January 6, 2025 FLANNING COMMISSION MEETING

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

Location:	Ferndale City Hall	Date:	January 8, 2025
	834 Main Street	Time:	6:00 PM
	Ferndale, CA, 95536	Posted:	December 31, 2024

We welcome you to the meeting. Members of the Public may be heard on any business item on this Agenda before or during the Planning Commission consideration of the item. The public may also <u>directly address the Commission</u> on any item of interest to the public that is not on the agenda during the public comment time; however, the Commission generally cannot discuss or take action on an item not on the agenda.

A person addressing the Commission will generally be limited to five (5) minutes. While not required, we would appreciate it if you would identify yourself with your name when addressing the Commission.

This City endeavors to be ADA compliant. Should you require assistance with written information or access to the facility, or a hearing amplification, please call 786-4224 24 hours prior to the meeting.

BEFORE SPEAKING ON ANY ISSUE, PLEASE WAIT TO BE ACKNOWLEDGED BY THE CHAIR BEFORE PROCEEDING TO THE PODIUM. PLEASE DIRECT YOUR COMMENT TO THE COMMISSION ONLY.

- 1. CALL MEETING TO ORDER
- 2. PLEDGE ALLEGIANCE TO THE FLAG
- 3. ROLL CALL Chair Rocha, Commissioner von Frausing-Borch, Commissioner Altschuler, and Commissioner Smith

CEREMONIAL-Swearing in New Member of Planning Commission

- 4. MODIFICATIONS TO THE AGENDA
- 5. APPROVAL OF THE PREVIOUS MINUTES
 - a. Approval of Minutes of November 6, 2024, Regular Meeting PAGE 3
- 6. 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 may be placed on the next regular agenda for consideration. This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes. Speaker time may be reduced if there is a large amount to speakers present.
- 7. DESIGN REVIEW PERMITS

	a. 504 Shaw Ave (Fence)	PAGE 6
8.	PUBLIC HEARING	
	a. Cory/Detlefsen LLA	PAGE 13
9.	BUSINESS	
	a. Building Permits Issued November 28, 2024 – December 31, 2024	PAGE 28
10	. CORRESPONDENCE	PAGE 30

- 11. COMMISSIONER COMMENTS
- 12. STAFF COMMENTS
- 13. ADJOURN

This notice is posted in compliance with Government Code §54954.2.

The next Regular Meeting of the Ferndale Planning Commission will be held on February 5, 2025 at 6:00pm

Section 1

CALL MEETING TO ORDER

Section 2
PLEDGE ALLEGIANCE

Section 3
ROLL CALL

Section 4
MODIFICATIONS TO THE AGENDA

Section 5
APPROVAL OF THE PREVIOUS MINUTES

Minutes for Planning Commission Meeting of December 4, 2024

<u>Call to Order</u>—Chair Jerry Rocha called the Planning Commission Meeting to order at 6:00 pm. Commissioners Jorgen von Frausing-Borch, Josh Smith, and Stuart Altschuler were present along with City Clerk Kristene Hall. Those in attendance pledged allegiance to the flag.

Roll Call- All Present

<u>Modifications to the Agenda</u> – The Commission approved moving item 9.a Recommend Appointment of PC Applicant to City Council to directly after Public Comment.

<u>Approval of Previous Minutes</u> – Commissioner Altschuler noted a misspelling of his name. Clerk will fix this error. **Motion:** To approve the minutes of November 6, 2024, Regular Planning Commission Meeting. (**Altschuler/Smith**) **Unanimous**

<u>Public Comment-</u> There were no public comments

<u>Item 9.a Recommend Appointment of PC Applicant to the City Council:</u> City Clerk Kristene Hall went over the staff report. Applicant Mia Rudinsky was present. Commissioners noted her letter of interest and were pleased with her background.

MOTION: to Recommend to the City Council the appointment of Mia Rudinsky to the Planning Commission. (**Altschuler/von Frausing-Borch**) **Unanimous**

DESIGN REVIEW PERMITS:

490 Berding Street: City Clerk Kristene Hall went over the staff report. The applicant was present. Commissioner Altschuler questioned if the garage was going to be used as just a garage. The applicant stated it was.

MOTION: to approve the replacement of the existing garage with a new garage. (von Frausing-Borch/Altschuler) Unanimous

<u>620 Main Street:</u> City Clerk Kristene Hall went over the staff report. The applicant was present. **MOTION:** to approve the installation of a three-foot white wooden picket fence along the front and north side of the property. (**Altschuler/Smith**) **Unanimous**

PUBLIC HEARING:

<u>Koches LLA:</u> City Clerk Kristene Hall went over the staff report. The applicant was present. Chair Rocha opened up the public hearing. There were no comments from the public. Chair Rocha closed the public hearing. Commissioner Altschuler questioned the approval process. City Clerk Hall explained that the public hearing was held at the Planning Commission meeting for any public members to voice concerns. Hall explained that any comments and concerns from the public or commission was then forwarded to the Engineer for review. Hall also stated that the City Engineer has the final approval authority.

BUSINESS:

Building Permits Issued Oct 25, 2024-Nov 27, 2024: No Comments

Correspondence: None

Commissioner Comments: None

<u>City Planners and City Clerk's Staff Reports:</u> City Clerk Hall stated that the next Planning Commission meeting was scheduled for January 1, 2025. Hall stated that since this is a legal holiday for the city, the meeting would need to be rescheduled. Commissioners and staff agreed that if a meeting was needed in January, they would meet on January 8, 2025, at 6:00pm.

Adjournment: Chair Rocha adjourned the meeting at 6:23pm

Respectfully submitted,

Kristene Hall, City Clerk

Section 6:

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 7: DESIGN REVIEW APPLICATIONS

Meeting Date:	January 8, 2025		Agenda Item Number		7.a	
Agenda Item Title	50	504 Shaw Ave				
Presented By:	Sta	Staff and/or Applicant				
Type of Item:	х	x Action		Discussion		Information
Action Required:		No Action	х	Voice Vote		Roll Call Vote

PROJECT DESCRIPTION: Request for a Design Review Use Permit to install a four-foot fence along the front and side yards of the residence at 504 Shaw Ave (APN 031-084-006).

