

Public Review Copy

AGENDA

**RIO DELL CITY COUNCIL/PLANNING COMMISSION
JOINT MEETING/STUDY SESSION
SEPTEMBER 28, 2011 - 5:30 P.M.
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 City Council 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 City meetings often.

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THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD LETTERS.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL

E. PUBLIC HEARINGS/STUDY SESSIONS

1) 2011/0928.01 - City Parking Regulations (**DISCUSSION**) 1

2) 2011/0928.02 - Flag Lot Regulations (**DISCUSSION**) 7

3) 2011/0928.03 - Second Unit Regulations (**DISCUSSION**) 13

4) 2011/0928.04 - Town Center Zoning Designations/ Regulations (**DISCUSSION**) 17

F. PUBLIC PRESENTATIONS



G. OTHER COUNCIL/PLANNING COMMISSION BUSINESS

H. ADJOURNMENT

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



For Meeting of: September 28, 2011

To: City Council & Planning Commission
From: Kevin Caldwell, Community Development Director 
Through: Ron Henrickson, City Manager 
Date: September 7, 2011
Subject: City Parking Regulations

Recommendation:

That the City Council & Planning Commission:

1. Discuss the City's Parking Regulations and consider possible modifications.
2. Direct staff to perform additional research and revise the parking regulations.

Background and Discussion

The existing parking regulations (**Attachment 1**) were adopted in 1968 and are clearly outdated and could be considered inadequate for some use types. Staff has researched a number of local jurisdictions parking regulations and prepared a table, included as **Attachment 2**, that identifies the parking requirements for the City, the County and the City's of Arcata, Eureka, Fortuna and Ferndale. It's interesting to note that Rio Dell's and Ferndale's regulations are almost identical.

A prime example of the City's parking deficiencies can be seen on a number of residential streets throughout the City. These streets are overcrowded with on-street parked vehicles. Current single family and multifamily regulations require only one (1) parking space per dwelling, regardless of the number of bedrooms or the availability of on-street parking. In addition, the multifamily parking regulations do not require any guest parking facilities.

The parking requirements for motels may also be inadequate. The City's current regulations require only one (1) space per two (2) rooms and two (2) manager spaces. All other local

jurisdictions, other than Ferndale, require a minimum of one (1) space per room. It should also be noted that only Rio Dell and Ferndale have different requirements for hotels and motels. Hotels are required to provide one (1) space per room.

In addition to the possible need for guest parking in multifamily complexes, the Council/Commission may want to consider the addition and/or revision of other requirements:

- Recreational Vehicle parking in shopping centers
- Private recreation requirements (including arcades, bowling facilities, health clubs, etc.)
- Bicycle parking facilities
- Motorcycle parking facilities
- Compact space provisions
- Handicap space provisions
- Angled parking stall provisions
- Lighting provisions
- Landscaping provisions
- Exception Provisions
- Pervious surface provisions for larger projects
- Loading space requirements based on use types
- No parking requirements for existing structures located south of Davis Street and within one-half block of Wildwood Avenue.

If the Council/Commission directs staff to proceed, staff will perform any additional research identified by the Council/Commission, and return with a draft Text Amendment for review and consideration. Environmental review and public noticing will occur prior to that meeting. The Commission recommendation would then be forwarded to the City Council for consideration and possible adoption.

Attachments:

- 1. Existing Rio Dell Parking Regulations**
- 2. Local Jurisdiction Parking Requirements**

Rio Dell Municipal Code

17.25.130 Parking and loading facilities.

Off-street parking and loading spaces shall be provided in all zones in conformity with the following:

(1) Each parking space shall be constructed using asphalt, concrete, or other suitable all-weather surface, as approved by the Public Works Director, and not less than eight feet wide, 18 feet long and seven feet high, and each loading space shall be not less than 10 feet wide, 25 feet long and 14 feet high.

(2) Parking spaces shall be provided as follows:

(a) Dwellings, one for each dwelling unit.

(b) Motels, one for each guest room.

(c) Hotels, one for each two guest rooms.

(d) Hospitals, one for each bed and one additional for each three staff members.

(e) Offices and retail establishments, one for each 300 square feet of floor area, with a minimum of four for each office building. Medical and dental offices shall provide one additional space for each staff member.

(f) Restaurants and licensed premises, one for each four seats or one for each 200 square feet of floor space, whichever yields the greatest number of spaces required.

(g) Wholesale, industrial and public utility buildings, one for each three employees, taking the largest number of employees on duty at any one time.

(h) Public assembly, including churches and theaters, one for each six seats, or one space for each 45 square feet of floor area without fixed seats.

(i) The provisions of this subsection do not apply to existing structures located south of Davis Street and within one-half block of Wildwood Avenue.

(3) Parking Spaces for Uses Not Specified. The parking space requirements for uses not set forth in this section shall be fixed by the City Manager and be based upon available studies and standards for the most comparable use.

(4) Loading Spaces. Every commercial use occupying more than 5,000 square feet of floor area in any building shall provide one loading space and one additional loading space for every 20,000 square feet of floor area in excess of 5,000 square feet.

(5) No building shall be constructed closer to any traveled way than will provide adequate space for the traffic movement and the standing of vehicles which may be incidental to the use of the building. [Ord. 252 § 6.13, 2004.]

ATTACHMENT 1

Parking Research – Local Jurisdictions

Land Use	City of Rio Dell	County of Humboldt	City of Eureka	City of Fortuna	City of Arcata	City of Ferndale
Single Family 1 Bedroom	1 space.	1 w/Parking Lane. 2 w/o Parking Lane.	2 spaces, 1 covered.	2 spaces.	1 to 2 independently accessible spaces.	1 space.
Single Family 2 Bedroom +	1 space.	2 w/Parking Lane 4 w/o Parking Lane.	2 spaces, 1 covered.	2 spaces.	1 to 2 independently accessible spaces.	1 space.
Duplex 1 Bedroom	1 space.	1 w/Parking Lane. 2 w/o Parking Lane.	1 space per unit, plus 1 for each 2 units.	2 spaces.	1 to 2 independently accessible spaces.	1 space.
Duplex 2 Bedroom +	1 space.	2 w/Parking Lane. 3 w/o Parking Lane.	1 space per unit, plus 1 for each 2 units.	2 spaces.	1 to 2 independently accessible spaces.	1 space.
Multifamily 1 Bedroom	1 space.	1 w/Parking Lane. 1.5 w/o Parking Lane.	1 space per unit, plus 1 for each 2 units.	2 spaces.	1 to 2 independently accessible spaces.	1 space.
Multifamily 2-3 Bedroom	1 space.	2 w/Parking Lane. 2.75 w/o Parking Lane.	1 space per unit, plus 1 for each 2 units.	2 spaces 2 bedroom 2.5 spaces 3 bedroom.	1 to 2 independently accessible spaces.	1 space.
Multifamily 4 Bedroom	1 space.	2.5 w/Parking Lane. 3.5 w/o Parking Lane.	1 space per unit, plus 1 for each 2 units.	2.5 spaces.	1 to 2 independently accessible spaces.	1 space.
Senior Housing Complex	Not specified.	1 per 2 units.	2 spaces, 1 covered.	2 spaces per 3 beds.	.75 to 1.5 spaces per unit.	Not specified.
Rest Home	Not Specified	1 per 5 beds, plus the higher of either 1 space for every 500 gross SF or 1 space for each employee of the peak shift.	1 per 4 beds, plus 1 for each 2 employees and 1 for each staff doctor.	1 per 5 beds, plus 1.5 spaces for each employee.	.75 to 1.5 spaces per unit.	Not specified.

