

AGENDA
CITY OF FERNDALE – HUMBOLDT COUNTY CALIFORNIA – U.S.A.
REGULAR PLANNING COMMISSION MEETING JOINTLY
WITH A SPECIAL DESIGN REVIEW COMMITTEE MEETING

Location:	City Hall	Date:	WED January 26, 2011
	834 Main Street	Time:	7:00 p.m. Regular Meeting
	Ferndale CA 95536	Posted: 1/21/11	

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	Open meeting / flag salute / roll call	
2.0	Update Agenda	
2.1	Proposed changes, modifications to agenda items	
2.2	Commissioners comments	
3.0	Approval of previous minutes – November 17, 2010, No Dec. Mtg.	Page 2
4.0	Public Comment	Page 3
5.0	Public Hearing	
5.1	Exception to Development – Willis Hadley Fence	Page 4
6.0	Correspondence and Oral Communications	Page 12
7.0	Business	
7.1	Housing Element	Page 16
7.2	Public Education.....	Page 18
7.3	Historical Record of Architectural changes	Page 24
7.4	Code enforcement	Page 24
7.5	Sub-committee Report on Lighting and Signage	Page 25
7.6	Home Occupation Permits.....	Page 25
8.0	City Clerk’s and City Planner’s Staff Reports	Page 26
9.0	Design Review Minutes	Page 27
10.0	Adjournment – Next regular meeting February 16,2011	Page 29

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of November 17, 2010

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting at 7:05 p.m. Commissioners Trevor Harper, Dan Brown, and Nancy Trujillo as well as City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and City Planner Vanessa Blodgett were present. Lino Mogni was absent. Those in attendance pledged allegiance to the flag.

Under Commissioner Comments the Chairman welcomed Trevor Harper as the new commissioner.

MOTION: (Brown/Trujillo): The September 15, 2010 minutes were unanimously approved.

PUBLIC HEARING: The Chair opened the Public Hearing for an Exception to Development Permit at 305 Lincoln Ave. (RSB5) City Planner Blodgett presented the item. A neighbor questioned exactly where the barn would be situated. The Public Hearing was closed. MOTION (Brown/Trujillo) Adopt Resolution No. PC 2010-51 making the required findings of fact listed in Attachment A, and approve the Exception to Development Standards Permit, subject to the conditions of approval listed in Attachment B to allow for a 22 foot tall horse shelter/storage barn, at 305 Lincoln Avenue. All in favor.

General Plan Public Outreach Strategy: City Planner Blodgett explained the Historic and Cultural Resources Element Community Outreach strategy. The Chair asked that the staff try to put the public hearing on the December Planning Commission agenda, but no later than January.

Sub Committee to look at specific Ordinance and Procedure Changes: Commissioner Trujillo reported that this is still in the works.

Home Occupation Permits: Staff Kaytis-Slocum reported that this is still in the works.

Political Signs: There was some discussion between the commissioners regarding political signs. Commissioner Harper pointed out the commercial signage is cumulative and suggested that staff research city ordinances rather than county ordinances. Commissioner Brown asked that the research be for signage in Historic Towns. Staff was requested to bring back additional information on this issue.

The Mills Act: City Manager Parrish explained that staff had asked direction from the City Council regarding the Mills Act, and whether to expend staff time on it. He read some information from the City of Eureka regarding the Mills Act. Discussion followed with some interesting points: schools may not be affected by the loss of property tax. Would the city create an annual inspection fee? The contract would be between the City and the property owner. The Mills Act would encumber the property owner, but what do other property owners get out of it? The Commissioners felt that staff should continue looking at this.

Commissioner Comments: The Chair wondered if all committees and commissions would be subject to the Rosenberg Rules of Order, as they were adopted at the last City Council Meeting. Staff was requested to create copies of the Rules of Order for the Commissioners. Staff was requested not to use initials or abbreviations in the minutes. The Commissioners requested copies of the Education material Michael Sweeney put together for the Design Review Committee. Planner Blodgett also requested a copy. The meeting was adjourned at 8:05pm.

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

Section 4: 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 2/3rd 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 5: PUBLIC HEARINGS

PC Meeting:	January 26, 2011	Case No.: ED-1101
Applicant:	Willis Hadley	Agenda Item 5.1
Address:	South end of Francis Street (APN 031-051-015)	
Zoning:	Residential Single Family/ Agriculture Exclusive (R1/ AE)	

PROJECT DESCRIPTION: Request for an Exception to Development Permit to allow an eight foot tall fence between the subject property, located near the south end of Francis Street (APN 031-051-015), and the City Public Works Yard. The project site is zoned Residential Single Family (R1) and Agriculture Exclusive (AE).

ENVIRONMENTAL REVIEW: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 3, Section 15303(e) Categorical Exemption from preparation of environmental documents. This exemption allows for the construction and location of limited numbers of new, small facilities or structures including, but not limited accessory structures such as garages, carports and fences.

CONTACT: Planwest Partners, Contract City Planner. Phone: 707.825.8260; Fax, 707.825.9181 and Email: vanessat@planwestpartners.com

STAFF RECOMMENDATION:

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

Recommended Motion: “Adopt Resolution No. PC 2011-01 making the required findings of fact listed in Attachment A, and approve the Exception to Development Standards Permit, subject to the conditions of approval listed in Attachment B to allow for a eight foot tall fence between the subject property, located near the south end of Francis Street (APN 031-051-015), and the City Public Works Yard.”

APPLICABLE REGULATIONS: The following sections are from Ferndale’s Zoning Ordinance, 02-02.

§7.07 Exception to Development Standards – Exceptions to Height Standards Residential zones: Any structure, building or any architectural feature of a building may be erected to a height greater than the maximum height limits in Residential Zones provided that a Special Permit is first obtained (Section 12.02). Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required.

