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

Location:	City Hall 834 Main Street Ferndale CA 95536	Date:	October 5, 2016
		Time:	7:00 pm
		Posted:	September 29, 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 – Swearing in of New Commissioner Gerald Rocha
3.0 Modifications to the Agenda
4.0 Approval of previous minutes
 4.1 Minutes of September 7, 2016 Regular Meeting ..... Page 3
5.0 Public Comment
6.0 Public Hearing (Note: This is the time for commissioners to report any Ex Parte communications on this agenda item.)
 6.1 750 Washington Street Guest Rental ..... Page 8
 6.2 1060 5th Street Guest Rental..... Page 21
 6.3 660 Eugene Street Vacation Rental ..... Page 42
7.0 Business (Note: This is the time for commissioners to report any Ex Parte communications on this agenda item.)
 7.1 Select Vice-Chair ..... Page 58
 7.2 Solar Guidelines ..... Page 59
 7.3 Design Review Penalties ..... Page 60
 7.4 Building and Land Use Permits Sept 1, 2016-Sept 28, 2016 ..... Page 61
 7.5 Design Review Committee Report & Minutes..... Page 62
8.0 Correspondence ..... None
9.0 Commissioner Comments
10.0 City Planners and Deputy City Clerk's Staff Reports
11.0 Adjournment

The next regular meeting of the Ferndale Planning Commission will be on November 2, 2016 at 7:00 pm.

Section 1: CALL MEETING TO ORDER

Section 2: CEREMONIAL

a. Swearing in of new Commissioner Jerry Rocha

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 September 7, 2016

Call to Order — Chair Jorgen von Frausing-Borch called the Planning Commission Meeting to order at 7:01 pm. Commissioners Paul Gregson, Dean Nielsen, and Ellin Beltz were present along with City Planner Stephen Avis and City Clerk Kristene Hall. 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 – Chair von Frausing-Borch asked the minutes to be modified to show the guidelines for solar panels include all Ferndale, not just in the Historic and Design Review areas. **Motion:** To approve the minutes of the August 3, 2016 Regular Planning Commission Meeting with the modified statements. **(Beltz/Gregson) 3-0-1 (Nielsen abstained due to being absent at last meeting)**

5.0 Public Comment-None

6.0 Business

6.1 Interview Planning Commission Applicants and Recommend Appointment by City Council- Staff explained the Notice of Vacancy. There were two applicants but one applicant withdrew his application due to his candidacy for City Council. Sole Applicant Gerald (Jerry) Rocha was present and explained why he wanted to be considered for the vacancy of Planning Commissioner. Planning Commissioners interviewed Mr. Rocha, asking questions on his experience and education. **MOTION**: to recommend to City Council the appointment of Gerald Rocha to the Planning Commission. **(von Frausing-Borch/Nielsen) Unanimous**

6.2 Solar Guidelines- City Planner Avis presented his staff report for developing guidelines for solar panels within the city limits of Ferndale. Staff explained that the Alliance of Historic Preservationists developed and released sample guidelines to serve as a foundation for local jurisdictions. Avis presented a draft of the guidelines as a starting point. Commissioner Nielsen stated he would like to see the cost effectiveness between panel and shingles. Avis stated these were provided at the August meeting. Commissioner Beltz inquired if a building permit was required for the installation of small free standing systems that do not connect to a grid. Staff will check with the building inspector but does not believe a permit is required for these small units. Chair von Frausing-Borch stated he thinks the draft guidelines are moving in the right direction and look good so far. Staff will continue to work on these guidelines.

6.3 Design Review Abatement: City Planner Avis provided his report on incentives and penalties to encourage compliance with Design Review requirements. Avis explained the City Council

DRAFT

approved funds at the August City Council meeting for staff to begin work on new language for the penalties section of the Design Review Zoning Ordinance. Commissioners exchanged ideas. Commissioner Gregson explained he would like to see citizens that did not comply with the Design Review Application process to have a "red flag" in their property file that would not allow the property to receive any other permits from the city until the property owner obtained the proper Design Review Permits needed to remove the "red flag". Commissioners agreed that this was a good approach. Staff will start working on language for the new penalties section.

6.4 Building and Land Use Permits July 28, 2016-August 31, 2016- There were no comments

6.5 Design Review Committee Report & Minutes- Design Review Committee representatives, Commissioners Gregson and Beltz, went over Design Review minutes. Commissioners had no comment.

7.0 Correspondence- There was one letter from Mr. Ken Rhodes regarding noise disturbance from a neighboring property. Staff is working on resolving the issue.

8.0 Commissioner Comments- Chair von Frausing-Borch asked the Commissioners and Staff to take a moment this Sunday, September 11th, to remember the tragic event 15 years ago.

9.0 Staff Comments- Planner Avis spoke about going to a conference in Pasadena that will be going over Historic Preservation.

Meeting Adjourned at 8:02 pm

Respectfully Submitted

Kristene Hall
City Clerk

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Section 5: PUBLIC COMMENT

Section 6: PUBLIC HEARING

City of Ferndale

INCORPORATED 1893

POB 1095; Ferndale CA 95536

Notice is hereby given that the Ferndale Planning Commission will hold a Public Hearing at Ferndale City Hall, 834 Main Street, on Wednesday, October 5, 2016 at 7:00 p.m. for the following items:

1. Use Permit for a proposed guest rental at 750 Washington Street (APN 031-163-006) Zoned R-1-B-3.
2. Use Permit for a proposed guest rental at 1060 5th Street (APN 030-091-028) Zoned R-1.
3. Use Permit for a proposed vacation rental at 660 Eugene Street (APN 031-111-018) Zoned R-1-B-2.

The public is invited to attend the meeting and provide testimony. ADA access is available from Main Street. If you require assistance please call in advance, 786-4224.

Property Address	Mailing Addres	City	State	Zip
560 Eugene Street	POB 660	Ferndale	CA	95536
570 Eugene Street	8185 West End	Arcata	CA	95521
1 Cleveland Ext	1 Cleveland Ext	Ferndale	CA	95536
2 Cleveland Ext	POB 935	Ferndale	CA	95536
4 Cleveland Ext	4 Cleveland Ext	Ferndale	CA	95536
571 Cleveland Street	POB 148	Ferndale	CA	95536
100 Harrison Street	8117 W. Manc	Playa Del R	CA	90293
150 Harrison Street	POB 1050	Ferndale	CA	95536
1070 5th Street	1070 5th Stree	Ferndale	CA	95536
1140 5th Street	POB 1386	Ferndale	CA	95536
1057 5th Street	POB 777	Ferndale	CA	95536
925 5th Street	POB 1022	Ferndale	CA	95536
Ferndale Housing	POB 221	Ferndale	CA	95536
754 Washington Street	POB 1041	Ferndale	CA	95536
760 Washington Street	POB 791	Ferndale	CA	95536
726 Washington Street	POB 1163	Ferndale	CA	95536
725 Washington Street	POB 324	Ferndale	CA	95536
705 Washington Street	POB 1373	Ferndale	CA	95536
655 Washington Street	POB 1297	Ferndale	CA	95536
855 Washington Street	POB 58	Ferndale	CA	95536
755 Bluff Street	POB 1030	Ferndale	CA	95536
925 Bluff Street	2575 Drake Hil	Fortuna	CA	95540
401 Emerson Lane	POB 1014	Ferndale	CA	95536
402 Emerson Lane	POB 365	Ferndale	CA	95536
403 Emerson Lane	POB 1441	Ferndale	CA	95536
304 Emerson Lane	POB 1338	Ferndale	CA	95536
451 Schley Ave	POB 58	Ferndale	CA	95536
2 Strawberry Lane	POB 781	Ferndale	CA	95536
450 Craig Street	POB 396	Ferndale	CA	95536
436 Craig Street	POB 430	Sandy	OR	97055
430 Craig Street	4840 Topaz Av	Rocklin	CA	95677
405 Craig Street	POB 84	Ferndale	CA	95536
350 Nichols Way	POB 1162	Ferndale	CA	95536
400 Nichols Way	POB 562	Ferndale	CA	95536
420 Nichols Way	POB 274	Ferndale	CA	95536

Meeting Date:	October 5, 2016				Agenda Item No:	6.1
Agenda Item Title:	750 Washington Street Use permit for Vacation Rental					
Presented by:	Stephen Avis, City Planner					
Type of Item:	x	Action		Discussion		Information
Action Required:		No Action	x	Voice Vote		Roll Call Vote

OWNER: Eunice Sanborn

Information on this project is filed with the City Clerk. Questions regarding this application or Staff Report may be directed to Stephen Avis at (707) 267-8651 or Stephen.Avis@mail.com. Written comments may be submitted to the City Clerk by 4:00 PM on October 5, 2016.

PROJECT DESCRIPTION:
The property owner is seeking a Use Permit to allow the vacation rental use of a single bedroom within a private residence located at 750 Washington Street (APN 031-163-006). The project site is zoned Residential One-Family (R-1) (B-3). The Special Building Site Combining Zone relates to setbacks for new construction and does not affect this project.

ENVIRONMENTAL REVIEW:
This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 1, Section 15301 Categorical Exemption from preparation of environmental documents. This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures involving negligible or not expansion of use.

STAFF RECOMMENDATION:
Staff has included findings of fact (Attachment A) necessary to take an action on the Use Permit. If the Planning Commission accepts the findings of fact or makes comparable findings, then staff recommends the Planning Commission approve the Use Permit, subject of the conditions of approval listed in Attachment B.

> **Recommended Motion:** "Adopt Resolution No. PC 2016-26 making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B and allow for vacation rental use of a secondary dwelling unit located at 750 Washington Street."

PROJECT SUMMARY:
The proposed vacation rental unit is a 110 square foot bedroom and adjoining bath. The applicant resides in the home full time. This property is located in a residential area zoned for single-family residences and associated uses. Two parking spaces are located on the property.

The subject property is located at the intersection of Washington and Emerson Way. Downtown can be reached easily on foot or by bicycle.

APPLICABLE ZONING REGULATATIONS:

§5.03 **Residential One-Family or R1 Zone**

The residential One-Family or R1 Zone is intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The following regulations shall apply in all Residential One-Family or R1 Zones:

5.03.1 Principal permitted uses:

a. Single-family dwellings.

b. Boarding of not more than two (2) persons not employed on the premises.

c. Keeping no more than four (4) household pets for each dwelling unit.

d. Secondary dwelling units (per California Government Code 65852.2)

5.03.2 Uses permitted with a Use Permit:

a. Guest houses and servants' quarters.

b. Public and private non-commercial recreation facilities, including golf courses.

c. Bed and breakfast inns.

d. ~~Secondary dwelling units.~~

§7.16 Parking and Loading Facilities

7.16.2 Parking spaces shall be provided as follows:

a. Dwellings: one (1) for each dwelling unit

b. Hotels, motels, inns, bed and breakfast inns, and boarding houses: one (1) for each individual living quarter or dwelling unit.

ANALYSIS:

Zoning and Permit Requirements:

The Ferndale Zoning Ordinance does not directly define or regulate single-family vacation rentals, the proposed type of transient residential use. The R-1 zone allows guesthouses and bed and breakfast inns with a Use Permit. The proposed transient residential use is consistent with these in that the owners reside on the property during the rental period.

Per Zoning Ordinance §10.01, a conditional use permit may be granted for any use which, while not specifically enumerated in the regulations, is similar to and compatible with the uses permitted in the zone." The Ferndale Planning Commission has approved vacation rental and bed & breakfast use permits in the R-1 and R-2 zones, Community Commercial Design Control zone and the Agriculture Exclusive zone throughout the city.

Conditional use permits, as provided for with Zoning Ordinance §3.78.2 may be granted by the Planning Commission for a use, "which may be essential or desirable to the public, convenience or welfare in one or more zones, but which may also impair the integrity and character of the zone or adjoining zone, or be detrimental to the public health, morals or welfare unless additional restriction on the location and extent of use are imposed and enforced." To reduce the potential impacts of transient use, the Planning Commission has placed conditions on vacation rental use

permits including a two-night minimum stay and a requirement that the subject property be rented on only one group at a time. These conditions are included in Attachment B.

Surrounding General Plan Land Use and Zoning Designations:
The subject property is located on Washington Street at Emerson Lane, just blocks from the downtown commercial district. Adjoining parcels across the street and on Washington Street and those on Emerson Lane are zoned R-1.