RECOMMENDATION: Staff has included findings of fact (Attachment A) necessary to take an action on the Design Review Use Permit. If the Design Review Committee accepts the findings of fact or makes comparable findings, then staff recommends the Committee 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 to approve the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, to install a four-foot fence along the front and side yards of the residence."

ATTACHMENTS: Findings of Fact, Conditions of Approval, example photos, placement example

Attachment A FINDINGS OF FACT

The following findings of fact are required for approving the Design Review Use Permit.

- 1. The proposed design, materials, and colors are visually harmonious with and conceptually consistent in character and scale with surrounding area.
- 2. The existing project, as outlined and with conditions:
 - Conforms to and is consistent with the Ferndale General Plan;
 - Does not impair the natural beauty of the town's site and setting; 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, or 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.

- 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 Planning Commission 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.

DR2410

CITY OF FERNDALE PLANNING DEPARTMENT

STANDARD APPLICATION FORM

		ND AFFLICATION					
Please 1.	provide the following information as it a Type of Application	applies to your Date:	12 10 2024	ons, call 786-4224.			
1.	Bed & Breakfast Inn Major Subdivision (5 parcels or more)						
	Design Pavious Use Parmit						
X		Design Review Use Permit Minor Subdivision (4 parcels or less)					
	Exception to Development Standards		Second Dwelling L	onit '			
	Home Occupation Permit		Use Permit				
	Lot Line Adjustment		Variance	:			
	Merger		Zoning & General				
2.	Name of Property Owner: Johr	Miller an	d Jennifer Jone	S			
	Address: 504 Shaw Aven						
3.	Name of Applicant (if different):r			707-407-7502			
	Address: n/a		Phone:	707-407-7501			
4.	Property Location: 504 Shaw	Avenue, F	erndale				
	Assessor Parcel Number(s): 031	-084-006					
	Description: LOT 5, 5 MA	PS, P. 77		<u> </u>			
	Lot Area: 0.18 acres						
5.	Present Use of Property:Sing	le Family F	Residence	2			
	Present Zoning: R-1-D						
6.	Description of Proposed Project:	Instal fend	ce along front a	and side yards			
	4 foot height in a manner						
	within lot lines, not include	ling prohib	ited materials	per 7.08.2(f)			
Filing F	ee: A filing fee of \$ has been paid as	part of the appl	ication. (Refer to Resolut	ion 00-21 for fees and			
charges	s for review and processing of development p	permits.) I hereb	y certify that to the best	of my knowledge the			
informa	ation in this application and all attached exhi	bits is full, compl	ete and correct, and I un	derstand that any			
misstat	ement of omission of the requested informa	tion or of any inf	ormation subsequently r	equested shall be			
ground	s for denying the application, or suspending	or revoking a per	mit issued on the basis o	of these of subsequent			
represe	entations, or for the seeking of such other an	d further relief a	s may seem proper to the	e City.			
C/ 12/19/24							
- ,	Signature of Applicant or Agent Date						
	Authorization of Agent: I hereby authorize						
	and bind me in all matters concerning this application. (Form 121106) FOR STAFF USE ONLY						
FUK SI	TOROTOR OSE ONE!						
12/19 Full Ap	9/2024 01/08/2025 Rec'd Sent to Comm. Ret	turned	Ap notified	Project Final			
1 . an r.p							

NOTE:

- John Miller and Jennifer Jones propose to build a 4 (four) foot fence along the front property line of Assessor's Parcel 031-084-006 (504 Shaw Avenue) in order to limit access from deer eating planned plantings and to keep our dog on our property when outside. And in the front yard.
- 504 Shaw is not within the Historic District.
- The lot is located within the Design Control Combining (-D) Zone, but as specified in the Ferndale DESIGN REVIEW USE PERMIT APPLICATION PROCESS, the project (installation of four foot fence) will not change the external appearance of the structure.
- The house address ("504") is located on the exterior wall above the stairs and visible from the street.
- The installation of the fence is not subject to CEQA per the "General Rule" exemption (CEQA Guidelines § 15061(b)(3)) where a project does not fit into one of the classes of categorical exemptions. The "General Rule" exemption means that CEQA only applies to projects which have the potential for causing a significant impact—if there is no possibility that the activity in question may have a significant impact, the activity is not covered by CEQA.

Project Description. The fence is planned to be constructed using cedar 4x4 posts, installed in the ground and secured with concrete, at approximately 8 (eight) foot intervals with a 2 x 6 top board, the top of which is 4 (four) feet or less above ground level and a 2 x 4 bottom board. Galvanized hog fencing panels will be placed between the posts and secured using a slot cut into the top and bottom boards. These materials a commonly used in fences throughout the country and can be found in fences installed in the City of Ferndale. The large open rectangles of the fencing panels maintain the open feel of the front yard from the street and allow sunlight to pass through to plantings within the yard.

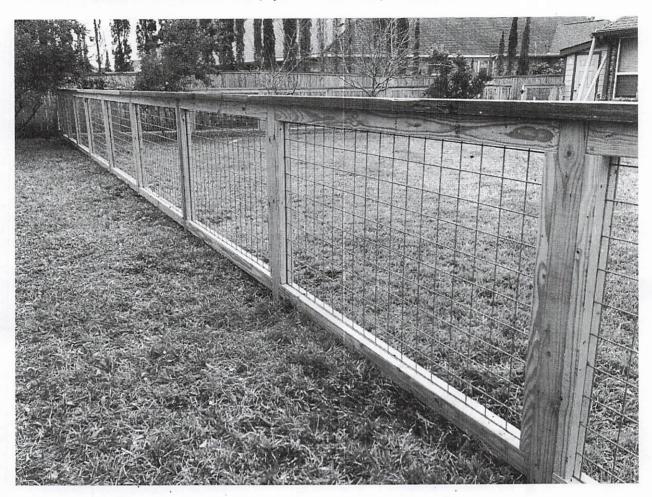
No fencing materials that are prohibited by Zoning Ordinance section 7.08.2(f) will be used, including: barbed or razor wire, electrified fence material, chain link fence material, or other materials not typically used, designated, or manufactured for fencing such as metal roofing panels, corrugated or sheet metal, tarps or plywood.