§7.08 Fences, Hedges, Natural or Planted Growth and other Sight Obstructions: (This entire section Amended by Ordinance 05-02 on 5/7/05)

- 7.08.1 No structure, fence, art object, landscaping or other obstacle, impediment or hindrance shall obscure visibility within the sight visibility triangle for any street corner, alley intersection or driveway exit onto a street. The site visibility triangle includes the vertical area that is between three feet and ten feet above the sidewalk level, or street level if there is no sidewalk. For a corner lot, the horizontal legs of the visibility triangle are 20' long measured from the intersection of the two abutting property lines; the hypotenuse is drawn from the end points of the two legs. For an alley or driveway intersecting a street, the horizontal legs of the visibility triangle are 5' long measured from the intersection of the two abutting property lines; the hypotenuse is drawn from the end points of the two legs. The Non-Conforming Uses section (Article XII) shall apply to obstructions within the site visibility triangle existing on the effective date of the application of these regulations. Nothing in this Section shall limit the abatement of a public health and safety nuisance.
- 7.08.2 (This section amended by Ord. 07-01 on 2/12/07) Fences or walls used as a fence, located in the front yard of any lot, or the street side yard of a corner lot shall not exceed four feet in height. (End of section amended by Ordinance 07-01 on 2/12/07)
- 7.08.3 In addition, no fence, or wall used as a fence, shall exceed a height of six (6) feet on any portion of a City lot. In all situations, hedges or other natural or planted growth shall be maintained so as not to obstruct any public right-of-way.
- 7.08.4 The height of a fence, or a wall used as a fence, shall be measured from the higher finished grade adjoining the fence or wall. Any fence or wall used as a fence may be erected to a height greater than the maximum height limits described in Sections 7.08.2 and 7.08.3 provided that a Special Permit is first obtained (Section 12.02). (End of entire section Amended by Ordinance 05-02 on 5/7/05)

§12.02 Special permits may be granted by the Planning Commission for any use for which a special permit is permitted or required.

- 12.02.1 An owner or his agent may file an application for a special permit in the office of the Planning Department. The application shall be made upon a form prescribed by the Planning Department and shall be accompanied by a filing fee set by resolution of the City Council sufficient to cover the cost of handling the application.
- 12.02.2 Public Hearings are required for special permits.
- 12.02.3 Notice of the time and place of the hearing shall be given by publication once in a newspaper of general circulation printed and published in the county at least 10 days prior to the hearing, and by posting said notice in conspicuous places close to the property.
- 12.02.4 At the public hearing the Planning Commission shall hear any person affected by the proposed special permit. The hearing may be continued from time to time, but shall be concluded within 60 days of the commencement.

ANALYSIS:

The purpose of the Exception to Development Standards Permit is to provide an alternative to the Variance procedure for modifying standards related to heights of any structure, building or architectural feature to a height greater than the maximum height limits in Residential zones. Zoning Ordinance 02-02 sets forth procedures allowing exceptions with a special permit in all Residential Zones.

The Ferndale Zoning Ordinance allows the Planning Commission to grant "Exception to Development Standards" with a special permit, as listed in Section 12.02 of the Zoning Ordinance. The proposed eight foot tall fence is two feet over the six foot height limit. The subject site is located near the south end of Francis Street, adjacent to the City's Public Works Yard. The fence would provide a visual screen between the property and the Public Works Yard. The proposed fence would be constructed along a portion of the northeast property line of the site; along the common boundary with the City Public Works Yard and would not extent along the entire property boundary. The front portion of the subject property adjacent to Francis Street and back (southeast) approximately 165 feet is zoned Residential Single family, the remaining portion of the lot is zoned Agriculture Exclusive (AE).

To ensure safe access to both the project site and the Public Works Yard driveways, the fence must be set back at least five feet from the intersection of the two property lines with Francis Street. According to Zoning Ordinance Section 7.08 for an alley or driveway intersecting a street, the horizontal legs of the visibility triangle are 5' long measured from the intersection of the two abutting property lines and the street.

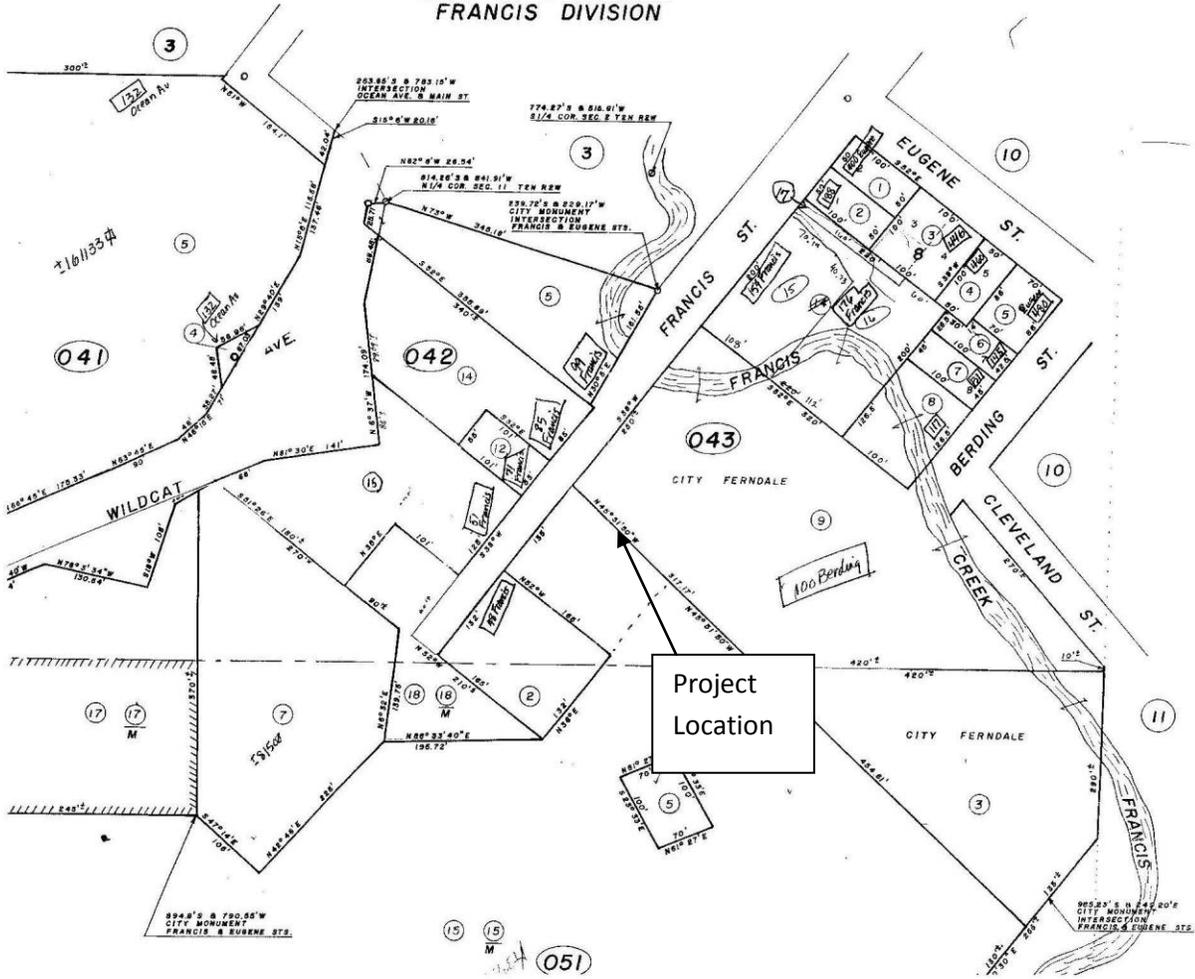
Surrounding Land Use, General Plan and Zoning Designations:

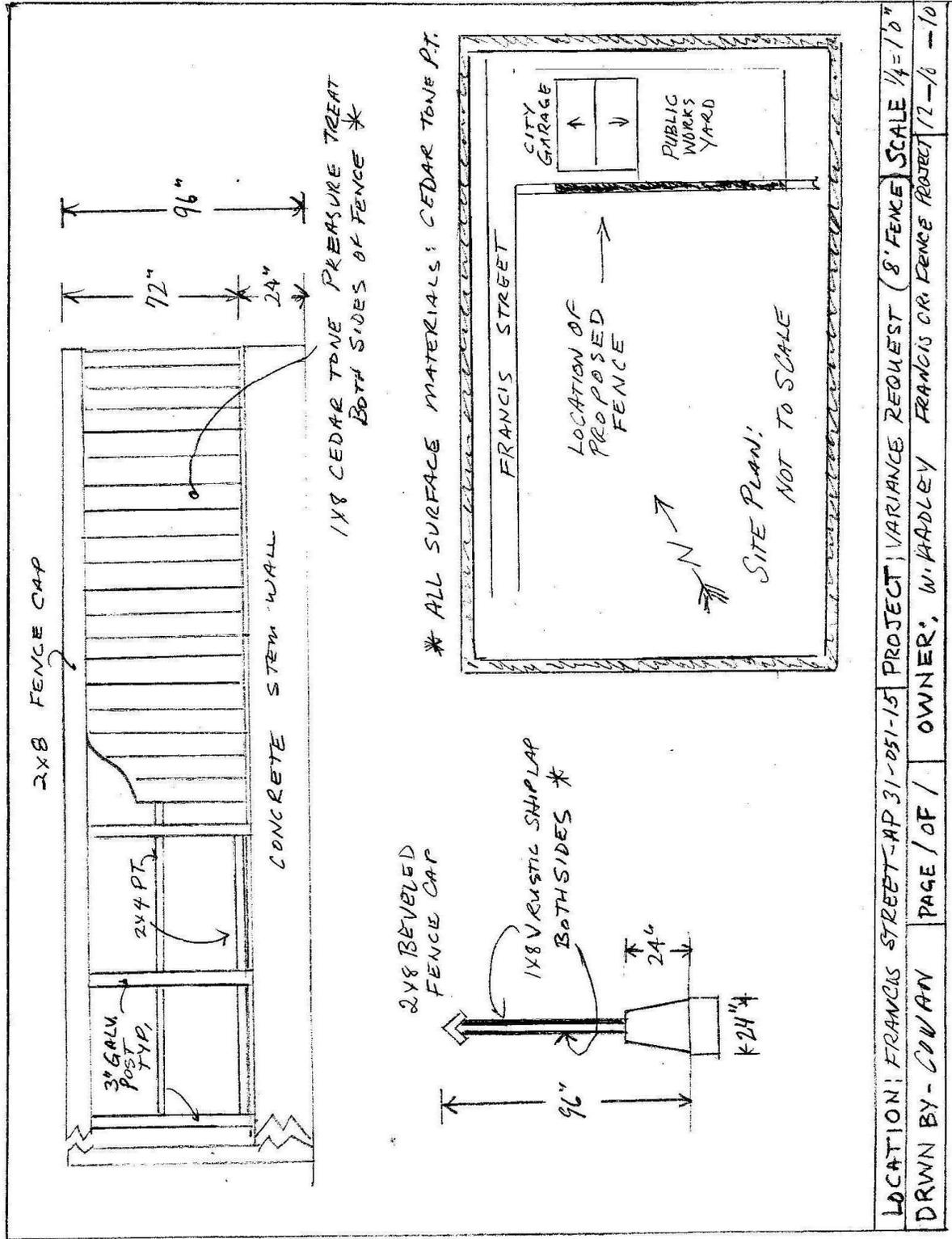
The subject property is located near the south end of Francis Street. The lots directly across Francis Street and the adjacent lot to the southwest are single family residential lots designated/zoned R1. The property adjacent to and northeast of the project site is the City's Public Works Yard designated/zoned Public Facility.

In the past, the Planning Commission has approved exceptions to development standards for height limitations on various units. Therefore, this project is similar and compatible to other uses allowed in similar zones. Staff considers this fence to be an appropriate addition to this property. The project location and proposed fence are shown on the following pages.

