



AGENDA
RIO DELL PLANNING COMMISSION
REGULAR MEETING – 6:30 P.M
TUESDAY, SEPTEMBER 27, 2016
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

E. CONSENT CALENDAR

- 1) 2016/0927.01 - Approve Minutes of the August 23, 2016 Regular Meeting **(ACTION) 1**

F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. As such, a dialogue with the Commission or staff is not intended. Items requiring Commission action not listed on this agenda may be placed on the next regular agenda for consideration if the Commission directs, unless a finding is made by at least 2/3rds of the Commission that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

G. SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

- 1) 2016/0927.02 - Adopt Resolution No. PC-098-2016 Approving Lot Line Adjustment for Dennis Wendt, APN's 205-111-028, 205-111-029, 205-111-030, 205-111-050 and 205-111-017 at 1053 Northwestern Ave.
(DISCUSSION/POSSIBLE ACTION) 12
- 2) 2016/0927.03 - Adopt Resolution No. PC-100-2016 Approving a one-year extension of the Teasley Subdivision at 364 Center Street, APN 052-301-012
(DISCUSSION/POSSIBLE ACTION) 49

- | | |
|---|----|
| 3) 2016/0927.04 - Regulations for Cargo/Shipping Containers as Accessory Structures (DISCUSSION) | 65 |
| 4) 2016/0927.05 - Adopt Resolution No. PC-102-2016 Approving the Safety Element of the General Plan (DISCUSSION) | 68 |

H. ADJOURNMENT



In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

The next Regular Planning Commission meeting is scheduled for Tuesday, October 25, 2016, 2016 at 6:30 p.m.

**RIO DELL PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 23, 2016**

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

Present were Commissioners Angeloff, Marks and Woodall and newly seated Commissioners Kemp and Strahan.

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

CEREMONIAL

Swearing in of Planning Commission Alternate Sandy Blakely for a three (3) Year Term Ending December 31, 2019

Mr. Blakely was not present to be sworn in so the item was tabled to the next regular meeting.

CONSENT CALENDAR

Motion was made by Woodall/Marks to approve the consent calendar including approval of minutes of the April 12, 2016 regular meeting. Motion carried 3-0; Commissioners Kemp and Strahan abstained.

PUBLIC PRESENTATIONS

None

Commissioner Angeloff welcomed the newly appointed Planning Commissioners Arnie Kemp and Mike Strahan.

SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

Community Development Director Caldwell suggested a change in the agenda order to allow the Lot Line Adjustment for Stephen Adams to be heard at this time.

Adopt Resolution No. PC 098-2016 Approving Lot Line Adjustment for Stephen Adams, APN No.'s 052-202-009 and 052-202-010, LLA 16-01

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AUGUST 23, 2016 MINUTES
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Community Development Director Caldwell provided a staff report and said the proposed lot line adjustment will adjust approximately 233 square feet from APN 052-202-009 (5,066 square foot parcel) to APN 052-202-010 (4,056 square foot parcel). He stated that the project site is located at the intersection of W. Center St. and Pacific Ave. and noted that APN 052-202-009 is developed with a single family residence and detached garage and APN 052-202-010 is vacant. He said the intent is to adjust the flag area to the Adams parcel.

He further reported that both parcels are legal substandard lots created in compliance with state and local regulations and the proposed lot line adjustment does not result in any nonconformity in regard to setbacks or lot coverage and does not require the relocation of any easements or utilities. Also, the proposed lot line adjustment is in conformance with all applicable policies of the Zoning Regulations, General Plan and Building Regulations and is Statutorily Exempt pursuant to Section 15305 of the CEQA Guidelines.

As such, staff's recommendation is to adopt Resolution PC-098-2016 as presented subject to the Conditions of Approval as attached which are standard conditions that apply to all lot line adjustments.

Commissioner Strahan questioned the possible requirement for a Record of Survey.

Community Development Director Caldwell explained if the new boundary lines cannot be accurately described and located from existing monuments or other methods, they would need to prepare a Record of Survey. If a Record of Survey is not required, the surveyor would need to sign a declaration.

Commissioner Angeloff questioned the slope of the subject parcels.

Community Development Director Caldwell indicated the slope was estimated to be less than 5%.

Commissioner Angeloff suggested the resolution contain language to state that it has been determined that the average slope is less than 20% as required for CEQA exemption.

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Commissioner Angeloff called for public comment on the proposed lot line adjustment; no public comment was received.

Motion was made by Woodall/Kemp to approve Resolution No. PC 098-2016 approving the Adams/Price Lot Line Adjustment as revised. Motion carried 5-0.

Adopt Resolution No. PC 097-2016 recommending the City Council amend Section 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect the referenced sections

Community Development Director Caldwell provided a staff report and said staff recently discovered an error in the Enforcement Regulations, Section 17.40 of the RDMC. He said the two referenced sections 17.25.030 and 17.25.120 actually referred to "Adult Entertainment" and "Camping." He said those sections were recodified to Sections 17.30.030 and 17.30.170 respectively and this merely cleans up the language.

Commissioner Angeloff called for public comment on the proposed resolution; no public comment was received.

Motion was made by Woodall/Angeloff to adopt Resolution No. PC-097-2016 recommending the City Council amends Section 17.40 of the Rio Dell Municipal Code (RDMC) to accurately reflect the referenced sections. Motion carried 5-0.

Adopt Resolution No. PC-099-2016 Recommending the City Council amend Section 17.30.020, Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to (1) Establish Maximum Building Heights and Floor Areas based on Size of Parcel and to allow for exceptions by the Planning Commission when certain findings can be made and (2) Establish regulations regarding Cargo Containers

Community Development Director Caldwell provided a staff report and explained the current zoning regulations restrict the height for detached accessory structures to 15 feet and over the past few year's staff has been approached by several citizens with regard to that limitation in residential zones. He noted that a number of people had to modify the pitch of their roof to meet the 15 foot requirement.

He said that detached accessory buildings are allowed in residential zones, provided they are accessory to and subordinate to the principal use of the site and serves a purpose which does not change the character of the residential neighborhood. He explained that many jurisdictions allow greater heights on larger parcels and exception

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AUGUST 23, 2016 MINUTES
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provisions without the requirement of going through the variance process. As such, staff is recommending amendments regarding building heights and size limitations to Section 17.30.020 of the RDMC, *Accessory Uses and Buildings*.

Community Development Director Caldwell reviewed the proposed changes to allow maximum building height of:

- 15 feet on lots 20,000 square feet or less
- 26 feet on lots larger than 20,000 feet; and

To allow maximum gross floor area of:

- 1,000 square feet on lots 20,000 square feet or less
- 1,500 square feet on lots larger than 20,000 square feet

He noted that if an applicant wishes to modify the height or gross floor area of an accessory building there would be an exception provision whereby the Planning Commission may modify the height and/or floor area requirements through the use permit process, although certain findings would have to be made.

Staff explained that the use permit process allows neighbors to comment and in addressing potential concerns of the neighborhood, the Planning Commission may impose certain conditions of approval such as increased setback requirements.

Commissioner Angeloff commented that large recreational vehicles would need at least 15 feet for clearance and what this provision precludes is detached accessory structures with an apartment on the top floor.

Community Development Director Caldwell said this type of use is generally looked at as a residential use rather than as a detached accessory use.

Commissioner Woodall questioned the detached accessory structure at 126 Fern St. with what appears to have an apartment on the top story.

City Clerk Dunham commented that as she recalls, the building permit was only approved for a detached shop/garage.

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Community Development Director Caldwell asked for a consensus from the Commission whether a 26 foot maximum building height on lots larger than 20,000 square feet is too high.

Commissioner Woodall said she would prefer a maximum building height of 20 feet.

Community Development Director Caldwell noted that if the height were restricted to 20 feet and the applicant went through the use permit process to construct a taller structure, the neighbors would have the opportunity to comment.

Commissioner Angeloff asked what the general use is for structures that tall.

Community Development Director Caldwell said in the County, buildings 26 feet tall are generally barns.

After further discussion, the consensus of the Commission was to restrict the height for accessory structures on lots 20,000 square feet or larger to 20 feet.

Next was discussion on the maximum gross floor area.

Commissioner Woodall suggested the maximum gross floor area be limited to 1,000 square feet and in the event someone wants to have a larger structure on lots 20,000 square feet or greater that they be subject to a use permit. She also commented that metal buildings are not very conducive to residential neighborhoods.

Community Development Director Caldwell said staff could come back to the Commission at the next meeting with a recommendation that all accessory structures be stick built to maintain the character of the neighborhood if that is the direction of the Commission.

Commissioner Kemp stated that he would think that the materials of a building would be determined on a case by case basis.

Community Development Director Caldwell stated that there is nothing in state law that says a jurisdiction can't ban metal buildings but instead of banning them perhaps they could be addressed through the conditional use permit process.

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Page 6**

Commissioner Woodall brought up the possibility of requiring a façade on the front portion of the building.

Staff agreed to bring back at the next meeting some suggested language regarding metal buildings for the Commission to consider.

Community Development Director Caldwell said the other issue is the use of cargo/shipping containers used as accessory structures in residential zones which has recently become an issue in the City. He said he didn't prepare recommended provisions as he wasn't sure how the Planning Commission wants to address them.

He reviewed some common general provisions that apply in other jurisdictions as well as some additional provisions imposed to ensure the residential character and compatibility of the neighborhood is maintained. He pointed out that the bulleted points in the staff report are merely talking points at this time and possible things for the Commission to consider. He said he also found that many jurisdictions require the installation of a 3 foot by 6 foot access door so if someone gets locked in a cargo container they can get out.

He noted that staff is recommending that cargo containers be allowed in all zones on a temporary basis when utilized during construction or grading operations when they are used solely for the storage of construction supplies and equipment.

Another recommendation is that existing cargo containers not be considered legal nonconforming uses and that they are required to be brought into compliance within 180 days after the effective date of the ordinance.

Commissioner Kemp warned staff to not be surprised if someone submits house plans using cargo containers as part or all of the residential structure.

Community Development Director Caldwell said the question is whether the Commission wants to totally restrict the use of cargo containers in residential zones; or allow the use of cargo containers as accessory structures subject to certain provisions

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included but not limited to how and where the container is placed on the parcel and requiring they be painted a solid neutral color or a color to match the residence.

Commissioner Strahan commented that he uses these types of containers on his job every day and personally would not want them in his neighborhood because he sees how they look when they get worn. He said they are harder to maintain than a stick built structure and noisy to open and close as they clank.

Commissioner Angeloff agreed with Commissioner Strahan but said it could open up a can of worms if some designer comes in and wants to utilize a cargo container and is willing to make it aesthetically pleasing.

Commissioner Woodall agreed that cargo containers should not be allowed in residential zones and said it is hard enough for staff to keep up with other code enforcement/nuisance issues.

Commissioner Marks asked how existing cargo containers would be handled.

Community Development Director Caldwell said staff's recommendation is that existing cargo containers not be considered legal nonconforming uses and that they are required to be removed. Another option would be to find a way to make them more compatible. He stated that he would like to notify the Rio Dell Fire Department and other stakeholders in the City to come to a meeting and comment on the issue.

