

A G E N D A
RIO DELL CITY COUNCIL
REGULAR MEETING- 6:30 P.M.
TUESDAY, JANUARY 3, 2012
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 Rio Dell City Council meetings often.

In compliance with the Americans 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 this meeting.

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

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. STUDY SESSIONS/PUBLIC HEARINGS
- E. CEREMONIAL
- F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds of the Council 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 5 minutes.

G. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS".

- 1) 2012/0103.01 - Approve Minutes of the December 20, 2011 Regular Meeting (**ACTION**) 1

- 2) 2012/0103.02 - Approve Resolution No. 1140-2012 Approving the Destruction of Records **(ACTION)** 6
- 3) 2012/0103.03 - Authorize the City Manager to Execute Contract Amendment 2 with Winzler & Kelly on the Brownfield's Assessment Grant on the Former Eel River Sawmill Site **(ACTION)** 8
- 4) 2012/0103.04 - Approve the Wahlund Construction, Inc./Sequoia Construction Specialties Bid Extension for the Wastewater Treatment Plant Upgrade and Disposal Project **(ACTION)** 11

H. SPECIAL PRESENTATIONS

I. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar

J. ORDINANCES/SPECIAL RESOLUTIONS

- 1) 2012/0103.05 - Introduction and First Reading (by title only) of Ordinance No. 280-2012 Amending the Urban Residential and Suburban Residential Zones, Sections 17.20.020(2)(a) and 17.20.030(2)(b) Respectively of the Rio Dell Municipal Code by Removing Home Occupations as Conditionally Permitted Uses **(ACTION)** 14
- 2) 2012/0103.06 - Introduction and First Reading (by title only) of Ordinance No. 281-2012 Amending the Second Dwelling Unit Regulations, Section 17.25.180 of the Rio Dell Municipal Code **(ACTION)** 28

K. REPORTS/STAFF COMMUNICATIONS

- 1. City Manager
- 2. Finance Director
- 3. Chief of Police - Monthly Police Report 49
- 4. Community Development Director

L. COUNCIL REPORTS/COMMUNICATIONS

M. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED CLOSED SESSION AS FOLLOWS:

N. PUBLIC COMMENT REGARDING CLOSED SESSION

O. RECESS INTO CLOSED SESSION

P. RECONVENE INTO OPEN SESSION

Q. ORAL ANNOUNCEMENTS

R. ADJOURNMENT

*The next Regular meeting will be on January 17, 2012
at 6:30 PM in the City Council Chambers*

**RIO DELL CITY COUNCIL
REGULAR MEETING
DECEMBER 20, 2011
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Leonard, Marks, Thompson and Wilson

Others Present: City Manager Henrickson, Finance Director Beauchaine, Water Superintendent Jensen and City Clerk Dunham

Absent: Chief of Police Hill, Community Development Director Caldwell, and Wastewater Superintendent Chicora (excused)

CEREMONIAL

Certificate of Appreciation to Denise Sweaney for Service on the Planning Commission

Mayor Woodall announced that Denise Sweaney was not available to receive the Certificate of Appreciation this evening but the certificate is being presented to her for her faithful service and sincere commitment to the City of Rio Dell serving as Planning Commissioner from January 2, 2007 to November 17, 2011.

PUBLIC PRESENTATIONS

Hilary Swartz addressed the Council regarding the Rio Dell Plaza and asked for an update on the Todd Option Agreement; City Manager Henrickson stated there was nothing new to report at this time and said there will be a public hearing held at the appropriate time.

Deborah Bare asked for information on how to get the matter on an agenda for discussion and stated the last update was on November 22, 2011; Mayor Woodall stated there will an update provided at the next regular meeting. City Manager Henrickson reiterated that there is simply no news to share at this time.

CONSENT CALENDAR

Mayor Woodall announced the items to be approved on the consent calendar and asked the staff, the public and the Council members if there was anyone who wished to have any item removed from the consent calendar for separate discussion.

Motion was made by Marks/Thompson to approve the consent calendar including approval of minutes of the December 6, 2011 regular meeting; and authorizing the City Manager to execute the contract agreement with Freshwater Environmental Services for update of the Cross-Connection Ordinance. Motion carried 5-0; Councilmember Leonard abstained from vote on the December 6, 2011 minutes.

SPECIAL CALL ITEMS

Approve Appointment of Applicant to the Planning Commission to fill the Unexpired Term Ending December 31, 2012

Mayor Woodall stated that both candidates were interviewed during the City Council meeting on December 6, 2011 but since there were only four council members present, the vote to fill the vacancy resulted in a tie of two votes for each candidate. As a result, the Council directed staff to bring the matter back to the Council for a re-vote with a full Council.

Councilmember Marks asked each of the candidates if there would be a problem getting to Planning Commission meetings on time since they both work in Eureka. Nick Angeloff stated that he was currently working out of his home so it would not be a problem; Billy Joe Long stated that although he works in Eureka, he is generally home by 5:30 p.m. so it wasn't a problem for him either.

Councilmembers were asked to vote by written ballot for the applicant of their choice; ballots were then passed to the City Clerk to tally. The City Clerk announced that two votes were received for Billy Joe Long and three votes for Nick Angeloff.

Mayor Woodall thanked both candidates for stepping forward and applying for the position.

Motion was made by Leonard/Thompson to approve the appointment of Nick Angeloff to the Planning Commission to fill the unexpired term ending December 31, 2012. Motion carried 5-0.

Approve Agreement with KNN Public Finance

City Manager Henrickson stated the purpose of the agreement with KNN Public Finance is for them to work with the City to develop cost estimates for a possible city wide street improvement assessment program. He stated there would be no cost to the City unless the voters approve a ballot measure and bonds are sold to finance the project.

City Manager Henrickson stated the City Attorney reviewed the contract and added some language for clarification. He said KNN will amend the agreement as suggested and forward it to the City Manager for execution in January.

Councilmember Leonard asked if this was subject to Prop 218 regulations; City Manager Henrickson said that it was and requires 66% voter approval.

DECEMBER 20, 2011 MINUTES
Page 3

Councilmember Wilson asked if there would be any travel expenses related to the agreement; City Manager Henrickson stated he didn't envision the City incurring any travel expenses.

Councilmember Leonard asked who would be issuing the bonds; City Manager Henrickson said staff was working with USDA however they will be exploring other options.

Councilmember Wilson asked what the term of the bonds was; City Manager Henrickson stated they would have a term of 15 years.

Councilmember Marks referred to the fee schedule on page 5 of the agreement and asked if that was the fee schedule payable to KNN or for payoff of the bonds; City Manager Henrickson explained the schedule represents the fee payable to KNN and that there would be an equal cost to the Bond Council.

Councilmember Wilson asked what the cost would be in regard to the General Election; City Manager Henrickson stated there would be a cost associated with placing a measure on the ballot but was uncertain of the amount.

Motion was made by Thompson/Leonard to approve the agreement with KNN Public Finance. Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS

Approve Resolution No. 1139-2011 Supporting the Humboldt Bay Alternative Rail Route
City Manager Henrickson deferred to Nick Angeloff to report on the resolution. Mr. Angeloff stated the original intent of the resolution was to ask the City Council for support of the commitment of ISTE grant funds from the Harbor District however at their last meeting they appropriated the funds for another study. RAPID is now asking for public support for a feasibility study of an east-west alternative rail route connecting Humboldt Bay to the national rail network.

