

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of August 29, 2012

Call to Order: Chair Jorgen Von Frausing-Borch called the Planning Commission meeting to order at 7:02pm. Commissioners Dan Brown, Uffe Christiansen, Trevor Harper, and Lino Mogni along with staff City Manager Jay Parrish, Deputy City Clerk Brianna Smith, and City Planner Melanie Rheaume. Those in attendance pledged allegiance to the flag. MOTION: (Brown/Christiansen). The July 18, 2012 minutes were unanimously approved.

Modifications to the agenda: City Manger Parrish asked that Item 6.3 the Revocable Easement for E-Street be moved to the first item.

No Public Comment.

Revocable Easement for E-Street: City Planner Melanie Rheaume briefly gave a background on the E-Street Revocable Easement. She Let the Commissioners know that the applicant had asked the City to wave the fee for the Easement. It was added that since this issue was brought forth by City officials that it didn't seem fair for the applicant to pay. City Planner Melanie Rheaume asked that the PC Commissioner look over the draft easement. A Commissioner asked how this issue affects the Fosters, who also use the fence. City staff explained that the Fosters were in full support in keeping the fence, but have not requested anything. Mr Hooley gave some background on the fence. He explained to the Commissioners that he had installed the fence after he had some conversations with then Public Works Director Mr. Taubitz in 2001. He had asked Mr. Taulbitz if he needed permission from the City to clean up the area and install a fence between his property and the Foster's property. His informal response was that he saw no need to get formal approval. Ron Smith, who lives at the West end of E-St who could not be at the meeting expressed to Mr. Hooley that he has no concerns with the fence and would like to see it left up. A Commissioner had a question to as who the owner of E-Street was? It was explained that The City is the owner E-Street. It was asked why the City doesn't deem themselves the owner of the fence? Staff explained that the Revocable Easement puts the onus off the City. Commissioners had concern about the legal aspects of the Revocable Easement and asked if it had been looked over by legal counsel. It was explained that it had not been, but that this document had been used by other cities and had been altered to fit the situation. All Commissioners agreed that they wouldn't feel comfortable recommending this to Council as is and that they would like more legal information and would like to know more about Adverse Possession and its role. MOTION: (Brown/Mogni) Tabled until legal advice is obtained. Unanimous

Geological and Tsunami Hazards and Safety Presentation-Troy Nicolini: Will be rescheduled at a later date.

Safety Element Update: It was asked that Study Sessions at 6:30 were reinstated do to speakers that will be giving presentations at the September, October, November and February meetings. City Planner Melanie Rheaume gave an update on the Safety Element. She went over The Setting and Context section which includes identification and overview of geological, storm, flood, fire and other potential hazards in the Ferndale Planning area. The next section that was looked at was the Geological and Seismic Hazards and the Potential Liquefaction Area of the Ferndale Planning area. Figures for Soil Instability and the

Tsunami Evacuation area were looked at. City Planner Melanie Rheaume also briefly discussed Acceptable risk and Emergency Preparedness.

The next regular meeting will be September 19, 2012. The meeting was adjourned at 8:09PM.

Respectfully submitted,

Nancy Kaytis-Slocum, signing for
Brianna Smith, Deputy City Clerk