Commissioner Angeloff stated that he can see banning cargo containers in all residential zones and perhaps allowing them in commercial zones and certainly in industrial zones.

Commissioner Kemp noted that at least one person in the area is buying cargo containers and old delivery trucks and selling them for storage units. Then the City has the problem with all these different cargo containers advertising *U-Haul* or *Joe's Fish Market* etc.

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Commissioners agreed with temporary use of cargo containers on construction sites as proposed and the consensus was to have staff bring the item back for further consideration at the next regular Planning Commission meeting on September 27, 2016.

Commissioner Angeloff called for public comment on the proposed resolution; no public comment was received.

Motion was made by Woodall/Marks to adopt Resolution No. PC-099-2016 as modified to eliminate the section on Cargo Containers for further review at the next meeting and limiting the height to a maximum of 20 feet for accessory structures on residential lots 20,000 square feet or greater. Motion carried 5-0.

Ordinance No. 348-2016 Establishing Commercial Medical Cannabis Land Use Regulations, Section 17.30.195 of the Rio Dell Municipal Code (RDMC)

Community Development Director Caldwell clarified that this item is a “receive and file” item only and that the proposed changes to the ordinance do not require a public hearing and comment, but the Council is required to report the proposed changes to the Commission.

Commissioner Angeloff stated that he would like the opportunity to go over the ordinance with a fine tooth comb to make sure the comments to the Council are right.

Community Development Director Caldwell reviewed the changes and explained because Ordinance No. 342-2016 that the Planning Commission recommended the Council approve did not pass, as a procedural matter, the current recommended regulations are being considered under a new ordinance (Ordinance No. 348-2016). He said the role of the Planning Commission is to review and comment only on the recommended changes; not the entire ordinance.

Staff said the changes to the regulations are minor although they are more restrictive than what the Commission recommended. The primary changes included:

- Limiting all cannabis related activities to the area known as the Sawmill Annexation area;
- Eliminating dispensaries as an allowed use within the city, including the Sawmill Annexation area;

- Clarifying the difference between outdoor (open field) and greenhouse cultivations;
- Clearly prohibiting outdoor-open field cultivation within the city;
- Eliminating odor discharges to neighboring properties from cultivation and manufacturing facilities;
- Requiring that employees involved in cultivation and processing activities have access to coveralls in addition to facemasks and gloves;
- Requiring that cultivation, processing, manufacturing facilities, testing laboratories and dispensaries be alarmed with either an audible or silent alarm system that are operated, and monitored by a recognized security company;
- Requiring that security cameras shall be installed and maintained in good condition, and used in an ongoing manner with at least 240 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission for cultivation, processing, manufacturing facilities, testing laboratories and dispensaries. The cameras shall be in use 24 hours/day, 7/days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.

Community Development Director Caldwell noted that another item of discussion was the possibility to require a construction deposit and/or performance bond for new cannabis related facilities. He said performance bonds are typically associated with public improvements and/or public projects so staff is checking with the City Attorney regarding the legality of construction deposits and performance bonds for these facilities. He commented that it has been said that it could be considered arbitrary and capricious to single out particular businesses.

Commissioner Angeloff asked if the Council has an issue with greenhouses that open up from the top to let in natural sunlight and whether they would then be considered as outdoor cultivation. He said he would also like to have a clear description of the Sawmill Annexation area so the City Council is very clear.

Community Development Director Caldwell noted that all commercial greenhouses have openable roofs/vents and are not considered as outdoor cultivation. He also clarified that the Council is very clear on exactly where the Sawmill Annexation is.

Commissioner Marks referred to page 64 of the packet related to subsection (i) where it talks about felony convictions and asked if the California Penal Code should be cited.

Community Development Director Caldwell commented that the language is taken directly out of the State regulations so felt it was adequate.

Commissioner Angeloff referred to the same section of the ordinance and said under (i) where it states that *"No owner or employee who makes or will make operational or management decisions that directly impact the business shall have been convicted of an offense, or is currently free on bail"* and wanted to state for the record that this language leaves it a bit too open for interpretation and that basically any offense could be considered as a valid reason.

Community Development Director Caldwell stated that this language is also taken directly out of the State regulations and that he certainly could make that point but staff is not comfortable modifying the State language.

Commissioner Marks asked what will happen if recreational cannabis is legalized in November.

Community Development Director Caldwell indicated that most jurisdictions are adopting the same regulations for recreational cannabis as commercial cannabis but that staff will bring the ordinance back to the Planning for further review when and if that happens.

Commissioner then asked if the State regulations change if the city would then have to adopt new regulations.

Community Development Director Caldwell said the City would need to make changes to keep up with new State regulations.

Commissioner Angeloff called for public comment on the proposed changes to the Commercial Cannabis Land Use Regulations; no public comment was received.

STAFF REPORTS/COMMUNICATIONS

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Community Development Director Caldwell reported potential items on the next regular agenda will include update of the Noise Element, update of the Safety Element, regulations for metal buildings, regulations for cargo containers, and a lot line adjustment for Dennis Wendt.

ADJOURNMENT

Motion was made by Commissioner Marks/Woodall to adjourn the meeting at 7:46 p.m. to the September 27, 2016 regular meeting. Motion carried 5-0.

Nick Angeloff, Chair

Attest:


Karen Dunham, Planning Commission Secretary

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



For Meeting of: September 27, 2016

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: September 19, 2016

Subject: **Wendt Lot Line Adjustment:** An application for a lot line adjustment between four parcels of about 20, 10, .6 and .5 acres. The proposed lot line adjustment will reconfigure the parcels into 15+/-, 8.4+/-, 4.9+/- and 3.6+/- acres respectively.

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed lot line adjustment;
2. Open the public hearing, receive public input, close the public hearing and deliberate;
3. Find that the proposed lot line adjustment is consistent with the Rio Dell General Plan, Zoning and Building regulations and is Categorical Exempt pursuant to Section 15305 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations;
4. Adopt Resolution No. PC 098-2016 approving the proposed lot line adjustment.

Summary

Wendt Construction recently submitted an application for a lot line adjustment between four parcels of about 20, 10, .6 and .5 acres. The proposed lot line adjustment will reconfigure the parcels into 15+/-, 8.4+/-, 4.9+/- and 3.6+/- acres respectively.

Based on a review of the Preliminary Title Report, current deeds and creation deeds, staff has determined that the four parcels are legal, separate parcels created in compliance with the Subdivision Map Act and local regulations. See below:

Parcel Creation Information		
APN	Creation Type	Document - Date
205-111-028	Deed	Book 695, Page 510 OR – July 18, 1962
205-111-029	Deed	Original parcel Book 362, Page 229 OR – October 18, 1955. Parcel was created by conveying a portion, Hampton to Johnson, Book 657, Page 598 OR – October 24, 1961
205-111-030	Deed	Book 657, Page 598 OR – October 24, 1961
205-111-050	Lot Line Adjustment, County of Humboldt. Case No. LLA 07-30	Notice of Lot Line Adjustment and Certificate of Subdivision Compliance. Document No. 2011-17119-5, Recorded August 15, 2011.

Based on the proposed project, staff has determined that the project is Statutorily Exempt pursuant to Class 5, Section 15305 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. This exemption applies to lot line adjustments with an average slope of less than 20% and does not result in any changes in land use or density.

The applicant has submitted evidence in support of making the required findings. Lot line adjustments *shall* be approved if the required findings can be made. Therefore staff recommends that the Planning Commission approve the project as conditioned.

Required Findings

Section 16.35.030 Rio Dell Municipal Code (RDMC).

A lot line adjustment shall be approved or conditionally approved when there is compliance with all of the following approval criteria:

- (1) The application is found to be complete; and
- (2) Either (a) the parcels to be adjusted are found to be in compliance with the Subdivision Map Act and local subdivision regulations, or (b) a Conditional Certificate of Subdivision Compliance for the parcel or parcels has been issued for recordation prior to or concurrent with the lot line adjustment; and

(3) The proposed lot line adjustment neither causes non-conformance nor increases the severity of pre-existing nonconformities with the General Plan, Zoning and Building ordinances. Providing compliance with this subsection, the approval shall not be conditioned on correction or preexisting non-conformities with the General Plan, Zoning and Building ordinances.

Staff Analysis

1. Complete Application

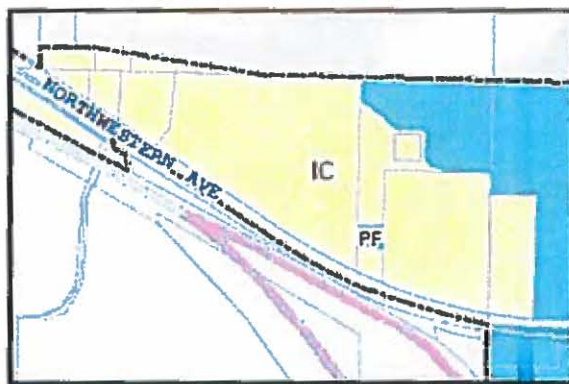
The applicant has submitted the required application materials including the map/plot plan illustrating the proposed lot line adjustment, copies of the current deeds, creation documents and copies of a Preliminary Title Report (PTR) for each of the parcels.

2. Subdivision Map Act Compliance

As previously indicated, the parcels were created in compliance with State and local regulations. The current and creation deeds/documents are included as Attachment 1.

3. General Plan, Zoning and Building Ordinance Consistency

The parcels are planned and zoned Industrial Commercial (IC) and a portion (the hillside) of Parcel F is designated Natural Resources. The purpose of the Industrial Commercial zone is to provide for industrial and commercial uses. The minimum parcel size is 20,000 square feet. The primary purpose of the Natural Resource zone is to provide natural resource protection. There is no minimum parcels size for the Natural Resource designation.



A copy of the Industrial Commercial and Natural Resource development standards are included as Attachment 2.

The proposed lot line adjustment does not result in any nonconformity in regards to setbacks or lot coverage and does not require the relocation of any easements or utilities.

Based on comments from referral agencies, information submitted by the applicant and the recommended conditions of approval, the evidence supports the finding that the proposed lot line adjustment is in conformance with all applicable policies of the Zoning Regulations, General Plan and Building Regulations.

4. California Environmental Quality Act (CEQA)

Based on the proposed project, staff has determined that the project is Statutorily Exempt pursuant to Class 5, Section 15305 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. This exemption applies to lot lines adjustment with an average slope of less than 20% and does not result in any changes in land use or density.

