

**REGULAR AGENDA
CITY OF FERNDALE - HUMBOLDT COUNTY U.S.A.
DESIGN REVIEW COMMITTEE MEETING**

Location	834 Main Street Ferndale, CA 95536	Date:	July 25, 2024
		Time:	8:30 am

We welcome you to this meeting. Members of the Public may be heard on any business item on this Agenda before or during the Design Review Committee consideration of the item. The public may also directly address the Design Review Committee on any item of interest to the public that is not on the Agenda during the public comment time; however, the Design Review Committee generally cannot take action on an item not on the Agenda.

A person addressing the Design Review Committee will be limited to five (5) minutes unless the Chair grants a longer period of time. While not required, we would appreciate it if you would identify yourself with your name and address when addressing the Design Review Committee.

This 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.

TO SPEAK ON ANY ISSUE, PLEASE BE ACKNOWLEDGED BY THE CHAIR BEFORE SPEAKING

1. CALL MEETING TO ORDER – DEPUTY CITY CLERK WILL DO ROLL CALL
2. MODIFICATIONS TO THE AGENDA
3. APPROVAL OF PREVIOUS MINUTES
 - A. Approval of the April 23, 2024, Meeting Minutes Page 3
4. PUBLIC COMMENT. (This time is for persons who wish to address the Committee on any matter not on this agenda and over which the Committee has jurisdiction).
5. BUSINESS
 - A. Proposed Zoning Ordinance Changes regarding Design Review..... Page 5
6. CORRESPONDENCE
7. COMMITTEE MEMBER COMMENTS
8. ADJOURN

**This notice is posted in compliance with Government Code §54954.2.
The next Regular Meeting of the Ferndale City Design Review Committee
will be August 22r 2024**

CALL MEETING TO ORDER

MODIFICATION TO THE AGENDA

APPROVAL OF PREVIOUS MINUTES

April 25, 2024

DESIGN REVIEW REGULAR MEETING

CITY OF FERNDALE, HUMBOLDT COUNTY, CALIFORNIA,
USA

Design Review Committee Action Minutes for the 4/25/24 Agenda – 8:30am Meeting

Committee Chair Ellin Beltz opened the meeting at 8:30am. Committee members Ellin Beltz, Daniel Lawrence, Julie Hadley, and Jorgen Von Frausing-Borch were present, along with Deputy City Clerk Lauren Boop.

Modifications to the Agenda: None

Approval of Previous Minutes:

Approved (Von Frausing-Borch/ Daniels) Unanimous

Public Comments: No Comment

A. 543 Ocean Ave

The committee had already discussed the project at length and was ready to approve. The applicant was present.

Motion: To approve the project.

(Von-Frausing-Borch/ Lawrence) Unanimous

B. Design Review Sign Off Sheet

Committee Chair Ellin Beltz presented the committee with a map delineating the Design Review and Historic Districts more clearly. Discussion was had and it was determined that the committee would recommend the map be added to the city website after it had been checked and all street names added by city planners, ideally by summer.

C. Design Review Sign Off Sheet

Two projects were marked as complete on the sign off sheet: Paul Beatie Garage Door and the Ferndale Arts sign. The committee requested that this item be the last agenda item of every regular meeting.

Correspondence: None.

Committee Member Comments: None

Meeting adjourned at 8:51 am

Respectfully submitted,

Lauren Boop

PUBLIC COMMENT

BUSINESS

Meeting Date:	July 25, 2024	Agenda Item Number	5.a
Agenda Item Title:	Resolution 2024-14 Initiating Amendment to Zoning Ordinance		
Presented By:	Kristene Hall, City Clerk		
Type of Item:	Action	X	Discussion
Action Required:	X	No Action	Voice Vote
			Information
			Roll Call Vote

BACKGROUND:

Currently, pursuant to Section 6.05 of the City's Zoning Ordinance, the Design Review Committee is tasked with the responsibility to review and approve applications for a design review permit. Design review permits are required for the construction or modification of structures within the Design Control Combining or -D Zone.

Currently, the Design Review Committee is a five-member subsidiary body to the Planning Commission. Its members are appointed by the Council upon the recommendation of the Planning Commission. Decisions of the Design Review Committee are appealable to the Planning Commission.

By way of a resolution, the Council submitted to the Planning Commission for its review and report an amendment to Section 6.05 to change the design review process. In particular, Council recommends the elimination of the Design Review Committee and to, instead, task the Planning Commission with design review approval, as the Planning Commission is better suited to consider all aspects of a project. Staff believes that this will simplify the process considerably and make it more efficient. With new state laws on housing, many cities now task design review processes either ministerial, or with the Planning Commission, based on the scope of the project.

If the resolution is adopted, the resolution will be submitted to the Planning Commission, which will then hold a public hearing and prepare a report with its findings and recommendations. The Council can then consider adopting the amendments via ordinance.

RESOLUTION NO. 2024-14**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE
SUBMITTING TO THE PLANNING COMMISSION OF THE CITY OF FERNDALE A
PROPOSED AMENDMENT TO THE ZONING ORDINANCE AND REQUESTING A
REPORT THEREON**

WHEREAS, the City of Ferndale, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, pursuant to Article 8 of the Zoning Ordinance (Ordinance No. 02-02), an amendment to the Zoning Ordinance may be initiated by the City Council and, thereafter, be submitted to the Planning Commission for a public hearing on the proposed amendment and preparation of a report; and

WHEREAS, by way of this Resolution, the Council desires to submit to the Planning Commission a proposed amendment to Section 6.05 (Design Control Combining or D-Zone), as more particularly set forth below; and

WHEREAS, the Planning Commission shall consider the proposed amendment at a public hearing and provide a report to the Council on its recommendations.

