

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

Location:	City Hall	Date:	January 15, 2014
	834 Main Street	Time:	7:00pm Regular Meeting
	Ferndale CA 95536	Posted: 1/09/14	

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
- 3.0 Update Agenda
 - 3.1 Proposed changes, modifications to agenda items
 - 3.2 Commissioners’ comments
- 4.0 Approval of previous minutes
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- 6.0 Public Hearing
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 - 7.5 Accept Resignation of Marc Daniels and Request Staff Post the Vacancies Page 53
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- 10.0 Adjournment

The next regular meeting of the Ferndale Planning Commission will be on February 19, 2014 at 7pm.

Section 1: CALL MEETING TO ORDER

Section 2: CEREMONIAL

Section 3: UPDATE AGENDA

**Proposed changes, modifications to agenda items
Commissioners' comments**

Section 4: APPROVAL OF PREVIOUS MINUTES

City of Ferndale, Humboldt County, California USA

Minutes for Planning Commission Meeting of November 20, 2013

[Note: These are Action Minutes; a video of the meeting is available at City Hall M-Th 9-4]

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:09 pm. Commissioners Uffe Christiansen, Lino Mogni, along with staff City Clerk Elizabeth Conner, Deputy City Clerk Christina Wile, and City Planner Rheäume were present. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial — None.

3.0 Update Agenda

3.1 Proposed changes, modifications to agenda items — Item 7.1 should be a public hearing items as it has been noticed as such and was moved to items 6.1.

3.2 Commissioners comments — Chair Von Frausing-Borch introduced and welcomed new City Clerk Elizabeth Conner.

4.0 Approval of previous minutes

MOTION: (Von Frausing-Borch /Christiansen) to approve the minutes of September 18, 2013.
Unanimous.

5.0 Public Comment — The contractor for the Humboldt Medical Group gave the Commission a heads-up that they may want to come in and apply for a variance to the current parking standards. He said they want to make sure the parking issue is solved before applying for a building permit.

6.0 Public Hearing

6.1 Planning commission Reading of Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review, Sign and Parking: City Planner Melanie Rheäume presented the item. She explained that the Ordinance had amended the Design Review section of the Zoning Code by changing the word "Victorian" to "historical" and adding some strengthening provisions related to Design review. She explained that the Ordinance also addressed parking issues by proposing to relax the current regulations for off-street parking given how much the city is built out, allowing for a parking in-lieu fee option, other shared off-site parking options, or for the Planning Commission to work out with an applicant what amount of off-site parking would be appropriate for a specific property. Chair commented on the need for enforcement of existing parking policy. Planner Rheäume clarified that this ordinance is to address off-street parking only but should help with enforcement because it will allow for the Zoning Code to better match the current reality in the city and it would provide more leeway and options for the city. The Chair opened the public hearing. A member of the public commented that the needs of businesses for parking should be put before the needs of the residents on top of the businesses and that the parking laws need to be enforced. Another member of the audience commented that he liked the amendments and that there needs to be an opportunity to apply for a variance and the amount for applying should be set so the public would know. Planner Rheäume said that applying for a variance is always possible and that it would be a one-time fee that will be set by the council and it would be less than the amount to create a new parking space. Chair Von Frausing-Borch moved to approve the Ordinance, and to amend the zoning ordinance and

send to the city council. Motion died for lack of a 2nd. Two Planning Commission members asked for more time to review the materials. **MOTION (Von Frausing-Borch /Christiansen)** to continue the public hearing until the December 2013 meeting of the Planning Commission Mogni abstained. Motion passed 2-0-1.

7.0 Business

7.2 General Plan Update – Noise & Air Quality Element Chapters 1-3 - City Planner Melanie Rheaume explained that staff had prepared Chapters 1-3 and presented some background information. She explained that the City would be holding one study session and 3 public hearings and that the Planning Commission will have another opportunity to have input. She asked the Commissions for input on the initial chapters. Chair Von Frausing-Borch said he is pleased with the first three chapters.

7.3 Design Review Committee Applicant — The Planning Commission received Paul Gregson's letter of interest and application and heard from and interviewed Mr. Gregson. Mr. Gregson said that he is interested in joining the Design Review Committee because he has seen the value and importance of the committee and wants to make a contribution to the City. **MOTION (Von Frausing-Borch /Christiansen)** to recommend to the City Council the appointment of Mr. Paul Gregson to the Design Review Committee. Unanimous.

7.4 Building and Land Use Permits - Planner reported that the City has been having discussion with Gerald Silva to discuss a potential LLA between Russ Park and Silva. For now, this is an informational item and staff will bring the item to the Planning Commission when and if the application is complete.

7.5 Design Review Committee Report – No report.

8.0 Correspondence and Oral Communications —No comments from commission.

9.0 City Planner's and Deputy City Clerk's Staff Reports — None.

10.0 Design Review Minutes — No DR minutes were approved since the last meeting.

11.0 Adjournment – Meeting adjourned at 7:56 pm.

Respectfully submitted,
Elizabeth Conner, City Clerk

City of Ferndale, Humboldt County, California USA

Minutes for Special Planning Commission Meeting of November 25, 2013

[Note: These are Action Minutes; a video of the meeting is available at City Hall M-Th 9-4]

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:06 pm. Commissioners Uffe Christiansen, Marc Daniels, Dean Nielsen, along with staff City Manager Jay Parrish were present. Those present saluted the flag.

2.0 Ceremonial — None.

3.0 Public Comment — None.

4.0 Public Hearings

4.1 Planning Commission Reading of Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review, Sign and Parking Regulations: City Manager Parrish presented the item. The item was discussed by Commissioners and an alternative motion was presented. **Motion (Nielsen/Christiansen)** to inventory the number of parking spaces in the commercial area of Ferndale, determine the number of spaces required for businesses to operate profitably and involve the businesses, property owners and residents in determining long range solutions to our lack of adequate parking; to form a Ferndale work group made up of business representatives, property owners, residents, City Council, Planning Commission and City staff to study parking issues in the commercial area of Ferndale, recommend solutions to our inadequate parking situation, propose practices and regulations to remedy the issues; and to hold a special Planning Commission meeting to consider a non-precedent variance to allow the relocation of the Medical Center. **Motion passed 4-0.**

5.0 Adjournment – Meeting adjourned at 7:40 pm.

Respectfully submitted,
Jay Parrish, City Manager

City of Ferndale, Humboldt County, California USA

Minutes for Special Planning Commission Meeting of December 9, 2013

[Note: These are Action Minutes; a video of the meeting is available at City Hall M-Th 9-4]

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:21 pm. Commissioners Uffe Christiansen, Lino Mogni, along with staff City Clerk Elizabeth Conner, Deputy City Clerk Christina Wile, and City Planner Rheäume were present. Commissioner Nielsen arrived at 7:25.

2.0 Ceremonial — None.

3.0 Public Comment — None.

4.0 Public Hearings

4.1 638 Main Street Request for Variance from Zoning Ordinance 02-02 §7.16 Pertaining to Off Street Parking Spaces - City Planner Melanie Rheäume presented the item. She explained that Ferndale's Zoning Ordinance specifies that three findings must be made in order to grant the Variance. First, the Planning Commission must find that the granting of this variance does not constitute the granting of special privilege; staff opinion is that it is not as numerous downtown businesses operation without providing the required off street parking along with the historic difficulty of enforcing the parking regulations. Next, the Planning Commission must find the granting of the variance is in the public interest of the community and its safety, health and welfare. Staff opinion is that this project is in the public interest as allowing the clinic to relocate to a location with updated facilities, greater parking capacity and ADA compliant parking and loading would improve patient access and treatment for the only medical facility in Ferndale. Lastly, the Planning Commission must make a finding of special circumstance, where, due to special conditions or exceptional characteristics of a property, a literal enforcement of the zoning regulations would result in practical difficulties or unnecessary hardships. Staff opinion is that a literal enforcement of the zoning regulations for this property would require that the proposed relocation of the clinic involve either downsizing or demolition of existing buildings to provide the required off street parking, or that the proposed location remain vacant due to insufficient parking spaces and the clinic remain at its current location despite insufficient parking capacity and outdated facilities. The property currently has 22 spaces; the variance will allow for 20 (2 lost due to ADA spots). The property would need 30 spaces under the current parking ordinance. Overall, Planner Rheäume recommended that the Planning Commission could make all three required findings. During discussion of the item, Commissioner Nielsen said this variance is granted because of the timing of creating the new parking regulations for the City and this project points out the critical nature of the parking in Ferndale. Chair Von Frausing-Borch said he would like the City Council to set up an Ad Hoc Committee to look into the parking ordinance and see how to change it. **MOTION (Nielsen/Mogni)** to approve the request of 638 Main Street Request for Variance from Zoning Ordinance 02-02 §7.16 Pertaining to Off Street Parking Spaces with the conditions listed in the staff report. **Unanimous (4-0)**.

4.2 Reading of Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review and Sign Regulations: City Planner Melanie Rheäume presented the item. At the public hearing on the item at the previous meeting the Planning Commission had expressed to staff that the parking regulations required further City deliberation and consequently staff had

reviewed all parking regulations from the item. She explained that the Ordinance was necessary to bring the Zoning Ordinance into compliance with the new Sign Ordinance. Chair Von Frausing-Borch opened the public hearing. **MOTION (Nielsen/Christiansen)** to continue the public hearing until the regular January 2014 meeting of the Planning Commission. Mogni abstained. Motion passed 3-0-1.

5.0 Adjournment – Meeting adjourned at 7:40 pm.

Respectfully submitted,
Elizabeth Conner, City Clerk

DRAFT

Section 5: PUBLIC COMMENT

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction.

Items requiring Commission action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rd 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 6: PUBLIC HEARING

1. OPEN PUBLIC HEARING

- a. **Announce** agenda item number and state the subject
- b. **Invite staff to report** on the item, including any recommendation
- c. **Ask members of the Council or Commission if they need clarification**. If so, the questions should be asked of the person reporting on the item.
- d. **Invite Public Comment**. Mayor or Chair may limit the time for speakers to 3 minutes

2. CLOSE PUBLIC HEARING

- a. **Invite a motion** from the governing body and announce the name of the person making the motion
- b. **Invite a second** from the governing body and announce the name of the person seconding the motion
- c. **Make sure everyone understands the motion by having it repeated by**
 - i. The maker of motion
 - ii. The Chair
 - iii. The Secretary
- d. **Invite discussion by members of the governing body**
- e. **Take a vote**; ayes and then nays are normally sufficient
- f. **Announce the result of the vote** and announce what action (if any) the body has taken.
- g. **Indicate names of members who voted in the minority** of the motion

Meeting Date:	January 15, 2014	Agenda Item Number	6.1
Agenda Item Title:	Consider Recommending Ordinance No. 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations to the City Council for Approval		
Presented By:	City Planner		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve and Recommend Ordinance 2013-04		

RECOMMENDATION: Recommend that the City Council adopt Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations and direct staff to prepare a written recommendation to the Council.