Attachments:

Attachment 1: Project Referral and Maps

Attachment 2: Current Deeds and Creation Deeds

Attachment 3: Industrial Commercial and Natural Resource Development Standards

Attachment 4: Conditions of Approval

Attachment 5: Resolution No. PC 101-2016



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

Community Development Department

Project Referral

Date: August 25, 2016

- To:
- Public Works
 - Rio Dell Fire District
 - Rio Dell Police Department
 - County Environmental Health
 - County Planning Department
 - Regional Water Quality Control Board
 - Fortuna Fire District
 - Rio Dell City Manager
 - Department of Toxics and Substance Control
 - Caltrans District #1
 - Fish and Wildlife
 - Applicant/Agent

Applicant: Wendt Construction
 Address: 1660 Newburg Road
 City/State/Zip: Fortuna, CA. 95540
 Telephone: (707) 725-5641
 Email: wc@wendtco.com

Agent: _____
 Address: _____
 City/State/Zip: _____
 Telephone: _____
 Email: _____

Assessor Parcel Number(s): 205-111-028, -029, -030 & 205-111-050 & 205-171 017 General Plan/Zoning: Industrial Commercial

Project Description: A lot line adjustment between four parcels of about 20, 10, .6 and .5 acres. The lot line adjustment will reconfigure the parcels into 15+/-, 8.4+/-, 4.9+/- and 3.6+/- acres respectively.

Project Location: The project site is located at the former Eel River Sawmill site, known as 1053 Northwestern Ave.

Please review the attached information regarding the above referenced project and provide your comments with any recommended conditions of approval within 15 calendar days of the above date. If no response is received or a request for an extension is not received within 15 calendar days of the above date, it will be assumed that your agency has no comments or concerns regarding the project. The project is scheduled to be heard at the Planning Commission meeting of September 27, 2016.

If you have any questions concerning the project, please contact Kevin Caldwell, Community Development Director between 8:00 a.m. and 5:00 p.m. Monday through Friday at (707) 764-3532.

We have reviewed the above referenced application and recommend the following (please check one):

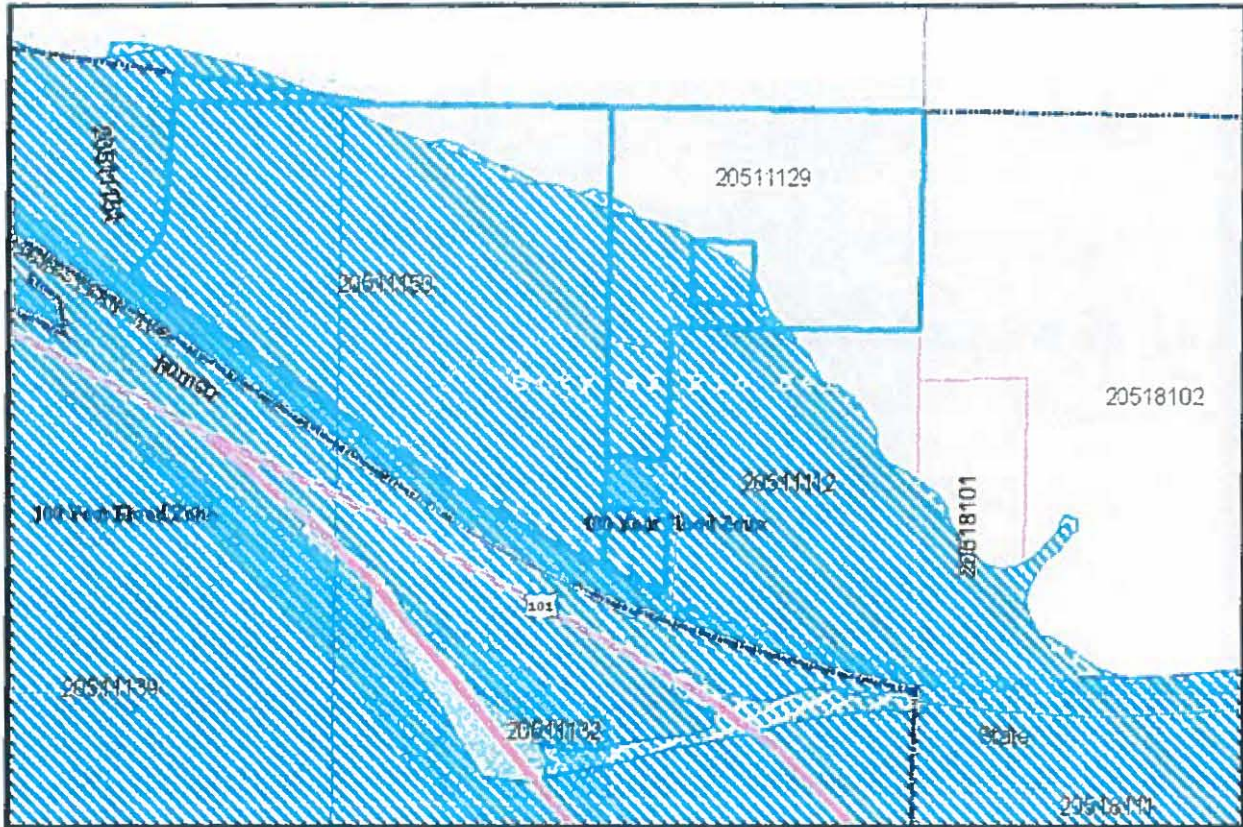
- Recommend approval. The Department has no comment at this time.
- Recommend conditional approval. Suggested conditions attached.
- Other comments:

Print Name: _____ Date: _____

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



Wendt Lot Line Adjustment
 File No. 205-11-028 et al; Case No. LLA16-02
 Date: August 25, 2016



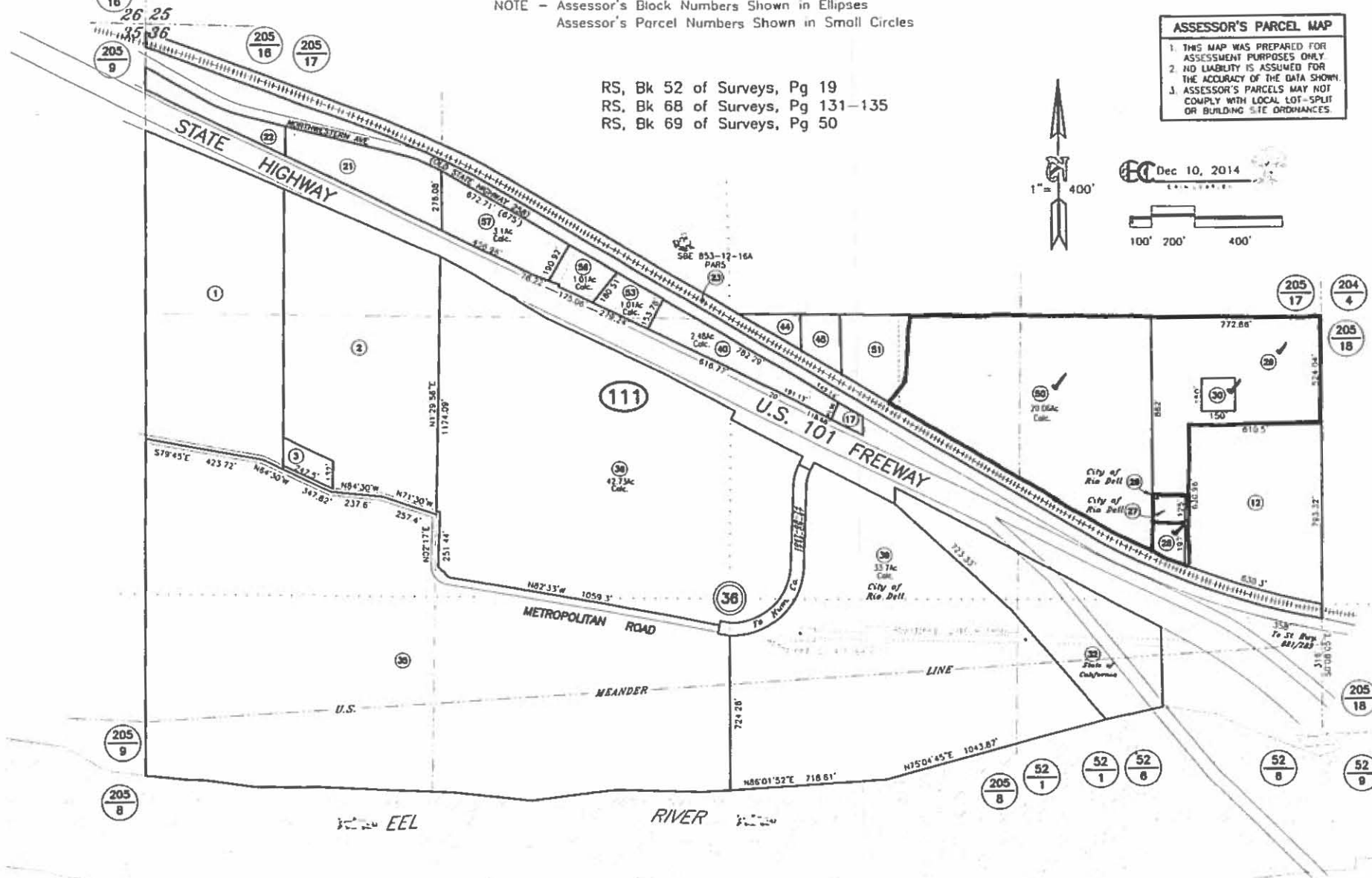
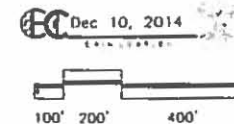
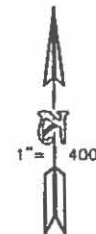
Applicant: <u>Wendt Construction</u>	Agent: _____
Address: <u>1660 Newburg Road</u>	Address: _____
City/State/Zip: <u>Fortuna, CA. 95540</u>	City/State/Zip: _____
Telephone: <u>(707) 725-641</u>	Telephone: _____
Email: <u>wc@wendtco.com</u>	Email: _____
Assessor Parcel Number(s): <u>205-111-028, -029, -030 & 205-111-050 & 205-171 017</u>	General Plan/Zoning: <u>Industrial Commercial</u>
<p>Project Description: A lot line adjustment between four parcels of about 20, 10, .6 and .5 acres. The lot line adjustment will reconfigure the parcels into 15+/-, 8.4+/-, 4.9+/- and 3.6+/- acres respectively.</p> <p>Project Location: The project site is located at the former Eel River Sawmill site, known as 1053 Northwestern Ave.</p>	

