following findings:

(a) The proposed modification will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

(b) The proposed modification will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

(c) The proposed modification will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

(d) In issuing a use permit, the Planning Commission may require such changes or alterations to the building as it may deem necessary to satisfy the findings specified in this part. Such changes or alterations may include, but shall not be limited to the following:

- Building height

- Building area
- Setback from property line
- Screening or landscaping

(4) Detached accessory buildings may not be located within five feet of any main building, nor within five feet of a side line, nor as to encroach on any easement. Minimum yards: side, five feet, shall have the street side yard of 20 feet; rear, 10 feet.

(5) Detached accessory buildings used as second dwelling units shall not be located within 10 feet of lot lines or within five feet of an alley. The second dwelling unit shall be subject to the minimum yard requirements of the zoning district in which it is located.

(5) Accessory buildings attached to main buildings shall be structurally a part thereof and shall comply with main building yard requirements except as follows:

(a) A passive solar addition to a main building, as defined herein, may be permitted in the required front, rear, or side yard, except street side yard; provided, that no such addition shall reduce the distance between the main building and the front or rear property line to less than 15 feet, nor less than five feet from a side property line, and that no such addition shall occupy more than five percent of the area of the front or rear yard, nor more than 10 percent of the side yard area. [Amended during 2010 codification; Ord. 252 § 6.21.5, 2004.]

(6) Cargo/Shipping Containers used as accessory structures in Suburban Residential, Urban Residential, Residential Multifamily, Suburban, Rural and Natural Resource zones shall conform with the following development standards:

(a) Parcel must be developed with the primary use;

(b) Containers shall be no more than 8' x 20';

(c) Unit(s) must be placed on the rear half of the parcel;

(d) Must not exceed allowable lot coverage;

(e) Must comply with the setback requirements of the zone;

(f) May not be placed within any easements;

(g) Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the residence;

(h) Containers cannot be stacked;

(g) The allowable number of containers on a parcel shall be based on the size of the parcel as follows:

<u>Parcel Size</u>	<u>Number of Containers</u>
<u>10,000 square feet or less</u>	<u>1</u>
<u>10,001 to 20,000 square feet</u>	<u>2</u>
<u>20,000 to 1 acre</u>	<u>3</u>
<u>Parcels larger than 1 acre</u>	<u>4</u>

(7) Cargo/Shipping Containers used as accessory structures in Community Commercial and Neighborhood Center zones shall conform to the following development standards:

- (a) Parcel must be developed with the primary use;
- (b) Unit(s) must be placed on the rear half of the parcel;
- (c) Must not exceed allowable lot coverage;
- (d) Must comply with the setback requirements of the zone;
- (e) May not be placed within any easements;
- (f) Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the primary building;
- (g) Containers cannot be stacked;

(8) Cargo/Shipping Containers used as accessory structures in the Industrial Commercial zone shall conform to the following development standards:

- (a) Parcel must be developed with the primary use;
- (b) Must not exceed allowable lot coverage;
- (c) Must comply with the setback requirements of the zone;
- (d) May not be placed within any easements;
- (e) Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the primary building;
- (f) Containers cannot be stacked;

RESOLUTION NO. PC 106-2017



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
RECOMMENDING THAT THE CITY COUNCIL AMEND SECTION 17.30.020
ACCESSORY USES AND BUILDINGS OF THE RIO DELL MUNICIPAL CODE (RDMC)
TO INCLUDE CARGO/SHIPPING CONTAINERS USED AS ACCESSORY STRUCTURES.**

WHEREAS staff has been contacted a number of times the past few years from those who would like to place and utilize cargo/shipping containers on their parcels and those who have expressed concern regarding the visual appearance of cargo containers; and

WHEREAS the City does not currently have any regulations regarding the use of cargo/shipping containers used as accessory structures; and

WHEREAS shipping containers are an increasingly common sight in the City and throughout the nation; and

WHEREAS in response many jurisdictions have enacted regulations regarding the placement and use of cargo/shipping containers the past few years to protect the character of neighborhoods and communities, reduce the potential for health and safety hazards, maintain and protect the visual qualities and property values of an area; and

WHEREAS the Planning Commission recommends allowing cargo/shipping containers in certain zones subject to specific development standards intended to protect the character of neighborhoods and maintain and protect the visual qualities and property values of an area; 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 City finds that based on evidence on file and presented in the staff report that the proposed amendments is consistent and compatible with the General Plan and any implementation programs that may be affected; and

WHEREAS the proposed amendments have 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 amend Section 17.30.020 *Accessory Uses and Buildings* of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as accessory structures.

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 February 28, 2017 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 106-2017 adopted by the Planning Commission of the City of Rio Dell on February 28, 2017.

Karen Dunham, City Clerk, City of Rio Dell