The fence will consist of the following:

- East side: approximately 16 feet of fencing in two eight-foot panels between an end post inside the fence recently installed along the west line of 031-084-018 a center post and a corner post at the north east corner of our lot
- Front side: Approximately 40 feet of fencing set back approximately two feet from the sidewalk
 extending from the north east corner of our lot, approximately 25 feet to walkway to our front
 door, where a gate comprised of the same materials and the same overall height will be
 installed, involving two corner posts and two interior posts and three fence panels. On the other
 side of the gate another approximately 15 feet of fencing will be installed comprised of two
 fence panels between two corner posts and a middle post.

 West Side: Approximately 20 feet of fencing extending from the corner of the sidewalk and driveway to corner of the house. There will be a total of five posts, including the corner post and gate post all comprised of the same materials and the same overall height.

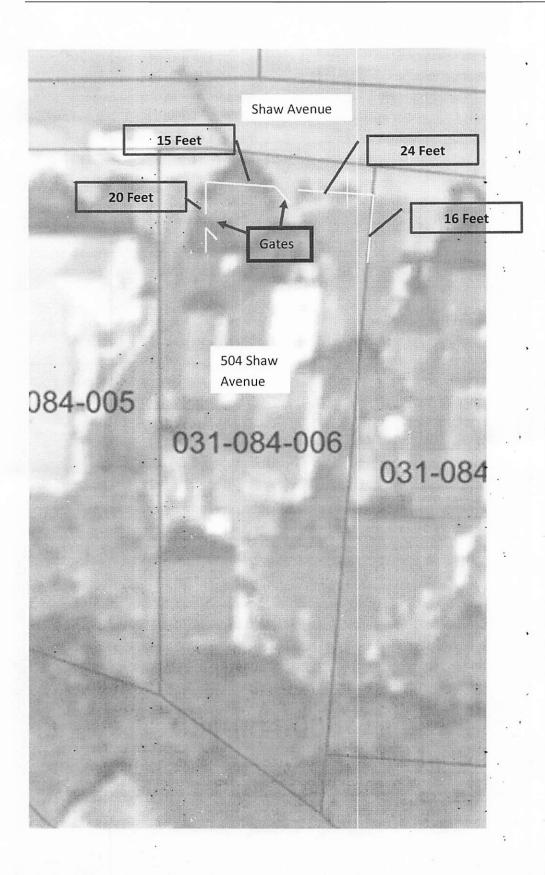
Photo of similar fence installation. Note, specific details may be different.



Parcel Drawing on next page

Cedar gate cedar wood

North



Section 8 PUBLIC HEARING

Meeting Date: January 8, 2025			Agenda Item Number: 8.a			
Agenda Item Title: Cory and Detlefsen Lot Line Adjustment (LLA2406)						
Presented By: City Planner						
Type of Item: Action X		Х	Discussion		Information	
Action Required:	Х	No Action		Voice Vote		Roll Call Vote

PROJECT DESCRIPTION: The applicant, Cory, is seeking approval of a Lot Line Adjustment (LLA) to add approximately 4,030 square feet of undeveloped area from the Detlefsen parcel to the Cory parcel. Both parcels are located in the City of Ferndale. The LLA is being proposed to increase the size of the Cory parcel to allow for the construction of an ADU/garage structure in the future. The Cory parcel is currently developed with a detached single family residence, and the Detlefsen parcel is developed with a 1,420 square foot barn and 295 square foot garage/shed. The Cory parcel is currently served by community water and sewer, and the Detlefsen is within the service areas for City sewer and Del Oro water. No new development is proposed on either parcel as part of this LLA application.

Table A

Parcel Address, APN, & Plot Plan Id.	Existing Size	Size After LLA
Cory: 724 Vanston St.; APN 030-141-012 (Parcel A)	Approx. 6,200 sq. ft.	Approx. 10,230 sq. ft.
Detlefsen: No address assigned; APN 030-141-016 (Parcel B)	Approx. 2.61 acres	Approx. 2.52 acres

PROJECT LOCATION: The Cory property is located on the southerly side of Vanston Avenue, approximately 125 feet northwest of the intersection of Main Street and Vanston Avenue, at 724 Vanston Avenue, City of Ferndale. The Detlefsen property is located on the northerly side of Fern Avenue, approximately 225 feet northwest of the intersection of Main Street and Fern Avenue, in the City of Ferndale; no street address is assigned to the Detlefsen parcel at this time.

GENERAL PLAN: Both parcels are designated Residential Low Density (R-1) per Ferndale's General Plan Land Use Element and Land Use Map.

ZONING: Both parcels are zoned Residential One-Family with Design Control Combining Zone (R1-D).

STAFF RECOMMENDATION:

Assuming that there are no changes to the project, and that there are no new issues brought forward before or during the public hearing, City staff intends to approve the Lot Line Adjustment as proposed, subject to the conditions of approval included in this staff report.

The City Planner is holding the Public Hearing on behalf of the City Engineer during a Planning Commission meeting prior to project approval. The Planning Commission does not act on, nor approve, the Lot Line Adjustment Application. The Planning Commission is involved only as the first body of appeal should the applicant or interested person file an appeal in accordance with Section 1.710 of the Ferndale Subdivision Ordinance.