ATTACHMENT 2

Land Use	City of Rio Dell	County of Humboldt	City of Eureka	City of Fortuna	City of Arcata	City of Ferndale
Hotel	1 per room	1 per room, plus 2 manager spaces.	1 per room or 2 beds whichever is greater, plus 1 space for each 2 employees.	1 per room	1 to 1.5 per room	1 per room.
Motel	1 per 2 rooms	1 per room, plus 2 manager spaces.	1 per room or 2 beds whichever is greater, plus 1 space for each 2 employees.	1 per room	1 to 1.5 per room	1 per room.
Clinics	1 per 300 SF, 4 min, plus 1 per employee	1 for every 300 SF, with a minimum of 4, plus 1 for each employee.	1 per 200 SF of gross floor area.	1 per 200 SF of gross floor area.	1 per 500 SF to 1 per 300 SF.	Not specified.
Hospitals	1 for each bed and one additional for each 3 staff members.	1 for each bed and one additional for each 3 staff members.	1 per 3 beds, plus 1 for each 2 employees and 1 for each staff doctor.	1 per 3 beds, plus 1 for each 1.5 employees and 1 for each resident doctor.	1 per 500 SF to 1 per 300 SF.	1 for each bed and one additional for each 3 staff members.
Retail Sales/Service	1 for every 300 SF, with a minimum of 4.	1 for every 300 SF, with a minimum of 4, plus 1 for each employee.	1 per 300 SF of gross floor area.	1 per 300 SF of gross floor area.	1 per 500 SF to 1 per 300 SF.	1 for every 300 SF, with a minimum of 4.
Furniture/Appliance Sales	Not separately identified. Falls under retail sales.	1 for every 750 SF, with a minimum of 4, plus 1 for each employee.	1 per 300 SF of gross floor area.	1 per 300 SF of gross floor area.	1 per 500 SF to 1 per 300 SF.	Not separately identified. Falls under retail sales
Restaurants	1 for every 4 seats or 1 for each 200 SF of floor space, whichever yields the greatest number of spaces required	The higher of either 1 for every 4 seats or 1 for each 200 SF of floor space, plus 1 for every two employees.	1 per 200 SF of gross floor area.	1 per 50 SF of floor area.	1 per 500 SF to 1 per 300 SF.	1 for every 4 seats or 1 for each 200 SF of floor space, whichever yields the greatest number of spaces required

Land Use	City of Rio Dell	County of Humboldt	City of Eureka	City of Fortuna	City of Arcata	City of Ferndale
Offices	1 for every 300 SF, with a minimum of 4.	1 for every 300 SF, plus 1 for each employee.	1 per 300 SF of gross floor area.	1 per 300 SF of gross floor area.	1 per 500 SF to 1 per 300 SF.	1 for every 300 SF, with a minimum of 4.
Shopping Centers	Not specifically identified. Defaults to retail requirements.	Shopping centers covering two acres or more require 1 space for every 200 SF of gross floor area. Shopping centers less than two acres shall the same as required for retail sales or service uses.	Not specifically identified. Defaults to retail requirements.	Not specifically identified. Defaults to retail requirements.	1 per 500 SF to 1 per 300 SF.	Not specifically identified. Defaults to retail requirements.
Public Assembly Theaters Community Halls	1 for each 6 seats, or 1 space for each 45 SF of floor area without fixed seats.	1 for each 4 seats, plus 1 for every two employees.	1 for each 6 seats, or 1 space for each 60 SF of floor area without fixed seats.	1 for each 4 seats, plus 1 space for each 60 SF of floor area.	1 per 500 SF to 1 per 350 SF.	1 for each 6 seats.
Industrial Manufacturing	1 for each 3 employees, taking the largest number of employees on duty at any one time.	The higher of either 1 for every 1500 SF within an enclosed building, or 1 space for each employee at peak shift. Minimum of 2 spaces required.	1 per 500 SF of gross floor area.	1 for each 1.5 employees, taking the largest number of employees on duty at any one time.	1 per 800 SF to 1 per 500 SF.	1 for each 3 employees, taking the largest number of employees on duty at any one time.
Warehouse	Not specified.	The higher of either 1 for every 2500 SF, or 1 space for every four employees	1 per 1000 SF of gross floor area.	1 for each 1.5 employees, taking the largest number of employees on duty at any one time.	1 per 800 SF to 1 per 500 SF.	Not specified.

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



For Meeting of: September 28, 2011

To: City Council & Planning Commission
From: Kevin Caldwell, Community Development Director
Through: Ron Henrickson, City Manager *RH*
Date: September 13, 2011
Subject: Flag Lot Regulations

Recommendation:

That the City Council & Planning Commission:

1. Discuss possible flag lot provisions.
2. Direct staff to perform additional research and prepare a draft text amendment regarding the creation of flag lots.

Background and Discussion

The City currently does not have any provisions regarding the creation of flag lots. However, the City has approved a number of flag lots over the years. Please refer to Attachment 1. Many jurisdictions discourage the creation of flag lots. Almost every jurisdiction includes specific development standards for flag lots. Below is a summary of a number of performance standards that are applied to flag lots:

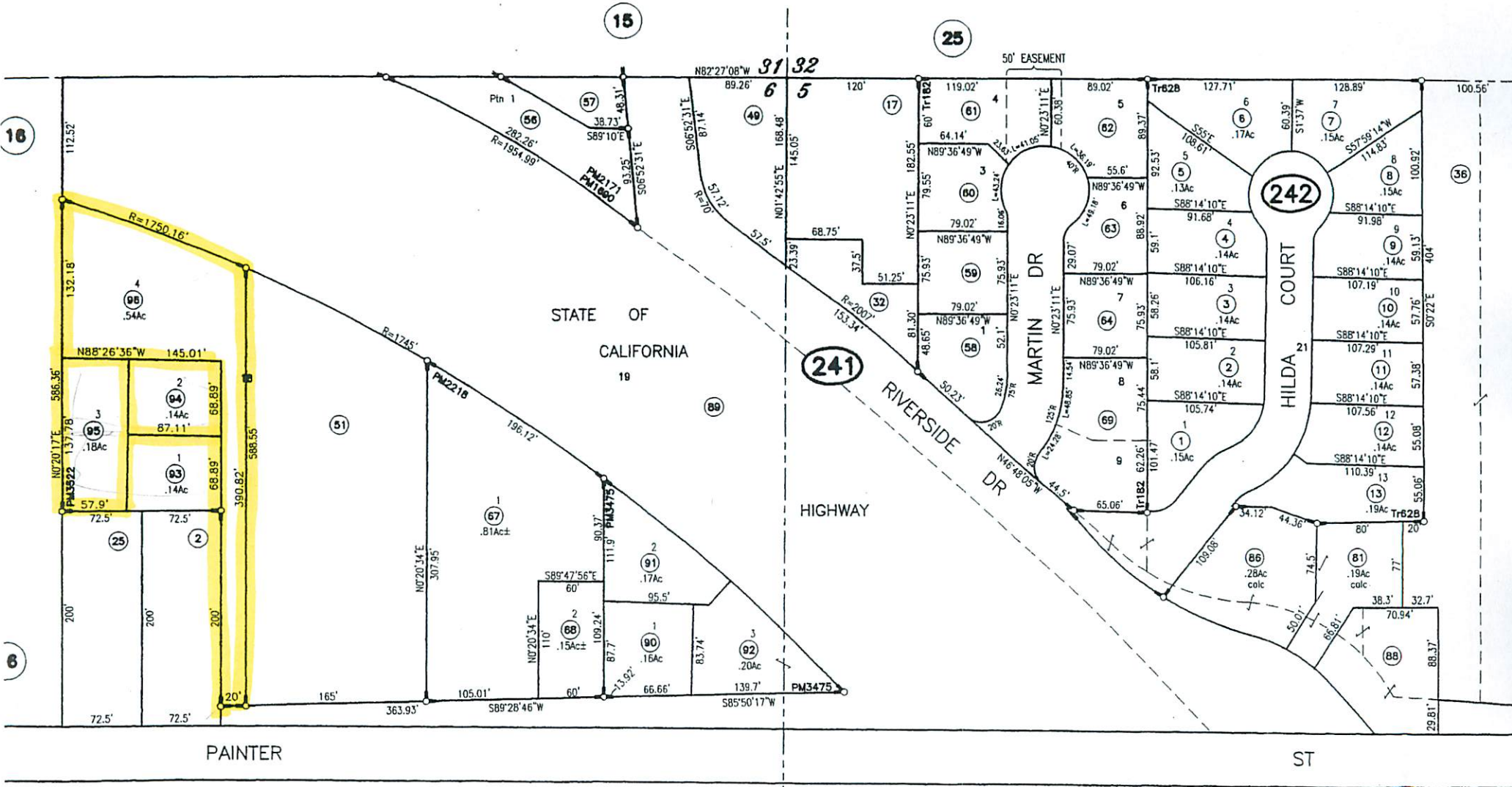
- Most jurisdictions only allow flag lots due to topographic conditions or other physical conditions including excessively deep, narrow lots.
- Most jurisdictions limit flag lots to single family residential developments.
- A number of jurisdictions require larger lot sizes for flag lots.