BACKGROUND: At previous public hearings to consider proposed Zoning Ordinance amendments to Design Review, sign, and parking regulations, the Planning Commission expressed to staff that the parking regulations required further City deliberations. Planning staff has removed all parking regulations from the attached Ordinance.

Government Code Section 65854 requires that, in order for a city to adopt amendments to a Zoning Ordinance, the Planning Commission must render its decision in the form of a written recommendation to the legislative body. The recommendation must include the reasons for the recommendation and the relationship of the proposed ordinance or amendment to the City's General Plan.

DISCUSSION: The attached Ordinance 2013-04 amending Zoning Ordinance 02-02 is necessary to bring the Zoning Ordinance into compliance with the new Sign Ordinance. Staff also incorporated amendments to §6.05 regarding the overall Design Control Combining Zone for clarification of the section. The word "Victorian" was replaced with the word "Historical" in §6.05 to reflect the fact there are other architectural styles in Ferndale deserving protection. Amendments to §6.05.4 clarify the Design Review Committee appointment process. Amendments to §6.05.09 impose a time limit for completion of projects that require a building permit and allow for one 6-month extension. The proposed amendments have undergone legal review and conform to the City's General Plan.

Recommended Motion: Make the following findings, recommend that the City Council adopt Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations, and direct staff to prepare a written recommendation to the Council.

Findings:

1. Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations reduces inconsistencies, clarifies roles, and is necessitated by adoption of Ordinance 2103-02 Sign Ordinance.
2. Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations conforms to the Ferndale General Plan.

ENVIRONMENTAL REVIEW: Adoption of the proposed ordinance is not a project subject to CEQA pursuant to Title 14, California Code of Regulations, Sections 15060(c)(2) and 15060(c)(3), as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

ORDINANCE NO 2013-04

AN ORDINANCE OF THE CITY OF FERNDALE, STATE OF CALIFORNIA, AMENDING ZONING ORDINANCE 02-02 SECTIONS PERTAINING TO DESIGN REVIEW AND SIGN REGULATIONS

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THE CITY COUNCIL OF THE CITY OF FERNDALE DOES ORDAIN AS FOLLOWS:

Article 1 SHORT TITLE AND PURPOSE

§1.1 **Short Title:** This Ordinance shall be known and cited as “Amending Zoning Ordinance 02-02 Design Review and Sign Regulations.”

§1.2 **Purpose:** The purpose of this Ordinance is to amend Zoning Ordinance 02-02 to reduce inconsistencies, clarify roles, and as necessitated by adoption of Ordinance 2103-02 Sign Ordinance.

Article 2 STATUTORY AUTHORITY

§2.1 The statutory authority for this Ordinance is California Government Code §65000 et seq., §65850(b), §38774, §38775, Business and Professions Code § 5200 et seq. and §5490 et seq., Civil Code §713, and other applicable State laws.

Article 3 GENERAL PROVISIONS

§3.1 The following changes shall be made to Section 6.05 of Zoning Ordinance 02-02. The section noted shall read as follows:

§6.05 (Begin section changed by Ordinance 09-01 on 8/6/09) Design Control Combining or -D Zone. The Design Control Combining or -D Zone is intended to be combined with any principal zone in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the zone for the uses permitted therein, and in which it is desired to protect the over-all ~~Victorian~~[Historical](#) appearance of the zone by regulating the design of proposed buildings and structures in the zone. The following regulations shall apply in any zone with which a Design Control Combining or -D Zone is combined, [or as specified in Ordinance 2013-02 Sign Ordinance:](#)

§6.05.1 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; [and](#)
 - 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.
- §6.05.2 Before any [sign](#), structure or building may be erected, structurally altered, or in any way remodeled or improved so as to change the outward appearance of the [sign](#), structure or building, a Design Review Use Permit shall be obtained [unless exempted by Ordinance 2013-02](#).
- §6.05.3 Each application for such Design Review Use Permit shall be accompanied by drawings, plans and such written matter as may be necessary to show the front, side and rear elevations and the colors and materials to be used, and to show any other information that may be required by [City staff](#), the Design Review Committee or the Planning Commission in order that it may adequately evaluate the proposed structure or building.
- §6.05.4 Design Review Use Permits ~~for structural or building alterations, remodeling or improvements so as to change the outward appearance of the structure or building, including changes in exterior paint color,~~ shall be subject to the following procedures:
- a. The Planning Commission shall appoint two of its members as [Primary and one member as Alternate](#) Design Review Committee Members.
 - b. The Planning Commission shall interview and recommend to the City Council appointment of three members from the 95536 zip code, preferably with design background in planning, architecture, landscape architecture, historical restoration, or other similar experience related to the design of physical improvements and buildings in the following manner:
 - i. ~~The City Clerk~~[City staff](#) shall advertise the vacancy(ies) (via notice in newspaper, public posting) and notify Ferndale residents to contact ~~the City Clerk~~[City staff](#) for [application procedures](#). ~~an application, which can be picked up at City Hall or mailed to the applicant.~~
 - ii. Applications must be received by ~~the City Clerk~~[City staff](#) by ten (10) calendar days from the date of posting of the vacancy. Applications must be forwarded to the members of the Planning Commission by the next regular or special meeting. ~~The Planning Commission will interview applicants and make appointments at their next regular or special meeting.~~
 - iii. [The Planning Commission shall interview applicants at their next regular or special meeting or direct City staff to re-advertise. After consideration of the applicants and application materials, the Commission shall select an applicant\(s\) to recommend for appointment. The first person\(s\) that receives a majority shall be selected. A priority ranking of t](#)The Commission's recommendation(s) ~~as well as reasons supporting the ranking will~~

- shall be forwarded to the City Council for their next regular or special meeting.
- iv. The City Council shall consider the applicants and the Planning Commission's recommendation and shall appoint an applicant(s) to the Design Review Committee. ~~first person(s) that receives a majority will be selected to fill the vacancy. If a majority is not obtained, or if there are no applicants, the vacancy will be re-advertised and the clock resets.~~
 - c. The Design Review Committee is a sub-committee of, and reports to, the Planning Commission.
 - d. Design Review Use Permit applications shall be forwarded to and reviewed by the Design Review Committee ~~Members~~. No discussion between committee members shall take place, unless in a duly noticed meeting of the Committee.
 - i. (Begin section amended by Ord 2011-04 12/31/11) If a majority of the members present approve, the ~~City Clerk~~City staff shall issue a Design Review Use Permit.
 - ii. If a majority of the members present deny, the applicant can change the design, or can ~~ask that the appeal the decision~~ application go to the Planning Commission at a fee as set by the Fees and Fines Schedule. (End section amended by Ord 2011-04 12/31/11)
- §6.05.5 The ~~Planning Commission~~reviewing body shall consider the proposed structure or building in conjunction with the appearance and design of other structures and/or buildings in the zone in an endeavor to provide that the proposed structure or building will not be unsightly, obnoxious or undesirable in appearance to the extent that it will hinder the harmonious development of the zone, impair the desirability of the zone for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements or otherwise adversely affect the general property and welfare. The ~~Planning Commission~~ reviewing body shall suggest any changes or alterations in the proposed structure or building as it may deem necessary to accomplish the purposes of this Section.
- ~~§6.05.6—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.~~
- ~~§6.05.7—Upon the approval of any proposal, the Planning Commission shall issue a Design Review Use Permit. Any construction or structural alteration shall be in accordance with such approved proposal.~~
- ~~§6.05.8~~§6.05.6 Emergency / minor / routine repairs in Design Control Combining Zone.
- a. Any of said repairs as defined in Sections 3.29 and 3.48 having value of less than \$1000.00 requires no Design Review Use Permit; ~~if greater than \$1000, compliance shall be made under the Building Permit Ordinance.~~
- ~~§6.05.9~~§6.05.7 Time Limits:
- a. Applicants for projects that do not require a building permit shall have six months after the date of ~~the last Design Review Committee member's signature~~Design Review Use Permit issuance to complete

their project. ~~The Planning Commission may grant a one-time extension of 6 months upon applicant's request.~~

b. Applicants for projects that do require a building permit shall be subject to the conditions and time limits of the building permit. If a building permit is not obtained within six (6) months of Design Review Use Permit issuance, the Design Review Use Permit shall be nullified.

~~b.c.~~ City staff may grant a one-time Design Review Use Permit extension of 6 months upon applicant's request.

~~§6.05.10—Penalties: A fine, of double the original fee as determined by the Fee & Fine Schedule Resolution, and at the discretion of the Planning Department, shall be levied against any contractor or individual or business that routinely does business in Ferndale as evidenced by a business license or has previously gone through Design Review, if that business, contractor or individual begins a change to the outside of a building, if in a design review zone, without a Design Review Use Permit. (End of section amended by Ordinance 09-01 on 8/6/09)~~

Article 4 ENACTMENT

§4.1 **Severability.** If any section, sub-section, paragraph, sentence, or word of this ordinance shall be held to be invalid, either on its face or as applied, the invalidity of such provision shall not affect the other sections, sub-sections, paragraphs, sentences and words of this Ordinance, and the applications thereof; and to that end the sections, sub-sections, paragraphs, sentences and words of this Ordinance shall be deemed to be severable.

§4.2 **Effective Date.** This Ordinance shall become effective 30 days after the date of its enactment.

PASSED AND ADOPTED on this 5th day of December 2013 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
Attest:

City Clerk / Deputy City Clerk

Stuart Titus, Mayor

First Reading:	Amended:	
Second Reading:		
Enacted:		
Amended:		

Section 7: BUSINESS

PC Meeting:	January 15, 2014	Case No.: DR 1223 - AMENDED
Applicant:	Nancy Trujillo for Gable Properties	Agenda Item: 7.1
Property Address:	580 Main Street	APN 031-143-004
Zoning:	Community Commercial Design Control (C2D)	

PROJECT DESCRIPTION: The applicant is requesting amendments to Design Review Use Permit 1223, issued on January 16, 2013, which approved replacing stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the Main Street and Shaw Street sides of the building; priming and painting the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replacing the existing signs with spacers rather than embedded in the siding; and reinstalling the original striped awnings.