APPLICABLE REGULATIONS

The regulation of Lot Line Adjustments is codified in Section 1.7 of the Ferndale Subdivision Ordinance 99-04. Section 1.701 states that lot lines between two or more adjacent parcels may be adjusted pursuant to the provisions of this Section and the Subdivision Map Act. It is the City of Ferndale's policy to provide for the adjustment of property boundaries between contiguous parcels in a manner consistent with state law. The Planning Department shall limit its review and approval to the following determinations:

- (1) The proposed Lot Line Adjustment occurs between two or more "existing" and "adjacent" parcels, as defined by the Subdivision Map Act.
- (2) No new parcels are created.
- (3) Parcels involved in the Lot Line Adjustment conform to the City's building and zoning ordinances.

The City shall not impose conditions or exactions on its approval of a Lot Line Adjustment except: a) to conform to local building and zoning ordinances, b) to facilitate the relocation of existing utilities, infrastructure or easements, and c) to require the prepayment of real property taxes. No Tentative Map, Parcel Map, or Final Map shall be required as a condition of approval. The Lot Line Adjustment shall be reflected in a Deed and a Record of Survey or Lot Line Adjustment Plot Plan which shall be recorded. When parcels being adjusted are held in common ownership, no new Deeds shall be required. However, a Lot Line Adjustment Plot Plan shall be required. No record of survey shall be required for a Lot Line Adjustment unless required by Section 8762 of the Business and Professional Code.

Moreover, in addition to conformance with the above provisions, pursuant to subdivision (d) of Section 66412 of the California Government Code, a local agency or advisory agency shall limit its review and approval of a lot line adjustment to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, and any applicable specific plan.¹

ANALYSIS FOR CONFORMANCE WITH SECTION 1.701 OF THE FERNDALE SUBDIVISION ORDINANCE

- (1) The proposed Lot Line Adjustment occurs between two or more "existing" and "adjacent" parcels, as defined by the Subdivision Map Act.
- (2) No new parcels are created.

Analysis: A review of City and County records, and the applicant's preliminary title report demonstrate that Parcel A (Cory) and Parcel B (Detlefsen) are two existing parcel. Parcel A and Parcel B are adjacent to each other as they share a common property line.

A review of the applicant's Lot Line Adjustment Plot Plan, prepared by Michael Pulley, a California licensed land surveyor, demonstrates that the proposed Lot Line Adjustment will not create new parcels.

(3) Parcels involved in the Lot Line Adjustment conform to the City's building and zoning ordinances.

Analysis for Conformance with the Building Ordinance: The Cory property is developed with an existing detached single family residence. As shown on the LLA Plot Plan, the Detlefsen parcel is developed with two detached accessory structures that are located on the eastern side of the property. On October 16, 2024, the requested LLA was referred to the Ferndale Building Inspector and Ferndale Fire for review and comment. Neither have provided comments to date. The requested LLA does not alter the application of the California Building and Fire Codes to future development on either resultant parcel, and the property owners and successors in interest will continue to be responsible for securing all required permits.

The applicant's Lot Line Adjustment Plot Plan shows the approximate location of Flood Zone AE for Francis Creek as per the November 2016 FEMA map. The entirety of the Cory parcel is outside of Francis Creek's 100-year flood, however, the western portion of the Detlefsen property is within the 100-year flood plain. The portion of the Detlefsen parcel proposed to be added to the Cory parcel is entirely outside the 100-year flood plan. The City of Ferndale has an adopted Floodplain Management Ordinance, Ordinance 08-02, that regulates development in the floodplain and is administered by the Floodplain Administrator. Section 3.01 of Ordinance 08-02 states that "No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations". Because this LLA does not involve constructing, locating, extending, converting, or altering land or structures (new or existing), the proposed LLA is consistent with the City's Floodplain Management Ordinance. The owner and successors in interest of Parcel B (Detlefsen) will need to demonstrate compliance with the requirements of Ordinance

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¹ Ferndale does not have any adopted specific plans.

08-02 prior to initiating construction or other regulated floodplain development activities on portions of the property potentially subject to flooding.

Zoning Standards and Analysis – Residential One-Family (R1): The subject parcels are located in the Residential One-Family Zone with the Design Control combining zone (R1-D) as indicated above. Per § 5.03 of the Zoning Ordinance (ZO), the R1 Zone is intended to apply to areas where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The R1 zone's lot and development standards are specified in § 5.38.3 of the ZO, and are as follows:

- a. Minimum lot area: 6,000 square feet.
- b. Minimum lot width: 60 feet.
- c. Maximum lot depth: 3 times the lot width
- d. Minimum yards: front, 20 feet; rear, 15 ft; side, 10% of lot width on each side except that no side yard may be less than 5 ft, or need be more than 12 ft.
- e. Maximum ground coverage: 35%f. Maximum building height: 35 feet.

Existing Parcel A (Cory) is developed with a detached single-family residence, with an attached garage, which is accessed from Vanston Street. The residence is a one-story structure and has a 2,550 footprint. The parcel's easterly property line abuts a 12-foot City alley that is surfaced with a mix of dirt and gravel. Parcel B (Detlefsen) is developed with a barn that is approximately 1,420 square feet that abuts the same City alley, and an approximately 295 square foot garage/shed that is situated adjacent to the parcel's Fern Avenue property line. The City alley parallels Main Street and runs behind the parcels that have frontage on Main Street. The alley connects Fern and Vanston Avenues. The requested LLA will only change the Cory–Detlefsen property lines to add about 4,030 square feet of undeveloped area from the Detlefsen parcel to the Cory parcel so that a garage and/or accessory dwelling unit (ADU) could be added in the future. The LLA will not affect the existing Cory residence or the existing barn and garage/shed on the Detlefsen parcel. Because the requested LLA does not include changes to the existing buildings, the LLA is consistent with the purpose of the R1 zone and the provisions that regulate the land use.