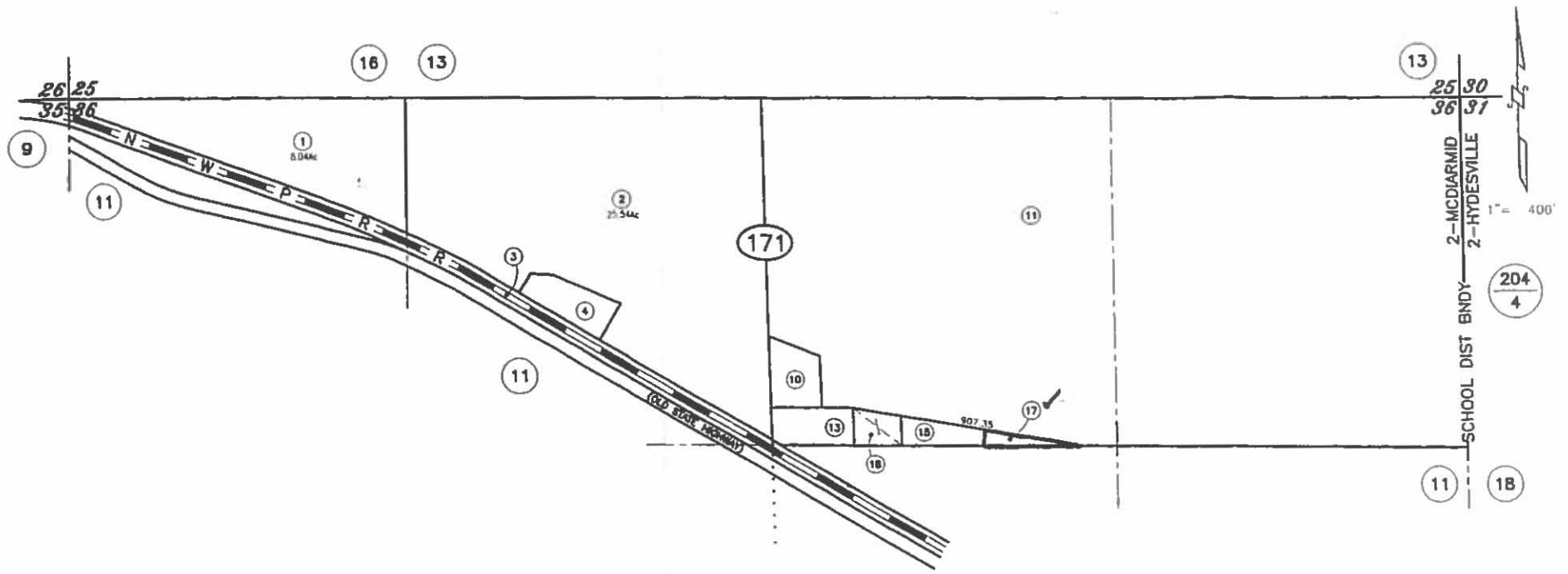
NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Small Circles

RS, Bk 52 of Surveys, Pg 19
RS, Bk 68 of Surveys, Pg 131-135
RS, Bk 69 of Surveys, Pg 50

ASSESSOR'S PARCEL MAP

1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.
3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.



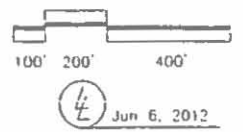


RS, Bk 52 of surveys, Pg 19
 RS, Bk 63 of surveys, Pg 38

ASSESSOR'S PARCEL MAP
 1 THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY
 2 NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN
 3 ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES

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

Assessor's Map Bk.205, Pg.17
 County of Humboldt, CA.



2008-457-5

Recorded — Official Records
Humboldt County, California
Carolyn Crnich, Recorder

Recorded by HUMBOLDT LAND TITLE CO.
Rec Fee 19.00
No PCOR 20.00
Survey Mon 10.00
Clerk: MM Total: 49.00

Jan 8, 2008 at 15:20

RECORDING REQUESTED BY AND WHEN
RECORDED MAIL TO:

Humboldt Land Recovery Inc.
c/o Wendt Construction Co., Inc.
1660 Newburg Road
Fortuna, CA 95540
Attention: Sue Long

MAIL TAX STATEMENT TO:

Humboldt Land Recovery Inc.
c/o Wendt Construction Co., Inc.
1660 Newburg Road
Fortuna, CA 95540
Attention: Sue Long

(Space above this line for Recorder's use)

GRANT DEED

In accordance with Section 11932 of the California Revenue and Taxation Code, Grantor has declared the amount of the transfer tax which is due by a separate statement that is not being recorded with this Grant Deed.

FOR VALUE RECEIVED, EEL RIVER ACQUISITION CORPORATION, a Nevada corporation, by its attorney-in-fact U.S. BANK NATIONAL ASSOCIATION, a national banking association ("Grantor"), grants to HUMBOLDT LAND RECOVERY INC., a California corporation ("Grantee"), all that certain real property situated in the ~~City of Fortuna~~, County of Humboldt, State of California, described on *Schedule 1* attached hereto and by this reference incorporated herein (the "Property").


SUBJECT TO the following:

- (a) All liens, encumbrances, easements, covenants, conditions, restrictions and other matters of record;
- (b) All matters which a correct survey of the Property would disclose;
- (c) All matters which could be ascertained by a physical inspection of the Property;
- (d) Interests of parties in possession;
- (e) Any and all liens not yet delinquent for real property and personal property taxes and for general and special assessments against the Property; and

(f) Building and zoning ordinances and regulations and any other laws, ordinances, or governmental regulations restricting, regulating or relating to the use, occupancy or enjoyment of the Property.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed as of ~~January~~ LLI
~~2008~~ / December 28, 2007.

GRANTOR: EEL RIVER ACQUISITION CORPORATION,
BY ITS ATTORNEY-IN-FACT
U.S. BANK NATIONAL ASSOCIATION

By: 
Name: Timothy Pillar
Title: Vice President

STATE OF MINNESOTA

COUNTY OF RAMSEY

On 12/28/2007, before me, L. Elaine Eby,
(insert name and title of the officer)

, personally appeared Timothy Pillan, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

L. Elaine Eby
Signature of Notary
L. Elaine Eby



**SCHEDULE 1
TO
GRANT DEED**

Legal Description

That real property situate in the County of Humboldt, State of California, described as follows:

PARCEL H:

BEGINNING at a point 11.71 chains West of the Northeast corner of the South Half of the Northeast Quarter of Section 36, Township 2 North, Range 1 West, Humboldt Meridian, and running
thence West, 17.63 chains;
thence South 28 chains, more or less, to the North bank of the Eel River;
thence Easterly, up said North Bank, 17.63 chains, more or less, to a point in range with the West line of land deeded to John M. Connick by Price on September 26, 1893 and recorded in Book 48 of Deeds, page 40, Humboldt County Records; and
thence North following along the West line of said Connick land, 26 chains, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion thereof which lies South of the North line of the parcel of land deeded to the Pacific Lumber Company by B.A. Price by deed dated December 11, 1883 and recorded in Book 12 of Deeds, page 452, Humboldt County Records.
(apn 205-111-015)

RECORDING REQUESTED BY
Humboldt Land Title Company
WHEN RECORDED RETURN TO
AND MAIL TAX STATEMENTS TO:

2012-030675-5
Recorded - Official Records
Humboldt County, California
Carolyn Crnich, Recorder
Recorded by: HLTCO
Rec Fee: \$25.00

Name **Wendt Construction Co., Inc.**
Address **1660 Newburg Road
Fortuna, CA 95540**

Clerk: KL Total.\$25.00
Dec 19, 2012 at 14:13:23

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CORRECTORY GRANT DEED

This Grant Deed is being recorded to correct the name of the Grantee in Grant Deed recorded April 8, 2008, as Instrument No. 2008-8706-5, in the office of the Humboldt County Recorder.

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

City of unincorporated area
Parcel No. 205-111-012, 016, 028, 29, 30
205-171-008, 012, 205-181-001

Documentary Transfer Tax is \$00.00

computed on full value of interest or property conveyed, or
 full value less value of liens or encumbrances remaining at the time of sale

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
**Wendt Construction Co., Inc., a California corporation, who acquired title as
Wendt Construction Inc., a California corporation,**
hereby GRANT(s) to
Wendt Construction Co., Inc., a California corporation,
the following real property in the unincorporated area, County of Humboldt, State of California:

See Exhibit A attached hereto and made a part hereof.

Dated: April 4, 2012 12-19-12

State of California
County of Humboldt

On 12-19-12 before me, S. Wallace
a Notary Public, personally appeared Dennis Wendt

Wendt Construction Co., Inc.
Dennis Wendt
Dennis Wendt, President

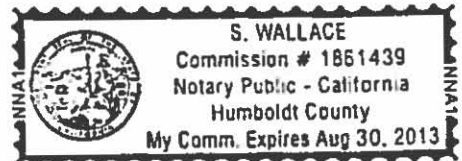
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]

My commission expires: 8-30-13



(This area for official notarial seal)

Exhibit A

DESCRIPTION

That real property situate in the County of Humboldt, State of California, described as follows:

PARCEL G:

BEGINNING at a point on the East line of Section 36, Township 2 North, Range 1 West, Humboldt Meridian, 4 links North from an iron pipe, 1 1/2 inches in diameter, driven in the ground for the quarter section corner on the East line of said Section 36;

thence North along the Section line, 12.02 chains;

thence West, 9.25 chains to a stake from which bears a redwood 18 inches in diameter marked B.T.F.A.M;

thence South 9.56 chains to the North line of the Northwestern Pacific Railroad right of way; and

thence Easterly along said right of way 9.55 chains to the point of beginning.

PARCEL I:

COMMENCING at the Northeast corner of lands formerly owned by Elise C. Christensen on the South side of the state highway in the Southwest Quarter of the Northeast Quarter of Section 36, Township 2 North, Range 1 West, Humboldt Meridian; and running North 2 chains to the true point of beginning of the land herein intended to be described, said point of beginning being the intersection of said North line of the railroad land with the West line of the land formerly of L.P. Bundeson;

thence from said true point of beginning North along the West line of the land of Bundeson 7 chains to the subdivision line at a point which is distant 29.34 chains West of the East line of said Section 36;

thence West along the subdivision line 11.70 chains to the North line of lands of the Northwestern Pacific Railroad;

thence South 59 1/4 degrees East along said last-mentioned line 13.61 chains to the point of beginning.

PARCEL J:

BEGINNING on the West line of the tract of land heretofore Deeded to Marjorie Connick by Deed dated February 6, 1934 recorded in Book 213 of Deeds, Page 325, Humboldt County Records, at a point where the same is intersected by the North line of the strip of land Deeded to the Pacific Lumber Company by Deed dated December 11, 1883 recorded in Book 12 of Deeds, Page 453, (now owned by the Northwestern Pacific Railroad Company); and running

thence North along the West line of said tract of land deeded to Connick, 262 feet;

thence East, 150 feet to a point which is distant 13 feet West of the West line of the tract of land Deeded to Rocco Cappi and wife, by Deed dated January 15, 1941;

thence South parallel with the said West line 322 feet to the North line of land of said Northwestern Pacific Railroad Company; and

thence Westerly along said last mentioned line 162 feet to the point of beginning.

Being a portion of the Southeast Quarter of the Northeast Quarter of Section 36, Township 2 North, Range 1 West, Humboldt Meridian.

EXCEPTING THEREFROM a strip of land of the uniform width of 125 feet off the entire North side thereof.

Continued...