The applicant has proposed three changes to the approved permit:

1. Changing the approved siding to cedar shingles on the upper half and shiplap style redwood on the lower half of the building;
2. Changing the approved primer and paint colors to darker browns than the initially approved colors; and
3. No longer reinstalling the original striped awnings.

As amended, the Design Review Use Permit would allow for replacing stucco with cedar shingles on the upper half and finger jointed, shiplap style redwood material with 11.25" coverage on the lower half of the front (Main Street) and north (Shaw Street) sides of the building; priming and painting the shingles, shiplap wood, and trim in a contrasting color scheme in darker browns than the original stucco and trim board; replacing the existing signs with spacers rather than embedded in the siding; and not reinstalling the original striped awnings.

ENVIRONMENTAL REVIEW: On January 16, 2013, the City of Ferndale adopted a Negative Declaration for the DR 1223 project. The attached Addendum to the Initial Study/Negative Declaration has been prepared to allow for approval of the amended permit. Under the California Environmental Quality Act (CEQA) Guidelines § 15164[d], the attached Addendum is to be considered along with the adopted Negative Declaration by the decision making body prior to making a decision on the project.

STAFF CONTACT: Phone: 707.825.8260; Fax, 707.825.9181 and Email: melanier@planwestpartners.com

DESIGN REVIEW COMMITTEE ACTION: The Design Review Committee reviewed the amended project on December 18, 2013. The Committee voted to approve the project without conditions, but did not make the required findings of fact. Because permit approval is a discretionary act of the City, the findings of fact listed in Attachment A must be made to allow for permit approval.

STAFF RECOMMENDATION: Staff has included findings of fact (Attachment A), necessary to approve the Addendum to the Initial Study/Negative Declaration. If the Planning Commission accepts the findings of fact or makes comparable findings, then staff recommends the Commission approve the Design Review Use Permit, subject to the conditions of approval listed in Attachment B.

Recommended Motion:

"Make the required findings of fact, listed in Attachment A, for approving the Addendum to the Initial Study/Negative Declaration and approve the Design Review Use Permit for Assessor Parcel Number 031-143-004, subject to the conditions of approval listed in Attachment B."

BACKGROUND: The 580 Main Street building is listed on the National Register of Historic Places and is considered a historical resource per Public Resources Code Section 5024.1, Title 14 CCR (CEQA Guidelines Section 15064.5). The building is zoned Community Commercial and is within the Design Control Combining Zone and the Main Street Historic District. The listing in the National Register describes the building as a “large, single-story, false front commercial building... built as a garage in 1927” with “stucco exterior, concrete floors, large plate glass windows, and fire resisting construction.” The listing goes on to state, “The symmetrical front façade facing Main Street is pierced by a central opening flanked by three, large plate glass windows. Striped fabric awnings delineate these openings. The stucco siding provides a smooth, modern appearance that is devoid of detail except for the design of the stepped and angled parapet. A trim board painted a dark color highlights the parapet.”

Although the building has retained much of its historical character, several changes have occurred since its listing in the Register:

1. The awnings were removed and placed in storage.
2. The original composite shingle roof has been removed and replaced with metal on the gable sections and rolled tar sheets on the top.
3. One of the truck drive-thru openings facing Shaw Street has been closed and converted to two pedestrian side entrances.

In 2012, Sylvia Sterling Trust of 1995 applied for building permits to remove the stucco from the Main Street and Shaw Street façades and requested that the process be expedited due to safety concerns. The City Building Inspector approved issuing building permits for the removal of the stucco and structural repairs. These permits do not cover materials replacement. Because of the potential public safety hazard, the permits were issued prior to issuance of a Design Review Use Permit as normally required under Zoning Ordinance Section 6.05.2.

Upon issuance of the above mentioned permits, Sylvia Sterling Trust of 1995 removed the stucco siding and signage from the building and began structural repairs and temporary weatherproofing. The Trust’s engineer conducted a structural inspection of the building. Based on his inspection, the engineer recommended that, in order to preserve the structural integrity of the building, stucco not be reinstalled, but that a lighter material which is less susceptible to allowing rot of the underlying structure would be better suited for this particular building.

APPLICABLE REGULATIONS: The proposed project is subject to comply with Ferndale Zoning Ordinance 02-02 and is located in Community Commercial Design Control Zone (C-2-D). The C-2 zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience (§5.08).

The -D Zone is intended to be combined with any principal zone in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the zone for the uses permitted therein, and in which it is desired to protect the over-all Victorian appearance of the zone by regulating the design of proposed buildings and structures in the zone (§6.05). The proposed project involves modifications to the building exterior, therefore design review is required (§6.05.2).

Because amending a Design Review Use Permit constitutes a discretionary action of the City, the proposed project is subject to CEQA. Planning staff has determined that the proposed project is not eligible for a Categorical Exemption. Appropriate findings could not be made to support the project’s eligibility for a Class 31 Historical Resource Restoration/Rehabilitation Categorical Exemption. CEQA guidelines §15331 states that a Class 31 Categorical Exemption “consists of projects limited to

maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards." The following are the relevant excerpts from the Secretary of the Interior's Standards:

- The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The description of the building for the National Register references the smooth, modern appearance of the stucco exterior, implying that the stucco is distinctive and characterizes the property. As an historic material that characterizes the property has already been removed, this project is not eligible for a Class 31 Categorical Exemption.

In 2009, the City of Ferndale adopted a Mitigated Negative Declaration and approved a Design Review Use Permit to replace stucco on a Historical Resource within the Main Street Historic District with "exterior siding of stucco, hand-applied textured cement on a concrete backer board, or other suitable material such as horizontal pine, cedar or redwood siding that is historically appropriate and approved by the city." The following were the City's findings leading to this decision:

"The original stucco exterior had a uniform texture and appearance. If the wood siding proposed by the applicants is used, then the appearance of the building will be visually altered with horizontal lines across the entire building. This horizontal effect would not be consistent with the historical character of the building. Except for the proposed change in surface material, the structure's frame, form, contour, outline, profile and color will remain the same, therefore the proposed project will have a less than significant impact to a historical resource."

Zoning Ordinance 02-02 §6.05.5 states: "The Planning Commission shall consider the proposed structure or building in conjunction with the appearance and design of other structures and/or buildings in the zone in an endeavor to provide that the proposed structure or building will not be unsightly, obnoxious or undesirable in appearance to the extent that it will hinder the harmonious development of the zone, impair the desirability of the zone for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements or otherwise adversely affect the general property and welfare. The Planning Commission shall suggest any changes or alterations in the proposed structure or building as it may deem necessary to accomplish the purposes of this Section."

According to Zoning Ordinance 02-02 §6.05.1, Design Review procedures were established to:

- Ensure that the architectural design of structures and their materials and colors are visually harmonious with and conceptually consistent in character and scale with surrounding area.
- Ensure that new structures and/or modification, alteration, enlargement of existing structures occur in a manner consistent with Ferndale General Plan policies.

These objectives do not preclude replacing a historic material with an appropriate substitute where its use would be "visually harmonious with and conceptually consistent in character and scale" with the buildings in the immediate vicinity.

The proposed project is consistent with Ferndale General Plan Historical and Cultural Resources Element goals and policies, including:

Goal 1: Preserve Ferndale's distinctive and valued historic district, structures, and sites representing various periods of the City's history; and

Policy 1.4: Encourage the use of the Secretary of Interior Standards and the State Historic Building Code as guidelines for the preservation and rehabilitation of historic properties.

In determining that the proposed project will have a less than significant impact under CEQA, the argument was made that the proposed project would not have a substantial adverse effect on aesthetics or historical resources.

Surrounding Land Use, General Plan and Zoning Designations: The land uses around the project site are Community Commercial Design Review (C-2-D). The project site is within the Ferndale Main Street Business area and the Main Street Historic District.

Zoning Requirements: A Design Review Use Permit is required for the proposed project per Zoning Ordinance §6.05.2.

ATTACHMENTS:

Attachment A: Findings of Fact

Attachment B: Conditions of Approval

Attachment C: Addendum to Negative Declaration/Initial Study

Attachment D: National Register of Historic Places 580 Main Street Description

Attachment E: Application Materials

Attachment A
FINDINGS OF FACT

The following findings of fact are required for approving the Addendum to the Initial Study/Negative Declaration and approving the Design Review Use Permit:

1. The Design Review Use Permit for the project is a discretionary action of the City, and is subject to the California Environmental Quality Act (CEQA). An Addendum to the Initial Study/Negative Declaration (attached) was prepared to assess environmental factors that could potentially be affected by the project. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment. The Addendum reflects the City's independent analysis and judgment.
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 associated with the C-2-D Zone (Zoning Ordinance §5.08 and 6.05).
3. The proposed design, materials, and colors are visually harmonious with and conceptually consistent in character and scale with surrounding area.
4. The existing project, as outlined and with conditions:
 - Appears to be similar and compatible to other uses allowed in similar zones;
 - Does not appear to impair the integrity and character of the zone (or neighborhood);
 - Does not appear to be detrimental to the public health, safety, or welfare;
 - Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential communities;
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones; and
 - Will not be unsightly, obnoxious or undesirable in appearance to the extent that it will hinder the harmonious development of the zone, impair the desirability of the zone for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements or otherwise adversely affect the general property and welfare.

Attachment B
CONDITIONS OF APPROVAL

Staff recommends Design Review Use Permit approval be subject to the following conditions. The violation of any term or requirement of 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 the Design Review 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 Permit and uses allowed are considered final and approved.
2. All proposed work 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 work deviate from that as allowed by this approval, then the applicant may be required to first receive Design Review Committee approval for such changes.
3. Should the applicant or any other future owner of the subject property not conform to the requirements of these conditions, then said non-conformance shall constitute a violation of this Design Review Use Permit and shall become null and void until either all the issues have been addressed to the satisfaction of the City, or the permit is revoked.
4. All proposed and/or future development, improvements, and construction authorized hereunder shall be in conformance with all applicable City ordinances, regulations and codes, including but not limited to Zoning Ordinance 02-02, including the Design Review requirements, the Uniform Building Code, any Fire Codes and/or Public Health & Safety Code, applicable to the nature and type of proposed use and/or construction. A City building permit is required for any construction associated with the proposed project with the burden on the applicant to comply.