The approximate sizes of Parcel A and Parcel B after the requested LLA are provided in Table A above and demonstrate that proposed Parcels A and B will meet the R1 zone's 6,000 square foot minimum lot size. Table B below reviews the requested LLA's conformance with the R1 zone's standards that regulate the lot standards and the minimum yards using the applicant's LLA Plot Plan. The LLA Plot Plan evidences that the requested LLA is consistent with the R1 lot standards and setbacks.

Table B

Setbacks:	Cory – Parcel A (Before After)	Detlefsen – Parcel B (Before After)
Front: 20 ft.	COMPLIES. No change: North PL	COMPLIES. No change: South PL, existing
		garage/shed appears to be <20 ft. from PL.
Rear: 15 ft.	COMPLIES. Before: South PL: >15 ft.	COMPLIES. No change: North PL: >15 feet
	After: South PL >65 ft.	
Side: ≥5 ft.	COMPLIES. No change:	COMPLIES. No change: east PL: Existing
	East PL: 4.9 ft. West PL: 5 ft	bldgs. appear to <5 ft.
Max. Ground	COMPLIES. No Change: Before: 2,170	COMPLIES. No Change: Before: 0.91 acres
Coverage: 35%	sq. ft. After: 3,580.5 sq. ft.	After: 0.88 acres
Max. Bldg. Height:	COMPLIES. No change	COMPLIES. No change
35 ft.		
Min. Lot Width: 60	COMPLIES. No change: 62 ft. at Fern	COMPLIES. No change. Average: 177 ft. At
ft.*	Avenue	the narrowest point of the parcel is the
		Fern Ave. property line which is >66 ft. in
		width.

Setbacks:	Cory – Parcel A (Before After)	Detlefsen – Parcel B (Before After)
Max. Lot Depth: 3x	COMPLIES. Max. allowed before and	COMPLIES. Using the average min. Lot
the lot width	after LLA: = 186 ft.	width above, max. allowed 531 ft. ~ 432
	Depth before LLA 100 ft. Depth after:	ft.
	165 ft.	

[&]quot;PL" = property line

Based on the available information, it appears some portions of the existing buildings on the subject parcels may be nonconforming with respect to the R1 zone's yard setbacks. Section 12.01 of the Zoning Ordinance regulates the non-conforming buildings, and expressly allows for the continuation, maintenance, and repair of non-conforming buildings.

Zoning Standards and Analysis – Design Control (-D) combining zone: As indicated above, both of the parcels are subject to the Design Control regulations, but the subject parcels are not located in the City's Historic District. Because the requested LLA only modifies the property boundaries between two existing parcels and does not involve altering the existing buildings, the proposed LLA is consistent with the Design Control regulations. Any future modification to the buildings, new construction and modification to the existing buildings, including demolition, must demonstrate conformance with all applicable Design Control regulations and secure an approved Design Review Permit before commencing work. The City Planner recommends that the City Engineer include this as an advisory Informational Note.

Zoning Standards and Analysis – Parking and Loading Facilities: § 7.16.5 of the ZO requires one (1) on-site parking space for each dwelling unit that measures 8 feet by 16 feet. Loading facilities are not a requirement for residential development. At this time, only the Cory parcel has an established parking area by way of an attached garage that is accessed by a paved driveway from Vanston Avenue. Access to the Detlefsen parcel is from the Fern Avenue, and this area of the property will not be altered by the requested LLA. A review of the LLA Plot Plan shows that more than adequate area will remain after the LLA to accommodate on-site parking for future development of a residence on this parcel. Because the requested LLA does not involve changes to the existing Cory on-site parking area and will impede future on-site parking on the Detlefsen parcel, the proposed LLA is consistent with the ZO's Parking and Loading Facilities requirements.

ANALYSIS FOR CONFORMANCE WITH THE FERNDALE GENERAL PLAN

Table C below provides a review and analysis of the project, including input from affected agencies, for conformance with the adopted Ferndale General Plan. Table C below demonstrates the project as proposed and conditioned conforms and is consistent with the adopted Ferndale General Plan.

Table C
Consistency with the General Plan

General Plan Goal/Policy	Rationale
Land Use Element, Residential Low	The project does not alter the existing buildings or the use of those
Density (R1) land use designation:	buildings or the land. As stated above, the existing uses on both
The R1 designation The Residential	parcels before and after the LLA will not change. No new
Low Density designation	development is proposed as part of the LLA. The requested LLA will
accommodates primarily detached	modify some of the property lines between two existing parcels. The
residential units on individual lots	purpose of the LLA is to add about 4,000 square feet to the Cory
with private yards. Accessory	parcel to add area to the Cory parcel so that a garage and/or ADU
dwelling units are a primary and	may be developed in the future on the Cory parcel. Completion of the
compatible use.	LLA will not impede the ability of the property owners or successors in
	interest from continued residential uses engaging is the primary and
	compatible land uses contemplated by the R1 land use designation.
Land Use Element:	The project is consistent with Goals 3 and 4 and the associated
Goal 3: Protect, preserve, restore,	policies and implementation programs in the Land Use Element: A
rehabilitate, and enhance open	significant portion of the west property line of the Detlefsen parcel

