



Community Development Department

675 Wildwood Avenue

Rio Dell, CA 95562

(707) 764-3532

For Meeting of: April 7, 2026

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director

Through: Kyle Knopp, City Manager

Date: April 1, 2026

Subject: Accessory Dwelling Unit Text Amendments. Ordinance No. 421-2026 amending the City's Accessory Dwelling Unit regulations, Section 17.30.020 of the Rio Dell Municipal Code (RDMC) to align the City's size regulations with State Law

Recommendation:

That the City Council:

1. Receive the introduction and brief presentation regarding Ordinance No. 421-2026 amending the City's Accessory Dwelling Unit regulations, Section 17.30.020 of the Rio Dell Municipal Code (RDMC) to align the City's size regulations with State Law; and
2. Open the public hearing, receive public comment and deliberate; and
3. Continue the item for the second reading approval and adoption to the meeting of April 21, 2026.

Discussion:

Staff recently discovered that the City's ADU regulations do not align with State regulations in regards to allowable sizes.

A jurisdiction's maximum unit size requirements must allow an ADU of at least 850 square feet, or 1,000 square feet for ADUs with more than one bedroom. (Gov. Code, § 66321, subd. (b)(2)). The City's current ADU regulations limit the size of ADU's to 50 percent of the size of the primary dwelling unit up to a maximum of 1,200 square feet. Below is a copy of the existing language and the recommended amended language:

(b) Total Floor Area. Accessory dwelling units shall be subject to the following floor area requirements:

(i) Parcels That Cannot Be Subdivided. The size of ~~the~~ a new detached ADU ~~second dwelling unit~~ shall not exceed 50 percent of the size of the primary dwelling unit up to a maximum of 1,200 square feet, ~~except for second dwelling units located within the suburban and rural zones where the second dwelling unit shall not exceed 50 percent of the primary dwelling unit.~~ or up to 850 square feet for a one bedroom ADU and up to 1,000 square feet for a two bedroom ADU. Attached ADU's shall not exceed 50 percent of the size of the primary dwelling unit up to a maximum of 800 square feet.

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

Talking Point: The City can allow larger size ADU's for detached and attached if desired. At the Planning Commission meeting on March 24, 2026, the Planning Commission chose not to allow units larger than the State law provisions allow.

California Senate Bill 9 (SB 9), effective January 1, 2022 actually allows duplexes on parcels zoned for single family use. This actually appears to eliminate any size limitations for attached units. Staff reached out to the Department of Housing and Community Development (HCD) and they concur that two attached units are not limited in size.

Required Findings

General Plan Consistency: Amending the City of Rio Dell ADU regulations to align with current California state law regarding allowable unit sizes is consistent with the City's General Plan and Housing Element because it advances adopted goals to increase housing supply, affordability, and efficient use of residential land. By permitting ADUs at state-allowed sizes, the City reduces regulatory constraints that could otherwise limit housing production, thereby supporting infill development, accommodating population growth, and expanding opportunities for diverse housing types, including smaller and more affordable units. This alignment also ensures

compliance with state housing mandates, promotes consistency between local and state policies, and helps the City meet its Regional Housing Needs Allocation (RHNA) obligations by facilitating the development of additional units within existing neighborhoods without requiring significant infrastructure expansion.

CEQA Compliance: The Planning Commission found that the project is **Statutorily Exempt** from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines (General Rule), as it can be seen with certainty that there is no possibility that the project, as it merely aligns local regulations with state ADU law and does not increase development potential beyond what is already permitted

Attachment 1: Ordinance No. 421-2026

ORDINANCE NO. 421-2026



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING THE CITY'S ACCESSORY DWELLING UNIT REGULATIONS,
SECTION 17.30.020 OF THE RIO DELL MUNICIPAL CODE (RDMC) TO ALIGN
THE CITY'S SIZE REGULATIONS WITH STATE LAW**

WHEREAS, staff recently discovered that the City's ADU regulations do not align with State regulations in regards to allowable sizes; and

WHEREAS, A jurisdiction's maximum unit size requirements must allow an ADU of at least 850 square feet, or 1,000 square feet for ADUs with more than one bedroom; and

WHEREAS, The City's current ADU regulations limit the size of ADU's to 50 percent of the size of the primary dwelling unit up to a maximum of 1,200 square feet; and

WHEREAS, staff is recommending amending the City's ADU regulations to align with State regulations in regards to allowable sizes; and

WHEREAS, the proposed amendments and rezone were processed in accordance with the California Environmental Quality Act (**CEQA**) and were referred to relevant local and responsible agencies, including Caltrans, the Department of Fish and Wildlife (CDFW), the Regional Water Quality Control Board (RWQCB), and the local Wiyot tribes; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rio Dell finds the proposed amendments are consistent with the required findings:

ATTACHMENT 1

1. **General Plan Consistency:** Amending the City of Rio Dell ADU regulations to align with current California state law regarding allowable unit sizes is consistent with the City’s General Plan and Housing Element because it advances adopted goals to increase housing supply, affordability, and efficient use of residential land. By permitting ADUs at state-allowed sizes, the City reduces regulatory constraints that could otherwise limit housing production, thereby supporting infill development, accommodating population growth, and expanding opportunities for diverse housing types, including smaller and more affordable units. This alignment also ensures compliance with state housing mandates, promotes consistency between local and state policies, and helps the City meet its Regional Housing Needs Allocation (RHNA) obligations by facilitating the development of additional units within existing neighborhoods without requiring significant infrastructure expansion.
2. **CEQA Compliance:** The City Council finds that the amendments are **Statutorily Exempt** from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines (General Rule), as it can be seen with certainty that there is no possibility that the project, as it merely aligns local regulations with state ADU law and does not increase development potential beyond what is already permitted

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 I. 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 17.20.030(3)(b) of the Rio Dell Municipal Code is hereby amended as follows:

(b) Total Floor Area. Accessory dwelling units shall be subject to the following floor area requirements:

(i) *Parcels That Cannot Be Subdivided. The size of ~~the a new detached ADU second dwelling unit~~ shall not exceed 50 percent of the size of the primary dwelling unit up to a maximum of 1,200 square feet, ~~except for second dwelling units located within the suburban and rural zones where the second dwelling unit shall not exceed 50 percent of the primary dwelling unit.~~ or up to 850 square feet for a one bedroom ADU and up to 1,000 square feet for a two bedroom ADU. Attached ADU's shall not exceed 50 percent of the size of the primary dwelling unit up to a maximum of 800 square feet.*

(ii) *Parcels That Can Be Subdivided. The size of the ~~second~~ accessory dwelling unit shall not be restricted, provided the applicant submits a development plan demonstrating that the parcel could be subdivided and both residences can be sited on separate parcels and meet setback and lot coverage requirements of the zone.*

SECTION 3. 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 4. 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 April 7, 2026, 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 April 21, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Garnes, Mayor

STATE OF CALIFORNIA

City of Rio Dell

ATTEST:

I, Jessica Hill, 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. 421-2026 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on April 21, 2026.

Jessica Hill, City Clerk, City of Rio Dell