Attachment C

**ADDENDUM
TO INITIAL STUDY/NEGATIVE DECLARATION**

**580 MAIN STREET (DESIGN REVIEW USE PERMIT FOR THE REAPPLICATION OF SIDING
MATERIALS AND REINSTALLATION OF AWNINGS)**

FERNDALE, CALIFORNIA

Prepared for:
City of Ferndale
P.O. Box 1095
Ferndale, CA 95536

Prepared by:
Planwest Partners, Inc.
1125 16th Street, Suite 200
Arcata, CA 95521
(707) 825-8260



December 19, 2013

ADDENDUM TO NEGATIVE DECLARATION

Project Title: 580 Main Street (Amending Design Review Use Permit for the reapplication of siding materials and reinstallation of awnings). Case No. DR 1223 AMENDMENT

Project Location: 580 Main Street, Ferndale, California 95536 (APN 031-143-004).

Project Proponent: Nancy Trujillo for Gable Properties
P.O. Box 1044
Ferndale, CA 95536

Project Description: Design Review Use Permit DR 1223, issued on January 16, 2013, approved replacing stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) sides of the building; priming and painting the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replacing the existing signs with spacers rather than embedded in the siding; and reinstalling the original striped awnings.

The applicant is requesting an amendment to the permit to allow replacing the stucco with cedar shingles on the upper half and finger jointed, shiplap style redwood material with 11.25" coverage on the lower half of the front (Main Street) and north (Shaw Street) side of the building; priming and painting the shingles, shiplap wood, and trim in a contrasting color scheme in darker browns than stucco and trim board; and no longer reinstalling the original striped awnings. The applicant proposes no changes to approved sign treatment.

Statutory Background: Under the California Environmental Quality Act (CEQA), an Addendum to a certified Negative Declaration is needed if minor technical changes or modifications to the proposed project occur (CEQA Guidelines § 15164). An addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Addendum need not be circulated for public review (CEQA Guidelines § 15164[c]); however, an addendum is to be considered along with the adopted Negative Declaration by the decision making body prior to making a decision on the project (CEQA Guidelines § 15164[d]).

Determination: On January 16, 2013, the City of Ferndale adopted a Negative Declaration for the DR 1223 project. This Negative Declaration Addendum demonstrates that the environmental analysis and impacts identified in the Negative Declaration remain substantively unchanged by the proposed amendment, and supports the finding that the proposed project proposes different materials and does not exceed the level of impacts identified in the previous Negative Declaration.

Evaluation of Amendment: In preparing this Addendum, all of the potential impacts identified on the CEQA "Environmental Checklist Form" were considered. For all impact areas except Aesthetics and Cultural Resources, a preliminary review indicated that the proposed amendments to the permit are consistent with the original design of the project and therefore would have no new impacts not already identified in the adopted Negative Declaration. For impact areas Aesthetics and Cultural Resources, the following conclusion was reached in the Negative Declaration analysis:

The replacement of the original stucco finger jointed, shiplap style redwood material with 11.25" coverage would alter the material finish of the building while introducing horizontal lines, overlap, and more detail. This overlapping horizontal and detailed effect

would not be consistent with the existing visual character of the building. There are, however, other buildings in the near vicinity with shiplap wood siding similar to the proposed material.

Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows, roofline, parapet, and the recessed entry.

Except for the proposed change in surface material and reinstallation of the awnings, the structure's frame, form, contour, outline, profile and color will remain the same. The project would not have a substantial adverse effect on a historical resource; therefore, the proposed project will have a less than significant impact to cultural resources.

The proposed amendments present a substantial departure from the above conclusion. The effect of shingles on the top half and shiplap redwood on the bottom would increase the departure from the existing visual character of the building by introducing contrasting lines and greater detail than the originally approved siding material. While there are buildings in the near vicinity with either shiplap wood siding or shingle siding, there are no buildings in the near vicinity with both. The amended paint colors proposed will further alter the existing visual character of the building by introducing a third color and using darker browns than the original stucco and trim board. The proposed amendments also change the amount of reinstated and retained characterizing features of the building by removing the commitment to reinstall the original awnings and departing from the original two-toned, light brown contrasting paint colors.

However, the structure's frame, form, contour, outline, and profile will remain the same. Although the proposed amendments will further alter the building from its original appearance, the project, as amended, would not have a substantial adverse effect on a historical resource; therefore, the proposed project as amended will have a less than significant impact to cultural resources in that the materials proposed are consistent with the materials used in the historical period of the building.

Summary and Findings: In summary, the analysis concludes that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Negative Declaration have occurred, and thus an Addendum to the Negative Declaration is appropriate to satisfy CEQA requirements for the proposed project.

Applicable Reports in Circulation: This addendum is written as an addition to the Negative Declaration for 580 Main Street (Design Review Use Permit for the reapplication of siding materials and reinstallation of awnings) Case No. DR 1223, certified January 16, 2013. A copy of this document is available for review at Ferndale City Hall, 834 Main Street, Ferndale, CA 95536.



Melanie Rheaume
Contract City Planner, Ferndale



Date

Attachments:

Adopted Initial Study/Negative Declaration

CEQA INITIAL STUDY/NEGATIVE DECLARATION

**580 MAIN STREET (DESIGN REVIEW USE PERMIT FOR THE REAPPLICATION OF
SIDING MATERIALS AND REINSTALLATION OF AWNINGS)**

FERNDALE, CALIFORNIA

Prepared for:
City of Ferndale
P.O. Box 1095
Ferndale, CA 95536

Prepared by:
Planwest Partners, Inc.
1125 16th Street, Suite 200
Arcata, CA 95521
(707) 825-8260



Adopted January 16, 2013

NEGATIVE DECLARATION

Project Title: 580 Main Street (Design Review Use Permit for the reapplication of siding materials and reinstallation of awnings). Case No. DR 1223

Project Location: 580 Main Street, Ferndale, California 95536 (APN 031-143-004).

Project Proponent: Nancy Trujillo for the Sylvia Sterling Trust of 1995
P.O. Box 193
Ferndale, CA 95536

Project Description: The applicant proposes to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building; prime and paint the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replace the existing signs with spacers rather than embedded in the siding; and reinstall the original striped awnings. These actions require City of Ferndale design review approval, a discretionary action subject to California Environmental Quality Act (CEQA) review. The existing signage and stucco siding have been removed from the building for safety.

Proposed Finding: It is hereby determined that, based on the information contained in the attached Initial Study (as revised on December 13, 2012), the project would not have a significant adverse effect on the environment.


FOR _____
George Williamson
City Planner, City of Ferndale

Revised on
12/13/2012

Date

CITY OF FERNDALE**Initial Study****834 Main Street; P.O. Box 1095; Ferndale, CA 95536; Phone 707.786.4224; Fax 707.786.9314****INITIAL STUDY**

PROJECT TITLE: 580 MAIN STREET DESIGN REVIEW USE PERMIT			
PROJECT APPLICANT:	NANCY TRUJILLO	CASE No (s):	DR 1223
PROJECT LOCATION:	580 MAIN STREET, FERNDALE, CA (APN 031-143-004)		
ZONING & GENERAL PLAN DESIGNATION		COMMUNITY COMMERCIAL DESIGN REVIEW, C-2-D	

LEAD AGENCY/CONTACT: City of Ferndale, P.O. Box 1095, Ferndale, CA 95536. Melanie Rheaume, City Planner; Phone: 707.825.8260; Fax: 707.825.9181; email melanier@planwestpartners.com.

PROJECT DESCRIPTION: The applicant proposes to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building; prime and paint the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replace the existing signs with spacers rather than embedded in the siding; and reinstall the original striped awnings. These actions require City of Ferndale design review approval, a discretionary action subject to California Environmental Quality Act (CEQA) review. The existing signage and stucco siding have been removed from the building for safety.

BACKGROUND: The Ferndale Main Street Historic District was placed on the National Register of Historic Places on January 10, 1994. For the purposes of CEQA, historical resources include, but are not limited to, a resource listed in or determined to be eligible for listing in the California Register of Historical Resources per Public Resources Code Section 5024.1, Title 14 CCR (CEQA Guidelines Section 15064.5), which includes California properties formally determined eligible for, or listed in, the National Register of Historic Places.

The 580 Main Street building, known as the Ferndale Art and Cultural Center, is listed on the National Register of Historic Places and is considered a historical resource. The building is zoned Community Commercial and is within the Design Control Combining Zone and the Main Street Historic District. The listing in the National Register describes the building as a "large, single-story, false front commercial building... built as a garage in 1927" with "stucco exterior, concrete floors, large plate glass windows, and fire resisting construction." The listing goes on to state, "The symmetrical front façade facing Main Street is pierced by a central opening flanked by three, large plate glass windows. Striped fabric awnings delineate these openings. The stucco siding provides a smooth, modern appearance that is devoid of detail except for the design of the stepped and angled parapet. A trim board painted a dark color highlights the parapet."

Although the building has retained much of its historical character, several changes have occurred since its listing in the Register:

1. The awnings were removed and placed in storage.

2. The original composite shingle roof has been removed and replaced with metal on the gable sections and rolled tar sheets on the top.
3. One of the truck drive-thru openings facing Shaw Street has been closed and converted to two pedestrian side entrances.

In September 2012, the applicant applied for a building permit to remove the stucco from the front façade and requested that the process be expedited due to safety concerns. The applicant forwarded to the City a letter from a registered engineer stating that the stucco at the front of the building posed a significant public safety hazard, especially during a seismic event. The City Building Inspector approved issuing a building permit for the removal of the stucco and structural repairs. This permit does not cover materials replacement. Because of the potential public safety hazard, the permit was issued without the applicant first obtaining a Design Review Use Permit as normally required under Zoning Ordinance Section 6.05.2.

In October 2012, the applicant requested an expedited building permit to remove the stucco from the north side of the building (facing Shaw Street), again due to unsafe conditions. The applicant's engineer again stated that the stucco posed a public safety hazard, and the City Building Inspector approved issuing a permit for the removal of the stucco and structural repairs on the north side of the building. This permit does not cover materials replacement and due to the potential safety hazard was issued prior to the applicant obtaining a Design Review Use Permit.