Aesthetics and Character:
The property will continue to serve a residential use. The primary residence is owner occupied and the bedroom could be rented on a monthly basis without a use permit. There will be no outward sign that the property is being used for a shorter period of time. Vacation rental properties tend to be well maintained. Sufficient on-site parking is provided to reduce impacts from street parking. The property and proposed use is compatible with and similar to the residential character of the neighborhood.

Attachments: Exhibit 1: Photographs provided by the Applicant and staff

Attachment A. Findings of Fact
Attachment B. Conditions of Approval
Attachment C. Vicinity and Zoning Map
Attachment D. Resolution

Attachment A

FINDINGS OF FACT

Staff has prepared the following findings to justify the Commission's approval of the requested use permit.

1. This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 Categorical Exemption per Section 15301 Categorical Exemption for the preparation of environmental documents. This exception consists of the operation, repair, maintenance, and permitting, leasing, licensing or minor alteration of the existing public or private structures.

2. The proposed project as outlined and conditioned, conforms to and is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance and the requirements associate with the R-1 Zone.

3. The proposed project, as outlined and conditioned, will not be contrary to the intent of the zoning regulation or to the public interest, safety, health and welfare, and
    a. Appears to be similar and compatible with other uses allowed in the zone;
    b. Does not appear to impair the integrity and character of the zone or neighborhood;
    c. Appears to be compatible with the maintenance of the healthful residential living environment and the predominantly residential character of the area;
    d. Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential community; and
    e. Appears compatible with and does not detract from the character and aesthetics of adjacent zones.

Attachment B

CONDITIONS OF APPROVAL

Planning Commission Use Permit approval shall be subject to the following conditions. The violation of any term or requirement in this conditional approval may result in the revocation of the permit.

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Use Permit and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Use Permit is considered final and approved.

2. The proposed use shall be in conformance with the approved permit application and with the information and analysis contained in the associated staff report and conditions of approval on file with the City. Should the proposed site use deviate from that allowed by this approval, the applicant may be required to first receive Planning Commission approval for such changes.

3. Should the applicant or any other future owner of the subject property who uses the property as approved under this permit, does not conform to the requirement of these conditions, said non-conformance shall constitute a violation of this use permit and it shall become null and void until either the issues have been addressed to the City's satisfaction or the permit is revoked.

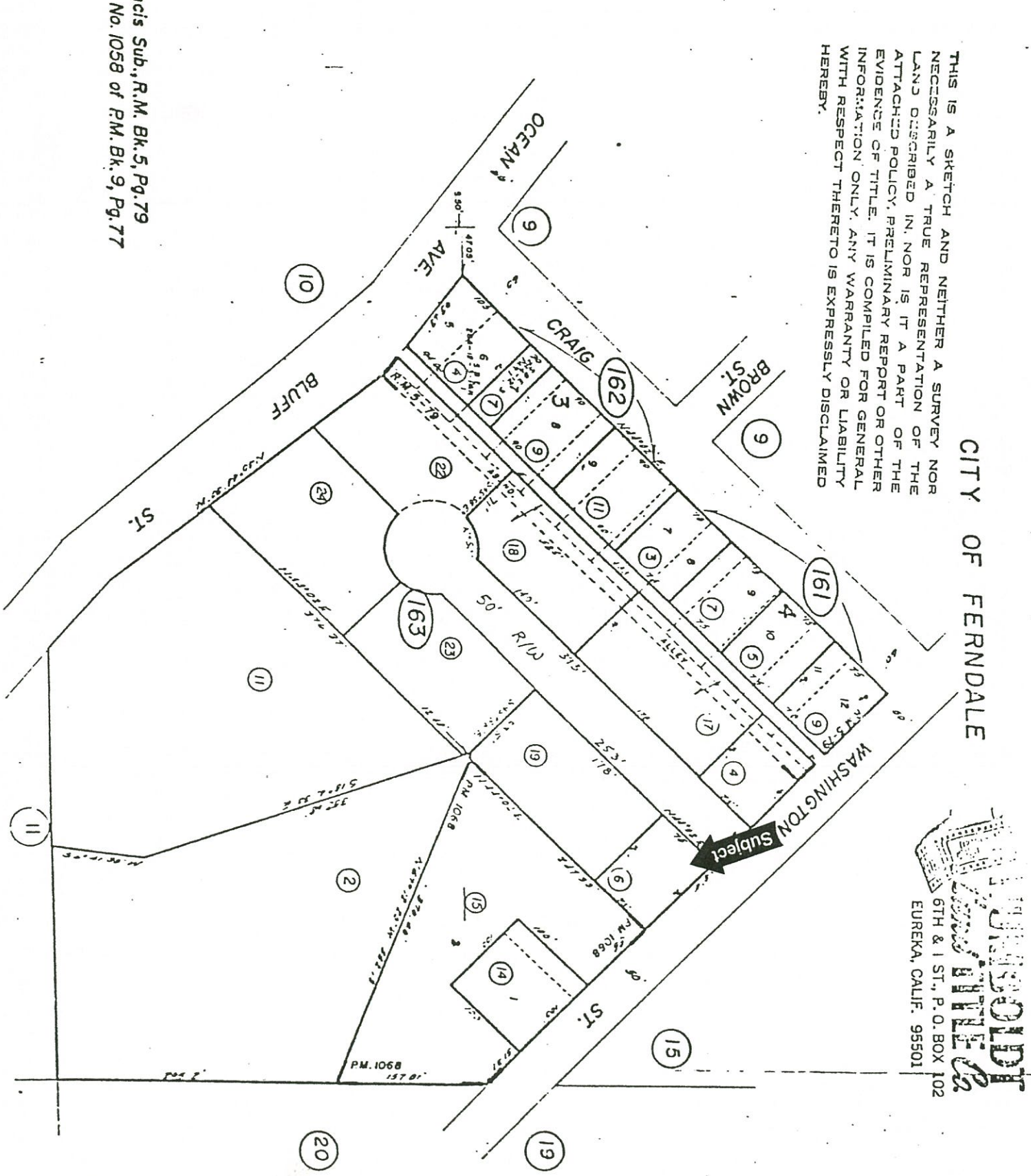
4. All proposed and/or future use authorized hereunder shall be in conformance with all applicable City ordinances, regulations and codes including but not limited to Zoning Ordinance 02-02, the California Uniform Building Code and any fire codes an/or Public Health & Safety Code, applicable to the nature and type of proposed use.

5. Prior to operation, the applicant shall obtain a letter from the Ferndale Fire Chief and the Ferndale Building Inspector verifying that the home meets occupation requirements. Copies of these letters shall be given to the City Clerk.

6. The Applicant shall obtain a business license for the Vacation Rental and pay appropriate Transient Occupancy Tax (TOT) to the City.

7. Under the proposed use, the bedroom shall be rented to one group at a time for a minimum stay of two nights.

8



Eunice Sanborn
750 Washington St

"TOTAL" appraisal software by a la mode, inc. 1 (800) 328-6825

Attachment D

A RESOLUTION OF THE PLANNING COMMISSION
FOR THE CITY OF FERNDALE, CALIFORNIA
Resolution Number PC 2016-26

MAKING THE REQUIRED FINDINGS FO FACT TO APPROVE A USE PERMIT, SUBJECT TO CONDITIONS OF APPROVAL, AND ALLOW THE VACATION RENTAL USE OF A BEDROOM WITHIN A SINGLE FAMILY RESIDENCE LOCATED AT 750 WASHINGON STREET (APN 031-163-006).

WHEREAS, Eunice Sanborn has submitted an application and evidence in support of approving a Use Permit to allow for vacation rental use of one bedroom within a single-family residence at 750 Washington Street and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 of Article 19 “Categorical Exemptions”; and

WHEREAS, the Planning Commission has reviewed the submitted application and evidence for conformance with General Plan policies and goals, and with applicable Zoning Regulations as required to approve a Use Permit; and

WHEREAS, the staff report includes evidence in support of making all of the required findings for approving a Use Permit; and

WHEREAS, the documents and materials on which this decision is based are on file at the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission for the City of Ferndale approves a Use Permit to allow the vacation rental use of a bedroom within a single-family residence located at Washington Street, Ferndale subject the attached Conditions of Approval.

PASSED AND ADOPTED this 5th day of October 2016 by the following vote of the Planning Commission for the City of Ferndale:

This motion was made by Commissioner _____.
The motion was seconded by Commissioner _____.

YES:
NO:
ABSTAIN:
ABSENT:

Attest:

_____
Jorgen von Frausing-Borch, Chairman

_____
Kristene Hall, City Clerk

email - eunann@suddenlink.net

CITY OF FERNDALE
PLANNING DEPARTMENT

STANDARD APPLICATION FORM

Please provide the following information as it applies to your application. For questions, call 786-4224.

1. Type of Application Date: 8/1/2016

	Bed & Breakfast Inn		Major Subdivision (5 parcels or more)
	Design Review Use Permit		Minor Subdivision (4 parcels or less)
	Exception to Development Standards		Second Dwelling Unit
	Home Occupation Permit	X	Use Permit - ~~Vacation Rental~~ Air & b&b
	Lot Line Adjustment		Variance
	Merger		Zoning & General Plan Amendment

2. Name of Property Owner: Eunice Sanborn
   Address: 750 Washington St. Box 751
3. Name of Applicant (if different): _____
   Address: _____ Phone: 707-786-4394
4. Property Location: 750 Washington St Cell 499-6808
   Assessor Parcel Number(s): 031-163-006-000
   Description: Residence Zoned R-1
   Lot Area: _____
5. Present Use of Property: Residence
   Present Zoning: _____
6. Description of Proposed Project: Use 1 guest room for overnight visiting guest - "Airbnb"

Filing Fee: A filing fee of $ 710 has been paid as part of the application. (Refer to Resolution 00-21 for fees and charges for review and processing of development permits.) I hereby certify that to the best of my knowledge the information in this application and all attached exhibits is full, complete and correct, and I understand that any misstatement of omission of the requested information or of any information subsequently requested shall be grounds for denying the application, or suspending or revoking a permit issued on the basis of these of subsequent representations, or for the seeking of such other and further relief as may seem proper to the City.

Eunice Sanborn July 29, 2016
Signature of Applicant or Agent Date

Authorization of Agent: I hereby authorize _____ to act as my representative and bind me in all matters concerning this application. (Form 121106)

FOR STAFF USE ONLY									
Full Ap Rec'd		Sent to Comm.		Returned		Ap notified		Project Final	

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

CITY OF FERNDALE
Environmental Information Form

Date Filed July 29, 2016
(To be completed by Applicant)

GENERAL INFORMATION

1. Name and address of developer or project sponsor: Eunice Sanborn
PO Box 751 Ferndale CA 95536
2. Address of project: 750 Washington St.
Assessor's Block and Lot Number: _____
3. Name, address, and phone number of person to be contacted concerning this project: _____
4. Indicate number of the permit application for the project to which this form pertains: 1
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: _____
6. Existing zoning district: R
7. Proposed use of site (project for which this form is filed): using guestroom for overnight guests visiting Ferndale + vicinity

PROJECT DESCRIPTION

✓8. Site Size: 10 x 11
✓9. Square footage 110
✓10. Number of floors of construction. 1
✓11. Number of off-street parking spaces provided. 2
12. Attach plans.
13. Proposed scheduling (time line). as soon as possible
14. Associated project
15. Anticipated incremental development
16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. 1 Bedroom, 1 Bath. $75 per night
17. If commercial, indicate the type, whether neighborhood-, city- or regionally-oriented, square footage of sales area, and loading facilities
18. If industrial, indicate type, estimated employment per shift, and loading facilities.
19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

* Floorplan

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

Yes	No		
	✓	21.	Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.
	✓	22.	Change in scenic views or vistas from existing residential areas or public lands or roads.
	✓	23.	Change in pattern, scale or character of general area of project.
	✓	24.	Significant amounts of solid waste or litter.
	✓	25.	Change in dust, ash, smoke, fumes or odors in vicinity.
	✓	26.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns
	✓	27.	Substantial change in existing noise or vibration levels in the vicinity.
	✓	28.	Site on filled land or on slope of 10 percent or more.
	✓	29.	Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
	✓	30.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.)
	✓	31.	Substantially increased fossil fuel consumption (electricity, oil, natural gas, propane, etc.)
	✓	32.	Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING:

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc;), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