Councilmember Thompson said he spoke to Bill Bertain and shared information with him about an alternative rail route that was explored in the 1970's and said the plan being proposed now is probably much cheaper than rebuilding the existing tracks along the bluffs.

Motion was made by Marks/Wilson to approve *Resolution No. 1139-2011 Supporting the Humboldt Bay Alternative Rail Route Study*. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

Finance Director Beauchaine reported on recent activities in the finance department and said the City's auditors were here for three days conducting a site visit for the annual audit and reported

that everything went well. She reported that the accountant was also here to do the Annual TDA Audit and that she had already received a draft report in which there were no reportable findings.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Woodall asked if it would be possible to get monthly police reports as provided in the past; City Manager Henrickson said he didn't think it would be a problem and would discuss it with the Chief.

Councilmember Thompson stated that he had met with the City's auditors and they assured him that everything was in order and that this was actually the best audit the City has ever had. He said it is a real pleasure to see the City in a good financial position and thanked the Finance Director and City Manager for making that possible.

Councilmember Thompson said he also attended an RCEA meeting where routine matters were discussed.

Councilmember Leonard stated that there are some citizens who have expressed concern about the Rio Dell Plaza and said we might want to think about the affects the Shell Wind Power Project might have on the City. He said an additional 50 megawatts of power at the sub-station will impact homes.

City Manager Henrickson stated that Shell is in the process of conducting the environmental reports which will identify any potential impacts to the City. He said that PG&E will be following up with a public meeting during the first quarter of 2012.

Councilmember Marks stated that the list of payables were provided in Council packets in the past and then the policy was changed and they were only put in Council mailboxes; she asked for a council consensus on which method they preferred. Council consensus was that they be placed in the Council packet on a monthly basis as an informational item. Councilmember Thompson noted that the list of payables were included in other board packets as public information.

Finance Director Beauchaine stated that she was not aware that they were not being placed in Council boxes and said that staff prepares the reports and signs off that they have been submitted. She agreed to follow up with staff to make sure they are submitted to Council in their packet on a monthly basis.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:03 p.m. to the January 3, 2012 Regular meeting.

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk



TO: Mayor and Members of the City Council
THROUGH: Ron Henrickson, City Manager
FROM: Stephanie Beauchaine, Finance Director
DATE: January 3, 2012
SUBJECT: Records Destruction

RECOMMENDATION

Approve Resolution 1140-2012 Authorizing the Destruction of Records

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION

The City Clerk and Finance Director have reviewed the records currently held in retention and determined pursuant to the State of California City Clerk's Association, that the City of Rio Dell is in possession of records that poses no value to the City and are eligible for destruction as follows:

1. Utility Billing Receipts 10/2008 – 10/2009 Required to be held for CL+ 2
(Close plus two years pursuant to GC 34090)

RESOLUTION NO. 1140-2012
A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIO DELL APPROVING
THE DESTRUCTION OF RECORDS PURSUANT TO
THE CALIFORNIA RECORDS RETENTION GUIDELINES
AND ALL APPLICABLE GOVERNMENT CODES

WHEREAS, the City of Rio Dell retains records as recommended by the California Records Retention Guidelines provided by the California City Clerks Association and all applicable laws and government codes; and

WHEREAS, in accordance with the provisions of Sections 34090 of the Government Code of the State of California the City Attorney has given his written consent to the destruction of records and documents; and

WHEREAS, the City Council finds that the records listed for destruction by the City Clerk and Finance Director and approved by the City Attorney are of no further value to the City of Rio Dell; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell, that the City Clerk is hereby authorized to destroy the following records:

1. Utility Billing Receipts 10/2008 – 10/2009 Required to be held for CL+ 2 (Close plus two years pursuant to GC 34090)

Upon destruction of authorized records the City Clerk shall make certification of complete destruction of said records and file the original with a certified copy of the resolution in the office of the City Clerk.

PASSED AND ADOPTED by the City Council of the City of Rio Dell on this 3rd day of January, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk

Russ Gans, City Attorney

*675 Wildwood Avenue
Rio Dell, CA 95562*



TO: Rio Dell City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: January 3, 2012

SUBJECT: Winzler & Kelly Contract Amendment 2 on the Brownfield's Assessment Grant on the Former Eel River Sawmill Site

RECOMMENDATION

Authorize the City Manager to execute Contract Amendment 2 with Winzler & Kelly on the Brownfield's Assessment Grant on the Former Eel River Sawmill Site

BUDGETARY IMPACT

None.

BACKGROUND AND DISCUSSION

The City of Rio Dell Contracted with Winzler & Kelly Consulting Engineers to Perform Phase I/II Testing and Remedial Action Planning on the Former Eel River Sawmill Site funded by an EPA Brownfield's Assessment Grant.

During the Phase II Review Process, regulatory agencies requested changes to the proposed plan which resulted in additional soil sample collections. At that time, City Management authorized Winzler & Kelly to proceed with the understanding that an amendment to their contract would be approved if additional funding was available in the project budget prior to the closure of the grant.

I have reviewed the project budget and determined that funding is available to cover the additional costs of the Phase II sampling activities, and we have received authorization from EPA to adjust our budget and increase the W&K contract by \$10,897.

Attachment: Winzler & Kelly Amendment 2 on the Former Eel River Sawmill Assessment Project

At this time the City has fulfilled its work plan agreed to between the US EPA and the City of Rio Dell. Final Reports will be issued in January of 2012 and the grant will be closed under the original budget of \$350,000.00



AMENDMENT TO
AGREEMENT BETWEEN CLIENT AND CONSULTANT

Amendment No. 2 to Agreement dated 11-11-09 between Winzler & Kelly (Consultant) and City of Rio Dell (Client).

Project: Brownfields Assessment Grant.

Client hereby requests and authorizes Consultant to perform additional and/or revised services as set forth in this Amendment.

Scope of services as set forth below or in specified attachment(s).

Out of scope services requested by regulatory agencies.

Terms of compensation as set forth below or in specified attachment(s).

Additional \$10,897 not to exceed amount to cover Phase II costs.

All provisions specified in the original Agreement dated 11-11-09 are in effect. No other agreements, guarantees, or warranties are in effect.

IN WITNESS WHEREOF, the parties hereby execute this amendment upon the terms and conditions stated above.

Client City of Rio Dell

Consultant Winzler & Kelly

By

By [Signature]

Print Name Ron Henrickson

Print Name Steven Allen

Title City Manager

Title Managing Principal

Date

Date 11/30/11

Table with 2 columns: Description, Amount. Rows include Original Agreement (\$311,296), Amendment No. 1 (\$ 5,000), Amendment No. 2 (\$ 10,897), and TOTAL (\$327,193).

675 Wildwood Avenue
Rio Dell, CA 95562



STAFF REPORT

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: January 3, 2012

SUBJECT: Wahlund Construction, Inc./Sequoia Construction Specialties Bid Extension for the City of Rio Dell Wastewater Treatment Plant upgrade and Disposal Project.

RECOMMENDATION

Staff recommends that the Council, by motion approve the Wahlund Construction, Inc./Sequoia Construction Specialties Bid Extension for the City of Rio Dell Wastewater Treatment Plant upgrade and Disposal Project.

BACKGROUND AND DISCUSSION

The original time period allotted for the contract award of the Rio Dell Wastewater Treatment Plant upgrade and Disposal Project originally expired on 10/15/2011. The lowest responsive, responsible bidder at that time agreed to extend the contract award period through 01/15/2012. Again, we have asked the contractor to extend the bid through 04/17/2012 to provide the City with the additional time required to complete the administrative requirements for award of the contract. At this time the contractor is amenable to an additional bid extension.