PARCEL K:

BEGINNING on the section line at a point, which is distant thereon 795.96 feet North of the quarter section corner on the East line of Section 36 in Township 2 North, Range 1 West, Humboldt Meridian;
and running thence North along the section line 524.04 feet to the North line of the Southeast Quarter of the Northeast Quarter of said Section 36;
thence West along the subdivision line, 772.86 feet to the Northwest corner of the 27.47 acre tract of land Deeded to Marjorie Connick by Deed of record in Book 213 of Deeds, Page 325, Humboldt County Records;
thence South along the West line of said 27.47 acre tract 822 feet to a point which is distant thereon 262 feet North of the North line of the strip of land Deeded to the Pacific Lumber Company by Deed dated December 11, 1883, recorded in Book 12 of Deeds, Page 453 (now owned by the Northwestern Pacific Railroad Company);
thence East 150 feet to a point which is distant 13 feet West of the West line of the 10.10 acre tract of land Deeded to Rocco Cappi and wife by Deed dated January 15, 1941;
thence South parallel to the West line of said 10.10 acre tract, 322 feet to the North line of said land of Northwestern Pacific Railroad Company;
thence Easterly along the North line of said railroad lands, 15 feet more or less to the Southwest corner of said 10.10 acre tract Deeded to Cappi;
thence North 630.96 feet to the Northwest corner thereof;
and thence East 610.50 feet to the point of beginning.

EXCEPTING THEREFROM that portion of said land conveyed by Deed from Edward C. Hampton and Evelyn J. Hampton, his wife, to Eugene E. Johnson and Miona D. Johnson, his wife as joint tenants recorded October 24, 1961, in Book 657 of Official Records, Page 598, Humboldt County Records, described as follows:

BEGINNING on the section line at a point which is distant thereon 795.96 feet North from the quarter section corner on the East line of Section 36, Township 2 North, Range 1 West, Humboldt Meridian; and running thence West 535.50 feet; thence North 50 feet to the true point of beginning of the parcel of land to be here described;
thence from said true point of beginning run East, 150 feet;
thence North 150 feet;
thence West 150 feet;
and thence South 150 feet to said true point of beginning.

Continued...

PARCEL L:

That portion of the Southeast Quarter of the Northeast Quarter of Section 36, Township 2 North Range, Range 1 West, Humboldt Meridian, described as follows:

Sub Parcel One:

BEGINNING on the section line at a point which is distant thereon 795.96 feet North from the quarter section corner on the East line of Section 36, Township 2 North, Range 1 West, Humboldt Meridian;
and running thence West, 535.50 feet;
thence North 50 feet to the true point of beginning of the parcel of land to be here described;
thence from said true point of beginning run East 150 feet;
thence North 150 feet;
thence West 150 feet;
and thence South 150 feet to said true point of beginning.

PARCEL M:

Sub Parcel One:

That parcel in the Northwest Quarter of the Northeast Quarter of Section 36, Township 2 North, Range 1 West, Humboldt Meridian, described as follows:

BEGINNING at a point on the West line of said Northwest Quarter of Northeast Quarter located 150 feet North of the Southwest corner thereof,
running thence East 320 feet;
thence South 150 feet to a point located 320 feet East of said Southwest corner,
thence West 274.04 feet more or less to the North line of land of Northwestern Pacific Railroad;
thence along the North line of said railroad land, North 59 degrees 21 minutes West 52.78 feet to the aforesaid West line of said Northwest Quarter of Northeast Quarter,
and thence North along said last-mentioned line, 122.88 feet to the place of beginning.

Sub Parcel Two:

That parcel in the North Half of the Northeast Quarter of Section 36, Township 2 North, Range 1 West, Humboldt Meridian, described as follows:

BEGINNING at a point located 150 feet North and 320 feet East of the Southwest corner of said North Half of Northeast Quarter,
running thence South 150 feet more or less to the subdivisional line;
thence East along last-mentioned line, 183 feet;
and thence Northwesterly in a straight line to the point of beginning.

Continued...

PARCEL N:

That portion of the North Half of the Northeast Quarter of Section 36, Township 2 North, Range 1 West, Humboldt Meridian, described as follows:

BEGINNING at a point on the West line of said subdivision, located 150 feet North of the Southwest corner thereof;
thence North 89 degrees 36 minutes 54 seconds East, 320 feet to the true point of beginning;
thence from said true point of beginning South 80 degrees 52 minutes 11 seconds East, 907.35 feet to the South line of said subdivision;
thence South 89 degrees 36 minutes 54 seconds West, along said South line a distance of 710.29 feet to the most Easterly corner of the land conveyed to Mary Miranda, by Deed recorded September 7, 1955, in Book 355 of Official Records, Page 553;
thence along the Northeasterly line of said land, North 51 degrees 17 minutes 22 seconds West, 237.85 feet to the true point of beginning.

PARCEL O:

BEGINNING at the quarter section corner on the West line of Section 31, Township 2 North, Range 1 East, Humboldt Meridian, and running
thence North 676.5 feet;
thence Easterly 264 feet;
thence South 676.5 feet; and
thence Westerly 264 feet to the point of beginning.

EXCEPTING THEREFROM that portion thereof conveyed by Alden H. Bradford and wife to the Pacific Lumber Company, a corporation by Deed recorded October 10, 1885 in Book 17 of Deeds, Page 431.

Recorded by HUMBOLDT LAND TITLE CO.
Rec Fee 16.00
No PCOR 20.00
Clerk: LH Total: 36.00
Aug 15, 2011 at 10:00

RECORDING REQUESTED BY

Wendt Construction

WHEN RECORDED MAIL TO

Wendt Construction
1660 Newburg Road
Fortuna, CA 95540

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 205-111-015

GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ none pursuant to R&T Code 11925(d)

() computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

() Unincorporated Area () City of Rio Dell

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Wendt Construction Co., Inc. a California Corporation

hereby GRANTS to:

Humboldt Land Recovery, Inc., a California Corporation

the following described real property in the City of Rio Dell, County of Humboldt, State of California:

See EXHIBIT 'A' attached hereto and made a part hereof.

Dated: 3-10-11

STATE OF CALIFORNIA)SS
COUNTY OF HUMBOLDT)

On 3-10-11 before me, S. Wallace

a Notary Public, personally appeared _____

Dennis Wendt

Wendt Construction Co., Inc.

Dennis Wendt

Dennis Wendt, President

proven to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

[Signature]

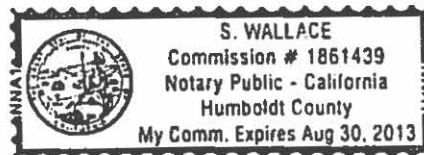


EXHIBIT 'A'
PROPERTY DESCRIPTION

All that real property located in the Northeast Quarter of Section 36, Township 2 North Range 1 West, Humboldt Meridian, City of Rio Dell, County of Humboldt, State of California, described as follows:

PARCEL ONE

BEGINNING at the True Point of Beginning of Parcel 'I' as described in the deed from Robert A. Zigler to Wendt Construction Inc., recorded on April 8, 2008 as Instrument No. 2008-8706-5, Humboldt County Records, being the intersection of the North line of a 4 rod strip of land conveyed for railroad purposes per Book 12 of Deeds, page 452, Humboldt County Records with the West line of the land formerly owned by L. P. Bundeson and described in the deed to Humboldt Land Recovery, Inc. recorded on January 8, 2008 as Instrument No. 2008-457-5, Parcel 'H';

thence North along the West line of the land of Bundeson and Humboldt Land Recovery Inc., 75.42 feet to the line noted between parcels labled 'C' and 'D' with the bearing of South 37° 52' 00" West as shown on a Record of Survey for Wendt Construction Co., Inc. to be recorded;

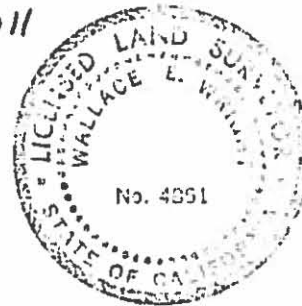
thence South 37° 52' 00" West, 65.45 feet to the North line of said 4 rod strip of land conveyed for railroad purposes;

thence South 59° 24' 20" East along the North line of said railroad land, 46.67 feet to the Point of Beginning.



Date: 3-04-2011

Wallace E. Wright, LS 4851
License Expires: 10-31-2012



2011-17117-2

Recorded — Official Records
Humboldt County, California
Carolyn Crnich, Recorder

Recorded by HUMBOLDT LAND TITLE CO.
Rec Fee 16.00
No PCOR 20.00
Clerk: LH Total: 36.00
Aug 15, 2011 at 10:00

RECORDING REQUESTED BY

Wendt Construction

WHEN RECORDED MAIL TO

Wendt Construction
1660 Newburg Road
Fortuna, CA 95540

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 205-111-015

GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ none pursuant to R&T Code 11925(d)

() computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

() Unincorporated Area () City of Rio Dell

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Humboldt Land Recovery, Inc., a California Corporation

hereby GRANTS to:

Wendt Construction Co., Inc. a California Corporation

the following described real property in the City of Rio Dell, County of Humboldt, State of California:

See EXHIBIT 'A' attached hereto and made a part hereof.

Humboldt Land Recovery, Inc.

Dennis Wendt

Dennis Wendt, President

Dated: 3-10-11

STATE OF CALIFORNIA)SS
COUNTY OF HUMBOLDT)

On 3-10-11 before me, S. Wallace

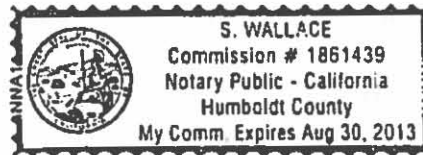
a Notary Public, personally appeared _____

Dennis Wendt

proven to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *SW*

(1)

EXHIBIT 'A'
PROPERTY DESCRIPTION

All that real property located in the Northeast Quarter of Section 36, Township 2 North Range 1 West, Humboldt Meridian, City of Rio Dell, County of Humboldt, State of California, described as follows:

PARCEL ONE

BEGINNING at the Northwest corner of the land described in the deed to Humboldt Land Recovery, Inc. recorded on January 8, 2008 as Instrument No. 2008-457-5, Parcel 'H', Humboldt County Records, being located on the North line of the South Half of the Northeast Quarter, 29.34 chains (1936.44 feet) West of the East line of said Section 36;

thence South along the West line of Humboldt Land Recovery, Inc, 349.21 feet to a point on the line between parcels labled 'C' and 'D' with the bearing of South 37° 52' 00" West as shown on a Record of Survey for Wendt Construction Co., Inc. to be recorded;

thence along said line North 37° 52' 00" East, 54.98 feet;

thence North 4° 52' 00" East, about 306.68 feet to the North line of the South Half of the Northeast Quarter of said Section 36;

thence North 89° 46' 14" West along said line, 59.76 feet to the Point of Beginning.



Date: 3-04-2011

Wallace E. Wright, LS 4851
License Expires: 10-31-2012



2011-17119-5

Recorded — Official Records
Humboldt County, California
Carolyn Crnich, Recorder

Recorded by HUMBOLDT LAND TITLE CO.
Rec Fee 25.00
Clerk: LH Total: 25.00
Aug 15, 2011 at 10:00

RECORDING REQUESTED BY:
Humboldt County
Community Development Services
Return to:
Humboldt County
Community Development Services
3015 H Street
Eureka, CA 95501-4484

**NOTICE OF LOT LINE ADJUSTMENT AND
CERTIFICATE OF SUBDIVISION COMPLIANCE**

ASSESSOR'S REFERENCE NUMBER(S):
205-111-015,016-205-171-008,012
Inc.

