

**AGENDA  
CITY OF FERNDALE – HUMBOLDT COUNTY CALIFORNIA – U.S.A.  
REGULAR PLANNING COMMISSION MEETING**

Location:	City Hall	Date:	July 6, 2016
	834 Main Street	Time:	7:00 pm
	Ferndale CA 95536	Posted:	June 30, 2016

The City endeavors to be ADA compliant. Should you require assistance with written information or access to the facility please call 786-4224 24 hours prior to the meeting.

- 1.0 Call meeting to order / Flag salute / Roll call
- 2.0 Ceremonial - None
- 3.0 Modifications to the Agenda
- 4.0 Approval of previous minutes
  - 4.1 Minutes of May 4, 2016 Regular Meeting ..... Page3
- 5.0 Public Comment
- 6.0 Business (Note: This is the time for commissioners to report any Ex Parte communications on this agenda item.)
  - 6.1 Solar Panel Guidelines for Historic District ..... Page 6
  - 6.2 Building and Land Use Permits April 28, 2016-May 25, 2016 .... Page 14
  - 6.3 Design Review Committee Report & Minutes ..... Page 15
- 7.0 Correspondence ..... Page 25
- 8.0 Commissioner Comments
- 9.0 City Planners and Deputy City Clerk’s Staff Reports
- 10.0 Adjournment

**The next regular meeting of the Ferndale Planning Commission will be on  
August 3, 2016 at 7:00 pm.**

## **Section 1: CALL MEETING TO ORDER**

## **Section 2: CEREMONIAL**

## **Section 3: MODIFICATION TO THE AGENDA**

## **Section 4: APPROVAL OF PREVIOUS MINUTES**

**City of Ferndale, Humboldt County, California USA**  
Minutes for Planning Commission Meeting of May 4, 2016

Call to Order — Chair Jorgen von Frausing-Borch called the Planning Commission Meeting to order at 6:58 pm. Commissioners Paul Gregson, Ellin Beltz, and Dean Nielsen were present along with Deputy City Clerk Kristene Tavares. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial—None

3.0 Modifications to the Agenda – None

4.0 Approval of previous minutes – **Motion:** To approve the minutes of the March 2, 2016 Regular Planning Commission Meeting. **(Beltz/Gregson) Unanimous**

5.0 Public Comment-None

6.0 Business

6.1 Design Review Applicants- Deputy City Clerk reported staff had advertised the Design Review Vacancy four times. The last advertising brought in two applicants. Diane Ostler and Partick O'Rourke both submitted applications. Diane Ostler was present at the meeting. Mrs. Ostler spoke to the commissioners regarding her background and credentials. Commissioners asked Mrs. Ostler questions about her background in design and making sure she was aware of the time commitment. Commissioner Nielsen asked staff if Mr. O'Rourke was aware he was supposed to be at the meeting tonight. Staff stated that Mr. O'Rourke was asked to be at both the Planning Commission and City Council meetings. Commissioners looked over and discussed Mr. O'Rourke's application. Commissioners then discussed both applicants. Staff took a roll call vote. Commissioners all voted in favor of Diane Ostler. **MOTION:** To recommend to City Council the appointment of Diane Ostler to the Design Review Committee.

**(von Frausing-Borch/Nielsen) Unanimous**

6.2 Building and Land Use Permits Feb 25, 2016-April 27, 2016: Staff went over building permits issued. Commissioner Beltz asked about a permit on 5<sup>th</sup> Street. Staff explained there was a building permit issued, but it was issued after the reporting period for this meeting. There were no other comments.

6.3 Design Review Committee Report & Minutes: Commissioners Beltz and Gregson reported on the Design Review Minutes. Commissioners had no other comments.

7.0 Correspondence- Commissioners were presented with a letter of resignation from Commissioner Warner. There was no other correspondence.

8.0 Commissioner Comments- Chair von Frausing-Borch stated he was very sorry to see Commissioner Warner resign, but he accepted Warner's resignation. Chair von Frausing-Borch directed staff to advertise for a Planning Commission Vacancy. Staff will put out Planning Commission Vacancy notices next week.

9.0 Staff Comments- Staff had no comments

Meeting Adjourned at 7:20 pm

Respectfully Submitted

Kristene Tavares  
Deputy City Clerk

DRAFT

## **Section 5: PUBLIC COMMENT**

**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. Items requiring Commission action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3<sup>rd</sup> of the Commission (three of the five members) that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes. Please state your name and address for the record. (This is optional.)**

## **Section 6: BUSINESS**

Meeting Date:	July 6, 2016	Agenda Item Number	6.1
Agenda Item Title	Discuss and Suggest Guidelines for the Installation of Solar Panels in the Historic & Design Review Zones		
Presented By:	Staff		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

**RECOMMENDATION:** Review and Discuss

**BACKGROUND:** At the May 26, 2016 City Council Meeting, the council directed the Planning Commission to create guidelines regarding solar panel installations within the Historic and Design Review Zones. With the cities adoption of both the HERO & PACE programs, the city could see an increase in solar installations. The guidelines created will assist the Design Review Committee in the preservation of historic integrity while approving permits for these solar installations.