December 28, 2011

VIA E-MAIL AND U.S. MAIL

Ken@wahlcon.com
Wahlund Construction Inc./Sequoia Construction Specialties, A Joint Venture
830 Hilma Drive
Eureka, CA 95503

Dear Contractor:

We request that you agree to extend the award period for your bid on the contract identified as HDR Project 152932, for the City of Rio Dell Wastewater Treatment Plant Upgrade and Disposal Project, through April 17, 2012. The current time period allotted for award expires January 15, 2012. However, additional time is necessary for completion of administrative requirements for award of the contract. The City reserves all rights to reject all bids and rebid the Contract as provided by California law and the bid package. If you agree to the proposed extension on these terms, please sign the concurrence line on the next page and return fax this letter to us at (707) 764-5480 before close of business on Thursday, December 29, 2011. Questions may be directed to Stephanie Beauchaine at the City of Rio Dell at (707) 764-3532..

Sincerely,

Stephanie Beauchaine
for City of Rio Dell

Contract #: HDR Project 152932, City of Rio Dell Wastewater Treatment Plant Upgrade and Disposal Project.



I concur in an extension of the award period for this contract to November 15, 2011. [Please note: If the bidder is a joint venture or partnership, please have each Joint Venture member execute this letter and return both signature pages as provided above]

WARRLOW CONST. INC. / SEQUOIA CONSTRUCTION SPECIALTIES JV
Print Contractor Name

Brian Pritchard
Signature

12/29/11
Date

BRIAN PRITCHARD VP
Print Signatory Name and Title



I concur in an extension of the award period for this contract to November 15, 2011. [Please note: If the bidder is a joint venture or partnership, please have each Joint Venture member execute this letter and return both signature pages as provided above]

Walton Construction Inc / Seyora Construction Specialties, JV
Print Contractor Name

K.M. Walsh
Signature



12/29/11
Date

Kenneth M. Walsh President
Print Signatory Name and Title

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



For Meeting of: January 3, 2012

To: City Council
From: Kevin Caldwell, Community Development Director 
Through: Ron Henrickson, City Manager 
Date: December 20, 2011
Subject: Urban and Suburban Residential Zones & Home Occupation Permits

Recommendation:

That the City Council:

1. Receive staff's report regarding amending the Urban Residential (UR) and Suburban Residential (SR) zones to remove Home Occupations as a conditionally permitted use.
2. Open the public hearing, receive public input and deliberate;
3. Introduce Ordinance No, 280-2012 amending Sections 17.20.020(2)(a) and 17.20.030(2)(b) of the Rio Dell Municipal Code by removing Home Occupations as a conditionally permitted use.
4. Continue consideration of the proposed ordinance to your meeting of January 17, 2012 for the second reading and adoption.

Background and Discussion

It was recently brought to staff's attention that Home Occupations require a Conditional Use Permit in the Urban Residential and Suburban Residential zones. Please refer to **Attachment 1** the development standards for both the Urban Residential and Suburban Residential zone.

The Home Occupation provisions, Section 17.25.080 of the Rio Dell Municipal Code (RDMC), included as **Attachment 2**, clearly allows Home Occupations as an accessory use in residential zones which meet the development standards contained therein. Staff has historically approved Home Occupations in all residential zones (i.e. Urban Residential (UR), Suburban Residential (SR), Suburban (S), Suburban Medium (SM) and Rural (R)) that meet the prescribed development standards as principally permitted uses.

Therefore staff is recommending amending Sections 17.20.020(2)(a) and 17.20.030(2)(b) of the Rio Dell Municipal Code by removing Home Occupations as conditionally permitted uses.

Required Findings

Section 65855 of the California Government Code (C.G.C.) requires that zone amendments be consistent with the adopted General Plan. There are no policies or goals that would conflict with or prohibit Home Occupations as principally permitted uses in the Urban Residential and Suburban Residential zone.

California Environmental Quality Act (CEQA).

Typically, amendments to the Rio Dell Municipal Code (RDMC) are subject to the California Environmental Quality Act (CEQA). The primary purpose of CEQA is to inform the decision makers and the public of potential environmental effects of a proposed **project**. Pursuant to Section 15378 of the CEQA Guidelines, "Project means the whole of an action, which has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment." The proposed amendments correct a inconsistency within the Rio Dell Municipal Code and does not result in the creation or elimination of any regulations or provisions. Therefore, staff believes the amendments do not constitute a project and is thereby not subject to CEQA.

If it were argued that the proposed amendments are considered a "project" subject to CEQA, based on the nature of the amendments, staff has determined the amendments would be 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, the reformatting of existing regulations in this case, may have a significant effect on the environment, the project is not subject to CEQA. Staff is not aware of any evidence that would suggest that the proposed amendments could result in a **significant** effect on the environment

Financial Impact

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

Alternatives

The Planning Commission may choose not to recommend approval of the proposed amendments. Staff does not recommend this alternative.

Attachments

Attachment 1: Urban Residential and Suburban Residential Development Standards.

Attachment 2: Home Occupation Development Standards.

Attachment 3: Resolution No. 045 - 2011 recommending approval of the proposed amendments to the City Council.

Attachment 4: Draft Ordinance No. 280 – 2012 amending Title 17 of the Rio Dell Municipal Code.

Attachment 5: Pre-Adoption Summary for Posting.

Attachment 6: Post-Adoption Summary for Posting.



17.20.020 Suburban Residential or SR zone.

The purpose of the suburban residential or SR zone is to provide land for low-density residential uses. The following regulations shall apply in all suburban residential or SR zones:

(1) Principal Permitted Uses.

- (a) Single-family dwellings.

(2) Uses Permitted with a Use Permit.

- (a) Home occupation businesses;
- (b) Bed and breakfast inn; and
- (c) Civic and cultural uses including City offices, public facilities, and day care centers.

(3) Other Regulations.

See Table 17.20.020 for development standards for the suburban residential (SR) zone.

**Table 17.20.020
Development Standards for the Suburban Residential or SR Zone**

Site Development Standard	Zone Requirement	Measurement
Minimum Lot Area	12,000	Square feet
Maximum Ground Coverage	50%	
Minimum Lot Width	75	Feet
Minimum Yard		
Front:	25	Feet
Rear:	20	Feet
Side:	6	Feet
Maximum Building Height	35 feet	Feet



17.20.030 Urban Residential or UR zone.

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 shall 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) Other Regulations.