PROPERTY OWNER(S) OF RECORD
Wendt Costruction, Inc., Humboldt Land Recovery,

LLA-07-30

Number of Resulting Parcels Certified: 4
Identified herein as Parcels A, B, C, D

NOTICE IS HEREBY GIVEN that the real properties described in the attached EXHIBIT "A" are the result of a Lot Line Adjustment in accordance with Section 66412 (d) of the Government Code of the State of California, and that any portions of prior parcels contained within said resultant parcel descriptions have been merged into the single parcels described herein as Parcel A, Parcel B, Parcel C and Parcel D.

THIS NOTICE IS GIVEN by the person(s) whose name(s) is/are subscribed on page 2 of this instrument as the owners(s) of record of the real properties described in the attached EXHIBIT "A".

THIS CERTIFICATE relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto and no further compliance with the Subdivision Map Act is necessary. However, development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.

THIS CERTIFICATE DOES NOT CERTIFY that the real property for which this notice has been given is suitable for development in accordance with existing or future regulations.

On this 16th day of May, 2011, I HEREBY CERTIFY that the Lot Line Adjustment for which this Notice is given has been executed with the approval of the County of Humboldt and that the parcels or units of land resulting from the Lot Line Adjustment complies with the provisions of the California Subdivision Map Act and County of Humboldt Ordinances enacted pursuant thereto:

BY *Kirk Girard*
Kirk Girard, Director of Community Development Services, County of Humboldt

ACKNOWLEDGEMENT

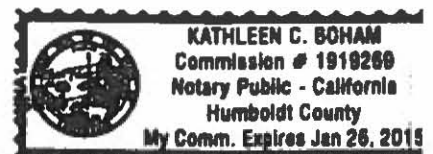
STATE OF CALIFORNIA }
COUNTY OF HUMBOLDT }

On June 6, 2011, before me, *Kathleen C Boham*, Notary Public, personally appeared Kirk Girard, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.

Kathleen C Boham #1919269 Jan 26, 2015
SIGNATURE OF NOTARY REGISTRATION NO. EXPIRES



1

OWNER'S REPRESENTATION

I hereby represent that we are the owners of record of the real properties described in the attached EXHIBIT "A", and that we have consented to and executed the Lot Line Adjustment for which we have given the notice herein.

signature Dennis Wendt
Sign Above Wendt Construction Inc., By: Dennis Wendt, President
As to Parcels A, B and C, Hereon

signature Dennis Wendt
Sign Above Humboldt Land Recovery Inc., By: Dennis Wendt, President
As to Parcel D, Hereon

ACKNOWLEDGEMENT

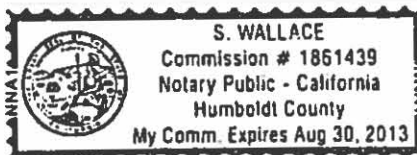
STATE OF CALIFORNIA }
COUNTY OF Humboldt }

On 3-10-11, before me, S. Wallace, a Notary Public,
personally appeared Dennis Wendt

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.



[Signature]
signature of Notary

SEAL

OPTIONAL DATA

CAPACITY CLAIMED BY SIGNER

DOCUMENT

- INDIVIDUAL(S)
- CORPORATE OFFICER(S)

- TITLE(S)
 PARTNER(S) LIMITED GENERAL
 ATTORNEY-IN-FACT

- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

DESCRIPTIONS OF ATTACHED

TITLE OR TYPE OF DOCUMENT _____

NUMBER OF PAGES _____

DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

EXHIBIT 'A'
PROPERTY DESCRIPTION

All that real property located in the Northeast Quarter of Section 36, Township 2 North Range 1 West, Humboldt Meridian, County of Humboldt, State of California, described as follows:

PARCEL 'A'

BEGINNING at a point on the West line of the Northwest Quarter of the Northeast Quarter of said Section 36 at a point located North 1° 18' 24" West, 150 feet from the Southwest corner thereof;
thence South 89° 46' 14" East (described as "East" in Instrument No. 2008-8706-5, Parcel 'M', Sub Parcel One), 320 feet;
thence South 1° 18' 24" East, 316.61 feet to the Northerly line of the 4 rod wide strip of land conveyed for railroad purposes, Book 12 of Deeds, page 452, Humboldt County Records;
thence along said line, North 59° 24' 20" West, 376.80 feet to the West line of the Northwest Quarter of the Northeast Quarter of said Section 36,
thence North 1° 18' 24" West, 126.07 feet to the Point of Beginning.

SUBJECT TO a non-exclusive easement 24 feet wide for ingress, egress, drainage and public and/or private utilities and all other purposes incidental thereto, the Southwesterly line of said easement is described as follows:

BEGINNING at a point where the west line of the Northwest Quarter of the Northeast Quarter of said Section 36 intersects the North line of the 4 rod strip of land conveyed for railroad purposes per Book 12 of Deeds, page 452, Humboldt County Records;
thence South 59° 24' 20" East along said railroad land, 155 feet to the TRUE POINT OF BEGINNING of the Easement herein described;
thence continuing South 59° 24' 20" East, 221.79 feet to the easterly line of PARCEL 'A'.

This description includes the land or portions of the land described in the following deeds: Book 257 of Deeds, page 234, recorded on October 19, 1942; Book 29, page 316, recorded on January 23, 1948 Humboldt County Official Records.

PARCEL 'B'

BEGINNING at a point on the West line of the Northwest Quarter of the Northeast Quarter of said Section 36 at a point located North 1° 18' 24" West, 150 feet from the Southwest corner thereof;
thence South 89° 46' 14" East (described as "East" in Instrument No. 2008-8706-5, Parcel 'M', Sub Parcel One), 320 feet to the TRUE POINT OF BEGINNING of the land herein described;
thence South 1° 18' 24" East, 316.61 feet to the Northerly line of the 4 rod wide strip of land conveyed for railroad purposes, Book 12 of Deeds, page 452, Humboldt County Records;
thence along said line, South 59° 24' 20" East, 215.48 feet;
thence leaving said line, North 1° 18' 24" West, 394.76 feet to the North line of the land conveyed by Silvio and Louise Mozzetti to Eel River Sawmills, Inc. by deed recorded on August 11, 1980, in Book 1618, page 1192, Humboldt County Official Records;
thence along said line, North 80° 15' 30" West, (North 80° 52' 11" West, according to said deed to Eel River Sawmills, Inc.) 186.39 feet to the True Point of Beginning.

INCLUDING a non-exclusive easement 24 feet wide for ingress, egress, drainage and public and/or private utilities and all other purposes incidental thereto, the Southwesterly line of said easement is

page 1

EXHIBIT 'A' (continued)

PARCEL 'B' (continued)

described as follows:

BEGINNING at a point where the west line of the Northwest Quarter of the Northeast Quarter of said Section 36 intersects the North line of the 4 rod strip of land conveyed for railroad purposes per Book 12 of Deeds, page 452, Humboldt County Records;

thence South 59° 24' 20" East along said railroad land, 155 feet to the TRUE POINT OF BEGINNING of the Easement herein described;

thence continuing South 59° 24' 20" East, 221.79 feet to the westerly line of PARCEL 'B'.

SUBJECT to a non-exclusive easement 24 feet wide easement for ingress, egress, drainage and public and/or private utilities and all other purposes incidental thereto, the Southwesterly line of said easement is the southwesterly line of PARCEL 'B'.

This description includes the land or portions of the land described in the following deeds: Book 355, page 552, recorded on September 7, 1955; Book 29, page 316, recorded on January 23, 1948; Book 1618, page 1192, recorded August 11, 1980 all Humboldt County Official Records.

PARCEL 'C'

BEGINNING at a point on the West line of the Northwest Quarter of the Northeast Quarter of said Section 36 at a point located North 1° 18' 24" West, 150 feet from the Southwest corner thereof;

thence South 89° 46' 14" East (described as "East" in Instrument No. 2008-8706-5, Parcel 'M', Sub Parcel One), 320 feet;

thence South 80° 15' 30" East along the North line of the land conveyed by Silvio and Louise Mozzetti to Eel River Sawmills, Inc. by deed recorded on August 11, 1980, in Book 1618, page 1192, Humboldt County Official Records, (South 80° 52' 11" East according to said deed) 186.39 feet to the TRUE POINT OF BEGINNING of the land herein described;

thence South 1° 18' 24" East, 394.76 feet to the Northerly line of the 4 rod wide strip of land conveyed for railroad purposes, Book 12 of Deeds, page 452, Humboldt County Records;

thence along said line, South 59° 24' 20" East, 248.38 feet;

thence leaving said line, North 37° 52' East, 120.43 feet;

thence North 4° 52' East, 371 feet to the North line of said land conveyed to Eel River Sawmills, Inc.;

thence along said line North 80° 15' 30" West (North 80° 52' 11" West according to said deed to Eel River Sawmills, Inc.), 333 feet to the True Point of Beginning.

INCLUDING a non-exclusive easement 24 feet wide for ingress, egress, drainage and public and/or private utilities and all other purposes incidental thereto, the Southwesterly line of said easement is described as follows:

BEGINNING at a point where the west line of the Northwest Quarter of the Northeast Quarter of said Section 36 intersects the North line of the 4 rod strip of land conveyed for railroad purposes per Book 12 of Deeds, page 452, Humboldt County Records;

thence South 59° 24' 20" East along said railroad land, 155 feet to the TRUE POINT OF BEGINNING of the Easement herein described;

thence continuing South 59° 24' 20" East, 437.27 feet to the westerly line of PARCEL 'C'.

EXHIBIT 'A' (continued)

PARCEL 'C' (continued)

This description includes portions of the land described in the following deeds: Book 29, page 316, recorded on January 23, 1948; Book 1618, page 1192, recorded on August 11, 1980; Book 159, page 342, recorded on February 11, 1951, all Humboldt County Official Records.

PARCEL 'D'

BEGINNING at a point on the North line of the South Half of the Northeast Quarter of said Section 36 located North 89° 46' 14" West, 11.71 chains (772.86 feet) from the Northeast corner thereof;

thence along said line, North 89° 46' 14" West, 715.99 feet to the intersection with the line described as "South 80° 52' 11" East, 907.35 feet to the South line of said subdivision" in the deed from Silvio and Louise Mozzetti to Eel River Sawmills, Inc. by deed recorded on August 11, 1980, in Book 1618, page 1192, Humboldt County Official Records;

thence along said line, North 80° 15' 30" West (North 80° 52' 11" West according to said deed), 387.96 feet to a point located South 80° 15' 30" East, 519.39 feet from the True Point of Beginning described in said deed from Mozzetti to Eel River Sawmills, Inc.;

thence South 4° 52' West, 371 feet;

thence South 37° 52' West, 120.43 feet to the Northerly line of the 4 rod wide strip of land conveyed for railroad purposes, Book 12 of Deeds, page 452, Humboldt County Records;

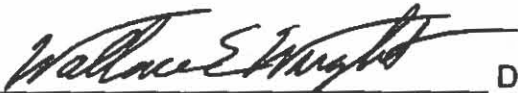
thence along the Northerly line of said railroad, South 59° 24' 20" East, 1106.91 feet;

thence continuing along said railroad, on a curve to the Left with a radius of 2847 feet, through an angle of 5° 42' 29" and a Length of 283.63 feet to a point lying South of the Point of Beginning;

thence North, 1091.56 feet to the Point of Beginning.