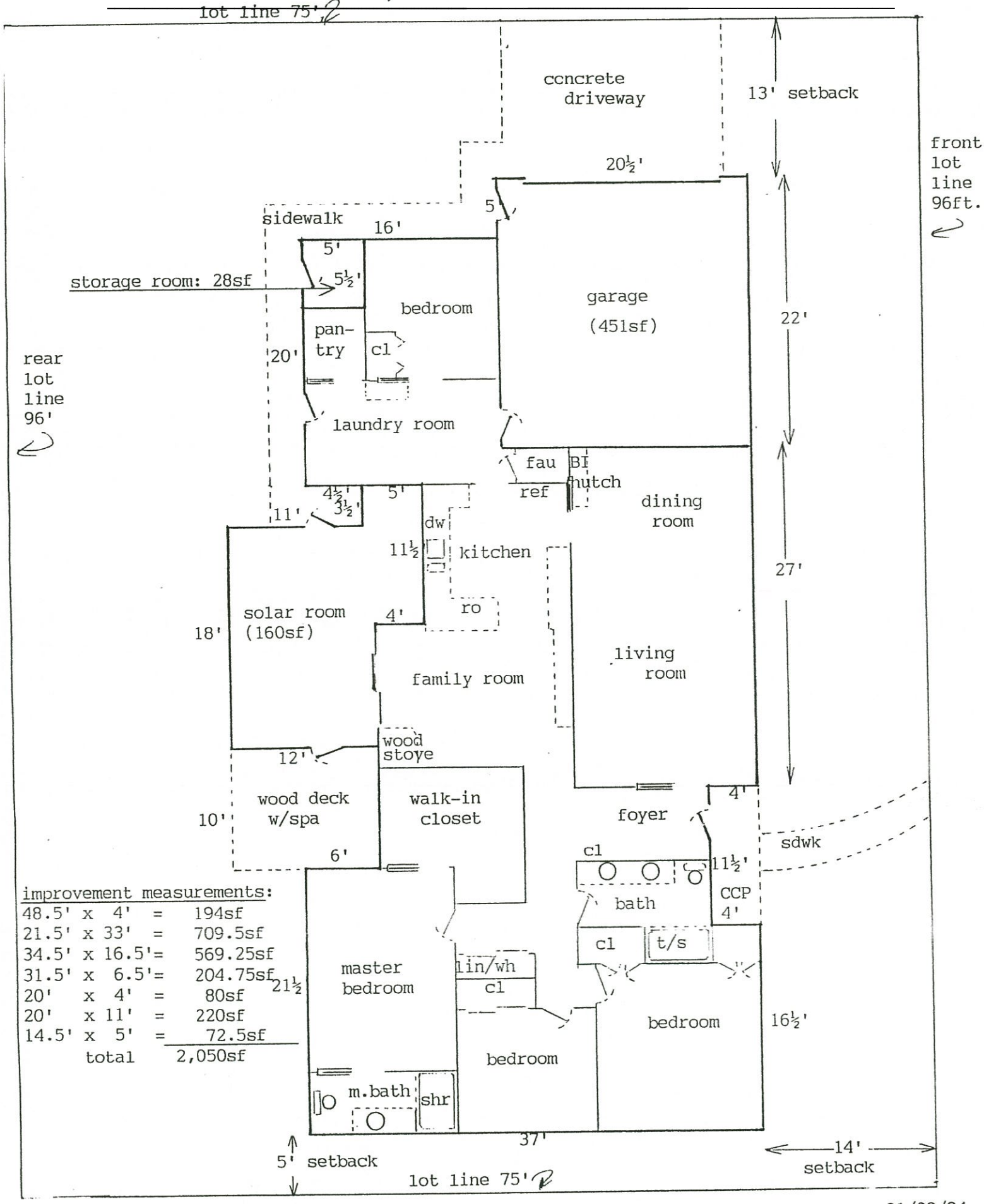
CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

July 29, 2016
Date

Eunice Sanborn
Signature

For _____



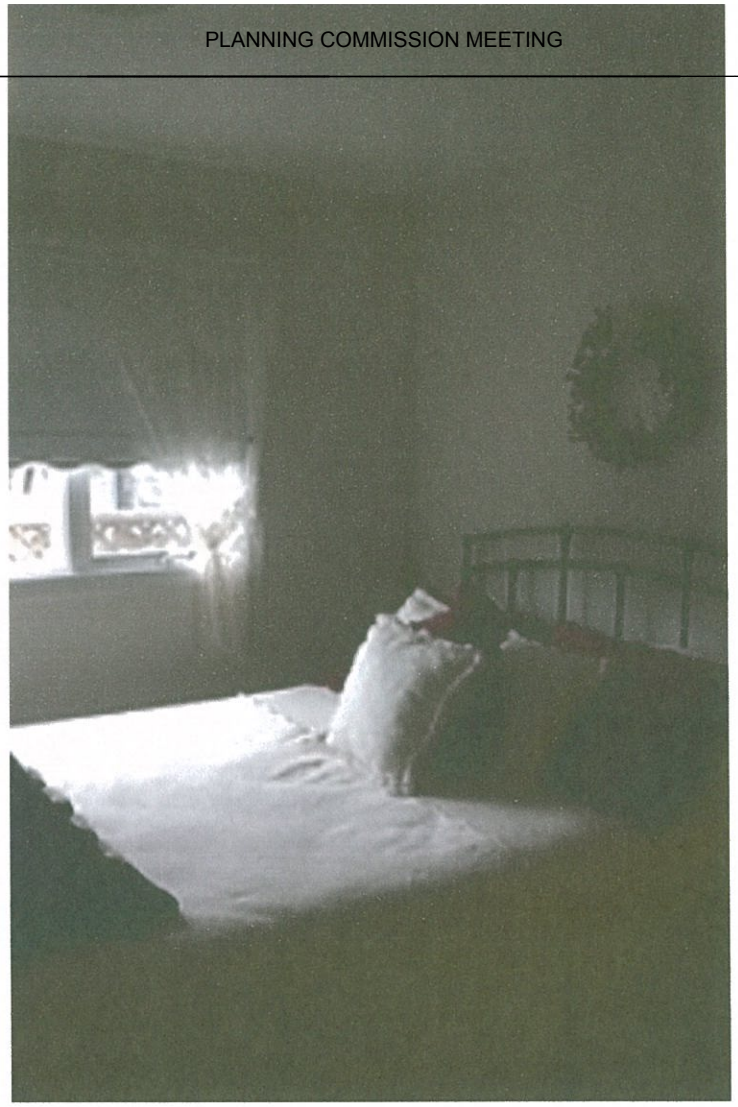
improvement measurements:

48.5'	x 4'	=	194sf
21.5'	x 33'	=	709.5sf
34.5'	x 16.5'	=	569.25sf
31.5'	x 6.5'	=	204.75sf
20'	x 4'	=	80sf
20'	x 11'	=	220sf
14.5'	x 5'	=	72.5sf
total			2,050sf

01/03/94

Eunice Sanborn
750 Washington St

Eunice Sanborn
750 Washington



Eunice Sanborn
750 Washington
Guest Room

Meeting Date:	October 5, 2016				Agenda Item No:	6.2
Agenda Item Title:	1060 5th Street Use permit for Vacation Rental					
Presented by:	Stephen Avis, City Planner					
Type of Item:	x	Action		Discussion		Information
Action Required:		No Action	x	Voice Vote		Roll Call Vote

OWNER: Lee and Lynne Shoblom

Information on this project is filed with the City Clerk. Questions regarding this application or Staff Report may be directed to Stephen Avis at (707) 267-8651 or Stephen.Avis@mail.com. Written comments may be submitted to the City Clerk by 4:00 PM on October 5, 2016.

PROJECT DESCRIPTION:
The property owners are seeking a Use Permit to allow the vacation rental use of a Secondary Dwelling (SDU) located at 1060 5th Street (APN 0301-091-028). The project site is zoned Residential One-Family (R-1).

ENVIRONMENTAL REVIEW:
This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 1, Section 15301 Categorical Exemption from preparation of environmental documents. This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures involving negligible or not expansion of use.

STAFF RECOMMENDATION:
Staff has included findings of fact (Attachment A) necessary to take an action on the Use Permit. If the Planning Commission accepts the findings of fact or makes comparable findings, then staff recommends the Planning Commission approve the Use Permit, subject of the conditions of approval listed in Attachment B.

> **Recommended Motion:** "Adopt Resolution No. PC 2016-27 making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B and allow for vacation rental use of a secondary dwelling unit located at 1060 5th Street."

PROJECT SUMMARY:
The applicants are retired and live on the property full time. This property is a flag lot surrounded on three sides by pasture that is zoned for residential purposes. The proposed vacation rental unit is a 432 square foot, one-story studio located across the yard from the primary residence. Currently, the studio serves as guest quarters for visiting family and in the past has been rented on a month-to-month basis. The apartment and primary residence are set back from the road and reached by a paved driveway. Three parking spaces are located on the property. A small patio in a fenced yard provides outdoor privacy for occupants of the studio.

The subject property is located south of Arlington and just north of the former Navy Housing now operated by the O'Rourke Foundation as a low-income housing neighborhood. Downtown can be reached easily on foot or by bicycle.

Overnight guests and residents using the studio enjoy a semi-rural setting within City Limits with grazing dairy cows just over the fence.

APPLICABLE ZONING REGULATATIONS:

§5.03 **Residential One-Family or R1 Zone**

The residential One-Family or R1 Zone is intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The following regulations shall apply in all Residential One-Family or R1 Zones:

5.03.1 Principal permitted uses:

a. Single-family dwellings.

b. Boarding of not more than two (2) persons not employed on the premises.

c. Keeping no more than four (4) household pets for each dwelling unit.

d. Secondary dwelling units (per California Government Code 65852.2)

5.03.2 Uses permitted with a Use Permit:

a. Guest houses and servants' quarters.

b. Public and private non-commercial recreation facilities, including golf courses.

c. Bed and breakfast inns.

d. ~~Secondary dwelling units.~~

§7.16 Parking and Loading Facilities

7.16.2 Parking spaces shall be provided as follows:

a. Dwellings: one (1) for each dwelling unit

b. Hotels, motels, inns, bed and breakfast inns, and boarding houses: one (1) for each individual living quarter or dwelling unit.

ANALYSIS:

Zoning and Permit Requirements:

The Ferndale Zoning Ordinance does not directly define or regulate single-family vacation rentals, the proposed type of transient residential use. The R-1 zone allows guesthouses and bed and breakfast inns with a Use Permit. The proposed transient residential use is consistent with these in that the owners reside on the property during the rental period.

Per Zoning Ordinance §10.01, a conditional use permit may be granted for any use which, while not specifically enumerated in the regulations, is similar to and compatible with the uses permitted in the zone." The Ferndale Planning Commission has approved vacation rental and bed & breakfast

use permits in the R-1 and R-2 zones, Community Commercial Design Control zone and the Agriculture Exclusive zone throughout the city.

Conditional use permits, as provided for with Zoning Ordinance §3.78.2 may be granted by the Planning Commission for a use, "which may be essential or desirable to the public, convenience or welfare in one or more zones, but which may also impair the integrity and character of the zone or adjoining zone, or be detrimental to the public health, morals or welfare unless additional restriction on the location and extent of use are imposed and enforced." To reduce the potential impacts of transient use, the Planning Commission has placed conditions on vacation rental use permits including a two-night minimum stay and a requirement that the subject property be rented on only one group at a time. These conditions are included in Attachment B.

Surrounding General Plan Land Use and Zoning Designations:
The subject property is located between Arlington and Shaw Avenues, just blocks from the downtown commercial district. Adjoining parcels on 5th Street are also zoned R-1. Aside from one residence directly in front of the subject property and one directly across the street the surround areas are open fields.

Aesthetics and Character:
The property will continue to serve a residential use. The primary residence is owner occupied and the SDU could be rented on a monthly basis without a use permit. There will be no outward sign that the property is being used for a shorter period of time. Vacation rental properties tend to be well maintained. Sufficient on-site parking is provided to reduce impacts from street parking. The property and proposed use is compatible with and similar to the residential character of the neighborhood.

Attachments: Exhibit 1: Letter from the Applicants
Exhibit 2: Photographs provided by the Applicants

Attachment A. Findings of Fact
Attachment B. Conditions of Approval
Attachment C. Vicinity and Zoning Map
Attachment D. Resolution

Attachment A

FINDINGS OF FACT

Staff has prepared the following findings to justify the Commission's approval of the requested use permit.