See Table 17.20.030 for development standards for the urban residential (UR) zones

**Table 17.20.030
Development Standards for the Urban Residential or UR Zone**

Site Development Standard	Zone Requirement	Measurement
Minimum Lot Area	6,000	Square feet
Maximum Ground Coverage	50%	
Minimum Lot Width	60	Feet
Minimum Yard		
Front:	20	Feet
Rear:	10	Feet
Side:	5	Feet
Maximum Building Height	35 feet	Feet

17.30.120 Home occupation businesses.

(1) Minimum Performance Standards. Home occupations, as defined herein, **shall be permitted as appurtenant and accessory uses to any residential use** (emphasis added), subject to the following minimum performance standards:

(a) The primary function of a home occupation shall not necessitate the rendering of services to customers or clients on the premises;

(b) A home occupation shall not include, but such exclusion shall not be limited to, the following: automobile repair, automobile wrecking, barber shops and beauty parlors, commercial stables, veterinary offices, kennels, or restaurants;

(c) There shall be no more than one home occupation in any dwelling unit;

(d) Home occupation permits shall be limited to the applicant only and shall not be transferable;

(e) The activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.;

(f) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;

(g) Not more than 20 percent of the total floor area within the dwelling unit shall be used in connection with any home occupation;

(h) There shall be no exterior display, no exterior storage of material and no other exterior indication of the home occupation or variation from the residential character of the principal building;

(i) A home occupation shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;

(j) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat. No lighting that produces offensive glare shall be used;

(k) No signs, nameplates, or other advertising shall be affixed to the premises;

(l) Special considerations, exceptions, etc., may be granted by the Planning Commission upon submittal of satisfactory evidence of physical handicap, which precludes normal employment or conduct of business anywhere but as a home occupation;

(m) Any business not complying with the above standards shall require a conditional use permit.

(2) Business License Required. Every home occupation permittee shall obtain a business license.

(3) Home Occupation Permit Required. In order to ensure that the intent of this regulation is implemented and that all home occupations will be operated under the performance standards required herein, all home occupations in the City of Rio Dell must secure approval of a home occupation permit. Such home occupation permit shall contain a listing of all home occupation performance standards and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

(4) Action by the Planning Secretary. The Planning Secretary is authorized to grant a home occupation permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of this section and the performance standards. The Planning Secretary may refuse a home occupation permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title.

(5) Appeal. The decision of the Planning Secretary may be appealed to the Planning Commission by the applicant or any interested party. [Ord. 252 § 6.08, 2004.]

RESOLUTION NO. PC 045 - 2011

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
RECOMMENDING AMENDING THE URBAN RESIDENTIAL (UR) AND SUBURBAN
RESIDENTIAL (SR) ZONES, SECTIONS 17.20.020(2)(A) AND 17.20.030(2)(B)
RESPECTIVELY OF THE RIO DELL MUNICIPAL CODE BY REMOVING HOME
OCCUPATIONS AS CONDITIONALLY PERMITTED USES:

WHEREAS it was recently brought to staff's attention that Home Occupations require a Conditional Use Permit in the Urban Residential and Suburban Residential zones; and

WHEREAS the Home Occupation provisions, Section 17.25.080 of the Rio Dell Municipal Code (RDMC) clearly allows Home Occupations as an accessory use in residential zones which meet the development standards contained therein; and

WHEREAS staff has historically approved Home Occupations in all residential zones (i.e. Urban Residential (UR), Suburban Residential (SR), Suburban (S), Suburban Medium (SM) and Rural (R)) that meet the prescribed development standards in Section 17.25.080 of the Rio Dell Municipal Code (RDMC) as principally permitted uses; and

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

WHEREAS the City has reviewed and process the proposed text amendments in conformance with Section 17.30.010 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 minor text amendments are deemed to be in the public interest; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed text amendments are consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed text amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

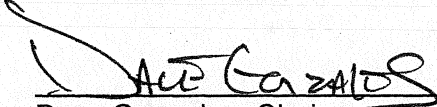
WHEREAS the proposed text amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS the City 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council adopt Ordinance No, 280-2012 amending the Urban Residential (UR) and Suburban Residential (SR) zones, Sections 17.20.020(2)(a) and 17.20.030(2)(b) respectively of the Rio Dell Municipal Code by removing Home Occupations as conditionally permitted uses

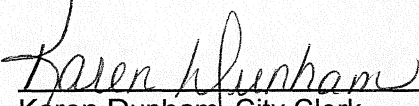
PASSED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of December 14, 2011 by the following vote:

AYES: Commissioners: **Millington, Johnson & Gonzales**
NOES: Commissioners:
ABSENT: Commissioners: **Chapman**
ABSTAIN: Commissioners:



Dave Gonzales, Chair

ATTEST:



Karen Dunham, City Clerk

ORDINANCE NO. 280 - 2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE URBAN RESIDENTIAL (UR) AND SUBURBAN RESIDENTIAL (SR) ZONES, SECTIONS 17.20.020(2)(A) AND 17.20.030(2)(B) RESPECTIVELY OF THE RIO DELL MUNICIPAL CODE BY REMOVING HOME OCCUPATIONS AS CONDITIONALLY PERMITTED USES

THE CITY COUNCIL OF THE CITY OF RIO DELL DOES ORDAIN AS FOLLOWS:

WHEREAS it was recently brought to staff's attention that Home Occupations require a Conditional Use Permit in the Urban Residential and Suburban Residential zones; and

WHEREAS the Home Occupation provisions, Section 17.25.080 of the Rio Dell Municipal Code (RDMC) clearly allows Home Occupations as an accessory use in residential zones which meet the development standards contained therein; and

WHEREAS staff has historically approved Home Occupations in all residential zones (i.e. Urban Residential (UR), Suburban Residential (SR), Suburban (S), Suburban Medium (SM) and Rural (R)) that meet the prescribed development standards in Section 17.25.080 of the Rio Dell Municipal Code (RDMC) as principally permitted uses; and

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

WHEREAS the City has reviewed and process the proposed text amendments in conformance with Section 17.30.010 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 minor text amendments are deemed to be in the public interest; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed text amendments are consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed text amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

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

WHEREAS the City 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.

WHEREAS pursuant to the requirements of state and local law, the Planning Commission conducted a duly noticed public hearing on December 14, 2011 to consider the proposed text amendment, at which time all interested person were given an opportunity to be heard; and

WHEREAS the Planning Commission following said public hearing recommends that the City Council approve and adopt the recommended amendments; and

WHEREAS the City Council approves the recommended text amendment amending the Urban Residential (UR) and Suburban Residential (SR) zones, Sections 17.20.020(2)(a) and 17.20.030(2)(b) respectively of the Rio Dell Municipal Code by removing Home Occupations as conditionally permitted uses; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. Urban Residential Zone

Sections 17.20.020(2)(a) of the Rio Dell Municipal Code is hereby repealed and amended by removing Home Occupations as conditionally permitted uses

Section 2. Suburban Residential Zone

Sections 17.20.030(2)(b) of the Rio Dell Municipal Code is hereby repealed and amended by removing Home Occupations as conditionally permitted uses

Section 3. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 4. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on January 3, 2012 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 17th day of January 2012 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Julie Woodall, Mayor

ATTEST:

Karen Dunham, City Clerk

ATTACHMENT 4

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



SUMMARY FOR POSTING PRIOR TO ADOPTION OF ORDINANCE

(The summary shall be published or posted at least 10 calendar days prior to the City Councils meetings)

Summary

On **January 3, 2012** at a regularly scheduled City Council meeting, the Rio Dell City Council will duly introduce, consider for approval and adoption of an Ordinance amending the Urban Residential (UR) and Suburban Residential (SR) zones Sections 17.20.020(2)(a) and 17.20.030(2)(b) respectively of the Rio Dell Municipal Code by removing Home Occupations as conditionally permitted uses.

On **January 17, 2012** at a regularly scheduled City Council meeting, the Rio Dell City Council is scheduled to adopt Ordinance 280 -2012 amending the Urban Residential (UR) and Suburban Residential (SR) zones Sections 17.20.020(2)(a) and 17.20.030(2)(b) respectively of the Rio Dell Municipal Code by removing Home Occupations as conditionally permitted uses.

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk. General questions regarding the Ordinance, 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.