# Sample Guidelines for Solar Systems in Historic Districts

education + advocacy + training

The rapidly growing trend toward retrofitting homes to be more energy efficient has brought an increase in the number of applications for installing solar energy systems on buildings within locally designated historic districts. The increase in solar systems applications in recent years has prompted numerous local preservation commissions to hastily develop guidelines for them with varying degrees of success.

The following Sample Guidelines for Solar Systems for Locally Designated Historic Properties were developed in 2009 by Kimberly Kooles, NAPC support staff and revised by Caty Rushing in 2011. They are intended to serve as a starting point for local preservation commissions developing their own guidelines for solar systems.



# Types of Systems:

- **Photovoltaic**

A photovoltaic system (or PV system) is a system which uses one or more solar panels to convert sunlight into electricity. It consists of multiple components, including the photovoltaic modules, mechanical and electrical connections and mountings and means of regulating and/or modifying the electrical output.



- **Solar Shingles**

Solar shingles, also called photovoltaic shingles, are solar cells designed to look like conventional asphalt shingles. There are several varieties of solar shingles, including shingle-sized solid panels that take the place of a number of conventional shingles in a strip, semi-rigid designs containing several silicon solar cells that are sized more like conventional shingles, and newer systems using various thin film solar cell technologies that match conventional shingles both in size and flexibility



- **Freestanding**

Freestanding PV panels or freestanding arrays allow the benefits of renewable solar power without disrupting the roofline or altering the house. They are placed away from the residence and connected through an underground wiring. When a roof may be blocked by trees or not receiving direct sunlight, the mobility of a freestanding panel allows the ability to move into optimal sunlight areas that may change seasonally.



# Sample Guidelines for Solar Systems for Locally Designated Historic Projects

When planning the installation of solar panels the overall objective is to preserve character-defining features and historic fabric while accommodating the need for solar access to the greatest extent possible. All solar panel installations must be considered on a case by case basis recognizing that the best option will depend on the characteristics of the property under consideration. Some guidelines apply to virtually all installation options and are repeated in each section.

All solar panel installations should conform to the Secretary of the Interior's Standards for Rehabilitation.

Applicable Standards are:

**Standard Two:** The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

**Standard Nine:** New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

# 1 Primary Elevations

*For most properties, locating solar panels on the primary facade is the least desirable option because it will have the greatest adverse effect on the property's character defining features. All other options should be thoroughly explored.*

- Utilization of low-profile solar panels is recommended. Solar shingles laminates, glazing, or similar materials should not replace original or historic materials. Use of solar systems in windows or on walls, siding, and shutters should be avoided.
- Panels should be installed flat and not alter the slope of the roof. Installation of panels must be reversible and not damage to the historic integrity of the resource and district.
- Solar panels should be positioned behind existing architectural features such as parapets, dormers, and chimneys to limit their visibility.
- Use solar panels and mounting systems that are compatible in color to established roof materials. Mechanical equipment associated with the photovoltaic system should be treated to be as unobtrusive as possible.



*These solar panels low profile and location make them unobtrusive even though they are visible from the public right of way. Photo by Paul Trudeau*

# 2 Secondary Elevations

- Solar panels should be installed on rear slopes or other locations not easily visible from the public right-of-way. Panels should be installed flat and not alter the slope of the roof. Installation of panels must be reversible and not damage the historic integrity of the resource and district.
- Flat roof structures should have solar panels set back from the roof edge to minimize visibility. Pitch and elevation should be adjusted to reduce visibility from public right-of-way.
- Solar panels should be positioned behind existing architectural features such as parapets, dormers, and chimneys to limit their visibility.

## 2 Secondary Elevations (Continued)

- Use solar panels and mounting systems that are compatible in color to established roof materials. Mechanical equipment associated with the solar panel system should be painted or treated to be as unobtrusive as possible
- Use of solar systems in non-historic windows or on walls, siding, or shutters should be installed as to limit visibility from the public right of way.

## 3 Historic Accessory Structures



*Solar panels placed on an accessory structure not visible from the public right of way should still follow the slope of the roof and have a low profile. Photo courtesy of Dan Corson*

- Solar panels should be installed on rear slopes or other locations not highly visible from the public right-of-way. Panels should be installed flat and not alter the slope of the roof. Installation of panels must be reversible and not damage the historic integrity of the resource and district.
  - Flat roof structures should have solar panel installations set back from the roof edge to minimize visibility. Pitch and elevation should be adjusted to reduce visibility from public right-of-way.
  - Solar panel installations should be positioned behind existing architectural features such as parapets, dormers, and chimneys to limit their visibility.
- Use solar panels and mounting systems that are compatible in color to the property's roof materials. Mechanical equipment associated with the photovoltaic system should be as unobtrusive as possible.
  - Use of solar systems in non-historic windows or on walls, siding and shutters should be installed as to limit visibility from the public right of way.

## 4 Freestanding or Detached

- Freestanding or detached on-site solar panels should be installed in locations that minimize visibility from the public right of way. These systems should be screened from the public right of way with materials elsewhere in the district such as fencing or vegetation of suitable scale for the district and setting.
- Placement and design should not detract from the historic character of the site or destroy historic landscape materials.



Freestanding solar panels should be installed in locations that minimize visibility from the public right of way.