General Plan Goal/Policy	Rationale
spaces and natural resources.	coincides with the centerline of Francis Creek. The requested LLA does
Goal 4: Conserve soil resources and	not involve or alter the west property line. The requested LLA does
minimize erosion and other soil	not involve new development or ground disturbing activities in the
depleting processes.	vicinity of Francis Creek. In October 2024, the LLA application was
Goals 3 and 4 have several	referred to the California Department of Fish and Wildlife (DFW), a
associated policies and	trustee agency. ² That agency did not comment on the LLA. Future
implementation programs for the	development in this area of the Detlefsen parcel will be subject to the
protection of the Francis Creek	Land Use Element goals, policies, and implementation programs to
riparian habitat for new	protect, preserve, restore, rehabilitate, and enhance open spaces and
development.	natural resources, and to conserve soils resources and minimize
	erosion related Francis Creek.
Historical & Cultural Resources	The project is consistent with Policy 4.1: The requested LLA does not
Element Policy 4.1: Support and	involve new development on either proposed Parcel A or Parcel B.
encourage new construction that is	Any future new construction and modification to the existing
compatible in scale and character	buildings, including demolition, must demonstrate conformance with
with nearby cultural resources and	all applicable Design Control regulations and secure an approved
historic districts	Design Review Permit before commencing work.
Historical & Cultural Resources	The project is consistent with Policy 4.2: Because the requested LLA
Element Policy 4.2: Effectively	only modifies some of the property boundaries between two existing
utilize the City's Design Review	parcels, does not involve altering the existing buildings, and does not
process when permitting projects	alter the application of the existing Design Control regulations, the
in the Design control combining	proposed LLA is consistent with Policy 4.2. The requested LLA will
zone	modify some of the property lines between two existing parcels. The
	purpose of the LLA is to add about 4,000 square feet to the Cory
	parcel to add area to the Cory parcel so that a garage and/or ADU
	may be developed in the future on the Cory parcel. The project does
	not propose any modifications to the existing structures or new
	development.
Housing Element Program 15.	The project is consistent with Housing Element Program 15 because
Monitor residential capacity (no	the requested LLA will not decrease the realistic capacity of the
net loss) and Design Review	Detlefsen parcel. The Detlefsen parcel is a moderate income Inventory
process.	Site in the City's adopted Housing Element ³ . Before the LLA, the
	Housing Element estimates the realistic capacity of the Detlefsen
	parcel to be 19 housing units. While the requested LLA will decrease
	the Detlefsen parcel by approximately 4,030 square feet, due to the
	increase allowable density of the R1 land use designation from 7 to 9
	dwelling units per acre, the capacity of the Detlefsen parcel will be
	approximately 23 units after the LLA. ⁴
	1 - F.F

² "Trustee agency" means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. [Reference: California Code of Regulations, Title 14, § 15386]

³ The Cory parcel is not identified as a housing element Inventory Site due to it be developed.

⁴ This analysis is limited to the parcel size and density changes.

REFERRALS

Table D below lists the agencies the Lot Line Adjustment application was referred to the following City departments, agencies, and service providers for review and comment in October 2024.

Table D

Utility	Recommendation/Comments
Ferndale Sewer Operator	No response received by the date of this staff report.
Ferndale Fire Vol. Dept.	No response received by the date of this staff report.
Del Oro Water Co.	Received response; no input or concerns for the LLA. For an ADU, the water service may need to be increased in size or a second water service installed.
PG&E	Received response with no specific comments for the LLA.
CDFW	No response received by the date of this staff report.
THPO – Bear River Band	Inadvertent archaeological discovery protocols be in place for any ground disturbing activities that will take place in the future.
THPO – Wiyot Tribe	Inadvertent archaeological discovery protocols be in place for any ground disturbing activities that will take place in the future.
Ferndale Bldg. Inspector	No response received by the date of this staff report.
Ferndale Public Works	No response received by the date of this staff report.

Commenting agencies did not have specific comments regarding the LLA. Copies of the written available upon request.

ENVIRONMENTAL REVIEW

The proposed LLA has been determined to be categorically exempt (CE) from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations, of Title 14 of the California Code of Regulations. Section 15305 of the CEQA Guidelines exempts minor alterations to land use limitations, such as Lot Line Adjustments, variances, and encroachment permits on land with a slope of less than 20 percent that do not result in changes in land use or density. This is also referred to as Class 5 CEQA exemption. The Cory-Detlefsen LLA is determined to be exempt because the request involves a request to adjust the property lines between two developed parcels that are relatively flat having a slope is less than 15 percent; it does not result in the creation of any additional lots or parcels of land; and the request does not result in any changes to the allowed land use or density.

The applicability of categorical exemptions is qualified by the exceptions listed in Section 15300.2(a) through (f) of the CEQA Guidelines. In the discussion below, each exception is followed by an explanation of why the exception does not apply to the proposed project.

15300.2(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The proposed project does include a Class 5 CE as indicated above but does not include a Class 3, 4, 6, or 11 CE. Development in or in the vicinity of Francis Creek and its associated riparian corridor may impact a sensitive environment. Due to the proximity of Francis Creek, the requested LLA was referred to the California Department of Fish and Wildlife for review. That agency did not comment on the LLA; future development will be subject to the Land Use Element goals, policies, and implementation programs to protect Francis Creek as discussed above. The requested LLA involves only modifying the property lines between two existing parcels

that are already developed, and no new development is proposed, therefore, this exception to the CE does not apply to the proposed LLA.

15300.2(b) Cumulative Impact. As discussed below, the proposed project would not result in significant environmental impacts. Therefore, the project would not result in a cumulatively considerable contribution to potential impacts.

15300.2(c) Significant Impact. The project site is generally flat, and the existing improvements are located more than 200 feet east of the approximate centerline Francis Creek. The land to be added to Cory property from the Detlefsen property is located at the eastern perimeter of both properties and is not in the vicinity of Francis Creek. The proposed LLA will add approximately 4,030 square feet to the Cory property to facilitate the future development of a garage and/or accessory dwelling unit, customary accessory residential uses, to the Cory property at some point in the future; however, development is not proposed as part of this LLA. The project site is located in a developed urbanized commercial area. While Francis Creek comprises some of the perimeter boundary of the Detlefsen property, the requested LLA does not involve new development or other ground disturbing activities in or near Francis Creek. The California Department of Fish and Wildlife was consulted, as indicated above, and did not raise concerns for the proposed LLA. The nature of the proposed project and as conditioned, does not create a reasonable possibility of significant effects to the environment, and there are no known circumstances at the project site or related to project proposal that would qualify as an unusual circumstance.

15300.2(d) Scenic Highways. There are no designated Scenic Highways in Ferndale city limits or nearby in the unincorporated area of Humboldt county; nor are there any scenic highways pending designation.