Posted December 22, 2011

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



SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE

(The summary shall be published or posted within 10 calendar days after the adoption of the ordinance)

Summary

On **January 17, 2012** at a regularly scheduled City Council meeting, the Rio Dell City Council adopted Ordinance 280 -2012 amending the Urban Residential (UR) and Suburban Residential (SR) zones Sections 17.20.020(2)(a) and 17.20.030(2)(b) respectively of the Rio Dell Municipal Code by removing Home Occupations as conditionally permitted uses.

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk. General questions regarding the Ordinance, 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.

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



For Meeting of: January 3, 2012

To: City Council
From: Kevin Caldwell, Community Development Director
Through: Ron Henrickson, City Manager
Date: December 15, 2011
Subject: Second Unit Regulations

Recommendation:

That the City Council:

1. Receive staff's report regarding amending the existing Second Unit Regulations.
2. Open the public hearing, receive public input and deliberate;
3. Introduce Ordinance No, 281-2012 amending the Second Unit regulations, Section 17.25.180 of the Rio Dell Municipal Code.
4. Continue consideration of the proposed ordinance to your meeting of January 17, 2012 for the second reading and adoption.

Background and Discussion

At the City Council, Planning Commission joint study session of September 28, 2011, staff was directed to amend the existing second unit regulations to be consistent with State law and allow an exception process for certain performance standard requirements.

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 with the recommend changes 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

(Assembly Bill 1866) 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.

Planning Secretary & Ministerial Action

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 is recommending that the term "Planning Secretary" be eliminated and replaced with "Planning Department" and "may" be replaced with "shall".

Occupancy

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. Some jurisdictions do require that at the time of application for a second unit, the applicant shall be an owner-occupant. However, it should be noted that the intent of Assembly Bill 1866 was to create and facilitate second units and not constrain their development. The Department of Housing and Community Development is careful to point out that the ministerial regulations for second units should be consistent with other ministerial building permit requirements. According to the State, requirements restricting occupancies of second units may be susceptible to legal challenge. In fact there have been two court cases invalidating second unit occupancy requirements. As such, staff is recommending that no occupancy requirements be required as a condition of approval.

Lot Size

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. Section 65852.2(B) of the California Government Code (CGC) allows local jurisdictions to "Impose standards on second units that include, but are not limited to, parking, height, setback, lot coverage, architectural review, maximum size of unit..." The Department of Housing and Community Development has identified a number of jurisdictions whose second unit regulations

meet the intent of AB 1866. About half the jurisdictions identified do identify minimum parcel sizes for second units.

Because many of the existing lots within the City were created when the residential minimum parcel size was, 5,000 square feet, staff is recommending a minimum lot size of 5,000 square feet. Staff is recommending that exceptions to the 5,000 square foot minimum lot size may be allowed with a Conditional Use Permit. 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.

It should be noted at their meeting of December 14, 2011, the Planning Commission discussed the possibility of reducing the minimum lot size for second units down to 4,000 square feet. However, because of concerns regarding density, compatibility with existing neighborhoods and the fact that the recommended amendments would allow for an exception to the minimum lot size, the Planning Commission chose to recommend a minimum lot size of 5,000 square feet for second units.

Size Limitations

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. However, as a condition of approval, staff is recommending that the applicant prepare and submit a Development Plan demonstrating that the parcel could be subdivided and both residences can be sited on separate parcels and meet setback and lot coverage requirements of the zone. Again the Town Center designation, which includes a significant number of residential lots, does not restrict the size of second or even third units.

Manufactured Homes

Although manufactured or mobile homes are allowed as primary residences, 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. The current manufactured/mobile home provisions of Section 17.25.090 of the RDMC contain the following provisions:

- The manufactured/mobile home must be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC Section 5401 et seq.).
- The manufactured home must have been manufactured less than 10 years before the date the building permit application was submitted.
- The manufactured/mobile home must be installed on a permanent foundation system designed in accordance with the provisions of the City of Rio Dell building code.
- The manufactured/mobile home must comply with all development standards specified in the zone in which the mobile home is to be placed.
- Building Standards. Any manufactured/mobile home placed within the City of Rio Dell in accordance with these provisions shall:

- Have a minimum 12-inch roof overhang on all sides.
- Have an exterior siding composed of the following materials:
 - Plywood exterior paneling;
 - Masonry or concrete;
 - Stucco;
 - Any wood products including shingles, shakes, horizontal overlapping board or pressboard siding or any material of wood-like appearance in widths of 12 inches or less.
- Have a roof composed of the following materials:
 - Interlocking roof tiles;
 - Composition shingles;
 - Wood (with fire-retardant treatment);
 - Wood, cement, or slate shingles;
 - Color coated metal or fiberglass.

➤ Alternative Development Standards. The Planning Commission is hereby empowered to allow a manufactured/mobile home to be placed within the City of Rio Dell with alternative reasonable development standards substituted for those hereinabove set forth, or to exempt such a home from the strict application of such development standards, upon a showing of good cause. Application for such substitution of, or exemption from, development standards shall be made to the Planning Commission and any appeal to the City Council from a decision of the Planning Commission may be taken. [Ord. 252 § 6.11, 2004.]

Accordingly, staff is recommending that the above standards be applied to second units as well.

Building Height

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. Staff recommended to the Planning Commission that detached second units **on lots that cannot be subdivided** under the current zoning and land use designations be limited to 24 feet in height.

The Planning Commission believed the 24 foot height limit is too restrictive, possibly eliminating the opportunity to match existing architectural features of the primary residence. For example, if the primary residence was a two-story, built with 10 foot walls and a fairly steep roof with useable attic space, it would be all but impossible to match the second unit with the 24 foot height limit. In fact, there was discussion regarding the ability to build a conventional two-story dwelling while meeting the 24 foot height limit. Although it could be done with a low pitched roof, the roof may not match the primary residence. Ultimately, the Planning Commission is recommending that second units be subject to the same height requirements of the primary residence.

Staff recommended that second units on lots that can be subdivided be restricted to the height limits of the zone in which the second unit is located.

Front Door Orientation

Based on comments at the September Study Session, staff recommended that the main entrance to the second unit be oriented so as not to face the street. Staff's recommendation applied to attached and detached second units. However, it was staff's intent to only apply this provision to attached second units. It's staff's understanding that the intent of the original comments was to avoid having an attached second unit look like a duplex.

The Planning Commission discussed this issue at length at their meeting and decided not to recommend that the front door of attached second units be required to not face the frontage street. One of the reasons discussed was the fact the front door entrances on the sides of the residence would still be visible to approaching vehicular and pedestrian traffic. In addition, side entrances could be as close to 5 feet to neighboring properties.

California Environmental Quality Act (CEQA).

Second units approved ministerially are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15268 of the CEQA Guidelines and Section 21080(b)(1) of the Public Resources Code. In addition, second units are categorically exempt from CEQA pursuant to Sections 15301 and 15303 of the CEQA Guidelines and Section 21083 and 21087 of the Public Resources Code.

Based on the nature of the amendments and the exemptions found in the CEQA Guidelines and Public Resources Code, staff has determined the amendments would be 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 may have a significant effect on the environment, the project is not subject to CEQA. Staff is not aware of any evidence that would suggest that the proposed amendments could result in a **significant** effect on the environment

Financial Impact

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

Alternatives

The Planning Commission may choose not to recommend approval of the proposed amendments. Staff does not recommend this alternative.