*Consideration to the visibility of solar panels from neighboring properties should be taken, without infringing upon the required solar access.*

## 5 New Construction On-Site

- Solar panels should be integrated into the initial design of new construction or infill projects, when possible, to assure cohesion of design within a historic context.
- Solar panels should be installed on rear slopes or other locations not highly visible from the public right of way whenever possible. Panels should be installed flat and not alter the slope of the roof.
- Flat roof structures should have solar panels set back from the roof edge to minimize visibility. Pitch and elevation should be adjusted to reduce visibility from the public right-of-way.
- Use solar panels and mounting systems that are compatible in color to established roof materials. Mechanical equipment associated with the solar panel system should be treated to be as unobtrusive as possible.
- Use of solar systems in windows or on walls, siding, or shutters should be installed with limited visibility from the public right-of-way.

# Not Recommended for Any Reason

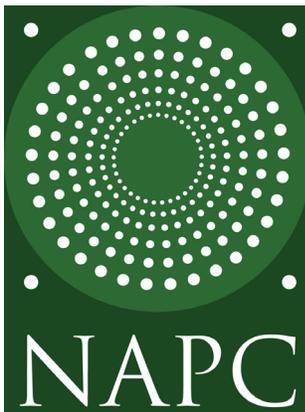
- Removal of historic roofing materials during the installation of solar systems.
- Removing or otherwise altering historic roof configuration – dormers, chimneys, or other features – to add solar systems.
- Any other installation procedure that will cause irreversible changes to historic features or materials.

*When considering retrofitting measures, historic building owners should keep in mind that there are no permanent solutions. One can only meet the standards being applied today with today's materials and techniques. In the future, it is likely that the standards and the technologies will change and a whole new retrofitting plan may be necessary. Thus, owners of historic buildings should limit retrofitting measures to those that achieve reasonable energy savings, at reasonable costs, with the least intrusion or impact on the character of the building.*

(National Park Service. Preservation Brief 3: Conserving Energy in Historic Buildings. Available from <http://www.nps.gov/history/hps/TPS/briefs/brief03.htm#Preservation%20Retrofitting>. Accessed on August 10, 2009.)

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**Business Item 6.2 - Building and Land Use Permits**

<i>BUSINESS ITEM</i>		<i>April 27, 2016-June 29, 2016</i>
<i>Building Permits</i>		
B1622	450 5 <sup>th</sup> Street	Remodel
B1623	1057 5 <sup>th</sup> St	Solar Install
B1624	207 Shaw	Re-Roof
B1625	Ferndale Housing	Re-Roof Project
B1626	481 McKinley	Garage Addition
B1619	682 Berding	Garage Remodel
B1627	460 Brown	Re-Roof
B1628	561 Main	Re-Roof
B1629	946 Tennyson	Water Heater
B1630	406 Main	Front Façade Remodel, Seismic Retrofit
B1631	606 Main	Re-Roof
B1632	1075 Cream Ct	Solar Install
B1633	1371 Lincoln	Tank Set
B1634	764 Rose	Garage Addition
B1635	1127 Rose	SunRoom Additon
B1636	400 McKinley	Siding/Re-Roof

**NOTE: Staff will bring the Building Permit Book to the Planning Commission meetings so that any of the commissioners, or public, can view any permits that have been issued.**

Meeting Date:	July 6, 2016	Agenda Item Number	6.3
Agenda Item Title	Design Review Committee Report & Minutes		
Presented By:	Kristene Tavares, Deputy City Clerk		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

**RECOMMENDATION:**

Receive and file report from Design Review Committee members.

**BACKGROUND:**

Chairman Von Frausing-Borch and staff have discussed having the two Design Review Committee members report on items of interest. This will be an on-going item on the agenda.

**ATTACHMENTS:**

1. Minutes of the 03/24/2016 Design Review Committee
2. Minutes of the 03/31/2016 Design Review Committee
3. Minutes of the 05/05/2016 Design Review Committee
4. Minutes of the 05/26/2016 Design Review Committee
5. Minutes of the 06/02/2016 Design Review Committee

**City of Ferndale, Humboldt County, California USA**

Design Review Minutes for the 03/24/16 - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:31 a.m. Committee Members Paul Gregson and Ellin Beltz were present along with City Planner, Stephen Avis and Deputy City Clerk Kristene Tavares. Committee Member Marc Daniels joined the meeting via telephone.

Approval of Previous Minutes: **NONE**

There were no Modifications to the Agenda.

There was no Public Comments.

#### Public Hearings

406 Main Street: City Planner Avis presented the Design Review Committee with the staff report for the former Lentz Building at 406 Main Street. The applicant, Ray Chenoweth along with designer, DJ Cleek, was present at the meeting to answer questions. The applicant proposes to restore the original appearance of the building using historic photos from 1906. This project will need two approvals from the committee: First, approving the resolution to adopt the CEQA Initial Study/Negative Declaration. Second, to approve the Design Review Use Permit for the outside changes, colors, and materials. The first motion committee members talked about the CEQA Initial Study/Negative Declaration. Committee Member Beltz explained that this building was not a contributing building within the Ferndale Main Street Historic District. Committee Member Gregson stated the CEQA looked great and was well done. Chair Farley agreed. **MOTION to APPROVE** Resolution 2016-10 adopting the Negative Declaration for the Lentz Building Restoration Project at 406 Main Street. **(Gregson/Beltz) Unanimous**