1. This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 Categorical Exemption per Section 15301 Categorical Exemption for the preparation of environmental documents. This exception consists of the operation, repair, maintenance, and permitting, leasing, licensing or minor alteration of the existing public or private structures.

2. The proposed project as outlined and conditioned, conforms to and is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance and the requirements associate with the R-1 Zone.

3. The proposed project, as outlined and conditioned, will not be contrary to the intent of the zoning regulation or to the public interest, safety, health and welfare, and
    a. Appears to be similar and compatible with other uses allowed in the zone;
    b. Does not appear to impair the integrity and character of the zone or neighborhood;
    c. Appears to be compatible with the maintenance of the healthful residential living environment and the predominantly residential character of the area;
    d. Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential community; and
    e. Appears compatible with and does not detract from the character and aesthetics of adjacent zones.

Attachment B

CONDITIONS OF APPROVAL

Planning Commission Use Permit approval shall be subject to the following conditions. The violation of any term or requirement in this conditional approval may result in the revocation of the permit.

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Use Permit and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Use Permit is considered final and approved.

2. The proposed use shall be in conformance with the approved permit application and with the information and analysis contained in the associated staff report and conditions of approval on file with the City. Should the proposed site use deviate from that allowed by this approval, the applicant may be required to first receive Planning Commission approval for such changes.

3. Should the applicant or any other future owner of the subject property who uses the property as approved under this permit, does not conform to the requirement of these conditions, said non-conformance shall constitute a violation of this use permit and it shall become null and void until either the issues have been addressed to the City's satisfaction or the permit is revoked.

4. All proposed and/or future use authorized hereunder shall be in conformance with all applicable City ordinances, regulations and codes including but not limited to Zoning Ordinance 02-02, the California Uniform Building Code and any fire codes an/or Public Health & Safety Code, applicable to the nature and type of proposed use.

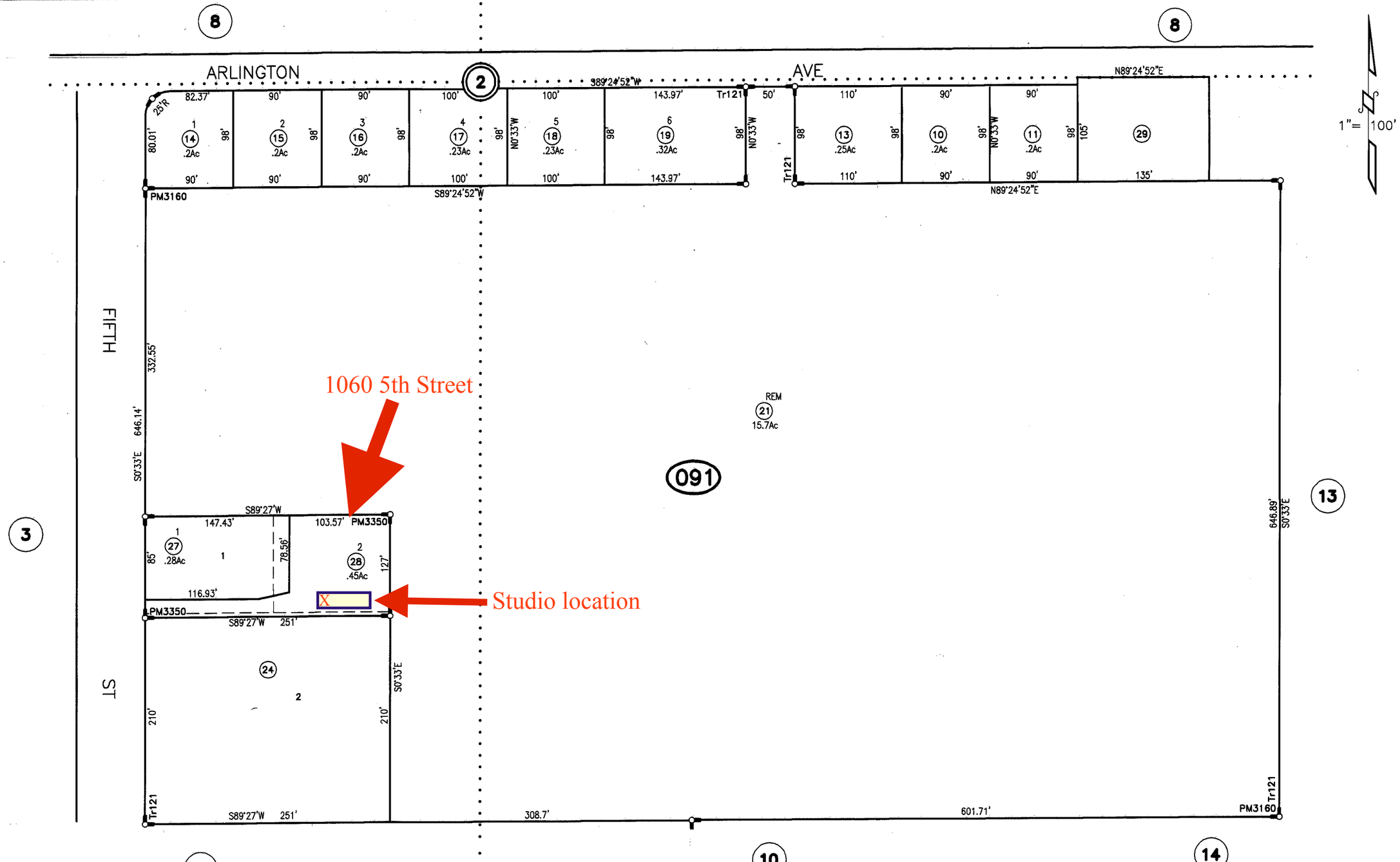
5. Prior to operation, the applicant shall obtain a letter from the Ferndale Fire Chief and the Ferndale Building Inspector verifying that the home meets occupation requirements. Copies of these letters shall be given to the City Clerk.

6. The Applicant shall obtain a business license for the Vacation Rental and pay appropriate Transient Occupancy Tax (TOT) to the City.

7. Under the proposed use, the studio shall be rented to one group at a time for a minimum stay of two nights.

CITY OF FERNDALE

30-09



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.

Tr 121, Bk 16 of MAPS, Pgs 96-97
"Sovndal Sub'd"
PM3160 of PM Bk 29, Pgs 104-105
PM3350 of PM Bk 32, Pgs 38-39

NOTE – Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk.30, Pg.09
County of Humboldt, CA.

Attachment D

A RESOLUTION OF THE PLANNING COMMISSION
FOR THE CITY OF FERNDALE, CALIFORNIA
Resolution Number PC 2016-27

MAKING THE REQUIRED FINDINGS FO FACT TO APPROVE A USE PERMIT, SUBJECT TO CONDITIONS OF APPROVAL, AND ALLOW THE VACATION RENTAL USE OF A SECONDARY DWELLING UNIT LOCATED AT 1060 5TH STREET (APN 030-091-028).

WHEREAS, Lee and Lynne Shoblom have submitted an application and evidence in support of approving a Use Permit to allow for vacation rental use of a single-family residence at 1060 5th Street and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 of Article 19 "Categorical Exemptions"; and

WHEREAS, the Planning Commission has reviewed the submitted application and evidence for conformance with General Plan policies and goals, and with applicable Zoning Regulations as required to approve a Use Permit; and

WHEREAS, the staff report includes evidence in support of making all of the required findings for approving a Use Permit; and

WHEREAS, the documents and materials on which this decision is based are on file at the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission for the City of Ferndale approves a Use Permit to allow the vacation rental use of a studio apartment located at 1060 5th Street, Ferndale subject the attached Conditions of Approval.

PASSED AND ADOPTED this 5th day of October 2016 by the following vote of the Planning Commission for the City of Ferndale:

This motion was made by Commissioner _____.

The motion was seconded by Commissioner _____.

YES:
NO:
ABSTAIN:
ABSENT:

Attest:

_____
Jorgen von Frausing-Borch, Chairman

_____
Kristene Hall, City Clerk

CITY OF FERNDALE
PLANNING DEPARTMENT

STANDARD APPLICATION FORM

Please provide the following information as it applies to your application. For questions, call 786-4224.

1. Type of Application Date: 9/8/16

	Bed & Breakfast Inn			Minor Subdivision (4 parcels or less)
	Exception to Development Standards			Second Dwelling Unit
	Historic District Design Review			Street Vacate
	Home Occupation Permit		X	Use Permit
	Lot Line Adjustment			Use Permit – Design Review
	Merger			Variance
	Major Subdivision (5 parcels or more)			Zoning & General Plan Amendment

2. Name of Property Owner: Lee and Lynne Shoblom Phone: 707 607 3023
Address: 1060 5TH STREET POBox 43
3. Name of Applicant (if different): _____
Address: _____ Phone: _____
4. Property Location: 1060 5TH STREET
Accessor Parcel Number(s): 030-091-028-000
Description: Detached Studio Apartment with Private Patio
Lot Area: .45 acre including main House: Apartment 432 sq Ft, Patio 150 sq Ft.
5. Present Use of Property: Guesthouse, Apartment
Present Zoning: R-1
6. Description of Proposed Project: Please see detailed attached description.
Use Permit to turn studio apartment into year round vacation rental

Filing Fee: A filing fee of $_____ has been paid as part of the application. (Refer to Resolution 00-21 for fees and charges for review and processing of development permits.) I hereby certify that to the best of my knowledge the information in this application and all attached exhibits is full, complete and correct, and I understand that any misstatement of omission of the requested information or of any information subsequently requested shall be grounds for denying the application, or suspending or revoking a permit issued on the basis of these of subsequent representations, or for the seeking of such other and further relief as may seem proper to the City.

Lee Shoblom
Lynne Shoblom 9/8/16
Signature of Applicant or Agent Date

Authorization of Agent: I hereby authorize _____ to act as my representative and bind me in all matters concerning this application. (Form 100208)

FOR STAFF USE ONLY								
Full Ap Rec'd 9/8/2016	Sent to DR		Returned		Ap notified		Project Final	

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

Yes	No		
	✓	21.	Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.
	✓	22.	Change in scenic views or vistas from existing residential areas or public lands or roads.
	✓	23.	Change in pattern, scale or character of general area of project.
	✓	24.	Significant amounts of solid waste or litter.
	✓	25.	Change in dust, ash, smoke, fumes or odors in vicinity.
	✓	26.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns
	✓	27.	Substantial change in existing noise or vibration levels in the vicinity.
	✓	28.	Site on filled land or on slope of 10 percent or more.
	✓	29.	Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
	✓	30.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.)
	✓	31.	Substantially increased fossil fuel consumption (electricity, oil, natural gas, propane, etc.)
	✓	32.	Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING:

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc;), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

9/8/16
Date

Lee Shoblom
Signature
Lynne Shoblom
For

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

CITY OF FERNDALE
Environmental Information Form

Date Filed 9/8/16
(To be completed by Applicant)

GENERAL INFORMATION

1. Name and address of developer or project sponsor: LEE AND LYNNE SHOBLOM 1060 5TH STREET, FERNDALE PO BOX 43
2. Address of project: 1060 5TH STREET
   Assessor's Block and Lot Number: 030-091-028-000
3. Name, address, and phone number of person to be contacted concerning this project: LEE AND LYNNE SHOBLOM, PO BOX 43, FERNDALE 707607 3023
4. Indicate number of the permit application for the project to which this form pertains: _____
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: CITY BUSINESS LICENSE
6. Existing zoning district: R-1
7. Proposed use of site (project for which this form is filed): DETACHED Studio Apartment to be used as year Round Vacation RENTAL.