Attachments

Attachment 1: Existing and proposed second unit regulations.

Attachment 2: Resolution No. 046 - 2011 recommending approval of the proposed Second Unit amendments to the City Council.

Attachment 3: Draft Ordinance No. 281 – 2012 amending Title 17, Section 17.25.180 of the Rio Dell Municipal Code.

Attachment 4: Pre-Adoption Summary for Posting.

Attachment 5: Post-Adoption Summary for Posting.

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 Department may ~~shall~~ 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 Department finds that the second dwelling unit complies with all of the regulations specified in this section.
- (4) The Planning Secretary Department may ~~shall~~ grant a permit for a new second dwelling unit, if the Planning Secretary Department finds that the second dwelling unit conforms with all the following regulations:
 - (a) ~~One of the dwelling units on the site is owner-occupied. The owner of the property does not have to live on a lot where a second dwelling unit is located.~~
 - (b) ~~The lot on which the unit is proposed totals at least 6,000 5,000 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, entrances for attached units shall not face the frontage street, 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) Maximum Size
 - (i) Parcels that cannot be subdivided. 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.
 - (ii) Parcels that can be subdivided. The size of the second dwelling unit shall not be restricted, provided the applicant submits a Development Plan demonstrating that the parcel could be subdivided and both residences can be sited on separate parcels and meet setback and lot coverage requirements of the zone.
- (h) ~~The second dwelling unit shall not be a manufactured/mobile home. A mobile home or manufactured home may be used as a second dwelling unit so long as it conforms with the provisions of Section 17.25.090.~~

(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.]

(l) Exceptions to the minimum lot size, dwelling size and height limitations may be allowed with a Conditional Use Permit, if the Planning Commission makes the following findings, in addition to the findings required for Conditional Use Permit approval in Section 17.30.030 of the RDMC:

(i) The second unit is subordinate to the principal unit and compatible with the character of the surrounding neighborhood.

RESOLUTION NO. PC 046 - 2011

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
RECOMMENDING AMENDING THE SECOND DWELLING UNIT REGULATIONS, SECTION
17.25.180 OF THE RIO DELL MUNICIPAL CODE:

WHEREAS at the City Council, Planning Commission joint study session of September 28, 2011, staff was directed to amend the existing second unit regulations to be consistent with State law and allow an exception process for certain performance standard requirements; and

WHEREAS the City's second unit provisions were adopted (Ordinance 252) in 2004 as part of the adoption of the current zoning regulations; and

WHEREAS the State has determined that second units are a valuable form of housing and second units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others; and

WHEREAS in 2002 the Legislature enacted provisions (Assembly Bill 1866) 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; and

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

WHEREAS the City has reviewed and processed the proposed text amendments in conformance with Section 17.30.010 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 text amendments are deemed to be in the public interest; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed text amendments are consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed text amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

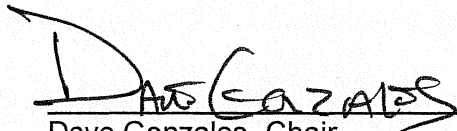
WHEREAS the proposed text amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS the City 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council adopt Ordinance No, 281-2012 amending the Second Dwelling Unit regulations, Section 17.25.180 of the Rio Dell Municipal Code.

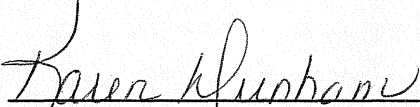
PASSED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of December 14, 2011 by the following vote:

AYES: Commissioners: **Millington, Johnson & Gonzales**
NOES: Commissioners:
ABSENT: Commissioners: **Chapman**
ABSTAIN: Commissioners:



Dave Gonzales, Chair

ATTEST:



Karen Dunham, City Clerk

ORDINANCE NO. 281 - 2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE SECOND DWELLING UNIT REGULATIONS, SECTION 17.25.180 OF THE RIO DELL MUNICIPAL CODE:

WHEREAS at the City Council, Planning Commission joint study session of September 28, 2011, staff was directed to amend the existing second unit regulations to be consistent with State law and allow an exception process for certain performance standard requirements; and

WHEREAS the City's second unit provisions were adopted (Ordinance 252) in 2004 as part of the adoption of the current zoning regulations; and

WHEREAS the State has determined that second units are a valuable form of housing and second units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others; and

WHEREAS in 2002 the Legislature enacted provisions (Assembly Bill 1866) 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; and

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

WHEREAS the City has reviewed and processed the proposed text amendments in conformance with Section 17.30.010 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 text amendments are deemed to be in the public interest; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed text amendments are consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed text amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

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

WHEREAS the City 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.

ATTACHMENT 3

WHEREAS pursuant to the requirements of state and local law, the Planning Commission conducted a duly noticed public hearing on November 2, 2011 to consider the proposed text amendment, at which time all interested person were given an opportunity to be heard; and

WHEREAS the Planning Commission following said public hearing recommends that the City Council approve and adopt the recommended flag lot regulations; and

WHEREAS the City Council approves the amending the second dwelling unit regulations, Section 17.25.180 of the Rio Dell Municipal Code; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. 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~~ Department ~~may~~ shall 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~~ Department finds that the second dwelling unit complies with all of the regulations specified in this section.

(4) The Planning ~~Secretary~~ Department ~~may~~ shall grant a permit for a new second dwelling unit, if the Planning ~~Secretary~~ Department finds that the second dwelling unit conforms with all the following regulations:

(a) ~~One of the dwelling units on the site is owner-occupied.~~ The owner of the property does not have to live on a lot where a second dwelling unit is located.

(b) The lot on which the unit is proposed totals at least ~~6,000~~ 5,000 square feet, ~~except for existing lots 5,000-square-foot 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) Maximum Size

(i) Parcels that cannot be subdivided. 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.

(ii) Parcels that can be subdivided. The size of the second dwelling unit shall not be restricted, provided the applicant submits a Development Plan demonstrating that the parcel could be subdivided and both residences can be sited on separate parcels and meet setback and lot coverage requirements of the zone.

(h) ~~The second dwelling unit shall not be a manufactured/mobile home.~~ A mobile home or manufactured home may be used as a second dwelling unit so long as it conforms with the provisions of Section 17.25.090.

(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.]

(l) Exceptions to the minimum lot size and dwelling size may be allowed with a Conditional Use Permit, if the Planning Commission makes the following findings, in addition to the findings required for Conditional Use Permit approval in Section 17.30.030 of the RDMC:

(i) The second unit is subordinate to the principal unit and compatible with the character of the surrounding neighborhood.

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on January 3, 2012 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 17th day of January, 2012 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Julie Woodall, Mayor

ATTEST:

Karen Dunham, City Clerk

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



SUMMARY FOR POSTING PRIOR TO ADOPTION OF ORDINANCE

(The summary shall be published or posted at least 10 calendar days prior to the City Councils meetings)

Summary

On **January 3, 2012** at a regularly scheduled City Council meeting, the Rio Dell City Council will duly introduce, consider for approval and adoption of an Ordinance amending the Second Dwelling Unit regulations, Section 17.25.180 of the Rio Dell Municipal Code.

On **January 17, 2012** at a regularly scheduled City Council meeting, the Rio Dell City Council is scheduled to adopt Ordinance 280 -2012 amending the Second Dwelling Unit regulations, Section 17.25.180 of the Rio Dell Municipal Code.

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk. General questions regarding the Ordinance, 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.