Committee Members discussed the Design Review Permit for the Lentz building. Committee Member Beltz expressed concern over the materials being used, particularly aluminum windows. Beltz stated that she was not concerned over the use of them on the Brown Street side but was very concerned about the use of the windows on the storefront. Committee Members Gregson and Daniels inquired about the using wood framing. Property Owner/applicant Ray Chenoweth explained that he would have liked to use old growth redwood, but it was almost impossible to obtain and very expensive and he has opted for cedar. Committee Members agreed that the use of cedar would be acceptable. Committee Members agreed that drawings with more details on the storefront were needed. Committee would like to make a partial approval on the Brown Street, rear and south side of the building, but would like to table the storefront until more detailed drawings could be acquired and looked at. Mr. DJ Cleek informed committee he could have drawings done so a meeting can be held next Thursday, March 31, 2016. **MOTION** to make the required findings of fact listed in Attachment A to **PARTIALLY APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, for the renovation of the former Lentz building using the approved design on the Brown Street, rear, and south side of the building ONLY. **Approval has NOT been given for the storefront facade.**

484 Main Street/526 Washington: City Planner Avis presented the Design Review Committee with the staff report for the former Paine Building at 484 Main Street. The applicants, Michael Warner along with designer, DJ Cleek, were present at the meeting to answer questions. The applicant

proposes to rebuild a spiral roof tower that was removed mid-century and replacing contemporary exterior doors and windows with more period appropriate doors, windows, and trim. This project will also need two approvals from the committee: First, approving the resolution to adopt the CEQA Initial Study/Negative Declaration. Second motion will be to approve the Design Review Use Permit for the outside changes, and materials. For the first motion, committee members talked about the CEQA Initial Study/Negative Declaration. Committee Member Gregson commented that again he was happy with the CEQA and it was well done. Committee Members agreed with Gregson. **MOTION to APPROVE** Resolution 2016-11 adopting the Negative Declaration for the Paine Building Restoration Project at 484 Main Street. **(Beltz/Gregson) Unanimous**

Committee Members discussed the Design Review Permit for the Paine building. Applicant Michael Warner spoke about the project and why he feels the renovation of the building will benefit the historic district. Warner explained they were trying to use old photos to get an idea of the previous design on Washington Street. Chair Farley stated he really liked the design plans presented. Committee Member Beltz voiced concern with lightning and the need for installation of a lightening arrester as the addition of the roof tower will make the building the tallest on the street. Warner stated he was interested in installing one. Beltz also questioned materials that were being used. Warner stated the tower will most likely be made of wood and asphalt shingles. Committee Member Gregson stated that the use of any long lasting material could be used as long as it was covered with the shingles. Committee Member Daniels agreed. Committee Member Gregson also asked how the tower would be inspected. Warner answered that there would be roof access. Warner went to explain other materials that will be used on the project. Warner stated they will be using wood and for the doors they will be modern but still be the narrow doors seen in the pictures. There will be no color change. Committee Member Beltz questioned Warner on why the elements were all at different heights on the Washington side of the building. Beltz stated that she would like to see better detail on the Washington Street side. Warner stated that he would just like a conceptual review approval and the concept is there to move forward. Committee Members agreed that more **MOTION** to make the required findings of fact listed in Attachment A to **PARTIALLY APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, to install the roof tower, with the condition of installing a lightning arrester, and to conceptually approve the remained of the project with the condition of seeing the Washington Street elevations more detailed at a future meeting for final approval. **(Beltz/Gregson) Unanimous**

### **Committee Member Daniels left the Meeting at 9:28am**

#### Business

484 Main Street: The Design Review Design Review Committee was presented with the modified application to hang a 12" X 24" business sign using approved colors and design on the storefront using an existing bracket. The applicant redesigned the sign removing the "Facebook" and "Instagram" logos. Applicant also stated the materials would be wood and the sign would be hand painted. Committee Members agreed the applicant had complied with their requests. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, to hang a 12" X 24" wooden hand painted business sign on an existing bracket using the approved colors and design. **(Beltz/Gregson)**

Design Review Sign-offs: The following Design Review Permits were signed off: DR 1605

There was no Correspondence

Committee Member Comments: Committee Member Paul Gregson stated the Design Review/Historical Brochure had been approved by City Council. He stated Councilman Brown had pulled it from the consent calendar at the City Council and the council was thrilled with the final product. Committee Members talked about where we wanted to distribute the brochures. Committee members discussed the new Stop Sign in town. Staff explained the lights on the sign were temporary.

Meeting adjourned at 9:37am

Respectfully submitted,

Kristene Tavares, Deputy City Clerk  
City of Ferndale

**City of Ferndale, Humboldt County, California USA**

## Design Review Minutes for the 03/31/16 - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:32 a.m. Committee Members Paul Gregson and Marc Daniels were present along with Deputy City Clerk Kristene Tavares.

Approval of Previous Minutes: **MOTION** to **APPROVE** the March 17, 2016 meeting minutes.  
**(Gregson/Daniels) Unanimous**

There were no Modifications to the Agenda.

There was no Public Comments.