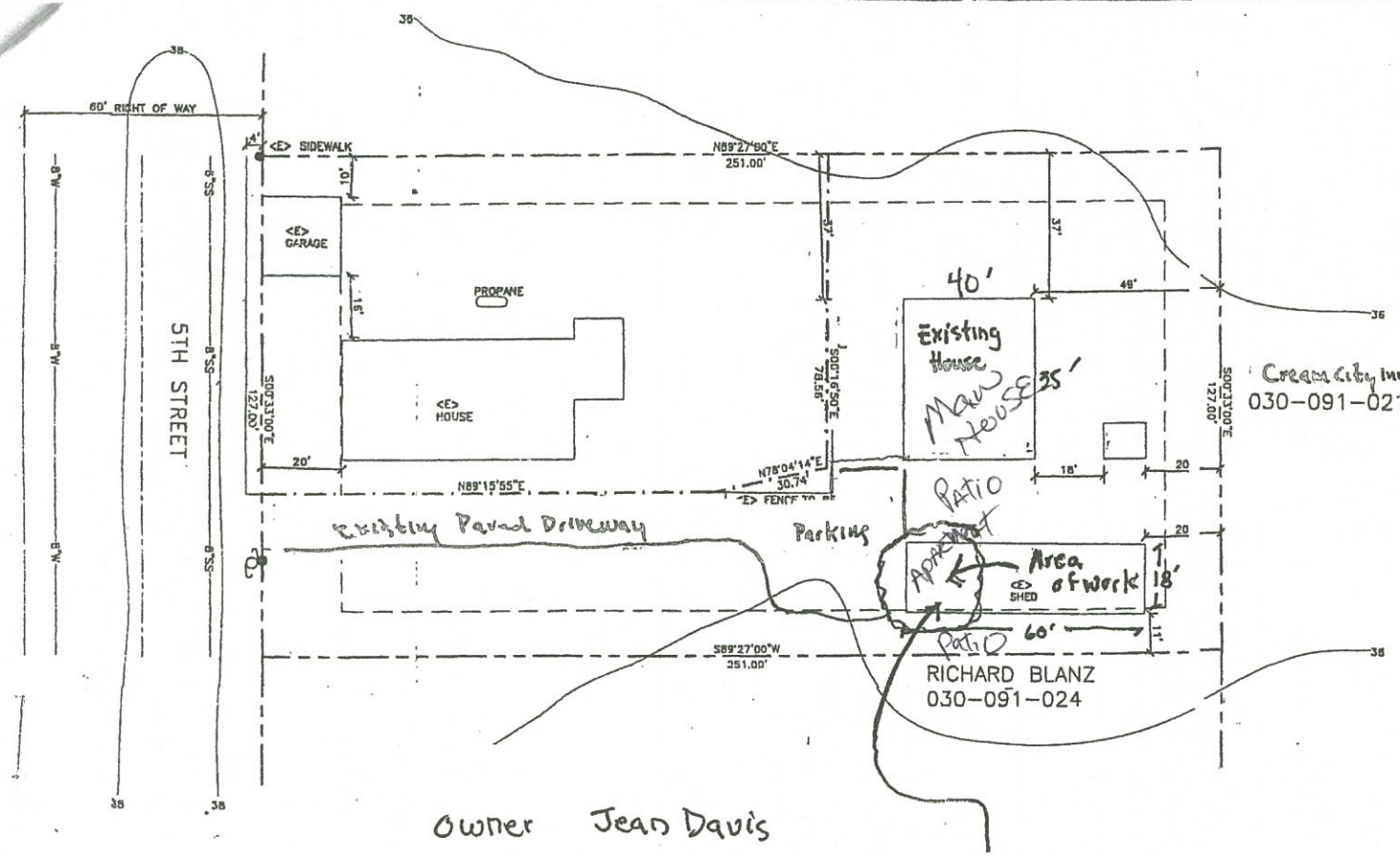
PROJECT DESCRIPTION

8. Site Size: .45 acre ENTIRE SITE w/MAIN HOUSE: 432 sq FT APARTMENT
9. Square footage 432 APARTMENT, 150 PATIO 150 sq FT patio
10. Number of floors of construction. ONE
11. Number of off-street parking spaces provided. 2
12. Attach plans. YES
13. Proposed scheduling (time line).
14. Associated project
15. Anticipated incremental development
16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. ONE UNIT, 2 adults/2 children $75-90 PER NIGHT
17. If commercial, indicate the type, whether neighborhood-, city- or regionally-oriented, square footage of sales area, and loading facilities
18. If industrial, indicate type, estimated employment per shift, and loading facilities.
19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

Lee and Lynne Shoblom
1060 5th Street P.O. Box 43
707 607 3023

Details on purposed year round vacation rental for existing studio apartment on property

This is an application regarding the existing detached studio apartment on our property at 1060 5th Street, Ferndale. We are requesting permission to turn the apartment into a year round vacation rental for 2 people, maybe 2 additional children, if needed. The apartment has been rented to family members, with both owners, the original owner and ourselves, so the traffic and parking to the apartment would not be changed when it is an occasional short term rental to one or two people. The studio apartment is 432 square feet, with a complete kitchenette, full bathroom with shower, washer and dryer, closet, queen size bed, daybed, occasional chairs, kitchen table. It has a 150 sq ft,, fenced, separate patio and entrance, plus a paved parking space outside of the apartment. The apartment is completely separated from the main house by a patio and is attached to the barn/ storage area. The heating in the apartment is radiant floor, water on demand, two exit doors, a fire wall between the shed and the apartment and it was converted to an apartment in 2010 (the original plans are attached). The apartment has a smoke detector, a carbon monoxide detector and two fire extinguishers. The apartment has no neighbors on either side, except for ourselves, the owners. There is a large meadow with cows separating it from the nearest neighbors. There is a long driveway from the street and a neighbor at the end of the driveway, on one side the opposite of the apartment, facing 5th Street, not the driveway. We would always be on the premises, so whoever is the short term approved renter would be under our watch and rules. We would not allow smoking inside and would have a 2 day minimum stay, plus comply with all Ferndale city requirements and rules.



LEGAL

OWNER:
JEAN DAVIS
P.O.BOX 683
FERNDALE CA 95538
786-4822

PROJECT: Apartment

AREA ANALYSIS:

19487.07 SQ. FT

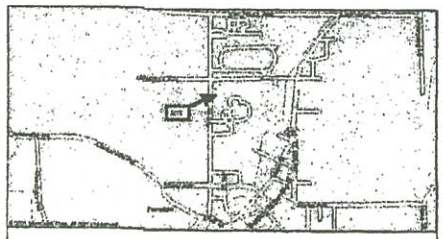
ZONING: R-1

SETBACKS: 20' FRONT, 15' REAR, 12' SIDES

Owner Jean Davis
— 5th street
Ferndale
P.O. Box 683 Ferndale
707-786-4822

Contractor DCI Builders
Ferndale
707-786-5450

Proposed 18'x24 Apt.
in existing bldg.
18'x36' to remain as is



VICINITY MAP
NOT TO SCALE

NOTES
1. ENTIRE PROPERTY SLOPES AT <5%.
2. ADJOINING PROPERTY IS ALSO FLAT.
3. PROPERTY USE WILL REMAIN RESIDENTIAL.
4. ZONING WILL REMAIN R-1
5. ALL TREES UNDER 12" DIA.
6. NO TREES TO BE REMOVED
7. CONTOURS ARE AT 2' INTERVALS AND ARE BASED ON CITY OF FERNDALE 100' SCALE MAPPING (OSCAR LARSON AND ASS., 1978).
8. EASEMENT TO BE GRANTED ON FIRST 120' OF EXISTING DRIVEWAY TO PARCEL 1 WITH A WIDTH OF 15' AND WILL APPEAR ON PARCEL MAP
9. ADJOINING PROPERTY IS VACANT PASTURE LAND
10. EXISTING SIDEWALK ENDS AT THE DRIVEWAY.
11. THE PROPERTY IS NOT SHOWN ON OFFICIAL MAPS AS BEING SUBJECT TO FLOODING, NO OTHER HAZARDOUS AREAS, SENSITIVE HABITATS, HISTORICAL BUILDINGS OR ARCHAEOLOGICAL SITES ARE KNOWN TO EXIST ON OR ADJACENT TO THE SUBDIVISION.
12. SEWER SERVICES ARE PROVIDED BY THE CITY OF FERNDALE, WATER SERVICES ARE PROVIDED BY THE DEL ORO WATER COMPANY. PG&E PROVIDE GAS AND ELECTRICITY. PACIFIC BELL PROVIDES PHONE SERVICE AND COX CABLE PROVIDES CABLE TELEVISION SERVICE.

LEGEND

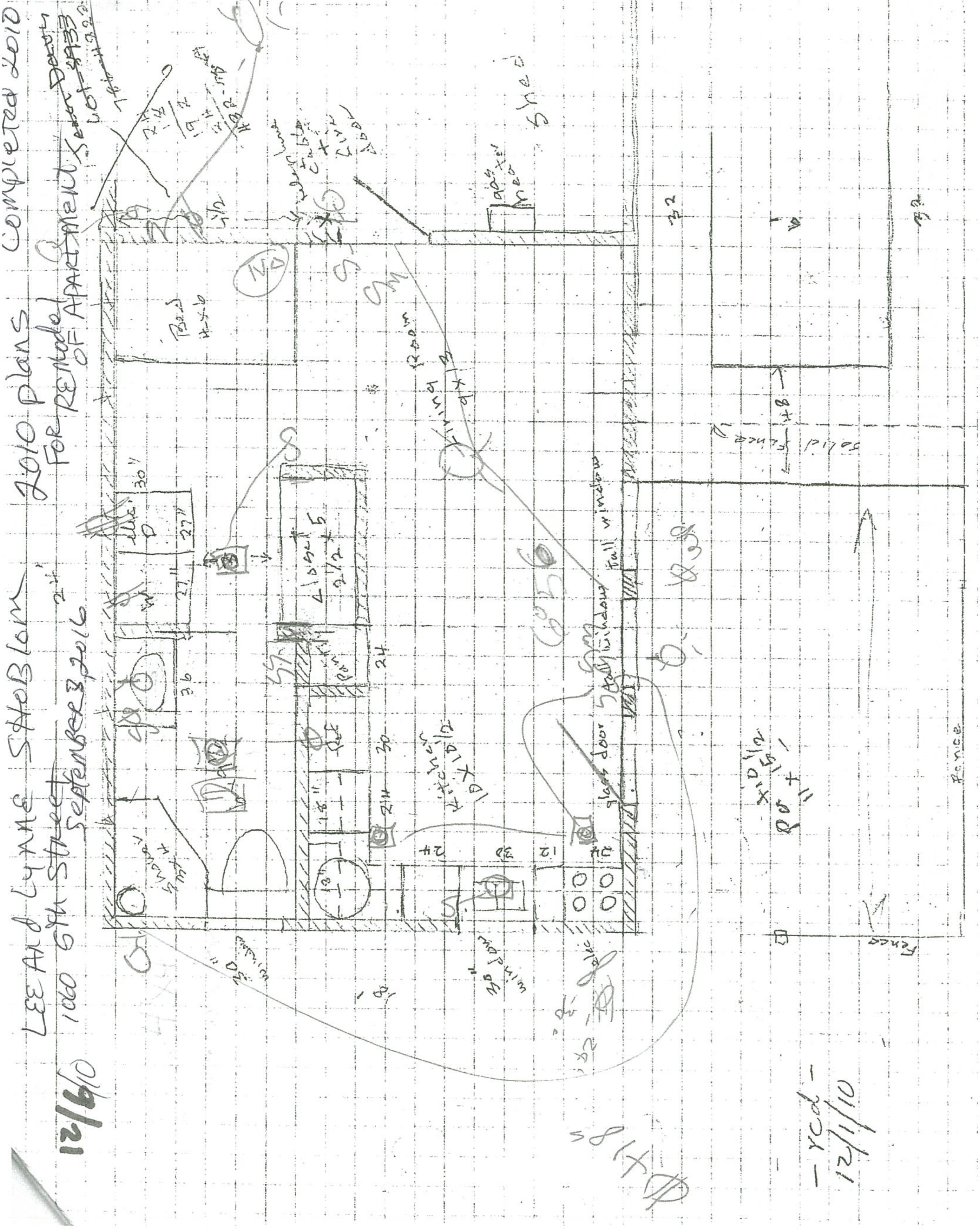
<E>	EXISTING
<PR>	PROPOSED
SSMH	SANITARY SEWER MANHOLE
	LINES TO BE ADDED
	PROPERTY BOUNDARY
	CENTER OF ROAD
	SETBACKS
	SURVEY MONUMENT
<E> P.P./	EXISTING POWER POLE
SD	STORM DRAIN
8"W	EXISTING 8" WATER LINE
	EXISTING SANITARY SEWER MANHOLE
SS	EXISTING 8" SANITARY SEWER LINE