POR. NW 1/4 SEC. 11 T2N R2W
CITY OF FERDALE
FRANCIS DIVISION

31-04





LOCATION: FRANCIS STREET-AP 31-051-15 PROJECT: VARIANCE REQUEST (8' FENCE) SCALE 1/4" = 1'0"

DRWN BY: COWAN PAGE 1 OF 1 OWNER: W. HADDLEY FRANCIS CR. FENCE PROJECT 12-10-10 --10

Attachment A

FINDINGS OF FACT

Staff feels the Planning Commission can make the following findings to allow for Exceptions to Development Standards Permit approval:

1. The Exceptions to Development Standards Permit for the project is a discretionary action of the City, and subject to the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 3, Section 15303(e) Categorical Exemption from preparation of environmental documents. This exemption allows for the construction and location of limited numbers of new, small facilities or structures including, but not limited accessory structures such as garages, carports and fences.
2. The project will construct an eight foot tall fence between the subject property, located near the south end of Francis Street (APN 031-051-015), and the City Public Works Yard. The project site is zoned Residential Single Family (R1) and Agriculture Exclusive (AE).
3. The existing project, as outlined and with conditions,
 - Is similar and compatible to other uses allowed in similar zones,
 - Maintains the integrity and character of the zone (or neighborhood),
 - Is not detrimental to the public health, safety, or welfare,
 - Is compatible with the maintenance of a healthful residential living environment and the predominantly residential character of the area,
 - Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential communities, and,
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones.
4. The proposed project, as outlined and conditioned is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance as allowed in Sections 7.07, 7.08 and 12.02 dealing with fences, height limitations and special permits.

Attachment B
CONDITIONS OF APPROVAL

Approval of the Exceptions to Development Standards Permit is conditioned on the following terms and requirements. The violation of any term or requirement of this conditional approval may result in the revocation of the permit(s). Staff recommends Exceptions to Development Standards Permit approval shall be subject to the following conditions:

1. The Applicants shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Exception to Development Standards 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 Exception to Development Standards Permit is considered final and approved.
2. The effect of this Exception to Development Standards Permit is to approve an eight foot tall fence between the subject property, located near the south end of Francis Street and the City Public Works yard. All proposed development improvements and construction authorized hereunder, 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 development deviate from that as allowed by this approval, then the applicant may be required to first receive Planning Commission approval for such changes.
3. The fence shall be setback at least five feet from the intersection of the subject site and City Public Works Yard property lines and Francis Street.
4. That unless the Exception to Development Standards Permit, as made possible under this action, is granted by the City, and the use and development described herein and permitted by the action is initiated within twelve (12) months and completed within eighteen (18) months from the effective date of this action, then the approval granted here shall lapse; provided that the Planning Commission, upon written application prior to said date, may grant additional extension(s) for the initiation and/or completion of the development described and permitted herein, upon showing of good cause.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF FERNDALE
Resolution Number PC 2011-06**

**MAKING THE REQUIRED FINDINGS FOR CONDITIONALLY APPROVING THE
EXCEPTION TO DEVELOPMENT STANDARDS PERMIT TO CONSTRUCT AN
EIGHT FOOT TALL FENCE ALONG A PORTION OF
ASSESSOR PARCEL NUMBER: 031-051-015**

WHEREAS, Willis Hadley has submitted an application and evidence in support of approving the Exception to Development Standards Permit for construction of an eight foot tall fence; and

WHEREAS, the project is exempt from California Environmental Quality Act per Section 15303(e) of Article 19 "Categorical Exemptions;" and

WHEREAS, the City has reviewed the submitted application and evidence for conformance with General Plan policy, goals and regulations and applicable Zoning Ordinance as required to allow for the Exception to Development Standards Permit; and

WHEREAS, the staff report includes evidence in support of making all of the required findings for approving the Exception to Development Standards Permit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Ferndale approves the Exception to Development Standards Permit to construct an eight foot tall fence between the subject property and the City Public Works Yard, subject to the conditions contained in Attachment B.

PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 26th day of January, 2011 by the following vote:

The motion was made by COMMISSIONER _____ and seconded by COMMISSIONER _____.

AYES:

NOES:

ABSTAIN:

ABSENT:

Jorgen Von Frausing-Borch, Chairman

Attest:

Nancy Kaytis-Slocum, City Clerk

Section 6: CORRESPONDENCE

**Correspondence Files are available for review at City Hall during regular business hours,
Monday through Thursday, 9am to 4pm.**



December 14, 2010

Ms. Jean Davis
1060 Fifth Street
Ferndale, CA 95536

Subject: Secondary Dwelling Unit Permit Approval

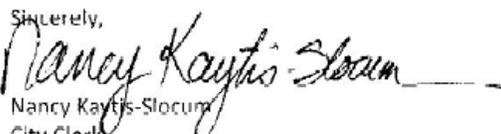
Dear Ms. Davis:

This letter will confirm the City's approval of your Secondary Dwelling Unit Permit.

The violation of any applicable City requirement, including but not limited to the following 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 Secondary Dwelling Unit permit and the associated Building Permit, and 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 permit(s) referenced, and use(s) allowed are considered final and approved.
2. All proposed construction and/or reconstruction and site development and use described and authorized here, shall be in conformance with the approved permit and the accompanying and or the latest approved plans.
3. All proposed construction and/or reconstruction and site development and use described here and authorized shall be in conformance with all applicable City ordinances, regulations and codes, as amended, including but not limited to Zoning Ordinance 02 02, Uniform Building Code, and Fire Code and/or Public Health and Safety Code regulations, applicable to the nature and type of proposed construction and uses.
4. Applicants will be required to obtain a Building Permit for any proposed internal or external construction, reconstruction & renovation per the Uniform Building Code for any proposed or future internal or external construction, changes, additions, alterations or modifications to the subject structure or other subject structures on the site.
5. Any and all exterior lighting shall be located and shielded such that no light or glare extends beyond the property line. In addition, no portion of the illuminated portion of the fixture/lens shall extend below the shield. The location of all exterior lights shall be shown on the site plan submitted with the building plans.