406 Main Street: Design Review Committee was presented with modified design plans for the front façade on the former Lentz Building. Applicant and owner Ray Chenoweth and Designer DJ Cleek were present to answer questions. Committee Member Gregson stated the new design reflected everything the committee had asked for. The windows on the front façade will be wood and the windows around the corner door were removed. The committee thanked Mr. Cleek for the changes and attending the meeting. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, for the renovation of the former Lentz building using the approved design and colors presented. **(Farley/Gregson) Unanimous**

There was no Correspondence:

There were no Committee Member Comments

Meeting adjourned at 8:36 am

Respectfully submitted,

Kristene Tavares, Deputy City Clerk  
City of Ferndale

**City of Ferndale, Humboldt County, California USA**

Design Review Minutes for the 05/05/16 - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:35 a.m. Committee Members Paul Gregson, Ellin Beltz, and Marc Daniels were present along with Deputy City Clerk Kristene Tavares.

Approval of Previous Minutes: **MOTION to APPROVE** the March 24, 2016 and March 31, 2016 meeting minutes. **(Beltz/Daniels) Unanimous**

There were no Modifications to the Agenda.

There was no Public Comments.

207 Francis Street: Design Review Committee was presented with an application to build a wrap-around style deck. Committee Member Daniels stated he was disappointed that the applicants had already built the deck. Committee Member Beltz also stated that the deck had already been built and is also frustrated that the applicants did not wait for approval. Chair Farley agreed with the committee members that applicants need to wait for approval. Daniels also stated that even though the deck was built before the permit, it was a well-made deck and met all standards. Committee Member Gregson agreed with Daniels. Committee Members asked staff to send the applicants a letter stating a Design Review Permit needs to be acquired before starting a project. Staff will comply with this request. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, for the construction of a wraparound style deck, using the approved materials and design. **(Gregson/Daniels) 3-0-1 (Beltz abstained due to the deck already being built.)**

393 Main Street- Design Review Committee was presented with an application to demolish a dilapidated lean to. This project had previously been approved but was scrapped due to the project not being started within the required time frame. Committee Members had no comments. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, for the demolish of a lean to. **(Beltz/Farley) 3-0-1 (Daniels abstained as he was the applicant.)**

Design Review Sign-Offs- The following Design Review Permits were signed off: DR1526

There was no Correspondence:

There were no Committee Member Comments

Meeting adjourned at 8:45 am

Respectfully submitted,

Kristene Hall, Deputy City Clerk  
City of Ferndale

**City of Ferndale, Humboldt County, California USA**

## Design Review Minutes for the 05/26/16 - 8:30am meeting

Vice-Chair Paul Gregson opened the meeting at 8:33 a.m. Committee Members Ellin Beltz, Marc Daniels and Diane Ostler were present along with Deputy City Clerk Kristene Tavares.

Approval of Previous Minutes: **MOTION** to **APPROVE** the May 5, 2016 meeting minutes **(Beltz/Gregson) 3-0-1** (Ostler abstained as she was not a committee member at the May 5, 2016 meeting)

Modifications to the Agenda: Business Item 1400 Main Street was moved to the first item on the Business section.

There was no Public Comments.

1400 Main Street: The Design Review Committee was presented with an application to place two (2) banner style business signs approximately 2 ½' X 11 ½' each. Staff explained they had reviewed the Sign Ordinance and the Ordinance is fairly vague pertaining to the use of this type of signage. Both City Planner and City Manager have decided to let the Design Review Committee make the final decision on this project. Staff explained the signage may not block visibility to neighboring driveways or create a safety hazard of any kind. This will be added to the conditions of approval for the project. Commissioner Beltz commented that the signs were previously up and she had noticed that one of the signs had covered one of the existing signs. Beltz asked if there is anything in the sign ordinance that prevents a new sign from blocking an existing sign. Staff will check but does not believe there is anything stated in the Ordinance. This will be added to the conditions of approval as well to prevent the new signage from blocking any existing signage. Commissioner Ostler commented that she liked the banners. The applicant was present and stated that customers had problems locating the business as it is small and tucked back. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, for the placement of two (2) banner/pennant style business signs approximately 2 ½' X 11 ½' each in an approved location. **(Beltz/Ostler) Unanimous**

207 Francis Street: Design Review Committee was presented with an application to remodel an existing barn into a secondary dwelling unit. The committee was unhappy with the plans that were presented. Committee asked for more detailed plans and sketched details including window trim, porch railing detail, and door dimensions, Committee also asked if some of the detail on the proposed project was to match the existing house, that pictures be taken of that detail and be submitted with the application. Staff will email applicant with the needed materials to continue the permit process. **MOTION** to take no action at this time and ask applicant for more detailed plans, pictures, and drawings. **(Beltz/Ostler) Unanimous**

507 Shamsi Court: Design Review Committee was presented with an application to construct a new 1650 sqft home on a vacant lot. Committee commented the plans are very nicely done. Commissioner Daniels commented that it was harmonious with the other homes in the area.

**MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, for the construction of a new 1650 sqft craftsman style home using the approved plans, materials and color scheme presented. **(Ostler/Beltz) Unanimous**

There were no Design Review Sign-Offs-

There was no Correspondence:

Committee Member Comments: Committee Member Gregson asked that some items be brought to the attention of the Planning Commission. The first item being a review of the Sign Ordinance regarding the use of flags, banners and pennants. The second item is to evaluate how to better enforce the Design Review process and the ability to fine individuals that do not apply for permits or start projects before permits are obtained. The last item was directed by City Council to prepare guidelines for the installation of solar panels. Staff explained these items should be brought to the attention of the Planning Commission when the Planning representatives give their Design Review Report at the monthly Planning Commission Meeting. Staff is already working on the guidelines for the solar panels and will be discussed at the July Planning Commission Meeting.

Meeting adjourned at 9:23 am

Respectfully submitted,

Kristene Hall, Deputy City Clerk  
City of Ferndale

**City of Ferndale, Humboldt County, California USA**

Design Review Minutes for the 06/02/16 - 8:30am meeting

Chair Jeff Farley opened the meeting at 8:33 a.m. Committee Members Paul Gregson, Ellin Beltz, and Marc Daniels were present along with Deputy City Clerk Kristene Tavares.

Approval of Previous Minutes: NONE

There was no Modifications to the Agenda

There was no Public Comments.

484 Main Street: The Design Review Committee was presented with the modified plans for the Washington Street side of the former Paine building. Committee Members were impressed with the new plans and commented that the applicant had done everything they had asked and more. Commissioner Beltz added a thank you for the excellent job on the plans and the work on the project. Applicant representative Dennis Del Biaggio added that the windows would be trimmed with wood and the doors will be locally made. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, to reconstruct a conical tower and replace mid-century doors, windows, and trim with ones more appropriate to the age of the building using the approved materials and plans provided. **(Gregson/Beltz) Unanimous**

207 Francis Street: Design Review Committee was presented with additional drawings and photos for the previously submitted application to remodel an existing barn into a secondary dwelling unit. Committee Member Gregson was pleased with the photos submitted showing the detail of the railing and window trim. Committee Member Beltz stated the roof design was difficult to tell what the angle was and what design was being used. Chair Farley agreed and asked that the applicant sketch a top view as well as a side view to get more of an idea of the pitch and angle of the proposed porch roof. Gregson stated he thought the newly submitted pictures and sketches were enough and the project should be approved. Daniels agreed with Gregson stating the details and design would be harmonious. **MOTION** to have applicant submit a top view as well as a side elevation of the porch roof before approval. **(Beltz/Farley) 3-1-0**

There was no Correspondence:

There was no Committee Member Comments:

Meeting adjourned at 9:23 am

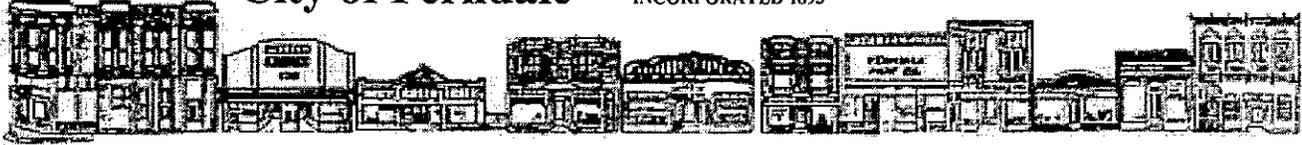
Respectfully submitted,

Kristene Hall, Deputy City Clerk  
City of Ferndale

## **Section 7: CORRESPONDENCE**

**City of Ferndale**

INCORPORATED 1893



June 1, 2016

Amelia Burroughs & Darren Weiss  
PO Box 1465  
Ferndale, CA 95536

Re Compliance with Nuisance Ordinance 06-04, Section 9.03

Dear Ms. Burroughs & Mr. Weiss,

It has come to the City's attention that bee hives on your property at 1171 Rose Ave. may be in violation of Nuisance Ordinance 06-04, Section §9.03.1 which states:

No person shall keep more than two hives of bees on any one assessor's parcel within the City of Ferndale. The provisions of this section shall not apply to the keeping of bees within an educational institution for study or observation or for scientific purposes provided such bees are not permitted to fly at large.

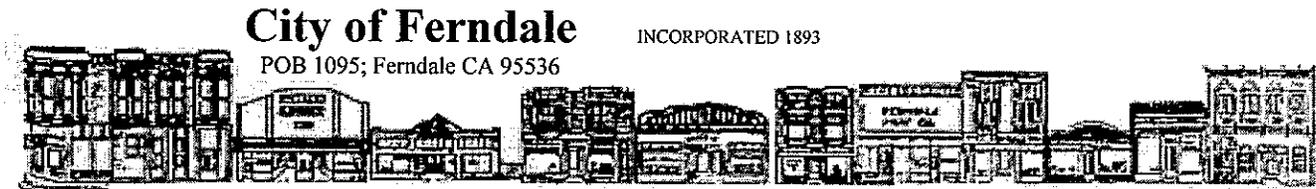
Upon receiving a complaint, City staff investigated and did see more than two (2) hives on your property that were visible from the street. The City has nothing on file to indicate the bees are for educational purposes and are not permitted to fly at large.