15300.2(e) Hazardous Materials. The project is not associated with any parcels that are included on the Cortese List. There are no known hazardous materials within the ROW where work is proposed. Therefore, the effect of hazardous materials is considered less than significant.

15300.2(f) Historic Resources. Although both parcels are within the City's Design Control district, as indicated by the -D combining zone, the subject parcels are not located in Ferndale's Historic District. The existing buildings are not designated historic structures, therefore, Section 15300.2(f) Exceptions does not apply, as the project will not cause a substantial adverse change in the significance of a historical resource. Finally, in 1975 the City of Ferndale was designated as a State Historical Landmark. Although the project improvements will be occurring in the City, the project is to modify the property boundaries between two parcels. The existing buildings are not proposed to be altered or modified as part of the project. Because the nature of the project is to change the property lines, the City's State Historical Landmark status will not be affected by the project. See Attachment A, City Engineer Review Memo, dated November 14, 2024, which contains additional analysis and recommended conditions of approval.

FINDINGS OF FACT:

- This project is subject to environmental review in accordance with the California Environmental Quality
 Act (CEQA) and qualifies for a Class 5 Categorical Exemption per Section 15305 of CEQA Guidelines.
 Class 5 exempts "minor alterations to land use limitations, such as Lot Line Adjustments, variances,
 and encroachment permits on land with a slope of less than 20 percent that do not result in changes
 in land use or density."
- 2. The Lot Line Adjustment is between two existing and adjoining parcels and will not result in the creation of a greater number of parcels than originally existed prior to the Lot Line Adjustment.
- 3. The proposed project as analyzed herein and conditioned conforms to the City's building ordinance, and the Ferndale Zoning Ordinance and the C2 zone's standards and requirements.
- 4. The proposed project as analyzed herein and conditioned conforms to and is consistent with the Ferndale General Plan.

CONDITIONS OF APPROVAL

Assuming that there are no changes to the project, and that there are no new issues brought forward before or during the public hearing, City staff intends to approve the Lot Line Adjustment as proposed, subject to the following conditions along with the following advisory Informational Notes:

- 1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with the processing and finalizing of the lot line adjustment, 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 prior to the Notice of Lot Line Adjustment being submitted to the County Recorder for filing. (Ferndale Subdivision Ordinance 1.709(a)).
- 2. Stormwater drainage from any future improvements shall drain to an approved established water course or to a City right of way capable of conveying the water away from the parcel.
- 3. The applicant shall be required to make current (or show proof of payment) the Property Taxes for both parcels. (Ferndale Subdivision Ordinance 1.709(f)).
- 4. New Legal descriptions of the Lot Line Adjusted Parcels shall be prepared for the NOLLAs by a licensed land surveyor.
- 5. Since the two properties involved in the Lot Line Adjustment are under separate ownership, conveyance of property "changing hands" will need to be conducted by grant deed or quitclaim document. In addition, two Notices of Lot Line Adjustment & Certificate of Subdivision Compliance will need to be recorded. A Record of Survey (if required by §8762 Business & Professions Code) OR the Lot Line Adjustment Plot Plan will also be recorded. If the Lot Line Adjustment Plot Plan will be recorded, the existing plan will need to be reduced to 8.5" x 11" and should be recorded with the Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet as an exhibit (Ferndale Subdivision Ordinance 1.701, 1.702 & 1.709(d)).

INFORMATIONAL NOTES

- 1. All future development on the subject parcels, including additions, improvements, demolition, and construction, 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, and Flood Plain Ordinance 08-02, applicable to the nature and type of proposed use and/or construction. The property owners and successors in interest shall have the burden for securing all necessary permits and approvals that are required for any future development and/or construction.
- 2. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.
 - The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The property owners and successors in interest are ultimately responsible for ensuring compliance with this condition.

ATTACHMENTS:

- A City Engineer Review Memo, dated December 16, 2024
- B Applicant's Lot Line Adjustment Plot Plan

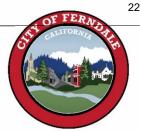
Attachment A

• City Engineer's Memo

OF FERNDALE

FERNDALE, CA 95536

"A Historic Victorian Village"



CITY ENGINEERING REVIEW MEMO

Date: December 16, 2024

Michelle Nielsen, City Planner To: Brian K Ontiveros, PE, City Engineer From:

Cory-Detlefsen LLA2406 Conditions of approval Project:

I have reviewed the subject application and offer the following comments and/or conditions:

Cory-Detlefsen – Lot Line Adjustment Application

The proposed Lot Line Adjustment (LLA2406) is between two adjacent parcels; APN 030-141-012 (Cory Parcel) & APN 030-141-016 (Detlefsen Parcel). APN 030-141-012 is located at 724 Vanston St., and APN 030-141-016 is located on Fern St with no address at this time. The LLA would transfer 4,030 ft² of property from APN 030-141-016 to APN 030-141-012 resulting in two reconfigured parcels that meet the required 6,000 ft² minimum parcel size for the Residential One-Family (R-1-D) zone. In addition, the new lot line configuration will not violate any lot line setbacks as required by the R-1 zone.

APN 030-141-012 is currently developed with a single-family residential structure and is served by community sewer, Del Oro Water and PG&E. The existing residence fronts onto Vanston Street. APN 030-141-016 is currently developed with an Agricultural Barn which fronts onto the adjacent alley.

The purpose of the lot line adjustment is to adjust the boundary between the two parcels to allow for additional square footage on the Cory Parcel to accommodate construction of an ADU/Garage Structure. The construction of the ADU/Garage structure will be reviewed in a separate permit and is not a determining factor for the Lot Line Adjustment approval.

Referrals

The project was circulated to the following local utilities for comments:

Utility	Recommendation/Comments
Ferndale Sewer Operator	No response received by the date of this Memo.
Ferndale Fire Vol. Dept.	No response received by the date of this Memo.
Del Oro Water Co.	Received response with no concerns for the LLA.
PG&E	Received response with no specific comments RE: the LLA
CDFW	No response received by the date of this Memo.
THPO – Bear River Band	Received response with no concerns for the LLA
THPO – Wiyot Tribe	Received response with no concerns for the LLA

Ferndale Bldg. Inspector	No response received by the date of this Memo.
Ferndale Public Works	No response received by the date of this Memo.