- Most jurisdictions do not include the handle or stems of the flag or turnaround areas to meet the minimum parcel size.
- Most jurisdictions do not include the handle or stems of the flag or turnaround areas when calculating maximum lot coverage.
- All jurisdictions require emergency vehicle turn-around areas for flag lots whose stem or handle is longer than 150 feet.
- Some jurisdictions limit building heights to single story, 20 feet maximum.
- Most jurisdictions that do allow two-story dwellings limit second story balconies or decks to the front or rear of the dwelling.
- Most jurisdictions require a minimum rear yard (setback) of 25 feet.
- Most jurisdictions require that the dwellings be oriented to the street.
- Many jurisdictions do not allow the creation of flag lots through the lot line adjustment process.
- A number of jurisdictions require additional parking due to lack of street frontage.
- A number of jurisdictions require a minimum stem or handle width of 16 feet (12 foot travelway, 4 foot landscaped area) for one flag lot and 26 feet (two 10 foot travelways and 4 foot landscaped areas on each side of the travelway).

If the Council/Commission directs staff to proceed, staff will perform any additional research identified by the Council/Commission, and return with a draft Text Amendment for review and consideration. Environmental review and public noticing will occur prior to that meeting. The Commission recommendation would then be forwarded to the City Council for consideration and possible adoption.

Attachments:

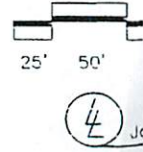
1. **Maps of existing flag lots within the City.**



PM1690 of PM Bk 14, Pg 147
 Tr182, Bk 17 of MAPS, Pgs 107-108
 "Martin Sub'd"
 PM2171 of PM Bk 19, Pg 44 (Ptn)
 PM2218 of PM Bk 19, Pg 106
 PM3475 of PM Bk 34, Pgs 4-5
 Tr628, Bk 24 of MAPS, Pgs 139-140
 "Bluff View Estates"
 PM3522 of PM Bk 34, Pgs 119-120

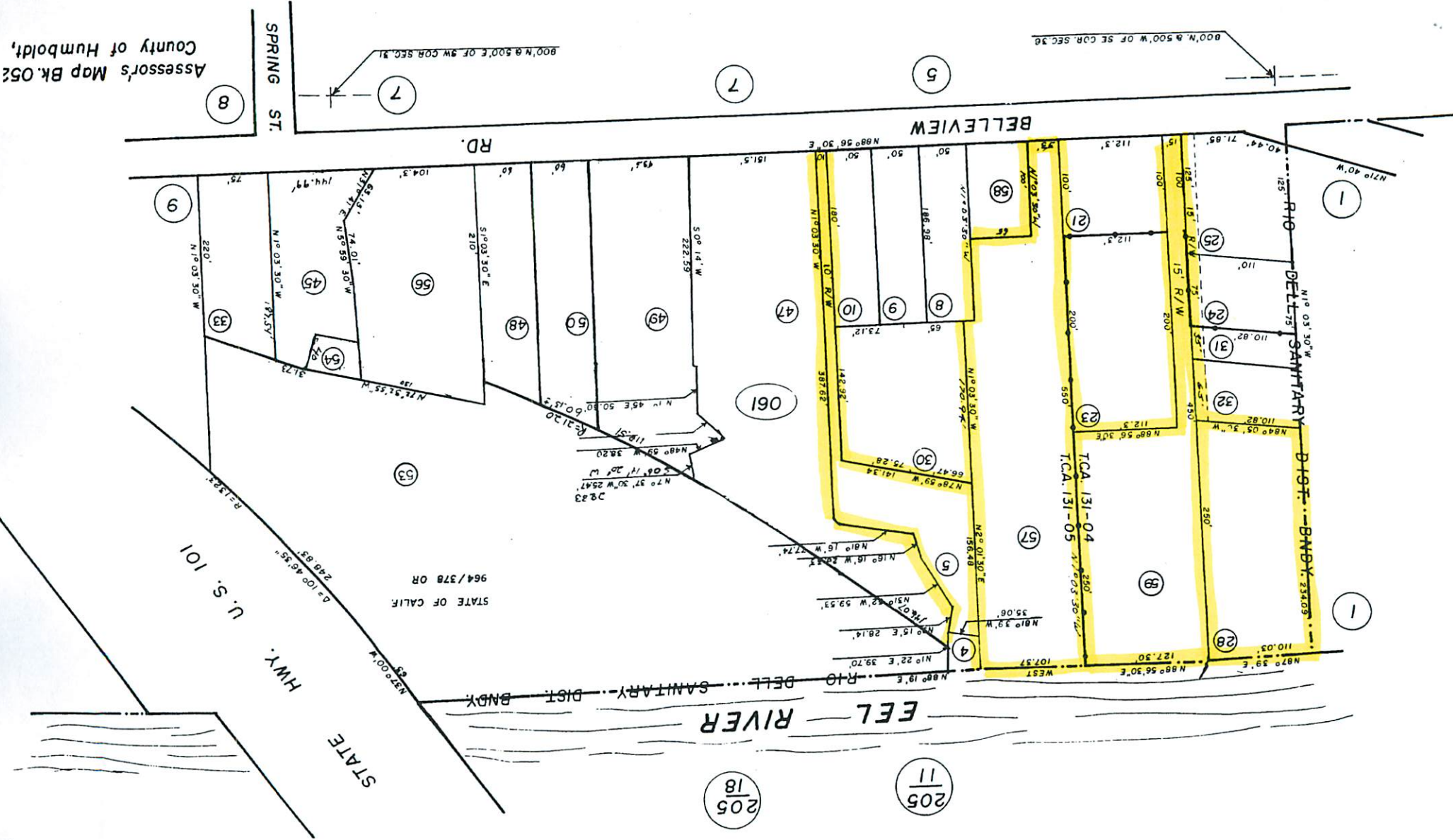
PARCEL MAP
 PREPARED FOR REPROSES ONLY. ASSUMED FOR THE DATA SHOWN. PARCELS MAY NOT BE CAL LOT-SPLIT BY ORDINANCES.