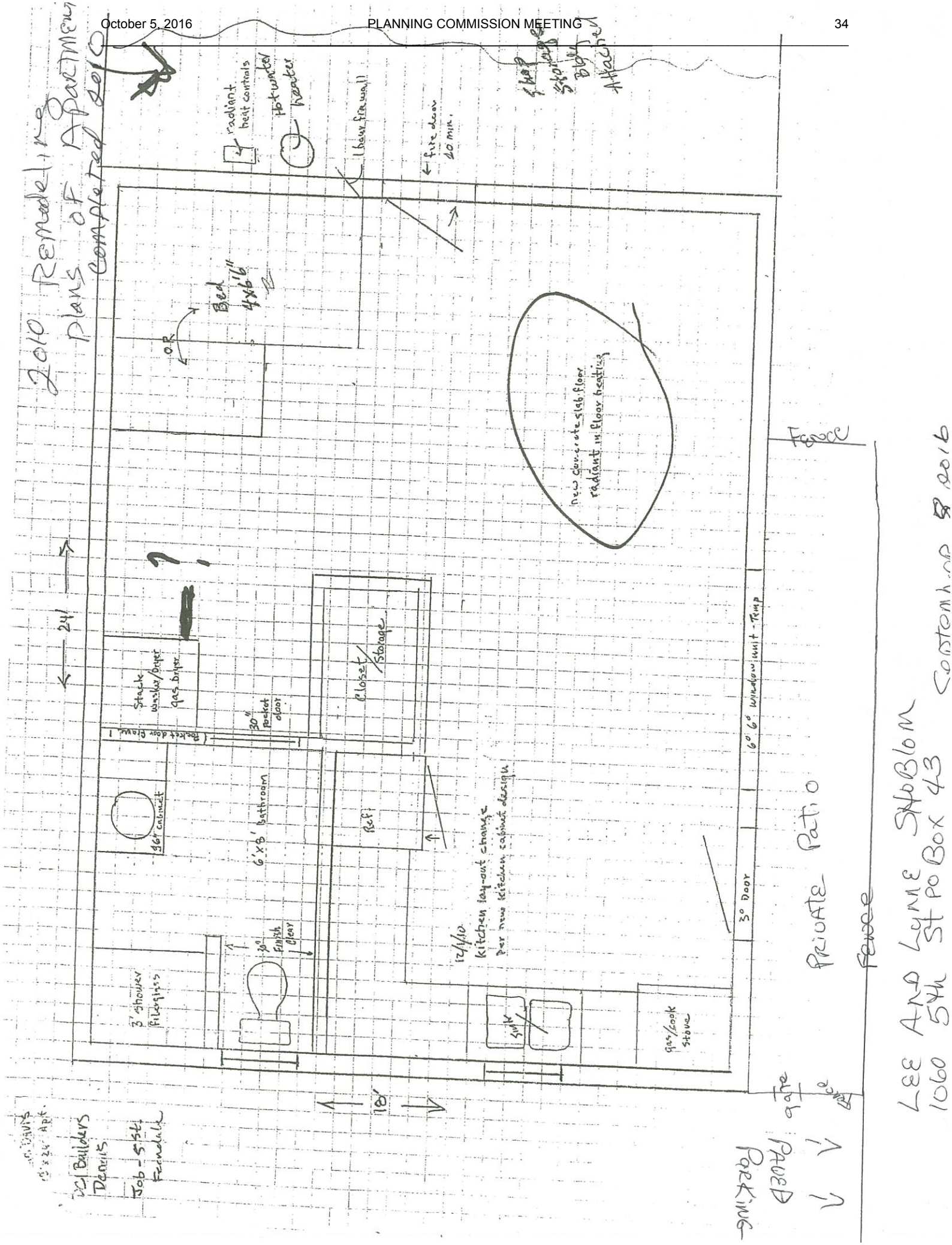
JEAN DAVIS
APN: 030-091-026
5TH STREET

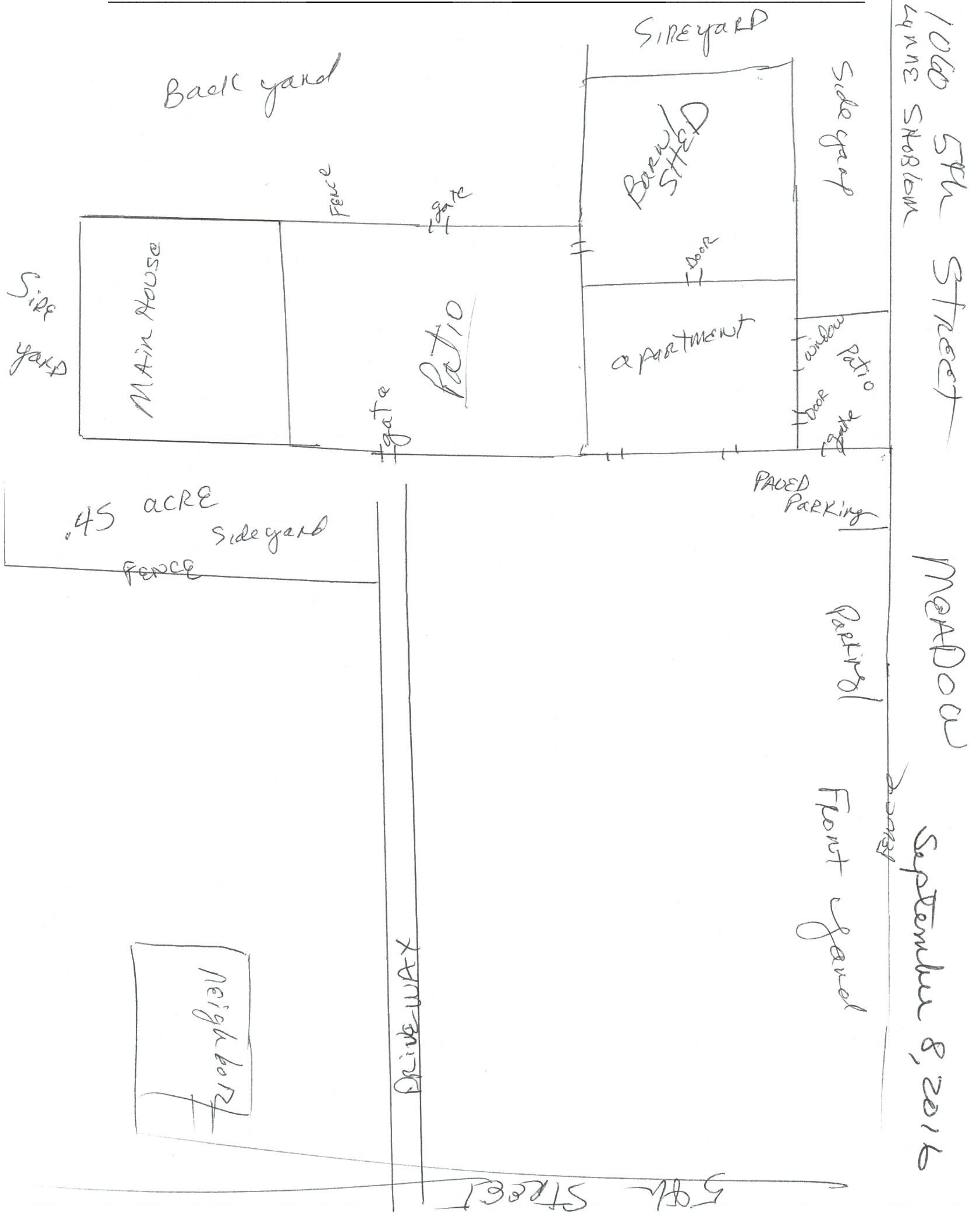
SARAH/DAVIS
JOB NO. 03-2030
SHEET No. 1 OF 1

CURRENT OWNERS:
LEE AND LYNNE SHOBLOM
1060 5th ST PO Box 43
SEPTEMBER 8, 2016

2010 Remodeling plans
Completed
OF APARTMENT


2010 plans
COMPLETED 2010
OF APARTMENT
September 3, 2016
glass door
full window
shed
fence


2010 Remodeling plans of Apartment completed 2010
radiant heat controls
Hot water heater
1 hour fire wall
fire door 20 min.
Bed 4x6'6"
O.R.
new concrete slab floor radiant in floor heating
Fence
24'
Stack washer/dryer gas dryer
Pocket door frame
30" pocket door
Closet/Storage
6'x8' bathroom
36" cabinet
Ref.
12/1/10 kitchen lay-out change per new kitchen cabinet design
30" Finish Clear
3' shower Fiberglass
Sink
gas/cook stove
3° Door
6'6" window unit - Temp
Private Patio
Fence
18'
Gate
Fence
PAVED PARKING
Lee And Lynne Shoblom
1060 5th St PO Box 43
September 8 2016
Job - 5 St. Ferndale


SIREYARD
Back yard
1060 5th STREET
Side yard
BARN/SHED
FENCE
gate
DOOR
SIRE yard
MAIN HOUSE
PATIO
apartment
window
Patio
DOOR
gate
PAVED PARKING
.45 acre
Sideyard
FENCE
MEADOW
Parking
Front yard
September 8, 2016
DRIVEWAY
neighbor
5th STREET

'060 5th St - Shoblem

DRIVEWAY FROM 5th Street to Main House and studio apartmen

1/8/16

(1)

1060 5th St SHOBLOW

Main House; patio, Detached Studio Apartment across patio 9/8/16

2

1060 5th St - Shubloom
Detached Studio Apartment with Separate entrance
paved parking spaces in Front

9/8/16

3

1060 [illegible] SHOBLOM

Private entrance to patio and Front Door - Studio Apartment

9/8/16

(4)

1060 5th St - SHOBLOM

9/8/16

View of Studio apartment -

From Main House

5

View From Studio Apartment to 3rd Street 9/8/16

6

Meeting Date:	October 5, 2016				Agenda Item No:	6.3
Agenda Item Title:	660 Eugene Street Use permit for Vacation Rental					
Presented by:	Stephen Avis, City Planner					
Type of Item:	x	Action		Discussion		Information
Action Required:		No Action	x	Voice Vote		Roll Call Vote

OWNER: Patricia and Thomas Bono

Information on this project is filed with the City Clerk. Questions regarding this application or Staff Report may be directed to Stephen Avis at (707) 267-8651 or Stephen.Avis@mail.com. Written comments may be submitted to the City Clerk by 4:00 PM on October 5, 2016.

PROJECT DESCRIPTION:
The property owner is seeking a Use Permit to allow the vacation rental use of a single family residence located at 660 Eugene Street (APN 031-111-018). The project site is zoned Residential One-Family (R-1) (B-3). The Special Building Site Combining Zone relates to setbacks for new construction and does not affect this project.

ENVIRONMENTAL REVIEW:
This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 1, Section 15301 Categorical Exemption from preparation of environmental documents. This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures involving negligible or not expansion of use.

STAFF RECOMMENDATION:
Staff has included findings of fact (Attachment A) necessary to take an action on the Use Permit. If the Planning Commission accepts the findings of fact or makes comparable findings, then staff recommends the Planning Commission approve the Use Permit, subject of the conditions of approval listed in Attachment B.

> **Recommended Motion:** "Adopt Resolution No. PC 2016-28 making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B and allow for vacation rental use of a single family residence located at 660 Eugene Street."

PROJECT SUMMARY:
The proposed vacation rental unit is a 1,200 square foot single story residence containing two bedrooms, one bathroom and a loft area. The applicant resides in the home except when rented. This property is located in a semi-rural residential area zoned for single-family residences and associated uses. Four parking spaces are located on the property.

The subject property is located near the southern edge of Ferndale across Eugene Street from the Cemetery. The Community Center, Fireman's Park and downtown can be reached easily on foot or by bicycle.

APPLICABLE ZONING REGULATATIONS:

§5.03 **Residential One-Family or R1 Zone**

The residential One-Family or R1 Zone is intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The following regulations shall apply in all Residential One-Family or R1 Zones:

5.03.1 Principal permitted uses:

a. Single-family dwellings.

b. Boarding of not more than two (2) persons not employed on the premises.

c. Keeping no more than four (4) household pets for each dwelling unit.

d. Secondary dwelling units (per California Government Code 65852.2)

5.03.2 Uses permitted with a Use Permit:

a. Guest houses and servants' quarters.

b. Public and private non-commercial recreation facilities, including golf courses.

c. Bed and breakfast inns.

d. ~~Secondary dwelling units.~~

§7.16 Parking and Loading Facilities

7.16.2 Parking spaces shall be provided as follows:

a. Dwellings: one (1) for each dwelling unit

b. Hotels, motels, inns, bed and breakfast inns, and boarding houses: one (1) for each individual living quarter or dwelling unit.

