



Community Development Department  
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**For the Meeting of September 2, 2025**

☐ Consent Item; ☒ Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: August 27, 2025

Subject: First Reading and Introduction of Ordinance No. 418-2025 amending the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.

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**Recommendation:**

That the City Council:

1. Allow staff to introduce and discuss Ordinance No. 418-2025 amending the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.
2. Open the public hearing, receive public input, and deliberate, including amending the Planning Commission's recommendations; and
3. Continue the second reading and approval of the Ordinance to the meeting of September 16, 2025.

## Discussion

California's housing crisis has led to a series of legislative actions aimed at increasing housing density. SB 1211 is the latest in this effort, specifically targeting multifamily properties. The law provides new rules for the construction of ADUs, particularly concerning the number of units allowed, parking requirements, and the permit approval process. The City of Rio Dell's current ADU ordinance, last updated in 2022, is not aligned with these new state mandates.

Staff recommends that the City initiate the process of updating the Rio Dell Municipal Code (RDMC) to incorporate the provisions of California Senate Bill (SB) 1211. This legislation, which became law on January 1, 2025, mandates specific changes to local accessory dwelling unit (ADU) regulations. Rio Dell's current code is not in full compliance with the new state law. Failure to update the RDMC could expose the city to legal challenges and limit its ability to effectively regulate ADU development. Updating the code will ensure compliance, provide clear guidance for residents and developers, and help increase the local housing supply.

SB 1211 introduced several key provisions that directly conflict with or are not addressed in the current RDMC. The primary areas of non-compliance are:

- **Number of Units:** The current RDMC allows a maximum of two detached ADUs on a multifamily lot. SB 1211 increases this to up to eight, provided the number of new ADUs does not exceed the number of existing primary units.
- **Parking Requirements:** The RDMC may require replacement parking when a garage or carport is converted. SB 1211 explicitly prohibits local governments from requiring the replacement of parking spaces when they are eliminated to build an ADU. This is a significant change that simplifies the development process for property owners.
- **Definition of "Livable Space":** SB 1211 provides a clear, state-mandated definition of "livable space" to streamline the approval of interior ADUs. The RDMC's current definitions do not include "Livable Space".
- **Ministerial Review:** The new state law reinforces a **ministerial review process** for ADU permits, which means the city must approve a qualifying application without a

discretionary review. The City's existing ADU regulations are consistent with the ministerial review requirements.

The Planning Commission approved the recommended amendments at their meeting of August 26, 2025 and recommends the Council adopt Ordinance No. 418-2025 implementing SB 1211.

### **California Environmental Quality Act**

The proposed amendments are Statutorily Exempt pursuant to Section 21080.17 of the Public Resources Code. This exemption applies to the adoption of an ordinance by a city or county that implements the state's Accessory Dwelling Unit (ADU) law. Since SB 1211 makes technical changes and updates to ADU law, the adoption of a local ordinance to comply with it is considered to fall under this existing exemption.

### **Conclusion**

Updating the Rio Dell Municipal Code to reflect SB 1211 is a necessary and timely action. It will ensure the City remains in compliance with State law, reduce potential legal risks, and provide a clear, consistent framework for property owners looking to add housing to their properties.

**Attachment 1: Draft Ordinance 418-2025 amending the City's Accessory Dwelling Unit (ADU) Regulations to incorporate State mandated changes pursuant to SB 1211.**

**ORDINANCE NO. 418-2025**



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE  
CITY'S ACCESSORY DWELLING UNIT (ADU) REGULATIONS TO INCORPORATE  
STATE MANDATED CHANGES PURSUANT TO SB 1211.**

**WHEREAS**, California Senate Bill (SB) 1211, which became law on January 1, 2025, is designed to encourage the construction of accessory dwelling units (ADUs) on multifamily properties; and

**WHEREAS**, this legislation aims to increase California's housing supply by removing barriers that previously limited the number and type of ADUs that could be built; and

**WHEREAS**, the bill raises the maximum number of detached ADUs allowed on a lot with an existing multifamily dwelling from two to up to eight. The total number of ADUs cannot, however, exceed the number of existing units on the property; and

**WHEREAS**, SB 1211 prohibits local governments from requiring the replacement of parking spaces when a surface lot, garage, or carport is demolished to build an ADU. This addresses a major obstacle to ADU development by making it easier to convert underutilized areas like parking lots into new housing; and

**WHEREAS** SB 1211 provides a clear, state-mandated definition of "livable space" to streamline the approval of interior ADUs. The RDMC's current definitions do not include "Livable Space"; and

**WHEREAS**, updating the Rio Dell Municipal Code to reflect SB 1211 is a necessary and timely action. It will ensure the City remains in compliance with State law, reduce potential legal risks, and provide a clear, consistent framework for property owners looking to add housing to their properties; and

**WHEREAS**, the Planning Commission has reviewed the proposed amendments to the Municipal Code, has found that the proposed amendments are consistent with goals and policies of the City's General Plan, and recommends adoption of the proposed amendments by the City Council; and

**WHEREAS**, the City Council finds and determines that the proposed amendments to the Municipal Code are adopted pursuant to the City's police power authority to protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rio Dell as follows:

**SECTION 1. Incorporation of Recitals.**

The City Council of the City of Rio Dell finds that the above recitals are true and correct and are incorporated herein by reference.

