
**USE PERMIT –
DESIGN REVIEW APPLICATION PROCESS**

**QUICK CHECK LIST FOR
SUBMITTAL**

- Standard Application Form
- Plans and/or drawings
- Fee Deposit

APPLICABILITY

A Use Permit – Design Review may be granted upon application to the Planning Commission for all major and minor external changes to any structure within the Design Control Qualified Zone (See City of Ferndale Land Use Zoning Map). Before any structure may be erected, structurally altered, or in any way remodeled or improved so as to change the outward appearance of the building, a Use Permit – Design Review shall be obtained.

Design Review is not required for

- o Paint and repair which does not change the external appearance of the structure or which restores the structure to the original condition.
- o Emergency repair
- o Structures not within Design Control Qualified (-D) Zone

PURPOSE

Section 6.05 of the Zoning Ordinance states 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 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:

Each application for such 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 the Planning Commission in order that it may adequately evaluate the proposed structure or design.

Applications for Design Review of minor changes or additions to buildings and structures so as to change the outward appearance of the building, including changes in exterior paint color will be reviewed by the Design Review Coordinators (three members of the Planning Commission) who may approve applications without full Planning Commission approval. Two of the three coordinators need to approve the Design Review permit before a building permit can be issued. If two of the coordinators decline to sign a use permit, the application will be placed on the agenda of the next Planning Commission meeting.

PROCESS

1. Pre-application Review (optional)

This is an optional step recommended by staff. This step can include a review of preliminary plans and/or a meeting with city staff. Staff may provide feedback in verbal and/or written form. Any feedback provided at this time is preliminary only, and subject to further refinement or change in the formal review process.

2. Application Completeness Check

- a. Applicant files application form and other information required and pays all required fees and deposits. Two (2) copies of all materials are required.
- b. Within 30 days of submission at City Hall, the City Planner reviews application materials to determine whether the application includes all information required and is considered complete. The City Planner may refer application materials to the City Engineer, or other staff, to obtain opinions regarding application completeness.
- c. If the application is deemed to be incomplete, the City Planner will provide a written explanation to the applicant within the 30-day review period.
- d. Following notification of the applicant, incomplete applications are held without processing until such time as all deficiencies are corrected.

3. Application Processing

- a. Once the application is deemed complete, the applicant is contacted and requested to provide additional copies of application materials. A total of ten (10) complete sets of materials may be required.
- b. City Planner will distribute application materials to Design Review Coordinators for their review. If proposed design is of minor significance, the Design Review Coordinators may administratively approve the application or refer it to the full Planning Commission for review.
- c. If two of the three coordinators approve the application the next step is to apply for a building permit for construction, if necessary.
- d. If two of the coordinators decline to sign a Use Permit – Design Review, the application will be placed on the agenda of the next Planning Commission meeting.
- e. City Clerk or City Planner prepares Public Hearing notice for distribution. City Clerk or City Planner is responsible for posting of notice, newspaper publication of notice, and mailing of notices in accordance with Noticing Policy for Projects Requiring Public Hearings.
- f. City Planner performs environmental review as required by CEQA. (Notice of Exemption is usually prepared for design review unless other permits require Notice of Determination.)
- g. City Planner prepares a Project Report to the Planning Commission which includes, at a minimum, the following information:

- Background information
 - Analysis of Application
 - Environmental Issues
 - Ordinance and Policy Issues
 - Recommendations a comments from other City staff and outside agencies
 - Recommendations for action
 - Environmental determination
 - Approval (may include conditions) or denial
- h. City Clerk or City Planner is responsible for reproduction and inclusion of project report in Planning Commissioners’ agenda packets.
4. Formal Consideration by Planning Commission
- a. Planning Commission considers application, including staff recommendations and public testimony, at a noticed Public Hearing.
 - b. City Planner makes note of any changes to recommended conditions which may occur at the meeting and provides written notification of Planning Commission action to the applicant. Actions are generally by motion.
 - c. Action by the Planning Commission is final, unless appealed to the City Council. Actions become effective following the mandatory 10-day appeal period.

IMPORTANT: The applicant or an authorized representative must be present at the Public Hearing to represent the application.

APPEALS

The decision of the Planning Commission is final unless appealed by the applicant or other affected party to the City Council. Appeals must be made within 10 calendar days of the date of Planning Commission action, as set forth in Zoning Ordinance Article XI.

Administrative decisions, including determinations relative to application completeness, may be appealed to the City Council within 10 days of staff’s determination.

APPLICATION REQUIREMENTS

A complete application consists of required forms, plans, and required fees and deposits, as described below.

1. Forms
 - a. Standard Application Form
2. Plans

Submit ten (10) copies at 1/8” scale (or alternate if necessary) on sheet no larger than 24” x 36”. Use separate sheets if necessary. Site plans must include the following information:

- a. Name and address of applicant/owner
- b. Date, north arrow, scale
- c. Entire parcel boundary with dimensions
- d. Adjacent public and private streets and driveways
- e. All existing and proposed buildings and site features (significant trees and topographic features must be included.)
- f. Elevations of proposed structure, design change, or addition to include type, dimensions and colors of materials.
- g. Other data as may be required to permit the Planning Commission to make the required findings for approval of the use permit.

3. Required Fees and Deposits

Consult City Clerk or City Planner for current fee and deposit requirements.

TIME REQUIRED FOR PROCESSING

Following are processing time limits established by state law:

- o Maximum time to determine application completeness: 30 days
- o Maximum time to either approve or deny application: 105 days (Negative Declaration)

Note: The preceding time limits are the maximum allowable as specified by state law, unless waived in writing by the applicant. In most instances, applications will be processed in less time than described above. In all instances, applications will be processed as quickly as possible.

FEES

City of Ferndale processing fees are intended to cover all costs typically incurred by the City in processing of applications. Fees are based on estimates of the City’s administrative costs. Fees are minimum and non-refundable. If a project is determined to require more time than covered by the minimum fee, then an estimate of additional time required and estimated actual cost will become the basis for a supplemental application fee. If the supplemental fee exceeds actual costs to the City, the balance will be refunded. Applicant shall pay all costs to City prior to filing of final decision on project application.

ADDITIONAL INFORMATION

For additional information concerning planning application requirements and procedures, contact Ferndale City Hall at 707.786.4224 or cityplanner@ci.ferndale.ca.us