Please consider this a courtesy letter (per §5.04.1 of the Nuisance Ordinance) advising you to bring your beekeeping into compliance with applicable regulations by ensuring that there are not more hives on your property than the legally permitted amount within four (4) weeks of the date of this letter. You can find a copy of the Nuisance Ordinance on the City's website at [ca.ferndale.us.gov](http://ca.ferndale.us.gov). Please submit evidence to the City that you have removed any additional hives and are now in compliance with the regulation. Failure to abate this nuisance within four (4) weeks will result in further action. If you would like to discuss the matter or have any questions, please call 786-4224.

Sincerely,

Jennifer Church  
City Clerk

File: 1171 Rose Avenue  
Correspondence



June 8, 2016

Willis Hadley  
c/o Tom Herman  
934 S Fortuna Blvd  
Fortuna, CA 95540

Re: Administrative Abatement: Your lot at 665 Main Street, Ferndale (APN) 031-132-003.

Dear Mr. Hadley:

This is a follow-up to the letter sent to you on April 25, 2016. The grass and weeds on your property at 665 Main Street are overgrown and need to be cut back per Nuisance Ordinance 06-04 §4.03.3c. This is a courtesy letter advising you to abate the nuisance by mowing your property within ten (10) days of this letter. (Per Ferndale's Nuisance Ordinance 06-04, §5.04.1)

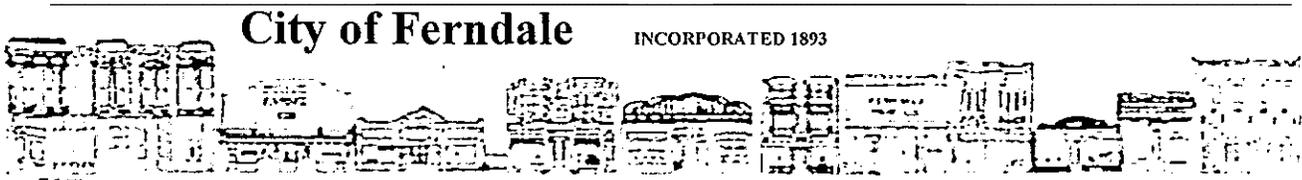
Per §5.04.3a, The city shall gain the authority to abate/destroy weeds, dry grass, rubbish and other inflammable material or vegetation ten (10) days from the delivery of the Courtesy Letter/Notice to Destroy Weeds. The costs of such abatement, including administrative costs, shall be the responsibility of the property owner.

The nuisance ordinance can be found online at <http://ci.ferndale.ca.us>, click on City Laws, Click on Nuisance Ordinance. If you have any questions regarding this matter, please don't hesitate to call me at (707)786-4224 Mon-Thurs, 9am-4pm.

Thank you for helping keep Ferndale a beautiful place live, visit and work.

  
Jennifer Church  
City Clerk

File:  Correspondence  
 Property File  
 Field Observation File  
 Follow up 10 days



June 8, 2016

Stephen & Ruth Nunes  
P. O. Box 876  
Ferndale, CA 95536

Sent by Certified Mail

## NOTICE OF VIOLATION AND ORDER TO ABATE

500 McKinley Avenue (APN 031-251-010)

A courtesy letter prepared by the City and dated January 25, 2016, was mailed to you concerning a cargo container located on a vacant lot that you own as referenced above. The use of a storage locker on a vacant lot is a violation of Ferndale Zoning Ordinance 02-02, Section 7.02 which states:

*Accessory Uses: Accessory uses, as defined herein, shall be permitted as appurtenant to any permitted use, without the necessity of securing a use permit, unless particularly provided in this Article, provided that no accessory use shall be conducted on any property in any R Zone unless and until the main building is erected and occupied, or until a use permit is secured.*

You were asked to remove the shipping/storage/cargo container within four (4) weeks of the date of the letter. As of the date of this notice, the cargo container remains on the property in violation of the City's Municipal Code. Section 2.04 of **Zoning Ordinance 02-02** states:

*Any building or use operated or maintained contrary to the provisions of these regulations shall be a public nuisance subject to injunction and abatement.*

Use of a vacant lot in a single-family residential zone to store personal or work related items within a storage container designed for use onboard a cargo ship or towed behind a truck, or positioned on board a railroad car designed for this purpose is a violation of the municipal code and an eyesore for neighbors and people walking or driving on McKinley Avenue.

**YOU ARE NOW IN VIOLATION** and subject to remedial action listed in the City's Nuisance Ordinance (No. 06-04).

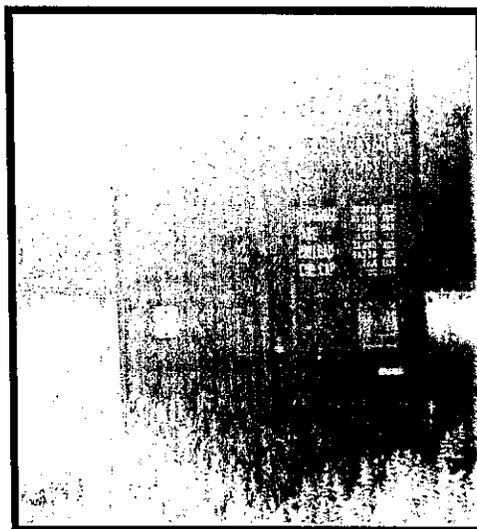
**TO CLEAR THIS VIOLATION**, you must remove the cargo container. This process must begin within two weeks (on or before June 23, 2016) and shall be completed no later than Thursday, July 7, 2016.