ANALYSIS:

Zoning and Permit Requirements:

The Ferndale Zoning Ordinance does not directly define or regulate single-family vacation rentals, the proposed type of transient residential use. The R-1 zone allows guesthouses and bed and breakfast inns with a Use Permit. The proposed transient residential use is consistent with these in that the owners reside on the property during the rental period.

Per Zoning Ordinance §10.01, a conditional use permit may be granted for any use which, while not specifically enumerated in the regulations, is similar to and compatible with the uses permitted in the zone." The Ferndale Planning Commission has approved vacation rental and bed & breakfast use permits in the R-1 and R-2 zones, Community Commercial Design Control zone and the Agriculture Exclusive zone throughout the city.

Conditional use permits, as provided for with Zoning Ordinance §3.78.2 may be granted by the Planning Commission for a use, "which may be essential or desirable to the public, convenience or

welfare in one or more zones, but which may also impair the integrity and character of the zone or adjoining zone, or be detrimental to the public health, morals or welfare unless additional restriction on the location and extent of use are imposed and enforced." To reduce the potential impacts of transient use, the Planning Commission has placed conditions on vacation rental use permits including a two-night minimum stay and a requirement that the subject property be rented on only one group at a time. These conditions are included in Attachment B.

Surrounding General Plan Land Use and Zoning Designations:
The subject property is located on Eugene Street just past the cemetery and three blocks from Fireman's Park. Adjoining parcels are zoned R-1.

Aesthetics and Character:
The property will continue to serve a residential use. The primary residence is owner occupied but could be rented on a monthly basis without a use permit. There will be no outward sign that the property is being used for a shorter period of time. Vacation rental properties tend to be well maintained. Sufficient on-site parking is provided to reduce impacts from street parking. The property and proposed use is compatible with and similar to the residential character of the neighborhood.

Attachments: Exhibit 1: Photographs provided by the Applicant and staff

Attachment A. Findings of Fact
Attachment B. Conditions of Approval
Attachment C. Vicinity and Zoning Map
Attachment D. Resolution

Attachment A

FINDINGS OF FACT

Staff has prepared the following findings to justify the Commission's approval of the requested use permit.

1. This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 Categorical Exemption per Section 15301 Categorical Exemption for the preparation of environmental documents. This exception consists of the operation, repair, maintenance, and permitting, leasing, licensing or minor alteration of the existing public or private structures.

2. The proposed project as outlined and conditioned, conforms to and is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance and the requirements associate with the R-1 Zone.

3. The proposed project, as outlined and conditioned, will not be contrary to the intent of the zoning regulation or to the public interest, safety, health and welfare, and
    a. Appears to be similar and compatible with other uses allowed in the zone;
    b. Does not appear to impair the integrity and character of the zone or neighborhood;
    c. Appears to be compatible with the maintenance of the healthful residential living environment and the predominantly residential character of the area;
    d. Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential community; and
    e. Appears compatible with and does not detract from the character and aesthetics of adjacent zones.

Attachment B

CONDITIONS OF APPROVAL

Planning Commission Use Permit approval shall be subject to the following conditions. The violation of any term or requirement in this conditional approval may result in the revocation of the permit.

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Use Permit and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Use Permit is considered final and approved.

2. The proposed use shall be in conformance with the approved permit application and with the information and analysis contained in the associated staff report and conditions of approval on file with the City. Should the proposed site use deviate from that allowed by this approval, the applicant may be required to first receive Planning Commission approval for such changes.

3. Should the applicant or any other future owner of the subject property who uses the property as approved under this permit, does not conform to the requirement of these conditions, said non-conformance shall constitute a violation of this use permit and it shall become null and void until either the issues have been addressed to the City's satisfaction or the permit is revoked.

4. All proposed and/or future use authorized hereunder shall be in conformance with all applicable City ordinances, regulations and codes including but not limited to Zoning Ordinance 02-02, the California Uniform Building Code and any fire codes an/or Public Health & Safety Code, applicable to the nature and type of proposed use.

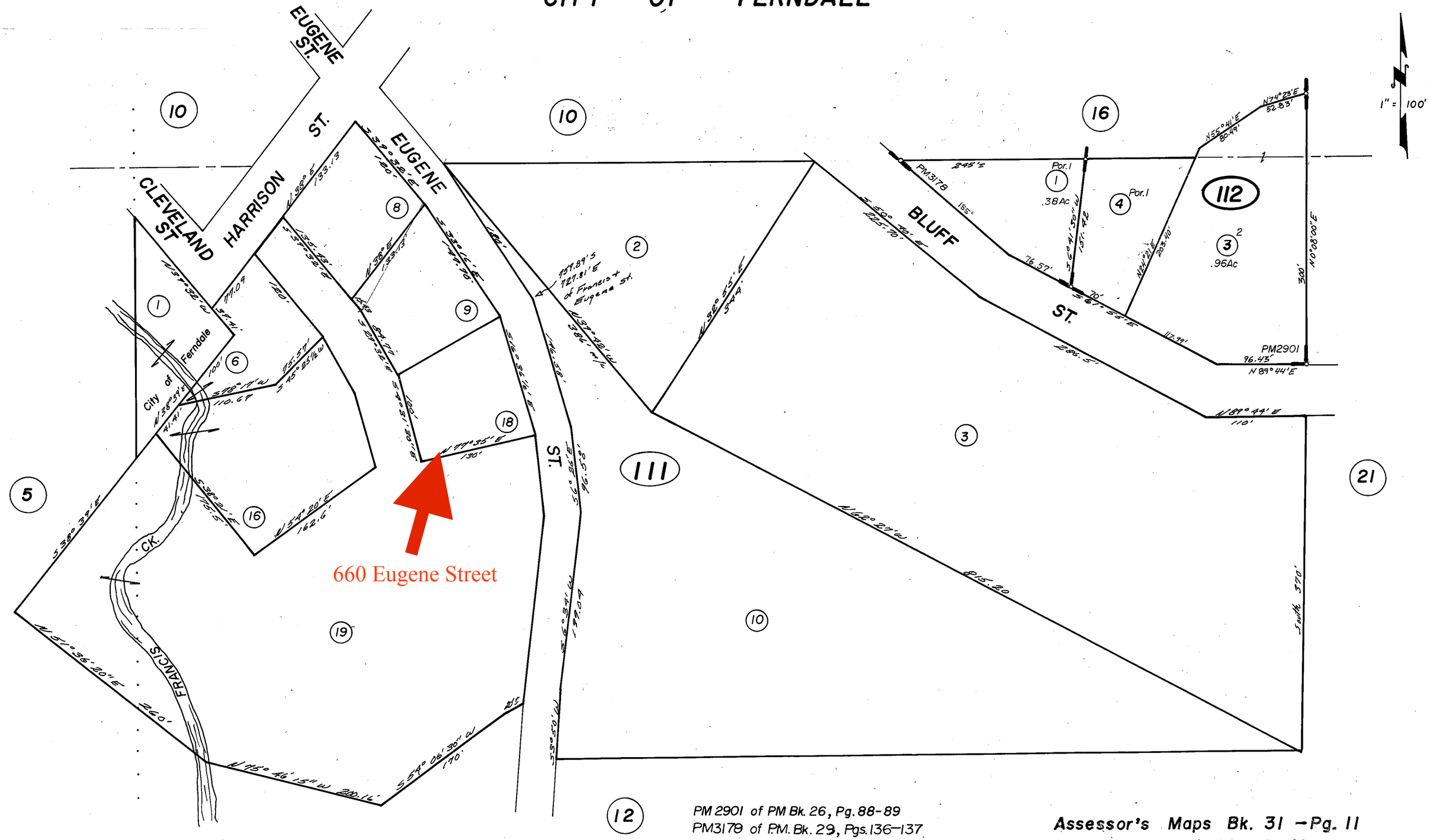
5. Prior to operation, the applicant shall obtain a letter from the Ferndale Fire Chief and the Ferndale Building Inspector verifying that the home meets occupation requirements. Copies of these letters shall be given to the City Clerk.

6. The Applicant shall obtain a business license for the Vacation Rental and pay appropriate Transient Occupancy Tax (TOT) to the City.

7. Under the proposed use, the residence shall be rented to one group at a time for a minimum stay of two nights.

31-11

CITY OF FERNDALE



PM 2901 of PM Bk. 26, Pg. 88-89
PM3178 of P.M. Bk. 29, Pgs. 136-137

Assessor's Maps Bk. 31 - Pg. 11
County of Humboldt, Calif.

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

3/31/66

Attachment D

A RESOLUTION OF THE PLANNING COMMISSION
FOR THE CITY OF FERNDALE, CALIFORNIA
Resolution Number PC 2016-28

MAKING THE REQUIRED FINDINGS FO FACT TO APPROVE A USE PERMIT, SUBJECT TO CONDITIONS OF APPROVAL, AND ALLOW THE VACATION RENTAL USE OF A SINGLE FAMILY RESIDENCE LOCATED AT 660 EUGENE STREET (APN 031-111-018).

WHEREAS, Patricia and Thomas Bond submitted an application and evidence in support of approving a Use Permit to allow for vacation rental use of a single-family residence at 660 Eugene Street; and
WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 of Article 19 "Categorical Exemptions"; and

WHEREAS, the Planning Commission has reviewed the submitted application and evidence for conformance with General Plan policies and goals, and with applicable Zoning Regulations as required to approve a Use Permit; and

WHEREAS, the staff report includes evidence in support of making all of the required findings for approving a Use Permit; and

WHEREAS, the documents and materials on which this decision is based are on file at the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission for the City of Ferndale approves a Use Permit to allow the vacation rental use of a single-family residence located at Washington Street, Ferndale subject the attached Conditions of Approval.

PASSED AND ADOPTED this 5th day of October 2016 by the following vote of the Planning Commission for the City of Ferndale:

This motion was made by Commissioner _____.
The motion was seconded by Commissioner _____.

YES:
NO:
ABSTAIN:
ABSENT:

Attest:

_____
Jorgen von Frausing-Borch, Chairman

_____
Kristene Hall, City Clerk

CITY OF FERNDALE
PLANNING DEPARTMENT

STANDARD APPLICATION FORM

Please provide the following information as it applies to your application. For questions, call 786-4224.

1. Type of Application Date: 09/14/16

	Bed & Breakfast Inn		Minor Subdivision (4 parcels or less)
	Exception to Development Standards		Second Dwelling Unit
	Historic District Design Review		Street Vacate
	Home Occupation Permit	X	Use Permit
	Lot Line Adjustment		Use Permit – Design Review
	Merger		Variance
	Major Subdivision (5 parcels or more)		Zoning & General Plan Amendment

2. Name of Property Owner: PATRICIA BONO THOMAS R. BONO Phone: 626·230·9573
Address: 13 W. WINNIE WAY POBox
3. Name of Applicant (if different): THOMAS P. BONO
Address: 660 EUGENE ST. FERNDALE, CA Phone: 626·348·4843
4. Property Location: 660 EUGENE ST. FERNDALE, CA
Accessor Parcel Number(s):
Description: RESIDENTIAL SINGLE FAMILY
Lot Area: 15,245 SQ FT
5. Present Use of Property: RESIDENCE
Present Zoning: RESIDENTIAL
6. Description of Proposed Project: AIR BNB VACATIONS RENTAL

Filing Fee: A filing fee of $710 has been paid as part of the application. (Refer to Resolution 00-21 for fees and charges for review and processing of development permits.) I hereby certify that to the best of my knowledge the information in this application and all attached exhibits is full, complete and correct, and I understand that any misstatement of omission of the requested information or of any information subsequently requested shall be grounds for denying the application, or suspending or revoking a permit issued on the basis of these of subsequent representations, or for the seeking of such other and further relief as may seem proper to the City.

Thomas P. Bono 09/14/16
Signature of Applicant or Agent Date

Authorization of Agent: I hereby authorize _____ to act as my representative and bind me in all matters concerning this application. (Form 100208)

FOR STAFF USE ONLY									
Full Ap Rec'd		Sent to DR		Returned		Ap notified		Project Final	

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

CITY OF FERNDALE
Environmental Information Form

Date Filed 09/14/16
(To be completed by Applicant)

GENERAL INFORMATION

1. Name and address of developer or project sponsor: _____

2. Address of project: 660 EUGENE ST. FERNDALE, CA 95536
   Assessor's Block and Lot Number: _____
3. Name, address, and phone number of person to be contacted concerning this project: _____
   THOMAS P. BONO 660 EUGENE ST. FERNDALE, CA 95536 626-348-4843
4. Indicate number of the permit application for the project to which this form pertains: _____
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: _____
6. Existing zoning district: RESIDENTIAL
7. Proposed use of site (project for which this form is filed): AIR BNB RENTAL

PROJECT DESCRIPTION

8. Site Size: 13,000 – 15,245 SQFT
9. Square footage 1,200
10. Number of floors of construction. SINGLE STORY W/ LOFT
11. Number of off-street parking spaces provided. 4 – 6
12. Attach plans.