Upon issuance of the above mentioned permits, the applicant removed the stucco siding and signage from the building and began structural repairs and temporary weatherproofing. The applicant proposes to replace the stucco with finger jointed primed redwood material of 11.25" coverage and to reinstall the original striped awnings on the front and north side of the building. The wood will be painted to match the original colors of the building, including the contrasting dark colored trim noted in the description of the building in the National Register.

The applicant also proposes changes to the signs on the building. The approximately 120 sq. ft. sign on the front (Main Street side) is a three part painted tin sign over the main entrance. The sign is fitted together and trimmed out for a one piece appearance. According to the applicant, this sign is original to the building. Staff was unable to verify this. The applicant proposes to return the sign to the building, but instead of being embedded in the stucco as before it will be backed with wood for protection of the sign and the building and mounted with 1" spacers and six 4X4 hidden "L" brackets (see attached plans). The spacers will allow for air flow around and behind the sign, and according to the applicant are necessary for preservation of the both the siding and the sign.

The applicant proposes to reinstall the approximately 96 sq. ft. Ferndale Kinetic Museum sign facing Shaw Street in the same manner as described above. The approximately 8 sq. ft. Ferndale Art Gallery sign will be placed nearer to the corner of the building due to the placement of the awnings.

Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows and the recessed entry. The replacement of the original stucco with finger jointed redwood would alter the smooth texture of the building while introducing horizontal lines and more detail. The structure's frame, form, contour, outline, profile and color will remain the same.

The proposed replacement of stucco on two sides of this building would alter its physical appearance and thus requires a Design Review Use Permit as per Ferndale Zoning Ordinance 02-02 Section 6.05.2. Because issuing the permit constitutes a discretionary action by the City, the project is subject to CEQA.

Staff has determined that the project is not eligible for a Categorical Exemption. Appropriate findings could not be made to support the project's eligibility for a Class 31 Historical Resource Restoration/Rehabilitation Categorical Exemption. CEQA guidelines §15331 states that a Class 31 Categorical Exemption "consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards."

SURROUNDING LAND USES AND SETTING: The land uses around the project site are Community Commercial Design Review (C-2-D), within the Ferndale Main Street Business area and the Main Street Historic District. The proposed project is consistent with City plans, ordinances, and regulations. In 2009, the City of Ferndale adopted a Mitigated Negative Declaration and approved a Design Review Use Permit to replace stucco on a Historical Resource with "exterior siding of stucco, hand-applied textured cement on a concrete backer board, or other suitable material such as horizontal pine, cedar or redwood siding that is historically appropriate and approved by the city." The following were the City's findings leading to this decision:

"The original stucco exterior had a uniform texture and appearance. If the wood siding proposed by the applicants is used, then the appearance of the building will be visually altered with horizontal lines across the entire building. This horizontal effect would not be consistent with the historical character of the building. Except for the proposed change in surface material, the structure's frame, form, contour, outline, profile and color will remain the same, therefore the proposed project will have a less than significant impact to a historical resource."

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning
<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing
<input checked="" type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	

DETERMINATION: On the basis of this initial evaluation:

- I find that the proposed project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **may** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 FOR George Williamson
 City Planner, City of Ferndale

Revised on
 12/13/2012

 Date

CHECKLIST AND EVALUATION OF ENVIRONMENTAL IMPACTS: An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the **CHECKLIST** the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

DISCUSSION: The replacement of the original stucco finger jointed, shiplap style redwood material with 11.25" coverage would alter the material finish of the building while introducing horizontal lines, overlap, and more detail. This overlapping horizontal and detailed effect would not be consistent with the existing visual character of the building. There are, however, other buildings in the near vicinity with shiplap wood siding similar to the proposed material.

Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows, roofline, parapet, and the recessed entry.

Except for the proposed change in surface material and reinstallation of the awnings, the structure's frame, form, contour, outline, profile and color will remain the same, therefore the proposed project will have a less than significant impact to aesthetics.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
DISCUSSION: No farmland is involved in or near this project. No impact.				

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
DISCUSSION: Applicant has obtained a North Coast Unified Regional Air Quality Management District permit and will conform to all applicable plans, regulations, and standards.				

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
DISCUSSION: This is a developed area. Project plans involve replacement, repair, or reinstallation of existing features. No Impact.				

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

DISCUSSION: The California Environmental Quality Act Title 14; Chapter 3; Article 5; Section 15064.5 states that a resource listed in the California Register of Historical Resources is considered a historical resource. The California Register includes California properties formally determined eligible for, or listed in, the National Register of Historic Places. The subject building was built in 1927 and is located in the Ferndale Main Street Historic District which was placed on the National Register of Historic Places January 10, 1994. Therefore, the subject building is a historical resource as defined in '15064.5.

The replacement of the original stucco finger jointed, shiplap style redwood material with 11.25” coverage would alter the material finish of the building while introducing horizontal lines, overlap, and more detail. This overlapping horizontal and detailed effect would not be consistent with the existing visual character of the building. There are, however, other buildings in the near vicinity with shiplap wood siding similar to the proposed material.

Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows, roofline, parapet, and the recessed entry.

Except for the proposed change in surface material and reinstallation of the awnings, the structure’s frame, form, contour, outline, profile and color will remain the same. The project would not have a substantial adverse effect on a historical resource; therefore, the proposed project will have a less than significant impact to cultural resources.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
DISCUSSION: This is an existing building with no use changes and a more seismic resistant siding. People will be safer because of this project. No soil is being disturbed and the municipal sanitary sewer system is utilized. No Impact.				

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands?				X
DISCUSSION: Demolition, disposal, and construction will conform to the Construction Code of the City of Ferndale as well as NCUAQMD standards and regulations. The project does not involve a change in use of the building. No Impact.				

VIII. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of levee or dam failure?				X
j) Result in inundation by seiche, tsunami, or mudflow?				X
DISCUSSION: This project does not alter any drainage patterns, flows, currents or increase runoff, does not involve housing and is not subject to seiche, tsunami, or mudflow. No Impact.				

IX. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
DISCUSSION: This is an existing building that is not being expanded. Its current use conforms to local zoning and there are no conservation plans. All existing uses to remain the same. No Impact.				

X. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
DISCUSSION: The project is an existing structure that is not situated near current or proposed mining activities. No Impact.				

XI. NOISE. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Expose persons to or generate excessive ground borne vibration or ground borne noise levels?				X
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
DISCUSSION: There will be elevated noise levels as demo and reconstruction work occurs. These noise levels will not exceed local ordinance levels and will be temporary in duration. Less than significant impact.				

XII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
DISCUSSION: No houses or people will be displaced by this project. No Impact.				

XIII. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?				X

c) Schools?				X
d) Parks?				X
e) Other public facilities?				X
DISCUSSION: The project involves replacing a fire-resistant material (stucco) with a flammable material (redwood). The City and project site are served by the Ferndale Volunteer Fire Department. The increase in flammable materials will not result in unacceptable service ratios or response times, and would not necessitate expansion of the fire department's equipment, staffing, or facilities. The project will not change the needs, use, or demands on police, schools, parks or public utilities. Less than significant impact.				

XIV. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
DISCUSSION: The project will not change the use of parks or require the expansion of existing parks. No Impact.				

XV. TRANSPORTATION/TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
DISCUSSION: The project will not alter the volume, speed, or patterns of auto or air traffic. Existing emergency access and parking will remain the same and do not conflict with alternative transportation plans or policies. The applicant has obtained Caltrans permit. No Impact.				

XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
---	--------------------------------	---	------------------------------	-----------

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed)?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Violate any federal, state, and local statutes and regulations related to solid waste?				X
DISCUSSION: The project does not change the demand on water supply, waste water treatment, storm water volumes, flows or capacities, and will not change landfill demands. No Impact.				

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).				X
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X
DISCUSSION: The project does not have the potential to degrade the environment, harm wildlife, have cumulative impacts or cause substantial adverse effects on humans. No Impact.				

Attachment D

NPS Form 10-900-a
10-901

CRM Approval No. 1004-0018

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

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BY:.....

Section number 7 Page 52.

Ferndale "Main Street" Historic District
Humboldt County, CA

Description (continued)



54.) 580 Main Street (C) 1927
Historical Name: S & E Garage and Ford Dealership
Other Name: Ray L. Albert & Sons Ford Dealership
A.P. Number: 31-143-04

This large, single-story, false front commercial building was built as a garage in 1927. The new building had a stucco exterior, concrete floors, large plate glass windows, and "fire resisting construction". The huge building resembles a warehouse and when it was completed it was one of the largest garages in the county.

This corner structure anchors the northern end of the commercial district with its impressive size and architectural integrity. The symmetrical front facade facing Main Street is pierced by a central opening flanked by three, large plate glass windows. Striped fabric awnings delineate these openings. The stucco siding provides a smooth, modern appearance that is devoid of detail except for the design of the stepped and angled parapet. A trim board painted a dark color highlights the parapet.

The north side facade facing Shaw Avenue is pierced by large storefront windows that turn the corner from the front. Small, single lite sash windows and large, multi-lite industrial windows pierce the facade. Two large garage door openings with gooseneck light fixtures allow access into the building for large vehicles. The gable roof is covered in composition shingles.

Mr. and Mrs. C.H. Wetherbee had this garage constructed in 1927 by contractor, William Flowers. Eight hundred yards of dirt fill were brought to the site before construction began in 1927 and the concrete floor was laid. This building housed the local ford dealership run by Sutherland and Escola and then by Ray L. Albert and Son in 1937.

Sutherland and Escola's Garage better known as S. & E. Garage had occupied this site prior to the new construction. They were housed in the old Ferndale Livery Stable that was constructed in 1887 for Charles A. Doe.

RECEIVED
NOV 21 2013
BY: SP

Attachment E

CITY OF FERDALE
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: 11/21/13

<input type="checkbox"/>	Bed & Breakfast Inn
<input checked="" type="checkbox"/>	Design Review Use Permit
<input type="checkbox"/>	Exception to Development Standards
<input type="checkbox"/>	Home Occupation Permit
<input type="checkbox"/>	Lot Line Adjustment
<input type="checkbox"/>	Merger

<input type="checkbox"/>	Major Subdivision (5 parcels or more)
<input type="checkbox"/>	Minor Subdivision (4 parcels or less)
<input type="checkbox"/>	Second Dwelling Unit
<input type="checkbox"/>	Use Permit
<input type="checkbox"/>	Variance
<input type="checkbox"/>	Zoning & General Plan Amendment

2. Name of Property Owner: Gable Properties LLC
Address: 580 Main Street PO Box 1044

3. Name of Applicant (if different):
Address: Phone:

4. Property Location: 580 Main Street
Assessor Parcel Number(s): 031-143-004-000

Description:
Lot Area: 81x150

5. Present Use of Property: commercial warehouse & retail storage, etc
Present Zoning:

6. Description of Proposed Project: Reside - repair & change
to partial roof with shingles
② color change cedar mt ③ NO awnings

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.