NOW, THEREFORE, the City Council of the City of Ferndale does hereby resolve as follows:

1. The above recitals are hereby incorporated by this reference as findings of the City Council.
2. That the Planning Commission shall conduct a public hearing and, thereafter, submit a report to the City Council on the proposed amendment to the Zoning Ordinance as set forth in *Exhibit A* hereto.

PASSED and ADOPTED at a regular meeting of the City Council of the City of Ferndale, California, on this 17th day of July, 2024, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Randy Cady, Mayor

ATTEST:

Kristene Hall, City Clerk

Exhibit A

The Council proposes the following amendments to Section 6.05 of the Zoning Ordinance.

§6.05 **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 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 Permit shall be obtained unless exempted by Ordinance 2013-02.

6.05.3 All applications for permits as required by this ordinance shall be in writing, upon a form prescribed and furnished by the City, and filed in the office of the City Clerk. The application shall contain the name and address of the applicant; the name and address of the owner of the land; a description of the property involved; the street address; the reasons for filing the application; a description of the project to be undertaken; and other information as required by the City Manager or their designee to evaluate the application. Any application required by this Ordinance shall be accompanied by copies, in a quantity as required by the City Clerk, of site plans, diagrams, photographs, materials, or other presentation material

as may be necessary for complete review and consideration of the proposed development.

~~6.05.2 Each application for such Design Review Permit shall be accompanied by drawings, plans and such written matter as may be necessary to show the proposed project including but not limited to drawings, 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 Permits shall be subject to the following procedures:

a. The planning commission shall act on design review applications and follow the procedures in this section.

b. In the initial application, an applicant may request either conceptual design review or final design review under the provisions of this Ordinance.

1. Conceptual Design Review. The purpose of conceptual design review is to provide the applicant with the planning commission's tentative reaction to the general design concept of a proposed project. Such review shall not include a formal decision on the application by the planning commission.

2. Final Design Review. Final design review by the planning commission is for the purpose of rendering a final decision on the application. At the conclusion of final design review, the planning commission may impose such conditions that are reasonable and necessary to carry out the purposes of this chapter and may, in addition, require such public improvements as are deemed necessary for the promotion of the public health, safety, and welfare.

c. A notice of the time and place of consideration of design review applications, including a general explanation of the matter to be considered and a general description of the area affected, shall be posted at least 10 calendar days before the hearing at City Hall.

e. The decision-making authority shall make appropriate findings of fact in support of each final design review decision, including, but not limited to, findings regarding each of the following matters:

1. Compliance of the project with the California Environmental Quality Act;

2. The consistency of the project design with the Ferndale general plan and zoning ordinance; and
 3. Consistency of the project with policies set forth in this Section 6.05.
- f. The decision-making authority may not base any final decision solely upon consideration of the following matters:
 1. Design details such as the color, shape, volume, texture, or construction materials to be used on a project, except where such details are of a magnitude that will significantly affect the overall appearance of the project or the compatibility of the project with its surroundings or where such details are inconsistent with adopted design review polices, if any; or
 2. The interior design of a fully enclosed building.
- g. Actions of the planning commission are appealable to the city council in accordance with Article 11 of the Zoning ordinance.

~~The Planning Commission shall appoint one of its members as Primary and one member as Alternate Design Review Committee Members.~~

~~The Planning Commission shall interview and recommend to the City Council appointment of four members residing within the city limits, 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:~~

~~City staff shall advertise the vacancy(ies) (via public posting) and notify Ferndale residents to contact City staff for application procedures.~~

~~Applications must be received by 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 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. The Commission's recommendation(s) shall be forwarded to the City Council for their next regular or special meeting.~~

~~The City Council shall consider the applicants and the Planning Commission's recommendation and shall appoint an applicant(s) to the Design Review Committee.~~

~~The Design Review Committee is a sub-committee of, and reports to, the Planning Commission.~~

~~Design Review Permit applications shall be forwarded to and reviewed by the Design Review Committee. No discussion between committee members shall take place, unless in a duly noticed meeting of the Committee.~~

~~(Begin section amended by Ord 2011-04-12/31/11) If a majority of the members present approve, City staff shall issue a Design Review Permit.~~

~~If a majority of the members present deny, the applicant can change the design, or can appeal the decision 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)~~

~~The 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 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.~~

~~6-05-36.05.5~~ 6-05-36.05.5 Emergency / minor / routine repairs in Design Control Combining Zone.

~~a.~~ a. Any of said repairs as defined in Sections 3.29 and 3.48 having value of less than \$~~15~~15,000.00 requires no Design Review Permit.

~~6-05-46.05.6~~ 6-05-46.05.6 Time Limits:

- a. Applicants for projects that do not require a building permit shall have six months after the date of Design Review Permit issuance to complete ~~their~~the project.
- 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 Permit issuance, the Design Review Permit shall be ~~nullified~~revoked by operation of law.

- c. City staff may grant a one-time Design Review Permit extension of 6 months upon applicant's request-, provided that the request is submitted prior to the expiration of the Design Review Permit.

CORRESPONDENCE

COMMITTEE COMMENTS

ADJOURN