~~13.~~ Proposed scheduling (time line).

~~14.~~ Associated project

~~15.~~ Anticipated incremental development

#Bed
#Bath

16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. 2BED + LOFT; 1 BATH

~~17.~~ If commercial, indicate the type, whether neighborhood-, city- or regionally-oriented, square footage of sales area, and loading facilities

~~18.~~ If industrial, indicate type, estimated employment per shift, and loading facilities.

~~19.~~ If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

Yes	No		
	✓	21.	Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.
	✓	22.	Change in scenic views or vistas from existing residential areas or public lands or roads.
	✓	23.	Change in pattern, scale or character of general area of project.
	✓	24.	Significant amounts of solid waste or litter.
	✓	25.	Change in dust, ash, smoke, fumes or odors in vicinity.
	✓	26.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns
	✓	27.	Substantial change in existing noise or vibration levels in the vicinity.
	✓	28.	Site on filled land or on slope of 10 percent or more.
	✓	29.	Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
	✓	30.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.)
	✓	31.	Substantially increased fossil fuel consumption (electricity, oil, natural gas, propane, etc.)
	✓	32.	Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING:

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc;), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

09/14/16
Date

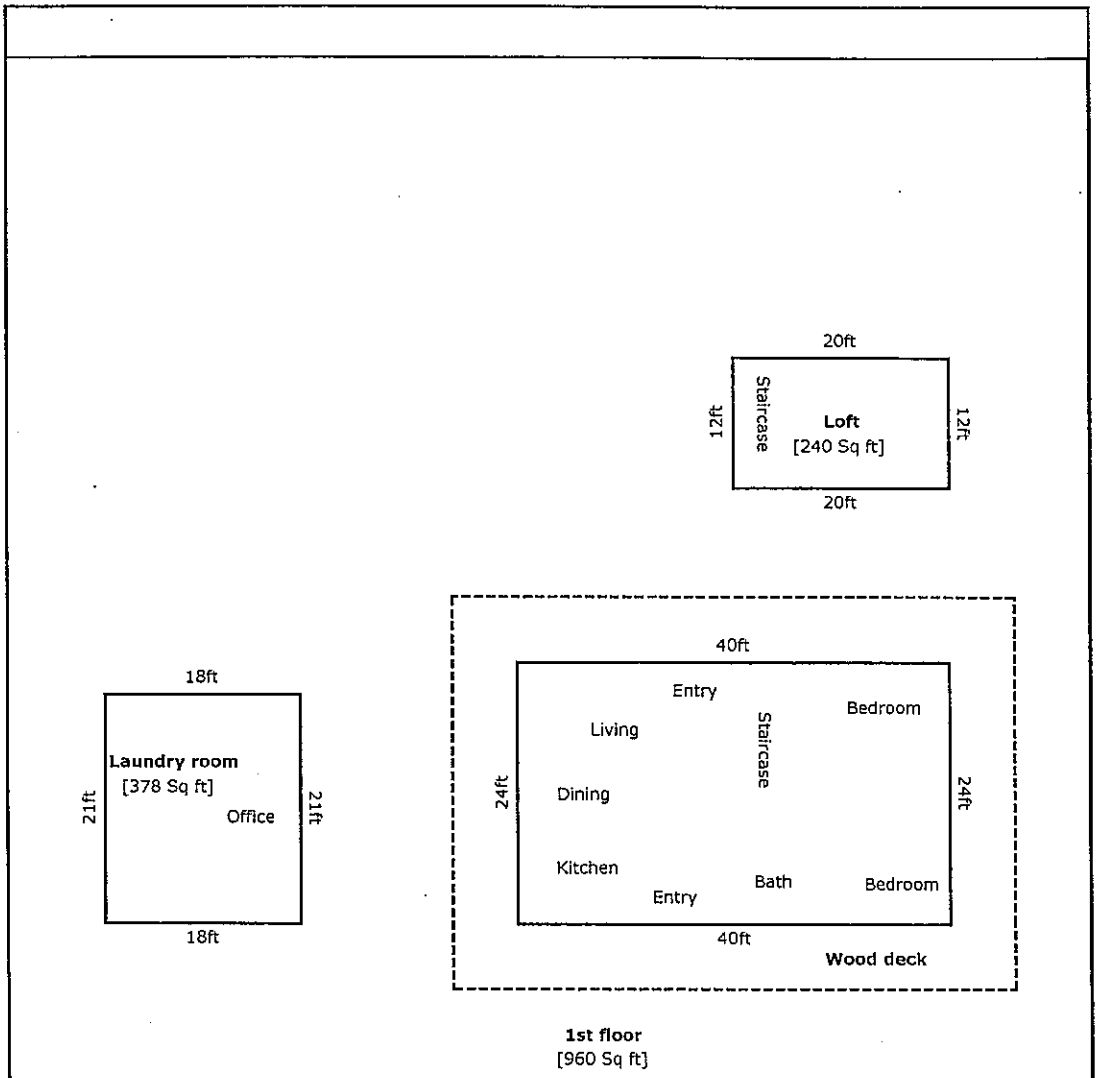
Thomas P. Bono
Signature

For _____

Main File No. 691761 Page #13

Building Sketch

Borrower/Client	Bono, Thomas R.				
Property Address	660 Eugene St				
City	Ferndale	County	Humboldt	State CA	Zip Code 95536
Lender	Stearns Lending, Inc - Santa Ana Branch 64999				



TOTAL Sketch by a la mode, Inc.

Area Calculations Summary

		Calculation Details
Living Area		
1st floor	960 Sq ft	24 × 40 = 960
Loft	240 Sq ft	12 × 20 = 240
Total Living Area (Rounded):	**1200 Sq ft**	
Non-living Area		
Wood deck	1872 Sq ft	52 × 36 = 1872
Laundry room	378 Sq ft	21 × 18 = 378

Section 7: BUSINESS

Meeting Date:	October 5, 2016			Agenda Item Number		7.1
Agenda Item Title	Election of Vice-Chair of the Planning Commission					
Presented By:	Kristene Hall, City Clerk					
Type of Item:	x	Action		Discussion		Information
Action Required:		No Action	x	Voice Vote		Roll Call Vote

RECOMMENDATION:

Elect a Vice-Chair of the Planning Commission due to the resignation of Commissioner Warner

BACKGROUND:

The Planning Commission Ordinance 05-05, Article 4, Powers and Duties, Section 4.02 reads: "The Commission shall elect its Chairman and Vice-Chairman from among the appointed members of the Commission."

The Vice-Chair was Commissioner Warner who resigned in May of this year. The Planning Commission must select a new Vice-Chair until the April meeting in which a new Chair and Vice-Chair will be elected.

Meeting Date:	October 5, 2016			Agenda Item Number		7.2
Agenda Item Title	Discuss and Implement Guidelines for the Installation of Solar Panels within Ferndale City Limits					
Presented By:	Staff					
Type of Item:		Action	X	Discussion		Information
Action Required:	X	No Action		Voice Vote		Roll Call Vote

RECOMMENDATION: Review and Discuss

Meeting Date:	October 5, 2016			Agenda Item Number		7.3
Agenda Item Title	Design Review Penalties					
Presented By:	Staff					
Type of Item:		Action	X	Discussion		Information
Action Required:	X	No Action		Voice Vote		Roll Call Vote

RECOMMENDATION: To discuss options to amend the penalties section of the Design Review Zoning in the Ferndale Zoning Ordinance.

BACKGROUND: The Design Review Committee has discussed the lack of penalties or "teeth" in the current Design Review Ordinance. On many occasions applicants for a Design Review Use Permit have already begun, or finished a project before even applying or going through the approval process. The Committee would like the Planning Commission and City Council's help in amending the current Design Review Ordinance and assessing penalties on citizens that do not follow the approval process.

At the August 18, 2016 City Council Meeting, the council approved a capped funding amount for the amendment of the penalties section within the Ordinance.

At the September 7, 2016 Planning Commission Meeting, options were discussed regarding penalties. Discussions will continue until language has been agreed upon and a recommendation to council has been made.

Business Item 7.4 - Building and Land Use Permits

BUSINESS ITEM		*September 1, 2016-September 29, 2016*
Building Permits		
B1644	850 Dewey	Water Heater
B1645	1045 Dewey	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:	October 5, 2016			Agenda Item Number		7.5
Agenda Item Title	Design Review Committee Report & Minutes					
Presented By:	Kristene Hall, City Clerk					
Type of Item:		Action	x	Discussion		Information
Action Required:	x	No Action		Voice Vote		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 09/01/2016 Design Review Committee
2. Minutes of the 09/08/2016 Design Review Committee

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 09/01/16 - 8:30am meeting

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

Approval of Previous Minutes: **MOTION** to **APPROVE** the August 11, 2016 meeting minutes. **(Beltz/Daniels) 4-0-1 (Gregson abstained due to being absent)**

Modifications to the Agenda-**MOTION** to move Item 5a (1386 Main Street) to end of agenda. (**Gregson/Ostler) Unanimous**

There was no Public Comments.

342 Ocean Ave: The Design Review Committee was presented with an application to repaint the home using the colors presented. 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, to repaint the home using the approved color swatches. **(Ostler/Beltz) Unanimous**

311 Ocean Ave: The Design Review Committee was presented with an application to repaint the home using the colors presented. Committee Member Beltz stated the colors presented were nice. There were no other 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, to repaint the home using the approved color swatches. **(Beltz/Ostler) Unanimous**

Design Review Sign-Offs: The following Design Review permits were signed off:

1386 Main Street: The Design Review Committee was presented with an application to install a 3' X 3' and 6' X 4' window, a 3' X 6'8" door, and outside wooden stairs. Committee Members had several unanswered questions on the project including trim detail and material being used in the project. Staff explained the contractor had stated he would be at the meeting to help answer questions but failed to show. Committee Members stated it would be best to table the application until the contractor could be available or supply answers to questions presented. **MOTION** to table application until the next meeting date. **(Gregson/Ostler) Unanimous**

There was no Correspondence:
Committee Member Comments: There were no Comments

Meeting adjourned at 8:58 am

Respectfully submitted,

Kristene Hall
City Clerk

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 09/08/16 - 8:30am meeting

Vice Chair Paul Gregson opened the meeting at 8:30 a.m. Committee Members Marc Daniels, Ellin Beltz, and Diane Ostler were present along with City Clerk Kristene Hall. Chair Jeff Farley was absent. (excused)

Approval of Previous Minutes: **NONE**
There were no Modifications to the Agenda
There was no Public Comments.

580 Main Street: The Design Review Committee was presented with an application to repaint the building. Committee members were all glad to see this building being painted and finished. New owner, Julie Kreitzer was present and added a swatch of color as an accent color to be added to the application. **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 repaint the building using the approved color swatches including the new accent color. **(Ostler/Beltz) Unanimous**

1386 Main Street: The Design Review Committee was presented with the modified application that included a more detailed list of product that will be being used in this project. Vice Chair Gregson recused himself from this project as he is located within 500ft of the proposed project. Committee Member Daniels took over the meeting. Committee members did not like the placement of the Egress window stating, from the outside, it is located too high aesthetically. Committee members suggested the use of a window box or other architectural element to bring the visual height of the seal down. **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 install a 3' X 3' and 6' X 4' window, a 3' X 6'8" door, and outside wooden stairs using the approved materials list and outside plans submitted with the suggestion of bringing the visual height of the seal down with an architectural element. **(Ostler/Beltz) 3-0-1 (Gregson recused)**

There was no Correspondence:

Committee Member Comments: Committee Member Beltz spoke on a correspondence letter presented to the Planning Commission. Beltz stated the importance of directing community members to city staff when approached with complaints. Committee Member Gregson informed the committee on the Planning Commissions progress and intentions with the Solar Panel Guidelines as well as the Design Review Penalties for non compliance.

Meeting adjourned at 8:58 am

Respectfully submitted,

Kristene Hall
City Clerk

Section 8: CORRESPONDENCE

Section 9: COMMISSIONER COMMENTS

Section 10: STAFF REPORTS

Section 11: ADJOURNMENT