Nancy Trujillo
Signature of Applicant or Agent Date: 11-21-13

Authorization of Agent: I hereby authorize *Nancy Trujillo* 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	



580 Main
Cable

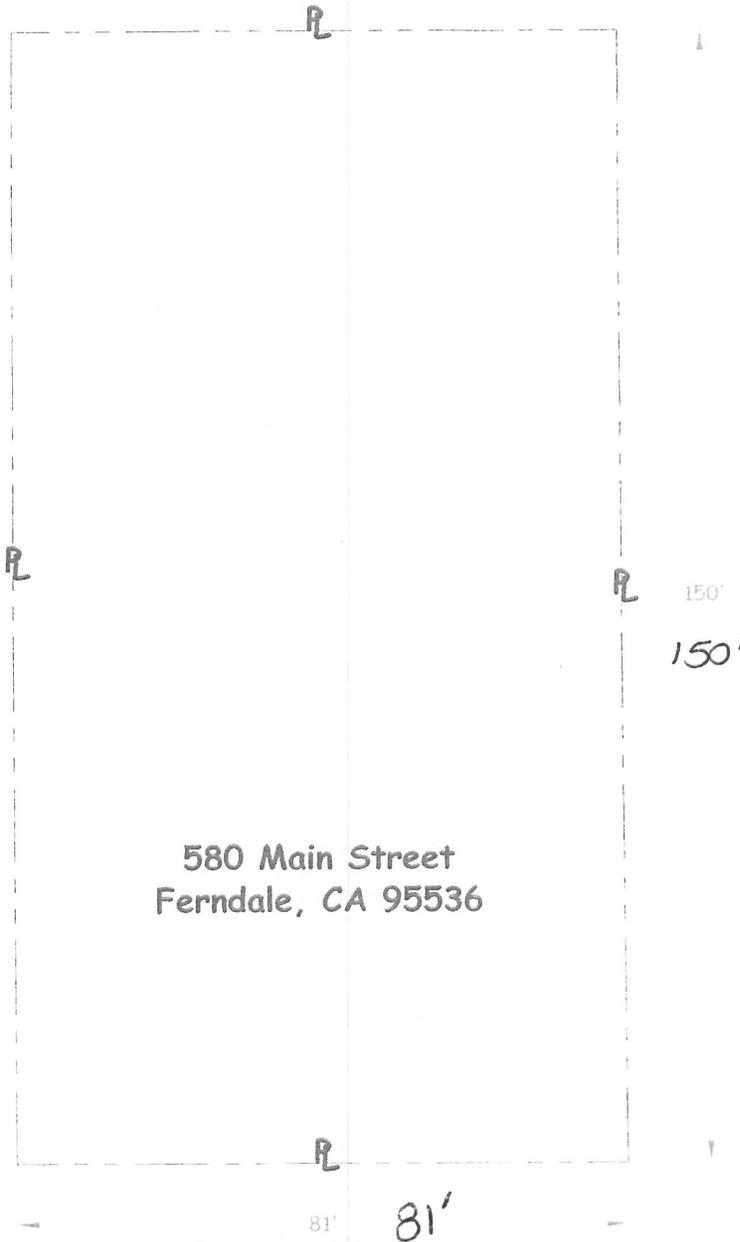
AS FOLLOWS:

580 Main St.
Ferndale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

Plot Plan

Shaw Avenue



Main Street

Gable Properties

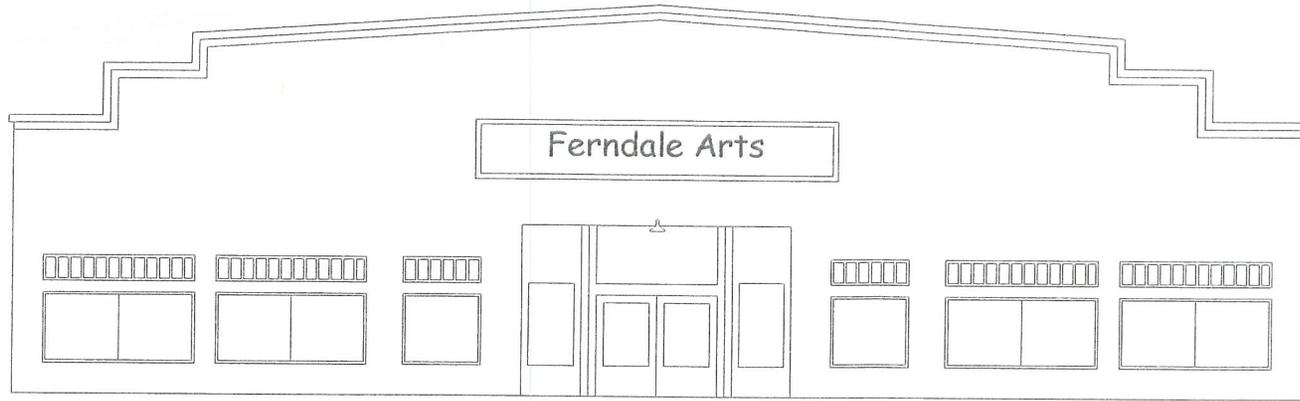
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REVISION NUMBER:	1 OF 1
PAGE NUMBER:	1 OF 3
DATE:	Nov. 1st 2013
SCALE:	1/16"=1'

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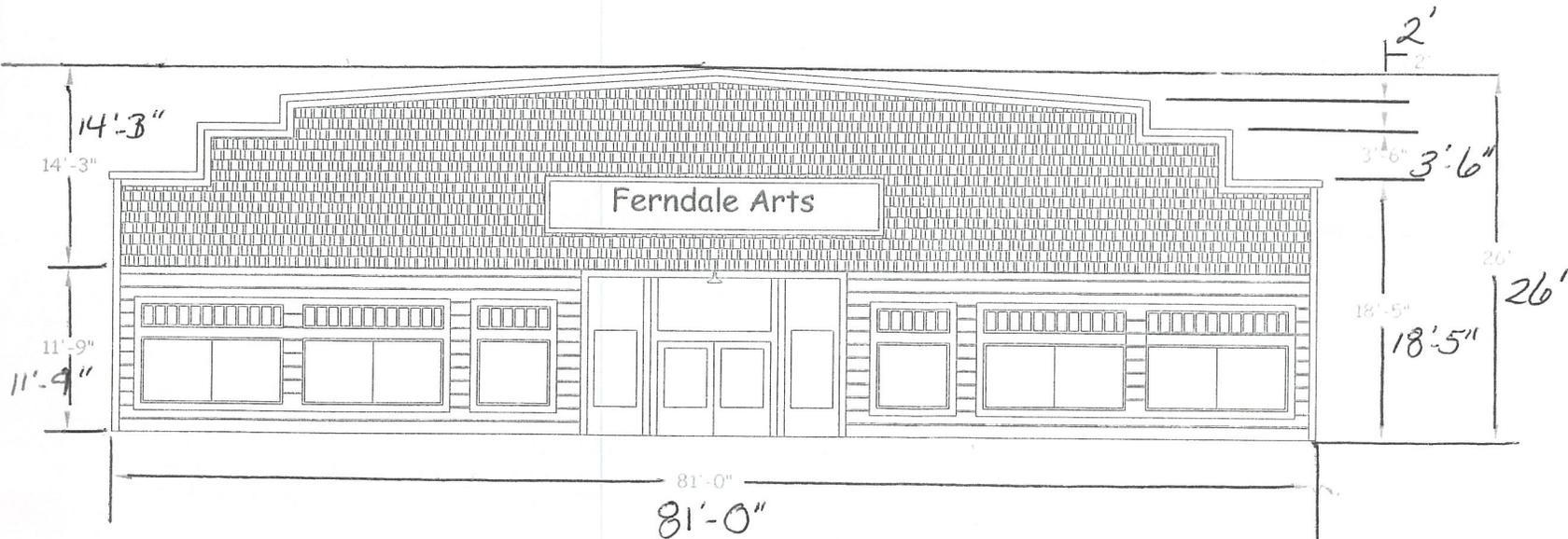
AS FOLLOWS:

580 Main St.
Ferndale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005



Original Stucco Finish



Horizontal siding w/ Cedar Shingles
Redwood
not

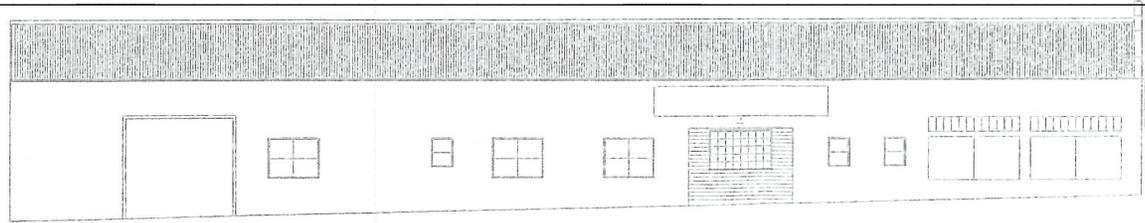
Gable Properties

contact:
REVISION NUMBER:
1 OF 1
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2 OF 3
DATE:
Nov 1st 2013
SCALE:
1/8":1'