If you have any questions or concerns, please don't hesitate to call me.

Sincerely,

 Nancy Kaytis-Slocum
 City Clerk

File:	<input checked="" type="checkbox"/> 1060 Fifth Street
	Correspondence
Copy:	Planning Commission
	DCI

City of Ferndale

INCORPORATED 1893



POB 1095, Ferndale CA 95536

December 3, 2010

Ms. Virginia (Vikki) Young
 Buttonwillow Studio
 P.O. Box 1487
 Ferndale, CA 95536

Subject:	Home Occupation Permit Approval
----------	---------------------------------

Dear Ms. Young:

This letter will confirm the City's approval of your Home Occupation Permit.

The violation of any applicable City requirement, including but not limited to the following may result in the revocation of the permit:

5. The Applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Home Occupation 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 home occupation permit and uses allowed are considered final and approved.
6. The requested home occupation shall be operated in conformance with all other applicable City Ordinances and Regulations.
7. The requested home occupation shall meet the requirements of the building inspector and the fire department.
8. Applicant must show proof of liability insurance on which a rider has been placed for the Home Occupation Permit, at time of business license renewal.
9. The Applicant must secure a business license from the City Clerk.
10. Applicant has indicated that the business will be open no more than three days per week.
11. Any sign must be approved by the Design Review Committee.

The Zoning Ordinance Home Occupation standards are provided below for your reference.

§3.38: Home Occupation: Any use which, as determined by this ordinance, is customarily carried on within a dwelling or unattached structure by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling.

- §7.11 *(Begin section altered by Ordinance 08-03)* Home Occupations: Home occupations, as defined herein, shall be permitted as appurtenant and accessory uses to any residential uses. If applicant complies with this section of the Zoning Ordinance, the permit will be issued administratively (over the counter). This section of the ordinance is not retroactive. The Home Occupation Permit shall:
- 7.11.1 Be a legal and lawful business; and
 - 7.11.2 Produce no evidence of its existence in the external appearance of the dwelling or premises including but not limited to exterior displays such as signs, or in the creation of offensive noise, vibration, smoke, dust, odors, heat or glare, parking or traffic, or other nuisances to a degree greater than normal for the neighborhood.
 - 7.11.3 Is confined completely within the dwelling or unattached structure and occupies not more than twenty five percent (25%) of the total floor space of the main dwelling (or its equivalent in an unattached structure).
 - 7.11.4 Be an owner- or renter-occupied home and business.
 - 7.11.5 Meet the requirements of the building inspector and fire district of jurisdiction and
 - 7.11.6 Possess a current business license. If license expires, H.O.P. expires.
 - 7.11.7 at time of business license renewal, produce a copy of the applicant’s Liability Insurance on which a rider has been placed for the Home Occupation. *(End section altered by Ordinance 08-03)*

If you have any questions or concerns, please don’t hesitate to call me.

Sincerely,

Nancy Kaytis-Slocum

City Clerk

File:	Correspondence
	1337 Lincoln Street
Copy:	City Planner
	Planning Commission

Section 7: BUSINESS

Meeting Date:	January 26, 2011	Agenda Item Number	7.1
Agenda Item Title:	General Plan Historic & Cultural Resources Element		
Presented By:	Vanessa Blodgett		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input checked="" 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.

DISCUSSION

This portion of the meeting will include a brief historic preservation presentation, an overview of the new Historic & Cultural Resources General Plan Element and an opportunity for the community to provide input on historic preservation goals, policies, and implementation strategies.

City of Ferndale General Plan Update Historic & Cultural Resources Element

The Ferndale City Council has authorized a General Plan Update as a multi-year process starting with the Historic and Cultural Resources Element; with other elements to follow. This Element was selected first because managing historical resources is important to the City and appropriate management and preservation can be clarified through inclusion in the General Plan. This element will set goals, policies, and implementation strategies for managing the qualifying historical resources and better defining historic district maintenance. The Historic and Cultural Resources Element goals and policies will be reviewed for consistency with existing general plan goals and policies.

The Historic and Cultural Resources Element is a new City general plan element that sets goals, policies and implementation strategies for the City's role in planning for the unique historical aspects of Ferndale and its regional cultural setting in the Eel River Valley. While not specifically mandated under state planning law, this Element is included in the Ferndale General Plan because preserving community character and architectural appearance is important to the City. Historical resources include individual structures, the National Register District along Main Street, and the architectural themes found throughout the City.

The Ferndale Planning Commission has already held the first of several Historic & Cultural Resources Element study sessions which included an overview of the proposed Element contents including a brief discussion of its relationship to the rest of the General Plan, historic and cultural setting and context, incentives for historic preservation, and how goals, policies and strategies will form the foundation for specific activities related to historic preservation. Planning Commission comments at the study session included the importance of community involvement and input during the formulation of this element.

Because this is a new General Plan Element, community involvement is important. Public meetings will be held to facilitate community participation in the preservation planning process. The purpose of the public meetings is to allow people to express their thoughts on historic preservation in Ferndale and to gather those ideas for incorporation in the Element. The first community meeting will provide an overview of the Element process and content, present information on the kinds of historic resources found in Ferndale, record thoughts on historic preservation, and brainstorm goals and priorities.

Based on input from the community, Planning Commission, Design Review Committee and City Council, policies to appropriately manage historical and cultural resources and allow for the continued vitality of the town while protecting property rights will be formulated. The result will be a resources preservation program that will guide the City of Ferndale towards the preservation, maintenance, and rehabilitation of historical and cultural resources. Goals, policies and strategies will form the General Plan foundation for historic preservation.

Meeting Date:	January 26, 2011	Agenda Item Number	7.2
Agenda Item Title:	Public Education		
Presented By:	Design Review Committee Member Michael Sweeney		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" 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.

DISCUSSION

Design Review Committee Member Michael Sweeney presented the following information at the September 16, 2010 Design Review meeting. The Design Review Committee has requested that it be presented to the Planning Commission.