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.
 Assessor's Map Bk. 52, Pg.24
 County of Humboldt, CA.

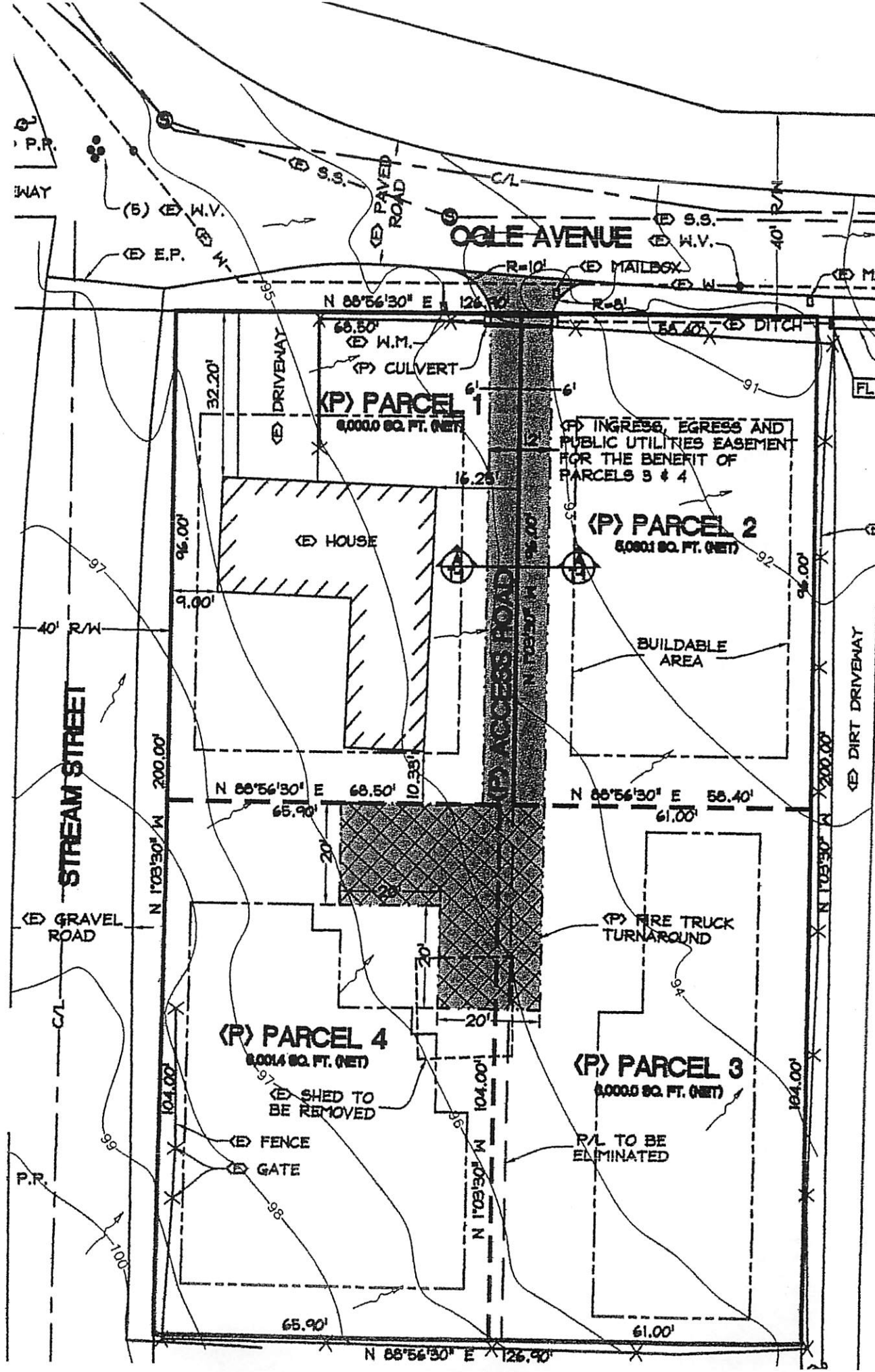


PTN. SEC. 36 2N1W & PTN. SEC. 31 2N1E

(BELLEVUE)



Assessor's Map Bk. 052
County of Humboldt,



P.R.
WAY

OGLE AVENUE

STREAM STREET

(P) PARCEL 1
6,000.00 SQ. FT. (NET)

(P) PARCEL 2
6,080.1 SQ. FT. (NET)

(P) PARCEL 4
6,001.4 SQ. FT. (NET)

(P) PARCEL 3
6,000.5 SQ. FT. (NET)

(S) SHED TO BE REMOVED

R/W TO BE ELIMINATED

(P) INGRESS, EGRESS AND PUBLIC UTILITIES EASEMENT FOR THE BENEFIT OF PARCELS 3 & 4

(P) ACCESS ROAD

(S) DIRT DRIVEWAY

(S) DRIVEWAY

(S) GRAVEL ROAD

(P) FIRE TRUCK TURNAROUND

(S) FENCE

(S) GATE

(S) HOUSE

(P) CULVERT

(S) MAILBOX

(S) W.V.

(S) E.P.

(S) S.S.

(S) S.S.

(S) W.V.

(S) W.

(S) M.

65.90'

61.00'

N 1°05'30" E 200.00'

N 1°05'30" E 104.00'

N 1°05'30" E 200.00'

32.20'

96.00'

9.00'

N 88°56'30" E 68.50'

68.50'

65.90'

10.33'

N 88°56'30" E 55.40'

61.00'

N 88°56'30" E 126.90'

N 88°56'30" E 126.90'

40' RUN

91

92

164.00'