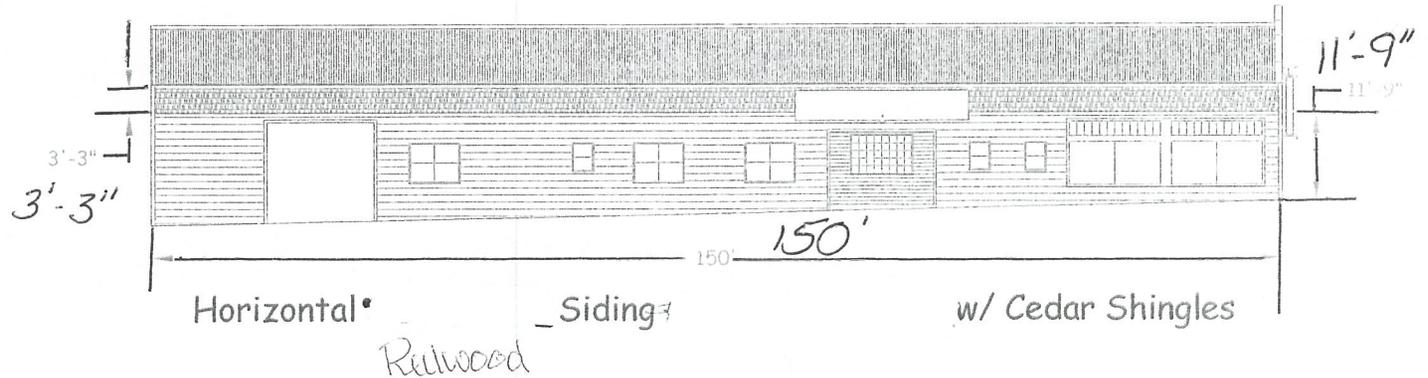
AS FOLLOWS:

580 Main St.
Ferndale, CA 95536
APN#
.031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005



Existing Stucco Finish



North Elevation

contact:
REVISION NUMBER:
1 OF 1
PAGE NUMBER:
3 OF 3
DATE:
Nov. 1st. 2013
SCALE:
1/16":1'

Gable Properties

PROJECT NAME:

CONTRACTOR:

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MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

CLIFFORD B. MITCHELL (1927--2010)
PAUL A. BRISSO
NANCY K. DELANEY
JOHN M. VRIEZE
WILLIAM F. MITCHELL
RUSSELL S. GANS
NICHOLAS R. KLOEPPPEL

JAY M. HARRIS, Associate
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P.O. DRAWER 1008
EUREKA, CA 95502

EMERY F. MITCHELL (1896 - 1991)
WALTER J. CARTER (1949 - 1993)
R.C. DEDEKAM (1929--2011)

December 30, 2013

Larry Kluck
Mathews, Kluck, Walsh & Wykle, LLP
100 M Street
Eureka, CA 95501

Re: City of Ferndale
Gable Properties, LLC
580 Main Street, Ferndale, California

Dear Mr. Kluck:

Responding to your letter dated December 20, 2013, my understanding regarding the status of the permit review process is as follows:

The Design Review Committee ("DRC") met on December 19, 2013, to review your client's revised application for siding installation on the 580 Main Street building. The DRC action was not complete, in that they did not make required findings in Attachment A of their packet, as stated in the recommended motion language in the staff report. Because this is a discretionary action, findings must be made. This matter will be placed on the Planning Commission agenda for the January, 2014 meeting, and the Commission will be requested to make the findings, including adopting the Addendum to the Negative Declaration previously prepared for the project prior to the change in materials/design. The proposed findings the Commission will likely be requested to make are attached.

Very truly yours,

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

Russell S. Gans

RSG/jg
Cc: Jay Parish, City Manager

**Attachment A
FINDINGS OF FACT**

Staff feels the Design Review Committee can make the following findings to allow for the recommendation that the Planning Commission adopt the Negative Declaration and approve the Design Review Use Permit:

1. The Design Review Use Permit for the project is a discretionary action of the City, and is subject to the California Environmental Quality Act (CEQA). An Addendum to the Initial Study/Negative Declaration (attached) was prepared to assess environmental factors that could potentially be affected by the project. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment. The Addendum reflects the City's independent analysis and judgment.
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 associated with the C-2-D Zone (Zoning Ordinance §5.08 and 6.05).
3. The proposed design, materials, and colors are visually harmonious with and conceptually consistent in character and scale with surrounding area.
4. The existing project, as outlined and with conditions
 - Appears to be similar and compatible to other uses allowed in similar zones;
 - Does not appear to impair the integrity and character of the zone (or neighborhood);
 - Does not appear to be detrimental to the public health, safety, or welfare;
 - Appears to be 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;
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones; and
 - Will not be unsightly, obnoxious or undesirable in appearance to the extent that it will hinder the harmonious development of the zone, impair the desirability of the zone for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements or otherwise adversely affect the general property and welfare.

Attachment B
CONDITIONS OF APPROVAL

Staff recommends Design Review Use Permit approval shall be subject to the following conditions. The violation of any term or requirement of 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 the Design Review 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 Permit and uses allowed are considered final and approved.
2. All proposed work 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 work deviate from that as allowed by this approval, then the applicant may be required to first receive Design Review Committee approval for such changes.
3. Should the applicant or any other future owner of the subject property not conform to the requirements of these conditions, then said non-conformance shall constitute a violation of this Design Review Use Permit and shall become null and void until either all the issues have been addressed to the satisfaction of the City, or the permit is revoked.
4. All proposed and/or future development, improvements, and construction authorized hereunder shall be in conformance with all applicable City ordinances, regulations and codes, including but not limited to Zoning Ordinance 02-02, including the Design Review requirements, the Uniform Building Code, any Fire Codes and/or Public Health & Safety Code, applicable to the nature and type of proposed use and/or construction. A City building permit is required for any construction associated with the proposed project with the burden on the applicant to comply.

City of Ferndale, Humboldt County, California USA**Agenda Item 7.2: Design Review Minutes for the 12/19/13**

Chairman Mark Giacomini opened the meeting at 8:30 a.m. Committee Members Lino Mogni, Paul Gregson, and Doug Brower were present along with Deputy City Clerk Christina Wile and Contract City Planner George Williamson. Marc Daniels was absent. Paul Gregson was sworn in by the City Manager prior to the meeting.

Modifications to the Agenda: Previous minutes were already approved, strike from agenda.

580 Main Street: Current applicant Nancy Trujillo of Gable Properties clarified that Sylvia Sterling Trust was the original Design Review applicant. Ms. Trujillo offered the Red Front Store and the Public Restrooms as examples of buildings on Main Street with both shingles and siding. Ms. Trujillo objected to Attachment B, Conditions of Approval. Design Review Committee members discussed Attachment A, Attachment B and the Addendum to the Initial Study/Negative Declaration. Contract City Planner George Williamson explained that Attachment A is essential because the change to the design review permit is considered a discretionary action under CEQA. Design Review Committee members moved to approve only the paint colors and siding without findings of fact (Attachment A) or conditions of approval (Attachment B). **MOTION:** Approve the change in paint colors and siding for DR 1223 **(Mogni/Brower) Unanimous.**

Design Review Approval Sign Off: DR 1319 and DR1326 were finalized.

There was no further business to discuss. Meeting adjourned at 9:05 am.

Respectfully submitted,

Christina Wile, Deputy City Clerk
City of Ferndale

Meeting Date:	January 15, 2014	Agenda Item Number	7.3
Agenda Item Title:	Study Session with City Council and Design Review Committee		
Presented By:	Elizabeth Conner, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Respond to the dates provided by the City Council and schedule.		

RECOMMENDATION:

Review the date or dates suggested by the City Council and schedule Annual Study Session with City Council, Planning Commission and Design Review Committee to Review Goals and Objectives for 2014 and Committee Roles. The Commission may also want to suggest discussion items for the study session.

BACKGROUND

Periodically, and usually on an annual basis, the City Council of Ferndale schedules a joint study session between members of the City Council, Planning Commission and Design Review Committee to Review Goals and Objectives and Committee Roles. As there are new members of the Design Review Committee and it has been a while, the City Council decided it is a good time to schedule such a session.

FINANCIAL IMPACT:

None.

Business Item 7.4 Building and Land Use Permits

<i>BUSINESS ITEM</i>		<i>December 15, 2013 - January 9, 2014</i>
<i>Building Permits</i>		
779	Main	Water Heater replacement
<i>Land Use Permits</i>		
778	Main	Encroachment Permit

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:	January 15, 2014	Agenda Item Number	7.5
Agenda Item Title:	Accept Resignation of Marc Daniels and Request Staff Post the Vacancies		
Presented By:	Elizabeth Conner, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Accept resignation and direct staff to post notices of the vacancies		

RECOMMENDATION:

Accept resignation of Marc Daniels from the Planning Commission and the Design Review Committee and request that staff post the vacancies.

BACKGROUND

On December 31, 2013 the City received a letter from Planning Commission and Design Review Committee Member Daniels resigning from both appointments due to taking a job out of the area. The letter is attached to this item.

FINANCIAL IMPACT:

None.

Subject: letter of resignation
From: Leah Daniels <angelara00@yahoo.com>
Date: 12/31/2013 8:25 AM
To: cityclerk@ci.ferndale.ca.us
CC: ayuxtam@yahoo.com

To the City Manager, Planning Commission members, Design Review Committee members, and Mayor of Ferndale

It is with regret that I send this letter of resignation for my positions on the Design Review Committee and the Planning Commission. I have accepted a building restoration project out of the area that will affect my ability to attend meetings and be informed about our town's building and planning issues over the coming weeks and months.

I have enjoyed being involved with the City of Ferndale in these capacities and look forward to becoming involved again when circumstances will allow me to volunteer again and perform the tasks properly.

Thank you, and very best wishes.

Sincerely,
Marc Daniels

Section 8: CORRESPONDENCE

Subject: letter of resignation
From: Leah Daniels <angelara00@yahoo.com>
Date: 12/31/2013 8:25 AM
To: cityclerk@ci.ferndale.ca.us
CC: ayuxtam@yahoo.com

To the City Manager, Planning Commission members, Design Review Committee members,
and Mayor of Ferndale

It is with regret that I send this letter of resignation for my positions on the Design Review Committee and the Planning Commission. I have accepted a building restoration project out of the area that will affect my ability to attend meetings and be informed about our town's building and planning issues over the coming weeks and months.

I have enjoyed being involved with the City of Ferndale in these capacities and look forward to becoming involved again when circumstances will allow me to volunteer again and perform the tasks properly.

Thank you, and very best wishes.