MEMORANDUM

DATE: September 16, 2010

TO: Design Review Committee

FROM: Michael Sweeney

SUBJECT: PUBLIC EDUCATION & AWARENESS - HISTORIC PRESERVATION & DESIGN REVIEW - CITY OF FERNDALE

CHARGE - The Ferndale City Council & Planning Commission has asked the Design Review Committee to address the need for public education and awareness on the City's Historic District and the Design Control Combining Zone.

DISCUSSION POINTS

The following represents some background research and thoughts on the subject of historic preservation and design review. This information is presented for Design Review Committee consideration and discussion and is not intended as recommendations or promoting one idea over another.

Goal Options

Sample Goal #1 - To educate the public on matters pertaining to historic preservation and design review.

Sample Goal #2 - To build support for historic preservation by informing the community of the benefits and procedures involved and the role of design review.

Sample Goal #3 - To promote understanding and appreciation of Ferndale's heritage and encourage support and compliance with applicable policies and procedures as they apply to historic preservation and design control.

Medium Options

- Handbook/guidebook/brochure (low cost, publishing software, copies available to community members, building owners, tourists)
- Publish info in Enterprise (weekly, monthly or periodic articles or cartoon features)
- Posters - Tell a Story via photos, maps, pictures, narrative, etc.
- Quarterly newsletter or section in Ferndale Museum's newsletter
- Presentation at CC or PC meeting (PowerPoint or other form)
- Speakers Bureau (historians such as Ray Hillman and others)
- Walking Tour DVD (probably need funding for someone to put this together)
- Other

Important Ideas and Information

Interesting Information

Why is Ferndale known as the "cream city?"

What does the term "butterfat palaces" refer to?

Did you know?

The oldest building in Ferndale is the Shaw House built in 1854; Ring's Pharmacy is the oldest drug store in California; Abraxus occupies the original "Red Front" store; According to National Geographic Magazine, the Palace is the furthest west location of a saloon in North America.

State Historic Landmark

City of Ferndale was designated as a *State Historic Landmark* (No. 883) in 1975 by the California State Parks, Office of Historic Preservation.

Pioneer agricultural community, settled in 1852, helped feed the booming population of mid-century San Francisco. Long known as "Cream City," Ferndale made innovative and lasting contributions to the dairy industry. Local creameries and the town's role as a transportation and shipping center in the late 19th and early 20th centuries, fostered

prosperity that produced Ferndale's outstanding Victorian Gothic residences and false-front commercial architecture.

Main Street Historic District

City of Ferndale's Main Street was designated as a *Historic District* in 1994 by the National Park Service and placed on the National Register of Historic Places.

Buildings within the City's "Main Street" Historic District represent two distinct architectural periods: 1) the late Victorian era of 19th century (1880-1900) and the Early Modernistic period in the 20th century (1920 - 1936). Other styles include Italianate, Queen Anne, Neo-Classic, Bungalow, and Mission.

The period of significance is 1872 - 1936 beginning with the construction of the earliest extant building, the 1877 Alford's Drug Store (Poppa Joe's). The Historic District includes 39 "contributing" buildings. Contributing buildings are those that best represent a particular architectural style or are the works of local architect, T. J. Frost. 13 buildings are considered "non-contributing." Since the Historic District was established in 1994, some of these "non-contributing" structures may now qualify as "contributing" (current Red Front Store; Lentz's Department Store among others.)

Benefits of Historic Preservation

- Listing on the National Register of Historic Places provides recognition and assists in preserving our nation's heritage. Listing does not mean that the federal or state government will attach restrictive covenants to the property or try to acquire it. Public visitation rights are not required of owners.
- Consideration of potential impacts of federally- assisted projects per Section 106 of the National Historic Preservation Act of 1996
- Eligible for federal tax benefits if individual buildings are listed on National Register or determined to be a contributing structures within a National Register Historic District.
- Qualify for federal grants for historic preservation.

General Plan

In 1986, the *General Plan* update supported design review rules "...to ensure that changes to physical attributes of the city adhered to the General Plan polices and guidelines ...help maintain a cohesive and welcoming experience and harmonious feel to the community" and "...attests to the reason Ferndale is recognized as a tourist destination with world-wide acclaim."

Currently, the Planning Commission is looking at developing a Historic and Cultural Resources Element of the General Plan.

Design Control Zone [Ordinance 09-01 adopted on 8/6/09]