97

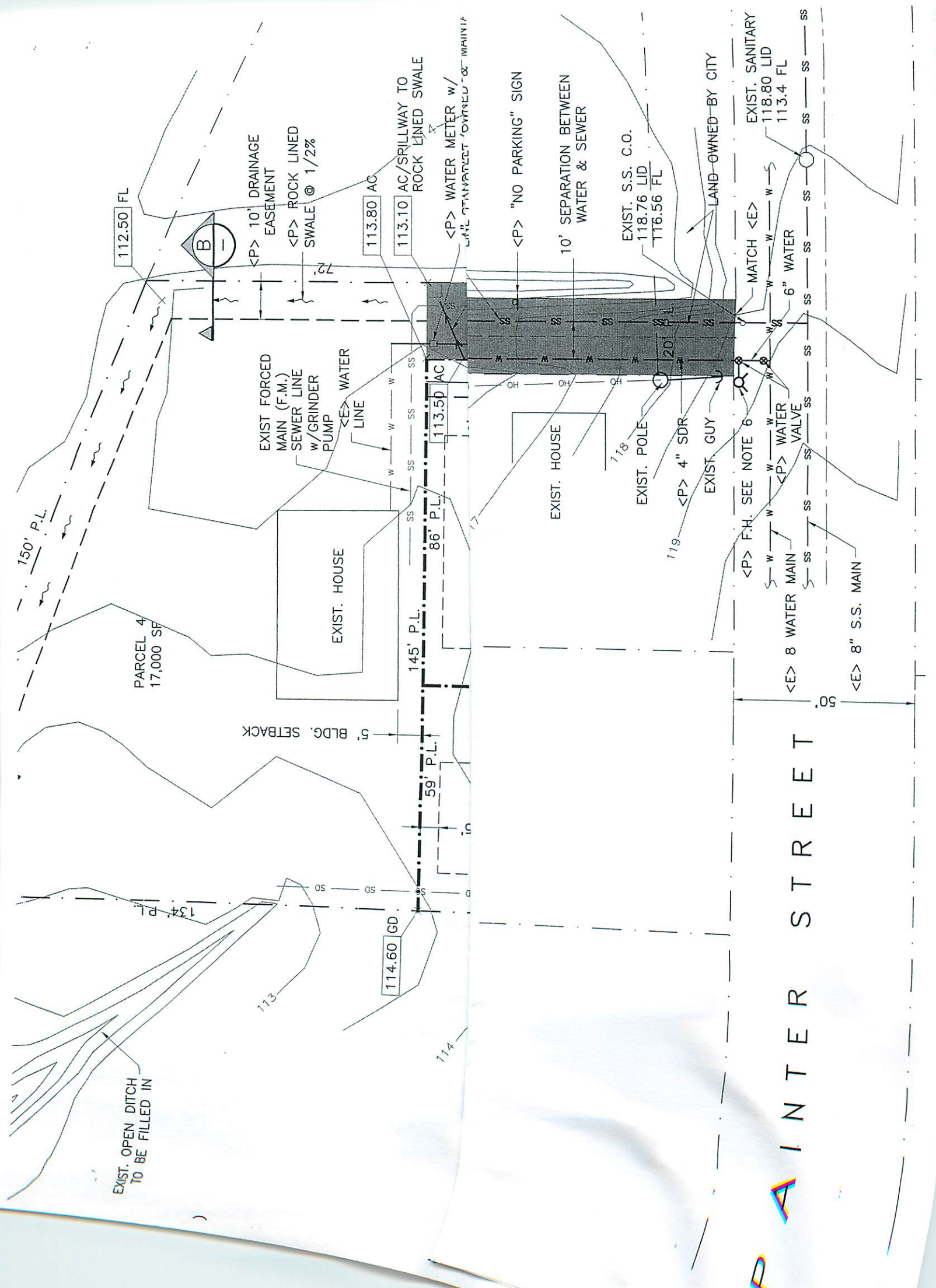
40' R/W

97

98

99

100



EXIST. OPEN DITCH
TO BE FILLED IN

PARCEL 4
17,000 SF

5' BLDG. SETBACK

EXIST. FORCED
MAIN (F.M.)
SEWER LINE
w/GRINDER
PUMP

EXIST. HOUSE

EXIST. HOUSE

EXIST. S.S. C.O.

EXIST. SANITARY
118.80 LID
113.4 FL

W A I N T E R S T R E E T

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112.50 FL

<P> 10' DRAINAGE
EASEMENT

<P> ROCK LINED
SWALE @ 1/2%

113.80 AC

113.10 AC/SRLLWAY TO
ROCK LINED SWALE

<P> WATER METER w/
LAL STANDARD OWNED & MAINT

<P> "NO PARKING" SIGN

10' SEPARATION BETWEEN
WATER & SEWER

EXIST. S.S. C.O.
118.76 LID
116.56 FL

LAND OWNED BY CITY

MATCH <E>

6" WATER

<E> WATER
LINE

113.50 AC

86' P.L.

145' P.L.

59' P.L.

114.60 GD

134' P.L.

150' P.L.

114

113

112

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



For Meeting of: September 28, 2011

To: City Council & Planning Commission
From: Kevin Caldwell, Community Development Director 
Through: Ron Henrickson, City Manager 
Date: September 19, 2011
Subject: Second Unit Regulations; Section 17.25.180 RDMC

Recommendation:

That the City Council & Planning Commission:

1. Discuss existing and potential second unit provisions.
2. Direct staff to perform additional research and prepare a draft text amendment amending the City's second unit provisions.

Background and Discussion

The City's second unit provisions were adopted (Ordinance 252) in 2004 as part of the adoption of the current zoning regulations. The existing provisions are included as Attachment 1. The State has determined that second units are a valuable form of housing. Second units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others. Homeowners who create second units benefit from added income and increase sense of security. In 2002 the Legislature enacted provisions to further encourage the development of second units by making the approval of second units a ministerial act, not subject to discretionary review or a hearing.

A number of the City's provisions are either not consistent with State law and/or are poorly written. The City's regulations: (1) contain discretionary language when in fact approval of second units that meet the development standards is ministerial; (2) requires that one of the dwelling units be owner-occupied; (3) precludes second units on lots less than 6,000 square feet, except in Town Center second units are allowed on lots of 5,000 square feet or more; (4)

precludes manufactured or mobilehome as second units; and (5) infer that detached second units are allowed in the rear yard setback.

State law requires that jurisdictions ministerially approve second units that meet certain development standards. The City's provisions clearly and accurately state that the approval of second units shall be ministerial. However, the City's provisions also indicate "The Planning Secretary *may* grant a permit..." First of all, there is no definition of the Planning Secretary and second, the City does not have a Planning Secretary. In addition, the language "may" infers there's discretion involved. Staff would recommend that the term "Planning Secretary" be eliminated and replaced with "Planning Department" and "may" be replaced with "shall".

Section 17.25.180(4)(a) of the RDMC requires that one of the dwellings be owner-occupied. This provision is not consistent with State law. State law, Section 65852(H)(3) does allow the local agency to require the permit be *issued* to an owner-occupant. A number of jurisdictions do require that at the time of application for a second unit, the applicant shall be an owner-occupant. Again, staff would recommend that this provision be amended to reflect State law.

Section 17.25.180(4)(b) of the RDMC also restricts second units to lots 6,000 square feet or larger, except in the Town Center where the minimum lot size for a second unit is 5,000 square feet. This too is not consistent with State law. However, second units are subject to the zones lot coverage requirements. It should be noted that the Town Center designation allows detached and attached single family dwellings as a principally permitted use. Therefore, the second unit provisions really have no effect in the Town Center zone.

Section 17.25.180(4)(g) of the RDMC limits the second unit to 50% of the primary unit up to a maximum of 1,200 square feet, except in suburban and rural zones where the second unit shall not exceed 50% of the primary unit regardless of the size of the primary unit. Almost all jurisdictions do not limit the size of second units on parcels that are large enough to be subdivided. Furthermore, prior to the 2002 legislative changes almost all jurisdictions allowed exceptions to the size limitations with either a Special Permit or a Conditional Use Permit. Accordingly, staff recommends that size limitations not apply to parcels or lots that are large enough to be subdivided. Once again the Town Center designation, which includes a significant number of residential lots, does not restrict the size of second or even third units.

Section 17.25.180(4)(h) of the RDMC does not allow manufactured or mobile homes as second units. This is not consistent with State law. State law and case law is very clear that jurisdictions cannot discriminate against the placement of manufactured or mobile homes as primary or secondary residences. Section 65852.3 of the California Government Code requires that jurisdictions allow manufactured or mobile homes certified under the National Manufacturing Housing and Construction and Safety Standards Act of 1974 on foundations on any lots zoned to allow conventional single-family dwellings and second units. State law does allow local jurisdictions to impose architectural provisions regarding roof overhangs, siding and roofing material. In addition, local jurisdictions may preclude the placement of a manufactured or mobilehome if more than 10 years have elapsed between the manufacture date and the date of application for a building permit.