Posted December 22, 2011

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



SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE

(The summary shall be published or posted within 10 calendar days after the adoption of the ordinance)

Summary

On **January 17, 2012** at a regularly scheduled City Council meeting, the Rio Dell City Council adopted Ordinance 280 -2012 amending the Second Dwelling Unit regulations, Section 17.25.180 of the Rio Dell Municipal Code.

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk. General questions regarding the Ordinance, 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.

**CITY OF RIO DELL
PLANNING COMMISSION
REGULAR MEETING
DECEMBER 14, 2011**

CALL TO ORDER

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

Present were Commissioners Gonzales, Millington, and Johnson. Absent was Commissioner Chapman.

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

CEREMONIAL

Accept Resignation of Commissioner Sweaney and Receive Update on Vacancy Appointment

Community Development Director Caldwell reported that two applicants for the vacant position on the Planning Commission were interviewed at the December 6, 2011 regular City Council meeting. He said there were four City Council members present at that meeting and the vote to fill the vacancy resulted in a tie vote. The Council directed staff to bring the matter back to the Council for a re-vote with a full Council.

CONSENT CALENDAR

Motion was made by Johnson/Millington to approve the consent calendar including the approval of minutes of the November 2, 2011 regular meeting.

Commissioner Millington pointed out two misspelled words contained in the minutes as submitted; City Clerk Dunham acknowledged the errors and said she would make the corrections as noted.

Motion then carried 3-0.

PUBLIC PRESENTATIONS

None

SCHEDULED MATTERS/PUBLIC HEARINGS

**PLANNING COMMISSION
DECEMBER 14, 2011 MINUTES
Page 2**

Resolution No. PC-045-2011 Recommending Amending the Urban Residential (UR) and Suburban Residential (SR) Zones, Sections 17.20.020 and 17.20.030(2)(b) Respectively of the Rio Dell Municipal Code (RDMC) by Removing Home Occupations as Conditionally Permitted Uses

Community Development Director Caldwell stated that it was recently brought to his attention that Home Occupations require a Conditional Use Permit in the Urban Residential and Suburban Residential zones, whereas the Home Occupation provisions of the Rio Dell Municipal Code (RDMC) under Section 17.25.080 clearly allows Home Occupations as an accessory use in residential zones. Past practice has been to approve Home Occupations in all residential zones provided they meet the prescribed development standards as principally permitted uses. As a result, staff is recommending amending 17.20.020(2)(a) and 17.20.030(2)(b) of the RDMC by removing Home Occupations as conditionally permitted uses.

Commissioner Millington asked if this is required by State law; Community Development Director Caldwell said that it is not required by State law but if a business can qualify as a Home Occupation and meet the minimum performance standards, a Home Occupation may be permitted as appurtenant and accessory uses to any residential use.

Commissioner Gonzales referred to Item (k) under Home Occupation performance standards which states there shall be no signs, nameplates, or other advertising affixed to the premises, and asked if a small sign could be allowed such as to advertise for piano lessons. Community Development Caldwell stated special considerations or exceptions may be granted by the Planning Commission provided the use is compatible with the neighborhood.

Commissioner Millington asked if the word “affixed” has a special meaning and asked if it would be allowed to place a temporary sign such as “Puppies for Sale.” Community Development Caldwell stated that normally “affixed to premises” means affixed to a building but not the lawn although it could be interpreted either way. He said that is when common sense comes into play and normally staff would make the determination, or if necessary the Planning Commission.

A public hearing was opened at 6:42 p.m. to receive public comment on the proposed resolution. There being no public present, the public hearing closed.

Motion was made by Millington/Johnson to approve *Resolution No. PC 045-2011 Recommending Amending the Urban Residential (UR) and Suburban Residential (SR)*

**PLANNING COMMISSION
DECEMBER 14, 2011 MINUTES
Page 3**

Zones, Sections 17.20.020 and 17.20.030(2)(b) Respectively of the Rio Dell Municipal Code (RDMC) by Removing Home Occupations as Conditionally Permitted Uses.
Motion carried 3-0.

Resolution No. PC 046-2011 Recommending Amending the Second Dwelling Unit Regulations, Section 17.25.180 of the Rio Dell Municipal Code (RDMC)

Community Development Caldwell stated at the September 28, 2011 Joint Study Session with the City Council and the Planning Commission, staff was directed to amend the existing second unit regulations to be consistent with State law and allow an exception process for certain performance standard requirements.

He reviewed the existing provisions for second dwelling units and the recommended changes. The first revision was to change all references of "Planning Secretary" to "Planning Department." Caldwell said the current provisions state that one of the dwelling units on the site must be owner-occupied; his recommendation was to revise the language to read "The owner of the property does not have to live on a lot where a second dwelling unit is located."

The next proposed revision was to change the 6,000 minimum square foot lot size to 5,000 square feet since the minimum lot size in the previous R-1 designation was 5,000. He also recommended that the provision that states that 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 be eliminated for those parcels that are large enough to be subdivided, provided the applicant submits a Development Plan demonstrating that the parcel could be subdivided and both residences can be sited on separate parcels and meet setback and lot coverage requirements of the zone.

Community Development Director Caldwell further stated that the current provision disallowing manufactured/mobile homes as a second dwelling unit is contrary to case law thus recommending that provision be eliminated.

Discussion continued regarding the maximum building height for detached second dwelling units which is currently 35 feet except for those units located within any portion of a required rear yard setback which shall not exceed one-story or 16 feet in height, whichever is less. Caldwell suggested that provision be revised to simply read "The maximum building height of detached second dwelling units on lots that cannot be subdivided shall be 24 feet."

Commissioner Johnson commented that a 24 foot building height does not give a lot of leverage stating that you could have an older 2-story home and it may be difficult to match 10 foot interior walls with that restriction.

**PLANNING COMMISSION
DECEMBER 14, 2011 MINUTES
Page 4**

Community Development Director Caldwell stated that he could convey to the City Council that the desire of the Planning Commission is that the maximum building height for lots that cannot be subdivided remain at 35 feet.

Next was discussion on the orientation of the front door for second dwelling units and whether the door should be visible from the street.

Commissioner Gonzales was concerned that door orientation restrictions may limit creativity. Commissioner Millington stated in every single situation it is what suits that particular property. She also commented that if a second dwelling unit is a mobile home, the front door should face the street or it will be sitting wrong on the lot.

Community Development Director Caldwell said he could strike that recommendation and relay to the City Council that it was discussed by the Planning Commission.

A public hearing was opened at 7:05 p.m. to receive public comment on the proposed resolution. There being no public present, the public hearing closed.

Commissioners concurred with the recommended revisions to the Second Dwelling Unit Provisions with the following exceptions:

- (4) (c) Eliminate the language that states "entrances for attached units shall not face the street."
- (4) (k) The maximum building height of detached second dwelling units on lots that cannot be subdivided shall be **35** feet.

Motion was made by Johnson/Millington to approve *Resolution No. PC 046-2011 Recommending Amending the Second Dwelling Unit Regulations, Section 17.25.180 of the Rio Dell Municipal Code (RDMC)* as revised. Motion carried 3-0.

REPORTS/STAFF COMMUNICATIONS

Community Development Director Caldwell reported on upcoming agenda items and stated he was contacted by Wally Wright on behalf of Andy Albin regarding plans for submittal of an application for a zone change from Community Commercial, to Urban Residential on the land located on Wildwood and Painter St.

Also coming forward for consideration will be regulations for cargo containers in the City, fencing regulations, and possibly the General Plan Amendment for Garyn Broussard.