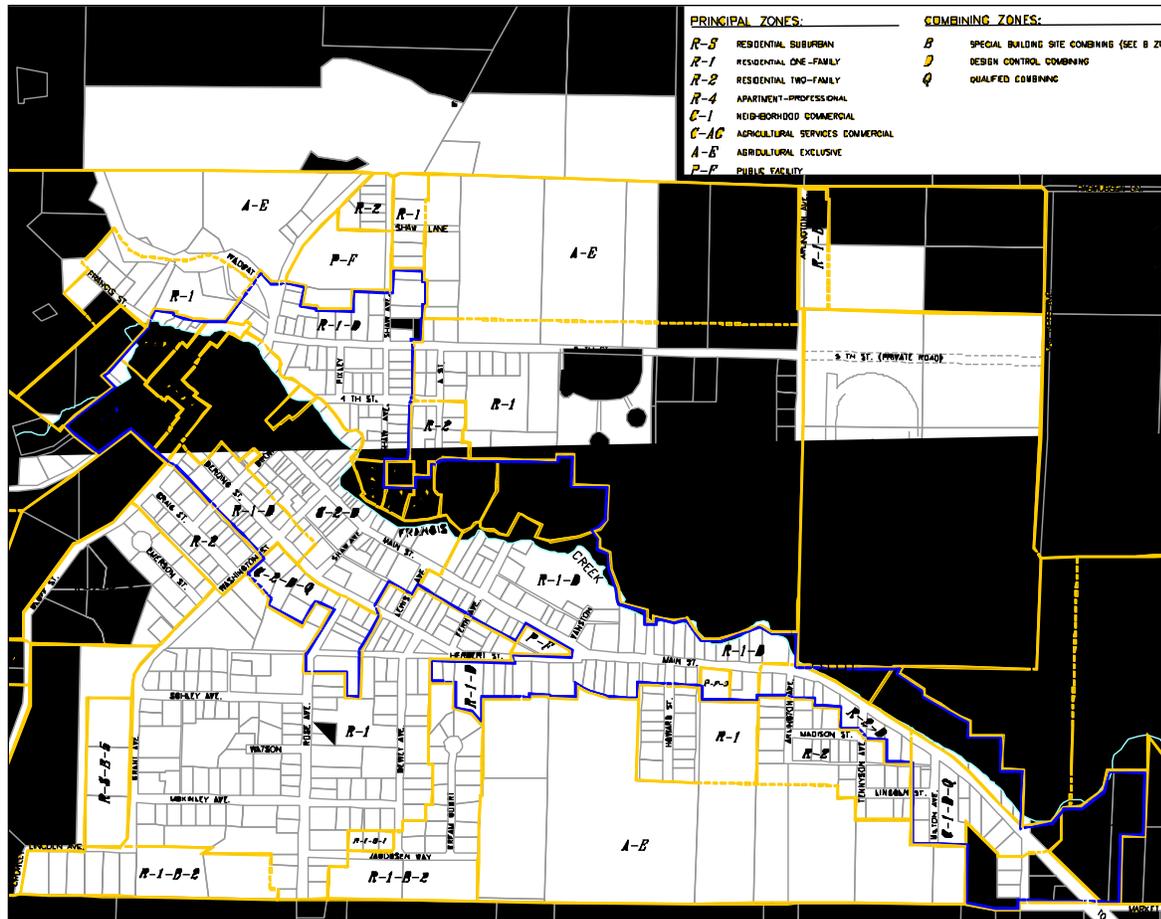
In 2009, the City adopted Section 6.05 of the Zoning Ordinance to create a Design Control Combining Zone (D-zone) intended to be combined with the principle zone (e.g., residential, commercial) in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the principle zone.

The purpose of the D-zone is to protect the over-all Victorian appearance of the zone by regulating the design of proposed buildings and structures in the zone. The procedures and authority for Design Review are established by this section to achieve the following purposes and objectives:

- a. To ensure that new buildings and structures and/or the modification, alteration and/or enlargement of existing buildings or structures occurs in a manner which is consistent with the policies of the general plan;
- b. To preserve the natural beauty of the town's site and setting;
- c. To ensure that the architectural design of buildings and structures and their materials and colors are visually harmonious with and are conceptually consistent in character and scale with surrounding area;
- d. To ensure that the design and location of signs and their material and colors are consistent with the character and scale of the buildings to which they are attached or which are located on the same site, and to ensure that signs are visually harmonious with surrounding development.

The D-zone includes all of Main Street from the Nilsen Company at Market Street and Highway 211 to Firemen's Park; and, extends to the surrounding neighborhoods along portions of Herbert and Berding Streets, Shaw Avenue and 5th Street, and the Shamsi Court area. The D - zone overlays the Main Street Historic District.

Zoning Map



How Did All this Come About?

Disastrous floods in 1955 and 1964 all but ruined Lower Eel River Valley dairy ranches. Though the town of Ferndale was spared, store after store was empty. During this time, many communities were replacing their historic storefronts with modern facades or demolishing older buildings all together. New was in...old was out!

Over the years, in many towns, countless historic buildings have been destroyed by fire. A significant factor in the preservation of Ferndale’s historic buildings is the fact that the fire station is located downtown enabling rapid response to fire hazard as witnessed by the recent fires in the Candy Stick and Nilsen’s feed barn.

During the 1970s, the Victorian Revival movement swept historic preservation efforts. Thanks to Viola Russ McBride (granddaughter of the Zipporah and Joseph Russ and local artist/activist) and others, many of the “shuttered” buildings were purchased and converted to art galleries. This “revival” encouraged other owners to preserve the historic character of their buildings.

Design Review Permits and Design Review

According to zoning code section 6.05.2, before any structure or building may be erected, structurally altered, or in any way remodeled or improved (within the D-zone) so as to change the outward appearance of the structure or building, a Design Review Use Permit shall be obtained. Design Review Use Permit applications shall be forwarded to and reviewed by the Design Review Committee. The Design Review Committee is a sub-committee of, and reports to, the Planning Commission.

If the Design Review Use Permit is approved by the Design Review Committee, the City Clerk issues a Design Review Permit. If the Design Review Use Permit is denied, the applicant can change the design, or can appeal to the Planning Commission at a fee as set by the Fees and Fines Schedule. Upon denial of any proposal, the applicant has the option of appealing the decision to the City Council, at the same fee as quoted in the current Fees and Fines Resolution for Design Review.

California Environmental Quality Act (CEQA)

Some projects may fall under the guidelines of the California Environmental Quality Act (CEQA) and be subject to applicable regulations. Among the checklist items to be addressed in any CEQA-required environmental review are matters pertaining to Cultural Resources. Specifically, for historic resources, CEQA asks the question: will the proposed project *“Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?”* Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired

Section 15064.5 of the CEQA Guidelines provides that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource’s significance (a significant impact). In this instance, the project would require mitigation measures to reduce the level of impact to “less than significant” or denied as CEQA does not allow approval of a project with a significant impact.

Closure

To maintain Ferndale’s legacy and the hard work of people like Viola Russ McBride and many others who have supported historic preservation efforts, it is important that all citizens understand and appreciate the importance of maintaining the historic integrity of Main Street and other historically significant buildings in the surrounding residential neighborhoods within the Design Control zone.

Meeting Date:	January 26, 2011	Agenda Item Number	7.3
Agenda Item Title:	Historical Record of Architectural Changes		
Presented By:	Dan Brown, Design Review Committee Chair		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" 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.

DISCUSSION

At the last Design Review Committee meeting, members asked that this be put on the Planning Commission Agenda.