This description includes portions of the land described in the following deeds: Book 29, page 316, recorded on January 23, 1948; Book 1618, page 1192, recorded on August 11, 1980; Book 159, page 342, recorded on February 11, 1951, all Humboldt County Official Records.

NOTE: A Record of Survey is being prepared for this EXHIBIT 'A'.



Date: 3-07-2011

Wallace E. Wright, PLS 4851
License Expires: 10-31-2010



5

17051

RECORDED AS REQUEST OF
BLENNER ABSTRACT & TITLE CO.
OFFICIAL
VOL. 177 PAGE 598
OCT 24 9 14 AM 1961
RENEWED FOR 1 YEAR
HUMBOLDT COUNTY RECORDS
B. J. WATSON DEPUTY
FEB 2 1961

Return to
Eugene E. Johnson
Box 484 154
Rio Dell, California
Order No. 107299 WAR/jr



GRANT DEED (Individual)

For value received, we, EDWARD C. HAMPTON and EVELYN J. HAMPTON, his wife

GRANT to EUGENE E. JOHNSON and MIONA D. JOHNSON, his wife, as joint tenants

all that real property situate in the

County of Humboldt State of California, described as follows:

PARCEL ONE

BEGINNING on the Section line at a point which is distant thereon 795.96 feet north from the quarter section corner on the east line of Section 36, Township 2 North, Range 1 West, Humboldt Meridian; and running thence west 535.50 feet; thence north 50 feet to the true point of beginning of the parcel of land to be here described; thence from said true point of beginning run east 150 feet; thence north 150 feet; thence west 150 feet; and thence south 150 feet to said true point of beginning.

PARCEL TWO

A non-exclusive right of way for ingress and egress and public utility purposes over a strip of land described as follows: Beginning on the south line of the parcel of land above described at a point which is 20 feet east from the southwest corner of said parcel; and running thence north 50 feet; thence west 95 feet to the northwest corner of the 10.10 acre tract of land deeded to Rocco Cappi and wife by deed dated January 15 1941; thence south along the west line of said tract deeded to Cappi, 630.96 feet to the southwest corner of said tract; thence west along the north line of a strip of land deeded to The Pacific Lumber Company by deed dated December 11 1883 and recorded in Book 12 of Deeds page 453 (now owned by Northwestern Pacific Railroad Company) 15 feet more or less to a point which is distant 13 feet west of the west line of the 10.10 acre tract of land conveyed to Rocco Cappi and wife as aforesaid; thence north parallel with the west line of said 10.10 acre tract of land 650.96 feet; thence east 90 feet to a point which is due south of the southwest corner of Parcel One above described; thence north 30 feet to the southwest corner of said parcel one above described and thence east along the south line of said parcel 20 feet to the point of beginning.

Dated October 13 1961

Edward C. Hampton
Evelyn J. Hampton
Edward C. Hampton
Evelyn J. Hampton

STATE OF CALIFORNIA
County of Humboldt

On October 13 1961 before me John A. Gillars a Notary Public in and for said County and State, personally appeared Edward C. Hampton and Evelyn J. Hampton

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same. My commission expires JOHN A. GILLARS Notary Public

DEED

JOHN EDGAR THOMPSON and MARGARET THOMPSON, being also known as
No. JOHN E. THOMPSON and MARGARET R. THOMPSON his wife

GRANT to EDWARD C. HAMPTON and EVELYN J. HAMPTON, husband and wife as
Joint Tenants.

all that real property situated in the _____
County of Humboldt, State of California, bounded and described as follows to wit:

BEGINNING on the section line at a point which is distant thereon
795.96 feet north of the quarter section corner on the east line of
Section 36 in Township 2 North of Range 1 West, Humboldt Meridian;
and running thence north along the section line 524.04 feet to the
north line of the southeast quarter of the northeast quarter of said
Section 36;
thence west along the subdivisional line 772.86 feet to the northwest
corner of the 27.47 acre tract of land deeded to Marjorie Connick by
deed of record in Book 213 of Deeds at page 325, Humboldt County Records;
thence south along the west line of said 27.47 acre tract 822 feet
to a point which is distant thereon 262 feet north of the north line of
the strip of land deeded to the Pacific Lumber Company by deed dated
December 11th 1883 recorded in Book 12 of Deeds at page 453 (now owned
by Northwestern Pacific Railroad Company);
thence east 150 feet to a point which is distant 13 feet west of the
west line of the 10.10 acre tract of land deeded to Rocco Cappi and wife
by deed dated January 15th 1941;
thence south parallel with the west line of said 10.10 acre tract 322
feet to the north line of said land of Northwestern Pacific Railroad
Company;
thence easterly along the north line of said Railroad lands 15 feet,
more or less, to the southwest corner of said 10.10 acre tract deeded
to Cappi;
thence north 630.96 feet to the northwest corner thereof;
and thence east 610.50 feet to the point of beginning.
Containing 10.41 acres, more or less.

Dated: September 28th 1955

John E. Thompson
Margaret R. Thompson

ACKNOWLEDGMENT
State of California,) ss.
County of Humboldt.)
On this day of Sept. 28, 1955
before me, the undersigned, a Notary Public in and for said County,
personally appeared
**John E. Thompson and
Margaret R. Thompson**
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.
[Signature]
Notary Public
My Commission Expires Dec 3, 1956

THIS SPACE FOR RECORDS
16681
RECORDED AT REQUEST OF
WORTH ABSTRACT & TITLE CO.
VOL. **362** OFFICIAL RECORDS PAGE **229**
OCT 18 4 36 P 55
HUMBOLDT COUNTY RECORDS
[Signature] DEPUTY

When recorded mail to Edward C. Hampton, 118-B Street, Rio Dell, California

12232

RECORDED AT REQUEST OF
BELCHER ABSTRACT & TITLE CO.
OFFICIAL
VOL 695 RECORDS PG 510

JUL 18 11 28 AM '62

HUMBOLDT COUNTY RECORDS
EMMA COX ALCALA RECORDER
Deputy
FEE \$ 2.00

Return to

~~Charles R. Clark~~

Entire

Order No. 109339 FA/ix

GRANT DEED (Individual)

For value received, we, JULIO J. ROVAI and MELBA ROVAI, his wife, and LOUIS ROVAI, and MARY ROVAI, his wife,

GRANT.....to CHARLES R. CLARK and MAUDIE PEARL CLARK, his wife, as joint tenants,

all that real property situate in the

County of Humboldt, State of California, described as follows:

BEGINNING on the west line of the tract of land heretofore deeded to Marjorie Connick, by deed dated February 6, 1934, recorded in Book 213 of Deeds page 325, Humboldt County records, at a point where the same is intersected by the north line of the strip of land deeded to The Pacific Lumber Company, by deed dated December 11, 1883, recorded in Book 12 of Deeds page 453 (now owned by The Northwestern Pacific Railroad Company); and thence north along the westline of said tract of land deeded to Connick, 262 feet; thence east 150 feet to a point, which is distant 13 feet west of the west line of the tract of land deeded to Rocco Cappi and wife, by deed dated January 15, 1941; thence south parallel with the said west line 322 feet to the north line of land of said Northwestern Pacific Railroad Company; and thence westerly along said last mentioned line 162 feet to the point of beginning.

Being a portion of the southeast quarter of northeast quarter of Section 36 in Township 2 North Range 1 West, Humboldt Meridian.

EXCEPTING therefrom, a strip of land of the uniform width of 125 feet off the entire north side thereof.

RESERVED from the land herein described an exclusive right of way 15 feet wide off the entire west side thereof and an exclusive right of way 12 feet wide off the entire south side thereof.

Dated July 9, 1962.

Julio Rovai
Julio J. Rovai

Melba Rovai
Melba Rovai

Louis Rovai
Louis Rovai

Mary Rovai
Mary Rovai

STATE OF CALIFORNIA
County of Humboldt

On July 12, 1962, before me, Ralph W. Crowell, a Notary Public,

in and for said Humboldt County and State, personally appeared Louis Rovai, Mary Rovai, Julio Rovai and Melba Rovai

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.
My commission expires November 29, 1962

Ralph W. Crowell
Notary Public



**Industrial Commercial Zone Development Standards
 Section 17.20.120 Rio Dell Municipal Code**

17.20.110 Industrial Commercial or IC zone.

The purpose of the industrial commercial zone is to provide for industrial and commercial uses.

(1) Principal Permitted Uses, including, but not limited to:

- (a) Industrial uses as described in the industrial land use designation and compatible commercial uses described in the community commercial land use designation;
- (b) Public facility needs such as a wastewater treatment plant;
- (c) Motor vehicle repair, maintenance and fueling; and
- (d) Telecommunications facilities and manufacturing.

(2) Uses Permitted with a Use Permit.

- (a) Lodging; and
- (b) Child care.
- (c) Uses not specifically identified, but similar to and compatible with the uses permitted in the zone.

(3) Other Regulations. See Table 17.20.110 for development standards for the IC zone.

Table 17.20.110 Development Standards in the
 Industrial Commercial or IC Zone

Site Development Standard	Zone Requirement
Minimum Lot Area	20,000 square feet
Maximum Ground Coverage:	Not applicable
Floor Area Ratio (FAR):	Proportion of lot area: 1.5 on 20% and 0.35 on 80%
Minimum Lot Width:	Not applicable
Minimum Open Space	10%
Minimum Yard	
Front:	10 feet
Rear:	0 unless abutting residential, in which case 10 feet
Side:	0 unless abutting residential, in which case 10 feet.
Maximum Building Height:	4 stories or 65 feet



**Natural Resource Zone Development Standards
 Section 17.20.120 Rio Dell Municipal Code**

17.20.120 Natural Resource or NR zone.

The primary purpose of the natural resource zone is to provide natural resource protection.

(1) Principal Permitted Uses.

- (a) Resource protection;
- (b) Public recreation where compatible with resource management and protection;
- (c) Management for fish and wildlife habitat; and
- (d) Wetland/watershed restoration.

(2) Uses Permitted with a Use Permit.

- (a) Timber production (with TPZ overlay zone);
- (b) Aggregate resources production;
- (c) Visitor-serving use; and
- (d) Renewable energy development.
- (e) Uses not specifically identified, but similar to and compatible with the uses permitted in the zone.

(3) Other Regulations. See Table 17.20.120 for development standards for the natural resource (NR) zone.