Section 17.25.180(4)(k) of the RDMC limits building height to 35 feet for detached second units, except that second dwellings ***located within any portion of the rear yard setback*** shall not exceed one story or 16 feet in height, whichever is less. This provision is poorly written for two reasons; (1) every residential zone other than the Rural zone limits building height to 35 feet; and (2) no structures, including second units, may be located within any yard setback unless a variance was granted.

If the Council/Commission directs staff to proceed, staff will perform any additional research identified by the Council/Commission, and return with a draft Text Amendment for review and consideration. Environmental review and public noticing will occur prior to that meeting. The Commission recommendation would then be forwarded to the City Council for consideration and possible adoption.

Attachments:

1. Existing Second Unit Regulations.

17.25.180 Second Dwelling Units.


All second dwelling units, as defined herein, shall be subject to the following regulations:

- (1) Applications for second dwelling units shall be considered ministerially, without discretionary review.
- (2) No more than one second dwelling unit may be constructed on any site.
- (3) The Planning Secretary may grant a permit for a second dwelling unit which was created prior to the effective date of the ordinance codified in this section, if the Planning Secretary finds that the second dwelling unit complies with all of the regulations specified in this section.
- (4) The Planning Secretary may grant a permit for a new second dwelling unit, if the Planning Secretary finds that the second dwelling unit conforms with all the following regulations:
 - (a) One of the dwelling units on the site is owner-occupied.
 - (b) The lot on which the unit is proposed totals at least 6,000 square feet, except for existing lots 5,000 square feet or more in the town center.
 - (c) The second dwelling unit contains a separate entrance, kitchen, and bathroom; both the existing dwelling and the second unit comply with all requirements of the current City of Rio Dell building code in effect at the time of building construction.
 - (d) The second dwelling unit maintains the scale of adjoining residences and blends into the existing setting by use of appropriate building form, height, materials, color and landscaping appropriate to that setting.
 - (e) The second dwelling unit does not overload the capacity of the neighborhood to absorb it or cause a concentration of units sufficient to change the character of the general area.
 - (f) The parking on the site conforms with the requirements set forth in RDMC 17.25.130.
 - (g) The size of the second dwelling unit shall not exceed 50 percent of the size of the primary dwelling unit up to a maximum of 1,200 square feet, except for second dwelling units located within the suburban and rural zones where the second dwelling unit shall not exceed 50 percent of the primary dwelling unit.
 - (h) The second dwelling unit shall not be a manufactured/mobile home.
 - (i) The detached second unit maintains a minimum separation from the main building of 10 feet.
 - (j) The second dwelling unit shall be subject to the minimum yard requirements of the zoning district in which it is located.
 - (k) The maximum building height of a detached second dwelling unit shall be 35 feet except as follows: a detached second dwelling unit which is located within any portion of a required rear yard setback shall not exceed one story or 16 feet in height, whichever is less. [Ord. 252 § 6.17.5, 2004.]

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



For Meeting of: September 28, 2011

To: City Council & Planning Commission
From: Kevin Caldwell, Community Development Director 
Through: Ron Henrickson, City Manager 
Date: September 22, 2011
Subject: Town Center

Recommendation:

That the City Council & Planning Commission:

1. Discuss existing and potential Town Center provisions.
2. Direct staff to perform additional research and prepare a draft map and text amendment amending the City's Town Center provisions.

Background and Discussion

The Town Center designation was created and applied in 2004. A map showing the current Town Center area is included as **Attachment 1**. The Town Center land use and development standards are included as **Attachment 2**. Below is a copy of the General Plan description for the Town Center designation:

The Town Center designation is the heart of Rio Dell. It is a mixed-use district that contains residential, commercial, office, lodging and civic uses. The minimum lot size is 2,500 square feet. The required open space for residential uses is 35 percent, and there is no requirement for open space for non-residential uses.

The Town Center designation was created to facilitate mixed-use and live/work development. However, there has been very little if any mixed-uses developed subsequent to applying the designation.

Staff believes there are two development standards that discourages commercial development and encourages residential development:

- Requiring two-story buildings;
- Requiring residential uses on second floors.

These development standards discourage folks who have no desire to build two-story buildings, including residential units on the second floor. Detached and attached single family dwellings are principally permitted in the Town Center zone. Staff believes these are the contributing reasons why no additional commercial development has been proposed in the Town Center area.

The City has issued a few building permits for duplexes and residences along Wildwood Avenue, within what could be considered the core commercial district, virtually eliminating the possibility of commercial development on those parcels. In fact, the City recently issued a building permit for a duplex and a single family unit above a garage on Assessor Parcel Number (APN) 053-151-032, 340 Wildwood Avenue. Staff has included as **Attachment 3** a copy of the site plan and front elevations of the units for your review. Although principally permitted, staff does not believe this type of mixed use development is what the Planning Commission and City Council envisioned when they adopted the Town Center designation.

The Town Center designation is applied to residential neighborhoods beyond the core of the historical commercial corridor along Wildwood Avenue. Apparently the designation was expanded to include the residential areas to allow and facilitate residential development of existing substandard lots. This is somewhat puzzling. Substandard lots are legal lots that do not comply with the current minimum lot requirements. Development of substandard lots is allowed throughout the State and country subject to the allowed uses of the zone and compliance with the zones development standards (i.e. yard setbacks, lot coverage, building height, parking etc.).

Potential problems associated with the Town Center designation being applied to residential areas include, but are not limited to:

- Commercial uses not compatible with residential uses;
- Increased traffic, noise, odors, etc;
- Existing single story residences are now considered non-conforming uses;
- Difficulty in obtaining loans or refinancing on non-conforming residences.

Staff believes the Commission and the Council should discuss and consider the possibility of focusing the Town Center designation to the town center commercial core area. Staff believes it may be appropriate identify the Town Center (sometimes referred to as Downtown Commercial

in other jurisdictions) to the area along Wildwood Avenue north of the Scotia-Rio Dell bridge and south of Columbus Street on the East and Ash Street on the west side of Wildwood Avenue as one concept for a concentrated core area. Included as **Attachment 4** is map identifying a possible focused Town Center district.

In 2002 the City established two committees, the Planning Together for Tomorrow Committee and the Community Pride Committee. The Planning Together for Tomorrow Committee was established to advise the City Council on matters such as long range planning, the downtown core area, urban design and community theme. The file on this committee does not contain very much information.

The Community Pride Committee was established to advise the City Council on community appeal, beautification and general community enhancement. The Gateway beautification project was a result of this committee's work. The City also had some renderings done regarding possible architectural treatments and street/parking improvements in the downtown area. Due to the size of the renderings, staff will present them at the meeting on Wednesday.

The City Council may want to establish a new downtown committee to help identify the downtown core area, potentially principally and conditionally permitted uses. In regards to allowed uses, there has been some interest in allowing for artisan's workshops. Galleries, although not defined in the RDMC, are principally permitted in the Town Center zone. Only the Community Commercial (CC) zone allows "handicraft manufacturing". This may have been an oversight.

The information presented herein is intended to establish talking points and a dialogue regarding possible modifications to the Town Center designation and allowed uses. If the Council/Commission directs staff to proceed, staff will perform any additional research identified by the Council/Commission, and return with a draft Map and Text Amendment for review and consideration. Environmental review and public noticing will occur prior to that meeting. Should the Council wish to pursue formulation of a special committee, this would be incorporated into the process. The Commission recommendation would then be forwarded to the City Council for consideration and possible adoption.