**FAILURE TO COMPLY WITH THIS ORDER WILL SUBJECT YOU TO PENALTIES** including a fine of fifty-dollars (\$50) per day in the event that you do not initiate removal of the cargo container by June 23, 2016, plus an additional fifty-dollars (\$50) per day if the cargo container remains on the property after July 7, 2016 to a maximum of one-thousand-dollars (\$1,000).

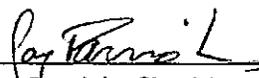
**ABATEMENT BY THE CITY.** If the cargo container remains on the property after July 7, 2016, the City shall use its police power, in accordance with Article XI Section 7 of the California State Constitution, and abate the nuisance by causing the cargo locker to be removed from the property and delivered to an impoundment center. You will be responsible for all associated costs.

**PROMPT ACTION ON YOUR PART** will resolve this matter and allow you to avoid fines and additional costs. In addition, violations of the Zoning Ordinance (No. 02-02) can be charged as a misdemeanor (\$2.03) resulting in fines up to \$500 and/or imprisonment up to six months.

**YOU HAVE THE RIGHT TO A PUBLIC HEARING.** You may request a public hearing within two weeks of delivery of this Notice and Order to you. Upon receipt of a written request for public hearing, a hearing shall be scheduled before the next regularly scheduled City Council meeting. Any person affected may be present at such hearing, may be represented by counsel, may present testimony and may cross-examine the Enforcement Official and other witnesses. Within the same two week time period, you may submit to the City in writing a sworn declaration that the nuisance does not exist and/or is not your responsibility. In this case, the enforcement officer may call a public hearing and the hearing may proceed without you present. The decisions made by the City Council at the hearing shall be binding.

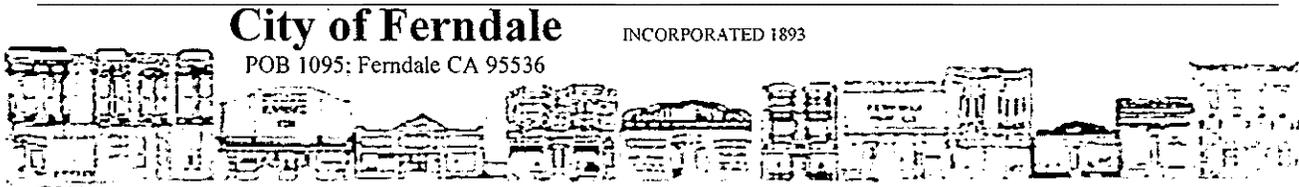


Cargo Locker at 500 McKinley Avenue in May 2016

  
\_\_\_\_\_  
Jay Parrish, City Manager  
Enforcement Officer

\_\_\_\_\_  
Date 6/8/16

File: City Attorney  
500 McKinley Avenue  
✓Correspondence



June 30, 2016

Tricia Sturdevant  
PO Box 995  
Ferndale, CA 95536

Re: 380 Craig Street

Dear Tricia,

Responding to complaints of residents, it has come to the City's attention that you are keeping goats on your property at 380 Craig Street in violation of the City's Zoning Ordinance. Per the ordinance section listed below, goats are permitted on city parcels that are one acre or larger. Your property does not meet the minimum lot size for this purpose. Please relocate your goats to an appropriate location within two weeks (but no later than July 15, 2016).

*§7.04 Animals and Animal Shelters: Adult domestic animals may be kept as accessory to any residential use, according to the following schedule:*

*7.04.2: Four (4) medium-sized domestic animals, including sheep and goats, may be kept on any parcel of not less than one acre. One additional animal may be kept for each 10,000 square feet of area by which such parcel exceeds one acre.*

Further, you are using a public right-of-way as personal pasture for your goats by fencing a portion of the Craig Street alley. This action prohibits use of the alley by adjoining property owners. Craig Street alley is to remain open and free of obstructions at all times. Please refrain from blocking any portion of the alley with fences or any other materials.

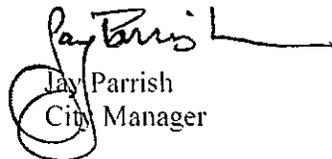
*§4.01 Streets, alleys, public-use sidewalks*

*4.01.1: It shall be the duty of every person owning or occupying any lot or block or land in the City of Ferndale which shall be bounded on any side by any legally established public-use sidewalk, street, lane, or alley ... to keep such ... alley free from all ... obstructions of every kind, as far as the middle of such street or alley ...and as far in length as the corresponding dimensions of such lot or block.*

While this courtesy letter carries no penalty, it does represent the beginning of a public nuisance action that, left unabated, can result in daily fines of \$50 per day.

Your prompt attention to this matter is encouraged by the City and will be appreciated by Ferndale residents. Please contact the City at 786-4224 with any questions concerning this matter.

Sincerely,



Jay Parrish  
City Manager

cc: City Planner  
Police Chief  
City Attorney

## **Section 8: COMMISSIONER COMMENTS**

## **Section 9: STAFF REPORTS**

## **Section 10: ADJOURNMENT**