Table 17.20.120 Development Standards in the Natural Resource or NR Zone

Site Development Standard	Zone Requirement
Minimum Lot Area:	Not applicable
Maximum Ground Coverage:	Not applicable
Floor Area Ratio (FAR):	Not applicable
Minimum Lot Width:	Not applicable
Minimum Open Space:	10%
Minimum Yard	
Front:	25 feet
Rear:	25 feet
Side:	10 feet
Maximum Building Height:	2 stories or 35 feet

Wendt Lot Line Adjustment
APN No's. 205-111-028, 029, 030 and 050; Case No. LLA 16-02

Conditions of Approval

Approval of the Lot Line Adjustment is conditioned upon the following terms and requirements:

1. The instruments of record as approved by the Planning Department shall be recorded and the lot line adjustment shall be completed within thirty-six (36) months of approval of the lot line adjustment.

Prior to expiration, the applicant or property owner may request extension of the filing deadline by submitting a written extension request and a filing fee as set by resolution of the City Council.

The Planning Director may grant a maximum of three years extension of the filing deadline if the Planning Director finds that the conditions under which the tentative approval was issued have not significantly changed.

2. A Notice of Lot Line Adjustment shall be recorded for the resulting parcels. The following information must be submitted to the Planning Department for review prior to recordation:

(a) A copy of the deeds to be recorded for the adjusted parcels; provided however, that when the parcels being adjusted are held in common ownership, no new deeds shall be required for the preparation of the Notice of Lot Line Adjustment.

(b) A Lot Book Guarantee or Preliminary Title Report current within 6 months or other evidence satisfactory to the Planning Department regarding ownership of parcels.

(c) Completed "Notice of Lot Line Adjustment and Certificate of Subdivision Compliance" forms (these are available from the Planning Department).

3. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) must be submitted for review and approval to the Planning Department.

4. Pursuant to Section 8762 of the Business and Professions Code a Record of Survey monumenting the corners of the new property line(s) may be required. The City Engineer shall not require the Record of Survey if in his opinion any one of the following findings can be made:

(a) The new boundary line(s) are already adequately monumented of record.

(b) The new boundary line(s) can be accurately described from Government Subdivision Sections or aliquot parts thereof.

(c) The new boundary line(s) can be accurately described and located from existing monuments of record.

(d) The new boundary is based upon physical features (i.e. roads, creeks, etc.) which themselves monument the line.

5. The applicants shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the lot line adjustment have been paid in full if payable, or secured if not payable to the satisfaction of the County Tax Collector's Office, and all special assessments on the parcels must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to submitting the required conditions of approval.

6. The applicant shall pay the application processing fees within 30 days of billing.

Informational Note:

1. Approval of the Lot line Adjustment does not guarantee that the parcels are suitable for development in accordance with existing and future regulations.

RESOLUTION NO. PC 101-2016



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
APPROVING THE WENDT LOT LINE ADJUSTMENT**

WHEREAS Wendt Construction recently submitted an application for a lot line adjustment between four parcels of about 20, 10, .6 and .5 acres; and

WHEREAS the proposed lot line adjustment will reconfigure the parcels into 15+/-, 8.4+/-, 4.9+/- and 3.6+/- acres respectively; and

WHEREAS the parcels are planned and zoned Industrial Commercial (IC) and a portion (the hillside) of Parcel F is designated Natural Resources; and

WHEREAS the Industrial Commercial designation requires a minimum parcel size of 20,000 square feet; and

WHEREAS the Natural Resource designation does not specify a minimum parcel size; and

WHEREAS the resulting parcels comply with the requirements of the applicable zones; and

WHEREAS based on a review of the Preliminary Title Report, current deeds and creation deeds, staff has determined that the four parcels are legal, separate parcels created in compliance with the Subdivision Map Act and local regulations; and

WHEREAS the proposed lot line adjustment does not result in any nonconformity in regards to setbacks or lot coverage and does not require the relocation of any easements or utilities; and

WHEREAS the applicant has submitted evidence in support of making the required findings and

WHEREAS the City has reviewed the submitted application and evidence and has referred the project to various agencies for review, comments and recommendations; and

WHEREAS based on comments from referral agencies, information submitted by the applicant and the recommended conditions of approval, the evidence supports the finding that the proposed lot line adjustment is in conformance with all applicable policies of the Zoning Regulations, General Plan and Building Regulations; and

WHEREAS the area being adjusted has an average slope of less than 20%; and

WHEREAS staff has determined that the project is Statutorily Exempt pursuant to Section 15305 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations; and

WHEREAS pursuant to Section 15305 of the CEQA Guidelines this exemption applies to lot line adjustments with an average slope of less than 20% and does not result in any changes in land use or density.

NOW, THEREFORE, BE IT RESOLVED the City finds that based on evidence on file and presented in the staff report that the proposed lot line adjustment complies with all of the following required findings:

1. That the proposed lot line adjustment is consistent with the City's General Plan; and
2. That the proposed lot line adjustment complies with the requirements and standards of the City's zoning regulations; and
3. That the proposed lot line adjustment complies with the requirements and standards of the City's Building Regulations; and
4. That the proposed lot line adjustment Statutorily Exempt pursuant to Section 15305 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell approves the proposed lot line adjustment subject to the recommended conditions of approval.

APPROVED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of September 27, 2016 by the following vote:

I **HEREBY CERTIFY** that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on September 27, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Nick Angeloff, Chairperson

ATTEST:


I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 101-2016 adopted by the Planning Commission of the City of Rio Dell on September 27, 2016.

Karen Dunham, City Clerk, City of Rio Dell

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



For Meeting of: September 27, 2016

To: Planning Commission
From: Kevin Caldwell, Community Development Director 
Through: Kyle Knopp, City Manager
Date: September 19, 2016
Subject: Extension Approval of the Teasley Subdivision; 364 Center Street
File No. 052-301-012; Case No's. PMS 12-01

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed subdivision approval extension;
2. Open the public hearing, receive public input and deliberate;
3. Close the public hearing;
4. Adopt Resolution No. PC 100-2016 approving the requested extension for an additional 12 months. The extension shall expire one year after the effective date.

Discussion

The Planning Commission originally approved the Teasley minor subdivision of a 24,750 square foot parcel into two parcels of about 12,040 and 12,710 square feet on July 25, 2012. The original approval is good for two years. The applicant made application for two one year extensions.

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

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

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

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

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

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

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

Because there have been no changes in the General Plan, Zoning and Subdivision regulations which would affect the original approval, staff recommends that the Planning Commission approve a one (1) year extension to the approved subdivision. Accordingly, the subdivision will expire one year after the effective date of the Planning Commission's decision.

Attachments:

Attachment 1: Original Staff Report and Conditions of Approval.

Attachment 2: Resolution No. PC 100-2016

RESOLUTION NO. PC 100-2016



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

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

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

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

WHEREAS the applicant submitted another request for a one year extension in August of 2015; and

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

WHEREAS this is the final extension allowed by both State and local regulations; and

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

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

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

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

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

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

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

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

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

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

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

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

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

APPROVED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of September 27, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Nick Angeloff, Chair

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 100-2016 adopted by the Planning Commission of the City of Rio Dell on September 27, 2016.

Karen Dunham, City Clerk, City of Rio Dell

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



For Meeting of: July 25, 2012

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

Recommendation:

That the Planning Commission:

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

Summary

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

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

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

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

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

Required Findings

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

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

Staff Analysis

1. General Plan Consistency:

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

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

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

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

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

2. Zoning Consistency:

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

(1) Principal Permitted Uses.

- (a) Detached single-family dwellings.

(2) Uses Permitted with a Use Permit.

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

(3) Development Standards.

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

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

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

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

3. Subdivision Regulations Consistency:

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

Relevant Section(s)	Summary of Regulation or Standard	Evidence Which Supports the Required Finding
16.05.030	General Plan and Zoning Compliance	See discussion above. Based on evidence submitted by the applicant and comments from referral agencies, staff believes the proposed subdivision is consistent with the City General Plan and Zoning regulations.
16.10.040	Tentative Map Requirements	The Tentative Map requirements identify the required information on the map. The submitted Tentative Map for the proposed subdivision complies with the requirements of Section 16.10.040 of the RDMC.
16.10.050	Accompanying Data and Reports <ul style="list-style-type: none"> ➤ Soils Report ➤ Title Report ➤ Environmental Assessment 	<p>A Preliminary Soils Report was not required because both of the proposed parcels are already developed with single family residences.</p> <p>The required Title Report was submitted with the application.</p> <p>Based on the proposed project, staff has determined that the project is Statutorily Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15315 of the CEQA Guidelines this exemption applies to the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is consistent with the General Plan and zoning and no variances or exceptions are required.</p>

Relevant Section(s)	Summary of Regulation or Standard	Evidence Which Supports the Required Finding
<p>16.25.020</p> <p>Standard Improvement Specifications</p>	<p>Required Improvements</p> <ul style="list-style-type: none"> ➤ Street/Frontage Improvements ➤ Storm Drainage ➤ Sewer ➤ Water ➤ Utilities ➤ Fire Hydrants ➤ Street Lights 	<p>The project is conditioned on installing curb, gutter, sidewalks and paving along the frontage of the parcel. The improvements must be completed or bonded for prior to the recordation of the Final Map.</p> <p>Again because the parcels are already developed, no drainage improvements are proposed or required.</p> <p>Each of the proposed lots will be provided community sewer and water service.</p> <p>Utilities, including electric, gas, telephone and cable services are already in place.</p> <p>The proposed parcels are currently developed, located within an existing neighborhood with existing fire hydrants.</p> <p>The proposed parcels are currently developed, located within an existing neighborhood with existing street lights.</p>

Based on the proposed improvements and recommended conditions of approval, staff believes the proposed subdivision is consistent with the City Subdivision Ordinance and the City's Standard Improvement Specifications.

4. That the proposed subdivision is physically suitable for the type of development:

Again, both of the proposed parcels are currently developed with single family residences and accessory structures. Accordingly, each lot is suitable for single family residential uses.

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

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

Attachments:

Attachment 1: Conditions of Approval

Attachment 2: Resolution No. PC 052-2012

Attachment 3: CEQA Notice of Exemption

Teasley Minor Subdivision

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

Conditions of Approval

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

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

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

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

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

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

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

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

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

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

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



For Meeting of: September 27, 2016

To: Planning Commission
From: Kevin Caldwell, Community Development Director
Through: Kyle Knopp, City Manager
Date: September 22, 2016
Subject: Discussion of Cargo Containers used as Accessory Structures

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the use of cargo/shipping containers used as accessory structures; and
2. Open the public hearing, receive public input and deliberate;
3. Continue the discussion to the Planning Commission meeting of October 25, 2016.

Background

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



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

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

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

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

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

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

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

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

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

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

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

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

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



*675 Wildwood Avenue
Rio Dell, CA 95562*

TO: Planning Commissioners
FROM: Karen Dunham, City Clerk
THROUGH: Kevin Caldwell, Community Development Director
DATE: September 27, 2016
SUBJECT: Update of the Safety Element

The draft Safety Element will be presented at the meeting.