Attachments:

- 1. Current Town Center District Map.**
- 2. Existing Town Center Regulations.**
- 3. Site Plan and Elevations, 340 Wildwood Avenue.**
- 4. Possible Town Center District Map.**

City of Rio Dell

General Plan Zoning Designations

- Rural
- Suburban Low
- Urban Residential
- Suburban Residential
- Town Center
- Neighborhood Center
- Community Commercial
- Industrial/Commercial
- Public Facility
- Natural Resources
- Planned Development

Administrative Boundaries

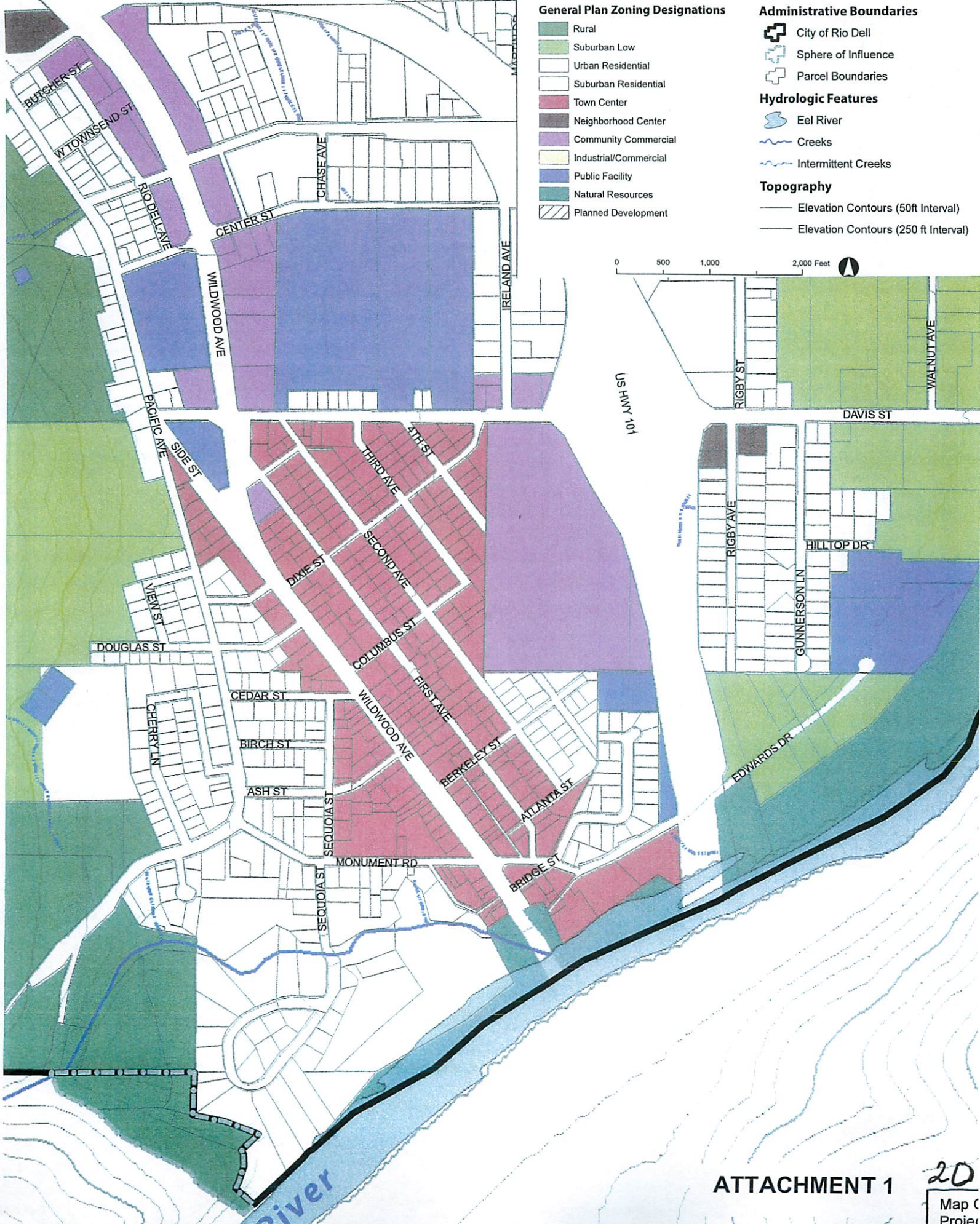
- City of Rio Dell
- Sphere of Influence
- Parcel Boundaries

Hydrologic Features

- Eel River
- Creeks
- Intermittent Creeks

Topography

- Elevation Contours (50ft Interval)
- Elevation Contours (250 ft Interval)





17.20.040 Town Center or TC zone.

The purpose of the town center or TC zone is to maintain the downtown as the heart of the City by establishing a mixed use district. The following regulations shall apply in all town center or TC zones:

(1) Principal Permitted Uses.

- (a) Detached and attached single-family dwellings;
- (b) Live/work residential;
- (c) Rooming and boarding of not more than two persons not employed on the premises;
- (d) Business and professional services;
- (e) Retail;
- (f) Restaurants;
- (g) Theaters;
- (h) Galleries;
- (i) Health services;
- (j) Commercial/residential building where the ground floor is put to one or more of the non-residential uses contained in this subsection and the upper floors are used solely for residential purposes.

(2) Uses Permitted with a Use Permit.

- (a) Civic and cultural organizations;
- (b) Hotels and motels;
- (c) Bars.

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

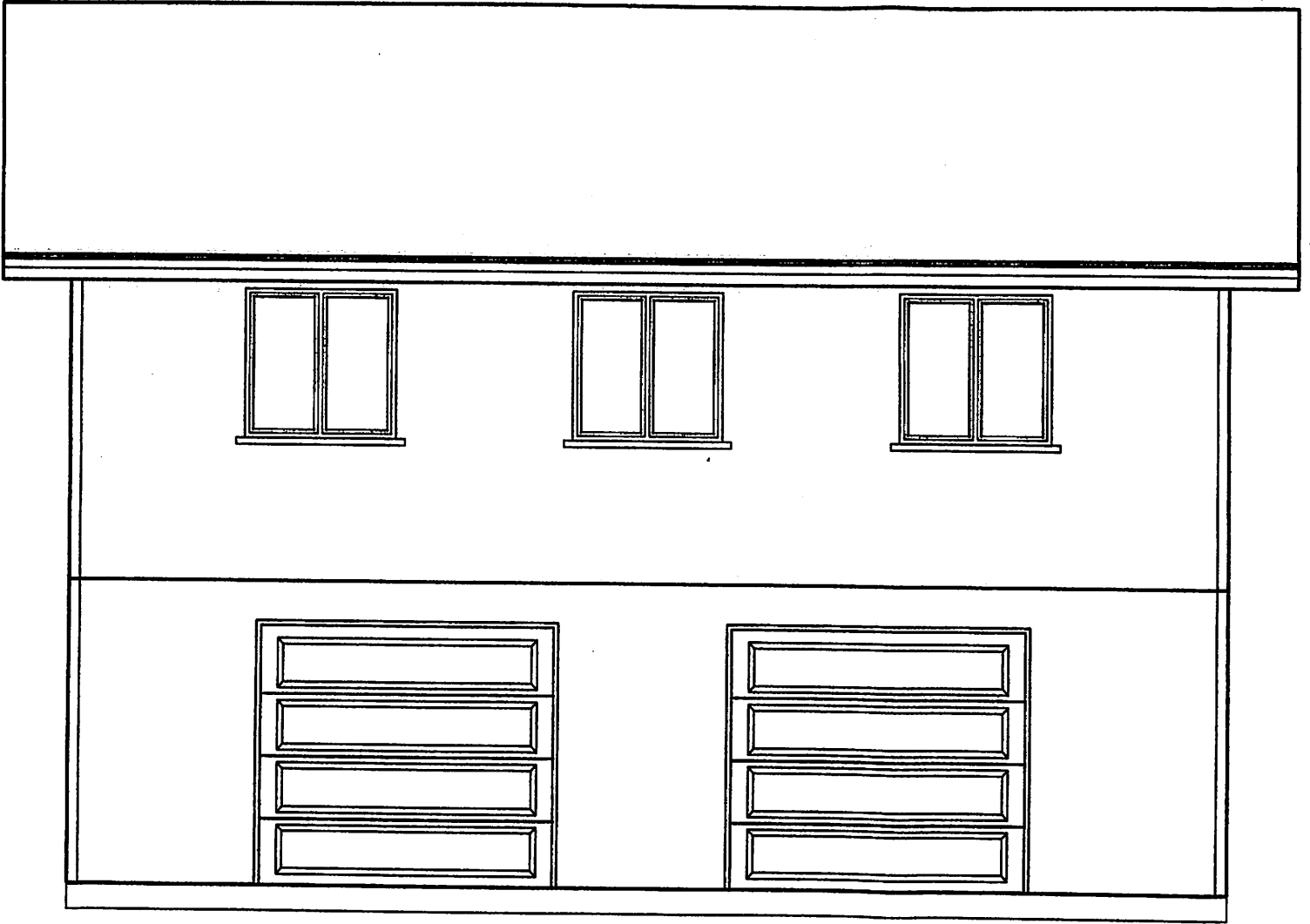
**Table 17.20.040
Development Standards for the Town Center or TC Zone**