**SECTION 2. Amendments to Chapter 17 of the Rio Dell Municipal Code.**

Section 17.10.010 Definitions is amended to include:

"Livable space" means any area within a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.



Section 17.20.020 is amended as follows:

(2) General Provisions that Apply to All ADUs. The following provisions apply to all ADUs:

(a) One ADU and One JADU per Lot. One ADU is permitted per lot developed or proposed to be developed with a single-family ~~or multifamily~~ dwelling.

(b) Development Standards for ADUs on Multifamily Properties.

(i) Detached ADUs. Up to eight (8) detached ADUs may be created on a lot with an existing multifamily dwelling. The total number of detached ADUs cannot exceed the number of existing dwelling units on the property. These units must comply with all applicable development standards of this section.

(ii) Internal ADUs. One or more ADUs may be created within the existing space of a multifamily dwelling structure. The number of such ADUs shall be at least one and no more than twenty-five percent (25%) of the existing units on the lot.

(iii) Combination of ADUs. A property may combine detached and internal ADUs, provided the total number of units and the location of each unit are in compliance with the provisions of this section.

(~~b~~c) Ownership. An ADU and/or JADU shall not be sold separately from the principal dwelling.

(~~e~~d) Renting Permitted. The ADU and/or JADU may, but need not be, rented.

(~~d~~e) Short-Term Lodging Prohibited. The ADU and/or JADU shall not be rented for periods of 30 days or less.

(ef) Building Type. The ADU and/or JADU may be within, attached to, or detached from the existing or proposed principal residence and may be over a garage. An ADU may also be a manufactured home as defined in Section [18007](#) of the Health and Safety Code subject to the development standards in RDMC [17.30.200](#).

(fg) Sewer and Water Service. All new ADUs and/or JADUs within 300 feet of existing wastewater facilities shall connect to City's public wastewater systems. Parcels greater than 300 feet from existing wastewater facilities shall comply with all applicable County Health Department requirements for sewage disposal. All new ADUs shall connect to the City's public water system.

(gh) Existing Single-Family Residence. Where one single-family dwelling unit exists on a lot, a larger home may be constructed as the principal dwelling unit, and the existing unit treated as the ADU, provided all other development regulations and standards can be met for both units.

(hi) ADU and JADU Configurations within Residential and Mixed Use Zones. For purposes of this section, a junior accessory dwelling unit is an attached unit as defined in Government Code Section [65852.22](#). A building permit shall be ministerially approved for creation of any of the following, within a residential or mixed use zone:

(i) ADU or JADU within existing single-family structure.

(ii) One accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(iii) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical

dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(iv) The space has separate exterior access from the proposed or existing single-family dwelling.

(v) The side and rear setbacks are sufficient for fire and safety as established by the local fire authority, for fire response.

(vi) The junior accessory dwelling unit complies with the requirements of Government Code Section [65852.22](#).

(ij) New Detached ADU. One detached, new construction, accessory dwelling unit with minimum four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The detached accessory dwelling unit may be combined with an accessory dwelling unit or a junior accessory dwelling unit within an existing single-family structure or accessory structure as described in subsection (2)(h) of this section if:

(i) The attached ~~ADU or~~ JADU contains no more than 500 square feet of floor space; and

(ii) The detached ADU contains no more than 800 square feet of floor space, and its height is no more than 16 feet. See subsection (3)(b) of this section, Total Floor Area, for detached ADUs that exceed 800 square feet.

(jk) ADUs in Existing Multifamily Structures. Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with State building standards for dwellings. At least one accessory dwelling unit is allowed within an existing multifamily dwelling, and up to 25 percent of the existing multifamily dwelling units may be allowed.



~~(k) Detached ADUs with Existing Multifamily Structures. Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling, subject to a height limit of 16 feet and four-foot rear yard and side setbacks.~~

Section 17.20.020(3)(e) is amended as follows:

(e) Parking. Each ADU requires one parking space. These spaces may be provided in tandem on a driveway. Off-street parking shall be permitted in setback areas or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(i) Exceptions to Parking Standards. Parking standards for an ADU shall not apply if the ADU is (A) located within one-half mile walking distance of public transit; (B) located within an architecturally and historically significant district; (C) part of the proposed or existing primary residence or an existing accessory structure; or (D) when on-street parking permits are required but not offered to the occupant of the ADU; or (E) when there is a car share vehicle located within one block of the accessory dwelling unit; or (F) replacement of parking spaces when they are eliminated to build an ADU is not required.

### **SECTION 3. California Environmental Quality Act (CEQA) Considerations.**

The City Council finds that this Ordinance is Statutorily Exempt pursuant to Section 21080.17 of the Public Resources Code. This exemption applies to the adoption of an ordinance by a city or county that implements the state's Accessory Dwelling Unit (ADU) law. Since SB 1211 makes technical changes and updates to ADU law, the adoption of a local ordinance to comply with it is considered to fall under this existing exemption.

#### **SECTION 4. Severability.**

In the event that a court of competent jurisdiction holds any Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance unconstitutional, preempted, or otherwise invalid, the invalid portion shall be severed from this Ordinance and shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted each Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases in this Ordinance might be declared unconstitutional, preempted, or otherwise invalid.

#### **Section 5. Effective Date**

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

**I HEREBY CERTIFY** that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 2, 2025, and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on September 16, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Debra Garnes, Mayor

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 Ordinance No. 418-2025 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on September 16, 2025.

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Karen Dunham, City Clerk, City of Rio Dell