Sincerely,
Marc Daniels

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

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December 30, 2013

Larry Kluck
Mathews, Kluck, Walsh & Wykle, LLP
100 M Street
Eureka, CA 95501

Re: City of Ferndale
Gable Properties, LLC
580 Main Street, Ferndale, California

Dear Mr. Kluck:

Responding to your letter dated December 20, 2013, my understanding regarding the status of the permit review process is as follows:

The Design Review Committee ("DRC") met on December 19, 2013, to review your client's revised application for siding installation on the 580 Main Street building. The DRC action was not complete, in that they did not make required findings in Attachment A of their packet, as stated in the recommended motion language in the staff report. Because this is a discretionary action, findings must be made. This matter will be placed on the Planning Commission agenda for the January, 2014 meeting, and the Commission will be requested to make the findings, including adopting the Addendum to the Negative Declaration previously prepared for the project prior to the change in materials/design. The proposed findings the Commission will likely be requested to make are attached.

Very truly yours,

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

Russell S. Gans

RSG/jg
Cc: Jay Parish, City Manager

**Attachment A
FINDINGS OF FACT**

Staff feels the Design Review Committee can make the following findings to allow for the recommendation that the Planning Commission adopt the Negative Declaration and approve the Design Review Use Permit:

1. The Design Review Use Permit for the project is a discretionary action of the City, and is subject to the California Environmental Quality Act (CEQA). An Addendum to the Initial Study/Negative Declaration (attached) was prepared to assess environmental factors that could potentially be affected by the project. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment. The Addendum reflects the City's independent analysis and judgment.
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 associated with the C-2-D Zone (Zoning Ordinance §5.08 and 6.05).
3. The proposed design, materials, and colors are visually harmonious with and conceptually consistent in character and scale with surrounding area.
4. The existing project, as outlined and with conditions
 - Appears to be similar and compatible to other uses allowed in similar zones;
 - Does not appear to impair the integrity and character of the zone (or neighborhood);
 - Does not appear to be detrimental to the public health, safety, or welfare;
 - Appears to be 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;
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones; and
 - Will not be unsightly, obnoxious or undesirable in appearance to the extent that it will hinder the harmonious development of the zone, impair the desirability of the zone for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements or otherwise adversely affect the general property and welfare.

Attachment B
CONDITIONS OF APPROVAL

Staff recommends Design Review Use Permit approval shall be subject to the following conditions. The violation of any term or requirement of 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 the Design Review 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 Permit and uses allowed are considered final and approved.
2. All proposed work 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 work deviate from that as allowed by this approval, then the applicant may be required to first receive Design Review Committee approval for such changes.
3. Should the applicant or any other future owner of the subject property not conform to the requirements of these conditions, then said non-conformance shall constitute a violation of this Design Review Use Permit and shall become null and void until either all the issues have been addressed to the satisfaction of the City, or the permit is revoked.
4. All proposed and/or future development, improvements, and construction authorized hereunder shall be in conformance with all applicable City ordinances, regulations and codes, including but not limited to Zoning Ordinance 02-02, including the Design Review requirements, the Uniform Building Code, any Fire Codes and/or Public Health & Safety Code, applicable to the nature and type of proposed use and/or construction. A City building permit is required for any construction associated with the proposed project with the burden on the applicant to comply.

Section 9: STAFF REPORTS

City of Ferndale, Humboldt County, California USA
Item 9.0: Staff Reports for January 15, 2014 Planning Commission Meeting.
Reporting to December 20, 2013

CITY PLANNER ACTIVITY

Task 1 – General Planning

- Coordinated with City Manager and City Clerk on planning and development projects.
- Attended 11/20 Planning Commission Meeting. Prepared and presented Noise and Air Quality Element Chapters 1-3 and Planning Commission Reading of Ordinance No. 2013-04 Amending Zoning Ordinance 02-02 Design Review, Sign and Parking Regulations.
- Prepared Planning Commission Reading of Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review, Sign and Parking Regulations for 11/25 Special Planning Commission meeting.
- Attended 12/9 Special Planning Commission Meeting. Prepared and presented 638 Main Street Request for Variance from Zoning Ordinance 02-02 §7.16 Pertaining to Off Street Parking Spaces and Planning Commission Reading of Ordinance No. 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations.
- Prepared agenda items for 12/5 City Council meeting, including Resolution No. 2013-42 Authorizing Formation of an Ad Hoc Committee to Analyze Potential Lot Line Adjustment of Russ Park and Silva Parcels and Expenditure for Time and Materials, Public Hearing on Ordinance No. 2013-04 continuation item and an update on 580 Main Street.
- Reviewed City hiring policy for temporary positions.
- Reviewed past City actions and deliberations on parking issues.
- Reviewed current and enacted sign regulations for temporary sign standards.
- Attended 12/19 Design Review Committee Meeting. Prepared and presented 580 Main Street DR Use Permit agenda item containing environmental review documents, project report and relevant application materials.

Task 2 – Reimbursable Fee Planning

- 638 Main Street Variance to Parking Requirements – processed application, corresponded with applicant, noticed public hearing, prepared and presented project report, prepared and sent Notice of Planning Commission Approval.
- 580 Main Street Design Review Use Permit Amendment – reviewed application for completeness. Corresponded with applicant re: application completeness, process, fees. Coordinated with City Attorney, City Manager and City Clerk on correspondence, process and fees. Conducted environmental review. Prepared Addendum to the Initial Study/Negative Declaration and project report.

Task 3 – Special Projects

- Revised Russ Park scope and cost estimate. Researched sixe and parcel boundaries of park, City limits, and surrounding parcels. Coordinated with surveyor and LAFCo on actual locations. Confirmed that County is aware of discrepancies.

- Prepared and presented Ordinance 2013-04 Amending Zoning Ordinance 02-02 Sections Pertaining to Design Review, Sign and Parking Regulations at 11/20 Planning Commission Public Hearing. At Commission and City Manager's request, removed all proposed parking regulations. Prepared and presented Ordinance 2013-04 Amending Zoning Ordinance 02-02 Sections Pertaining to Design Review and Signs at 12/9 Special Planning Commission Meeting Public Hearing. Hearing continued until 1/16/2014.

Task 4 – General Plan Review Fund

- Prepared and presented for Planning Commission review Noise & Air Quality Element Chapter 1 Introduction, Chapter 2 Definitions, and Chapter 3 Settings and Context. Continued agency and Native American Government coordination. Continued work on Chapter 4 Noise.

Additional Authorizations

- Coordinated with City Manager to prepare Resolution No. 2013-42 Authorizing Formation of an Ad Hoc Committee to Analyze Potential Lot Line Adjustment of Russ Park (APN 101-051-01) and Silva Parcels (APN 101-051-24 & 101-051-03), and Expenditure for Time and Materials Not to Exceed \$2,000. Council authorized.
- Continued implantation of Housing Element Implementation Plan 2013. Prepared Zoning Ordinance Amendments and Density Bonus as required per state housing regulations. Sent to City Attorney for legal review.
- Coordinated with City Attorney on Nuisance Ordinance update.

CITY CLERK ACTIVITY

Meetings

- Daily Meetings with City Manager regarding work schedule.
- Attended:
 - Regular City Council Meeting 12/05/13
 - Regular Planning Commission Meeting 11/20/13
 - Special Planning Commission Meeting 11/25/13
 - Special Planning Commission Meeting 12/9/13
- Wrote agenda items and compiled packets for:
 - Regular City Council Meeting 12/05/13
 - Regular Planning Commission Meeting 11/20/13
 - Special Planning Commission Meeting 11/25/13
 - Special Planning Commission Meeting 12/9/13
- Transcribed meeting minutes and uploaded meeting videos for:
 - Regular City Council Meeting 12/05/13
 - Regular Planning Commission Meeting 11/20/13
 - Special Planning Commission Meeting 11/25/13
 - Special Planning Commission Meeting 12/9/13
- Posted all meeting agendas and public notices on City Hall and Post Office bulletin boards.

- Uploaded meeting packets to City website.

Projects

- Daily work with front counter and telephones: assisted the public with questions, information, rentals, permits and licenses.
- Received training in the following areas: processing dog and business licenses, building permits, deposits, packet creation, phone and counter protocol, rental facilities and City calendar, filing systems, City databases, processing correspondence, and posting of public notices and meeting materials.
- Wrote advertising notices and job descriptions for Deputy City Clerk/Finance Officer and Administrative Assistant and posted on Ferndale's web site.
- Helped prepare job interview questions for Deputy City Clerk interviews.
- On-going communications with contract Planners.
- On-going correspondence with FPPC re current and future Form 700 filings.
- Prepared introductory packet to new DRC member Gregson.
- Sent reminders to PC and DRC members about upcoming meetings.
- Researched tax status of Ferndale Housing and wrote summary.
- Sent and received emails daily (cityclerk@ci.ferndale.ca.us).
- Wrote and processed City correspondence daily.
- Worked with Joe Mellet from the County to correct sewer charges.
- Processed rental applications and fees for City Hall and Community Center. Updated City Calendar daily. Made copies of the City Calendar and distributed to Public Works.
- Returned cleaning deposits to Community Center and City Hall rental applicants.
- Processed dog licenses: mail and over the counter.
- Processed yearly business licenses: mail and over the counter.
- Organized and filed paperwork from Deputy City Clerk's office and hallway.
- Signed and filed resolutions and ordinances of the City Council and the Planning Commission:
 - PC Resolution Number PC 2013-43 Make the Finding for Conditionally Approving a Variance from Zoning Ordinance 02-02 7.16 Pertaining to Off-Street Parking Requirements for Relocation of Medical Clinic from 538 Washington Street to 638 Main Street, Assessor Parcel Number: 031-142-004: filed signed copies in Resolutions binder and folder, the property folder and send copies to project applicant.
 - Resolution Number 2013-41 Authorizing the Adoption of the Humboldt Operation Area Hazards Mitigation Plan 2013 Update: filed signed copies in Resolutions binder and folder, the project folder and sent a copy to County staff working on the project.
 - Resolution Number 2013-42 Authorizing Formation of an Ad Hoc Committee to Analyze Potential Lot Line Adjustment of Russ Park (APN 101-051-01) and Silva Properties (APN 101-051-24 & 101-051-03), and Expenditure of for Time and Materials not to Exceed \$2,000: filed signed copies in Resolutions binder and folder and the project folder.
 - Ordinance 2013-02, Sign Ordinance: completed ordinance checklist, filed signed copies in ordinance binder and ordinance folder.

- Ordinance 2013-03, Medical Marijuana Dispensary and Cultivation Ordinance: completed ordinance checklist, filed signed copies in ordinance binder and ordinance folder.
- Assisted in processing design review application for:
 - 580 Main Street

Section 10: ADJOURN