Meeting Date:	January 26, 2011	Agenda Item Number	7.4
Agenda Item Title:	Code Enforcement		
Presented By:	Dan Brown, Design Review Committee Chair		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" 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.

DISCUSSION

At the last Design Review Committee meeting, members asked that this be put on the Planning Commission Agenda.

Meeting Date:	January 26, 2011	Agenda Item Number	7.5
Agenda Item Title:	Sub Committee Report on Lighting and Signage		
Presented By:	Nancy Trujillo and Lino Mogni		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" 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.

DISCUSSION

Commissioners Trujillo and Mogni have been tasked to look at Lighting and Signage to see if any changes need to be made to the Ordinance.

Meeting Date:	January 26, 2011	Agenda Item Number	7.6
Agenda Item Title:	Home Occupation Permits		
Presented By:	City Clerk Nancy Kaytis-Slocum		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" 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.

DISCUSSION

Vanessa Blodgett, City Engineer offered her interpretation of the Zoning Ordinance, Home Occupation Permit section: "Since the approved ordinance specifically states " this section of the ordinance is not retroactive" (ZO Section 7.11) it means that the newer ordinance does not apply to previously issued HOP and therefore they would be grandfathered in."

Section 8: REPORTS

CITY PLANNER:

Meetings & Planning Materials

- Coordinated with City Manager and City Clerk on planning and development projects.
- Reviewed and commented on draft Secondary Dwelling Unit approval letter template.
- Responded to inquiry about existing non-conforming building replacement at 1238 Main Street (does not meet side setback requirements).
- Responded to question about recording two parcels gifted to family members.
- Reviewed letter to property owner regarding fence height violation.

Projects

- Housing Element Update - Submitted revised Chapters 3 & 5 to City Staff for review. Completed responses to Dept. of Housing and Community Development comments and completed tracking sheet of proposed Element revisions.
- General Plan Update - Historical & Cultural Resources Element - Continued preparation of new element, researched and continued preparation of Element sections including purpose, setting and context, historic resource identification, and historic district mapping. Continued community outreach meeting planning.

Section 9: DESIGN REVIEW

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 10/28/10 8:30am meeting

Vice Chair Dane Cowan opened the meeting at 9:00 a.m. Committee Members Michael Bailey and Michael Sweeney were present. Lino Mogni and Dan Brown were absent. There were no modifications to the agenda.

The minutes from the September 23, 2010 meeting were approved by MOTION (Sweeney/Bailey). The minutes from the October 14, 2010 meeting were approved by MOTION: (Bailey/Sweeney). The minutes from the October 21, 2010 meeting were approved by MOTION: (Sweeney/Bailey). All motions passed unanimously. There was no public comment.

Michael Sweeney spoke on Public Awareness and Education on Historic Preservation and Design Review.

The next regular meeting is scheduled for Nov 25, which is Thanksgiving, so a different date will be chosen, or the meeting cancelled. The meeting was adjourned at 9:30 a.m.

Respectfully submitted:

Transcribed by Nancy Kaytis-Slocum, City Clerk
from
Dane Cowan, Recording Secretary

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 11/18/10 8:30am meeting

Chair Dan Brown opened the meeting at 8:35 a.m. Committee Members Michael Bailey, Michael Sweeney, Dane Cowan and Lino Mogni were present. There were no modifications to the agenda.

The minutes from the October 28, 2010 meeting were approved by MOTION: (Sweeney/Bailey). All in favor. There was no public comment.

984 Tennyson Avenue: MOTION: (Bailey/Sweeney) Approve the exterior paint colors for 984 Tennyson. All in favor.

Michael Sweeney spoke on Public Awareness and Education on Historic Preservation and Design Review. The committee asked that the idea for an inventory of Historic Structures be presented to the Planning Commission.

The next regular meeting is scheduled for January 27, 2011, unless a special meeting is warranted. The meeting was adjourned at 9:40 a.m.

Respectfully submitted:

Transcribed by Nancy Kaytis-Slocum, City Clerk
from
Dane Cowan, Recording Secretary

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 12/09/10 8:30am meeting

Vice Chair Dane Cowan opened the meeting at 8:40 a.m. Committee Members Lino Mogni and Michael Sweeney were present. Michael Bailey and Dan Brown were absent. There were no modifications to the agenda.

1362 Main Street – new roof line: MOTION: (Mogni/Sweeney) Approve removing old hip roof and adding gable roof at 1362 Main Street. All in favor.

335 Ocean Avenue – new exterior paint: MOTION: (Sweeney/Mogni) Approve exterior paint colors. All in favor.

Meeting adjourned 8:55 am.

Respectfully submitted:

Transcribed by Nancy Kaytis-Slocum, City Clerk
from
Dane Cowan, Recording Secretary

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 01/13/11 8:30am meeting

Chair Dan Brown opened the meeting at 8:33 a.m. Committee Members Dane Cowan, Lino Mogni, Michael Sweeney and Michael Bailey, along with staff City Clerk Nancy Kaytis-Slocum and Administrative Assistant Brianna Smith were present. There were no modifications to the agenda.

There was no public comment.

703 Main Street; Picture Window. MOTION: (Cowan/Bailey) Multi-light windows with a minimum of six lights (panes) and casing and treatment should be consistent with multi-light windows on east facing wall. All in favor.

492 Main Street: Sign. MOTION: (Brown/Bailey) Approve sign at 492 Main Street; remove existing hanging real estate sign. Any additional signs need to be approved by Design Review Committee. All in favor.

Other items discussed were adding the following to the planning commission agenda: does the city want a historical record of architecture (records of demolitions, additions, remodels, etc); public education; code enforcement issue. Add Theater Marquee Demolition to The Design Review Committee agenda.

The next meeting will be a joint meeting with the Planning Commission on January 26, 2011 at 7:00 p.m. The meeting was adjourned at 9:15 a.m.

Respectfully submitted:

Brianna Smith
Administrative Assistant

Section 10
ADJOURNMENT