**PLANNING COMMISSION
DECEMBER 14, 2011 MINUTES
Page 5**

Commissioner Millington asked when the City expected to have an answer on the Todd Option Agreement stating that she was concerned about giving up the commercial strip on Painter St. in the event the Todd Option Agreement is not exercised. Community Development Director Caldwell stated we hoped to have an answer on the Option Agreement by December 16th which is prior to the next Planning Commission meeting where the Albin Zoning Amendment will be considered.

Community Development Director Caldwell also reported he was working on an approximate \$600,000 Transportation Enhancement Project including a Wildwood Ave. streetscape with bicycle lanes and beautification plan. He said there would be a stakeholders meeting held during the first part of January with property owners on Wildwood Ave. to get their input. At the same time they will be talking about redefining the commercial core on Wildwood.

ADJOURNMENT

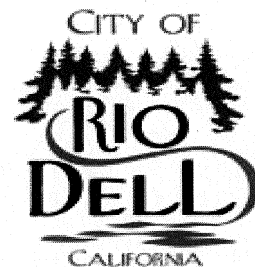
The meeting adjourned at 7:33 p.m. to the January 25, 2012 regular meeting.

Dave Gonzales, Chair

Attest:

Karen Dunham, City Clerk

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



To: Honorable Rio Dell City Council

From: Graham Hill, Chief of Police *GH*

Through: Ron Henrickson, City Manager

Date: December 29, 2011

Subject: Monthly PD Statistics

Council Action

Receive and file

Background

It is the City Council's desire to receive monthly Police Department statistics to illustrate Police Department activity and provide basic information about what is going on in the community regarding law enforcement services. The information attached show Calls for Service, Incident totals (by primary offense), Arrest totals by violation, and citation totals by violation.

As has been previously explained we have altered the way we capture information which has dramatically affected the way the Calls for Service information appears. At one time we captured *all* of our activity in the Calls for Service module of our crime management system, however we are now capturing all of our activity in another area of the system which is more efficient. Out total call/activity information is not attached because for just the month of December this information consists of 58 pages of daily activity (if anyone wishes to review this information I can show it to you, but it would not be efficient to provide it in the council packet). So now the Calls for Service consist of calls that require additional documentation beyond what is documented in the Daily Activity. For the month of December this consists of 62 calls.

The Incident data provided represents crime reports and consists of 38 reports (for primary offenses only). A report may consist of multiple offenses; however the system will provide only the Primary Offense which is determined by what information is input by the officer writing the report. For example a person may be arrested for driving on a suspended license as well as possession of methamphetamine. The possession charge would be listed as the "primary offense".

The arrest data represent those crime reports that resulted in an arrest. For the month of December, of the 38 crime reports, 23 of the offenses resulted in an arrest.

The attached citation data is self explanatory and represents citations written during the month of December. I anticipate an increase in citations for 2012 as we have been fairly lenient in the form of issuing written warnings for speeding in consideration of the recent speed limit adjustments and traffic survey. I feel the community has had an adequate amount of time to adjust to the changes and we will be increasing enforcement. We did not have any reportable traffic accidents during the month of December.

Budgetary Impact

None

Recommendation

Receive and file

**CITY OF RIO DELL
POLICE DEPARTMENT**

675 WILDWOOD AVENUE
RIO DELL CA, 95562

Date : 12/29/2011
Page : 1
Agency : RDPD

Calls For Service Totals By Call Type

12/01/2011 to 12/29/2011

Call Type	Totals
415 Disturbance	3
459 Burglary	1
5150 Mental Illness Incident	1
594 Vandalism	2
ASC Assault Call	3
CM Civil Matter	1
CT ORDER Disobey Court Order	1
CUST Custody Dispute	1
DIS Disorderly Conduct	4
DOCUM Documentation Only	7
DVC Domestic Violence Call	2
F/I Field Interview	7
FIRE Fire Call	1
INVEST Investigation	7
MPA Missing Person - Adult	1
SUSCIRC Suspicious Circumstances	1
T/C Traffic Collision	1
THEFT RT Theft Report	6
TRAFFIC Traffic Stop	11
UNSUB Unwanted Subject	1
Grand Total for all calls	62

**CITY OF RIO DELL
POLICE DEPARTMENT**

675 WILDWOOD AVENUE
RIO DELL CA, 95562

Date : 12/29/2011
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Agency : RDPD

Incident Primary Offense Totals

12/01/2011 to 12/29/2011

Offense	Total Incidents
B&P 4060 Possess Controlled Drug w/out Prescription	1
CVC 10851 Stolen Vehicle	1
CVC 12500 No Drivers License	1
CVC 14601 Driving w/ Suspended or Revoked	3
CVC 23152(b) DUI - .08 BAC	1
CVC 2800.1 Evading A Police Officer	1
H&S 11377 Possession of Controlled Substance	2
Investigation Criminal/Non-Criminal/Civil	1
Missing Person - Adult or Juvenile	1
O/W - F Outside Agency Arrest/Bench Warrant - Felony	2
O/W - M Outside Agency Arrest/Bench Bench Warrant-	2
PC 1203.2 Misdemeanor Violation of Probation	1
PC 1203.3 Felony Violation of Probation	1
PC 240 Assault	2
PC 243(e)(1) Battery on a Cohabitant	3
PC 245(a)(1) Assault with Deadly Weapon or	1
PC 273.6 Violation of Domestic Violence Protective	1
PC 459 Burglary	1
PC 488 Petty Theft	5
PC 594 Vandalism	2
PC 647(f) Public Intoxication	3
PC 653x Misuse of 911 Emergency Line	1
W&I 601(a) Uncontrolable Juvenile	1

**CITY OF RIO DELL
POLICE DEPARTMENT**

675 WILDWOOD AVENUE
RIO DELL CA, 95562

Date : 12/29/2011
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Arrest Totals By Violation

12/01/2011 TO 12/29/2011

Violation		Total
B&P 4060	Possess Controlled Drug w/out	1
B/W - M	RDPD Bench Warrant - Misdemeanor	1
CVC 12500	No Drivers License	1
CVC 14601	Driving w/ Suspended or Revoked	3
CVC 23152(b)	DUI - .08 BAC	1
CVC 2800.1	Evading A Police Officer	1
H&S 11377	Possession of Controlled Substance	2
O/W - F	Outside Agency Arrest/Bench Warrant -	2
O/W - M	Outside Agency Arrest/Bench Bench	1
PC 1203.2	Misdemeanor Violation of Probation	1
PC 1203.3	Felony Violation of Probation	1
PC 242	Battery	1
PC 243(e) (1)	Battery on a Cohabitant	2
PC 245(a) (1)	Assault with Deadly Weapon or	1
PC 647(f)	Public Intoxication	3
PC 653x	Misuse of 911 Emergency Line	1
Grand Total		23

**CITY OF RIO DELL
POLICE DEPARTMENT**

675 WILDWOOD AVENUE
RIO DELL CA, 95562

Date : 12/29/2011
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Agency : RDPD

Citation Totals By Violation

12/01/2011 to 12/29/2011

Violation		Total
CVC 12500	No Drivers License	1
CVC 14601	Driving w/ Suspended or Revoked	2
CVC 22350	Basic Speed	1
CVC 24252(a)	Must Maintain Required Lighting	1
CVC 27315(d)	Safety Belt Required	2
CVC 4000(a)	Vehicle on Highway, Unregistered	2
	Grand Total	9