Site Development Standard	Zone Requirement	Measurement
Minimum Lot Area	2,500	Square feet
Maximum Ground Coverage	100% for commercial, 35% for separate residential units [Floor Area Ratio = 2]	
Minimum Lot Width	25	Feet
Minimum Yard		
Front	20 (No setbacks required for mixed use or non-residential uses)	Feet
Rear:	10 (No setbacks required for mixed use or non-residential uses)	Feet
Side:	5 (No setbacks required for mixed use or non-residential uses)	Feet
Minimum Building Height	Two (2) stories	Feet
Maximum Building Height	Three (3) stories or 45 feet	Feet



SOUTHWEST ELEVATION

SCALE: 1/4" = 1'-0"



SOUTHWEST ELEVATION

SCALE: 1/4" = 1'-0"

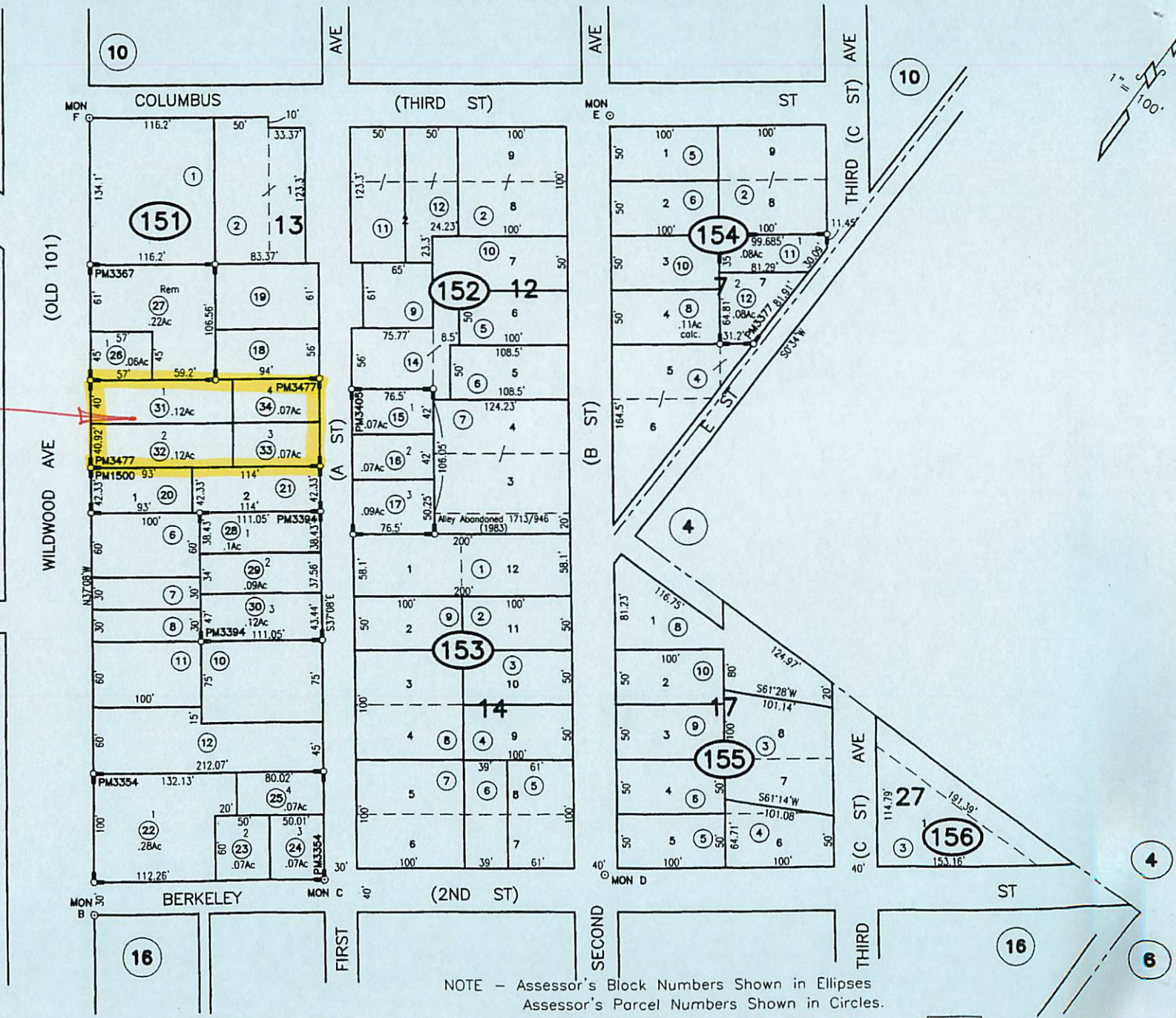


OLD APN
053-151-15

LS, Bk 9 of surveys, Pg 50
 LS, Bk 10 of surveys, Pgs 8-9
 LS, Bk 10 of surveys, Pg 48
 RM, Bk 11 of MAPS, Pgs 77-78
 "1st ADDN to RIO DEL"
 PM3354 of PM Bk 32, Pgs 47-48
 PM3367 of PM Bk 32, Pgs 72-73
 PM3377 of PM Bk 32, Pgs 92-93
 PM3394 of PM Bk 32, Pgs 127-128
 PM3405 of PM Bk 33, Pgs 3-4
 PM3477 of PM Bk 34, Pgs 8-9

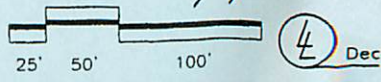
ARCEL MAP
 REPAIRED FOR
 PURPOSES ONLY.
 ASSUMED FOR
 THE DATA SHOWN.
 CELLS MAY NOT
 CALC LOT-SPLIT
 ORDINANCES.

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NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 53, Pg.15
 County of Humboldt, CA.





Possible Town Center District

ATTACHMENT 4