Project Analysis

1. **Application Completeness Check:** The table below identifies the evidence, which supports the finding that the applicant has submitted the information required by the City of Ferndale Subdivision Ordinance Section 1.7.

Application Requirements	Submitted	Not Submitted
Completed Signed Standard Application Form	٧	
Lot Line Adjustment Plot Plan	٧	
Copies of Present Owners Deeds	٧	
Current Title Report	٧	
Consent & Certification signed by all owners	٧	
Written Statement Explaining Reasons for LLA	٧	

Consistency with Subdivision Map Act

As required by Ferndale Subdivision Ordinance 99-04, Section 1.703, a Plot Plan for the Lot Line Adjustment prepared by a licensed land surveyor was submitted to the City Planner's office for the Cory-Detfelsen Lot Line Adjustment. The form and content of the Plot Plan were prepared in a manner acceptable to the City Engineer's Office (Ferndale Subdivision Ordinance 1.704).

Both of the properties that are part of the Lot Line Adjustment are legal parcels, in compliance with the Subdivision Map Act, and are recognized as two existing and adjacent legal parcels. No new parcels will be created by the Lot Line Adjustment. The parcels involved in the Lot Line Adjustment conform to the City's building and zoning ordinances (Ferndale Subdivision Ordinance 1.701).

Recommended Conditions of Approval

- 1. Stormwater drainage from any future improvements shall drain to an approved established water course or to a City right of way capable of conveying the water away from the parcel.
- 2. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with the processing and finalizing of the lot line adjustment, 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 prior to the Notice of Lot Line Adjustment (NOLLA) being submitted to the County Recorder for filing. (Ferndale Subdivision Ordinance 1.709(a)).

- 3. The applicant shall be required to make current (or show proof of payment) the Property Taxes for both parcels. (Ferndale Subdivision Ordinance 1.709(f)).
- 4. New Legal descriptions of the Lot Line Adjusted Parcels shall be prepared for the NOLLAS by a licensed land surveyor.
- 5. Since the two properties involved in the Lot Line Adjustment are under separate ownership, conveyance of property "changing hands" will need to be conducted by grant deed or quitclaim document. In addition, two Notices of Lot Line Adjustment & Certificate of Subdivision Compliance will need to be recorded. A Record of Survey (if required by §8762 Business & Professions Code) OR the Lot Line Adjustment Plot Plan will also be recorded. If the Lot Line Adjustment Plot Plan will be recorded, the existing plan will need to be reduced to 8.5" x 11" and should be recorded with the Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet as an exhibit (Ferndale Subdivision Ordinance 1.701, 1.702 & 1.709(d)).

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

Brian K Ontiveros, PE

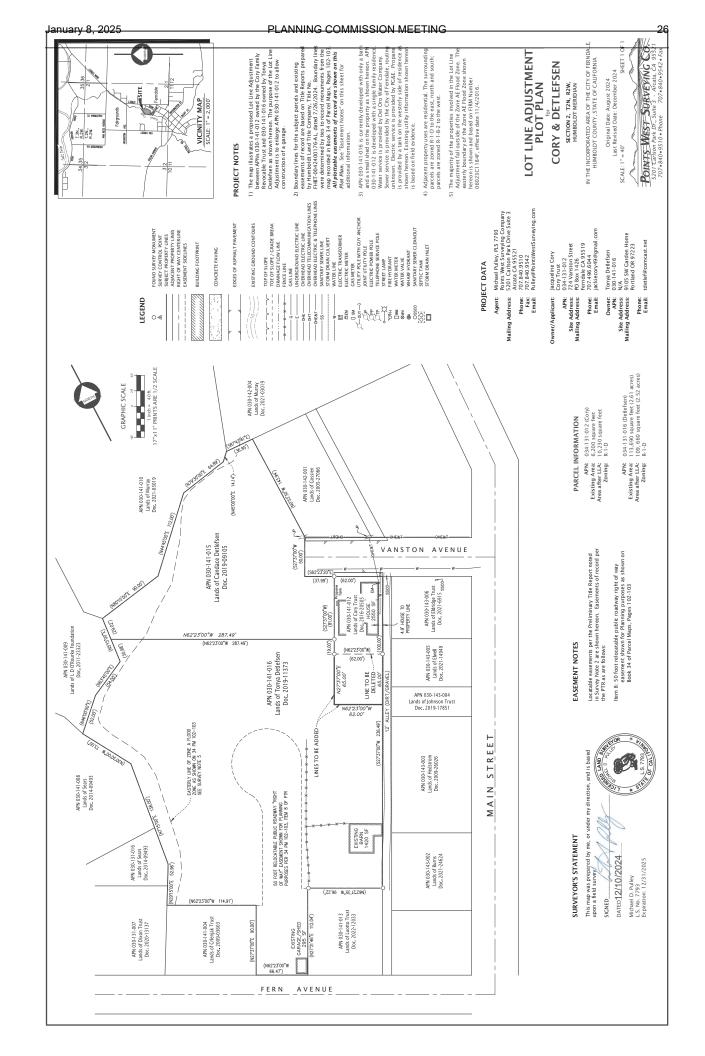
City Engineer
City of Ferndale

(707) 845-4320

brian.ontiveros@att.net

ATTACHMENT B

• Applicant's Lot Line Adjustment Plot Plan



<u>Section 9</u> BUSINESS

BUSINESS ITEM 9.1 - BUILDING AND LAND USE PERMITS

Permits Issued November 28, 2024 - December 31, 2024				
PERMIT #	ADDRESS	DESCRIPTION OF WORK		
B2456	846 Arlington	Demo		
B2457	522 Fern	New SFR		

NOTE: Planning Commsioners and Public may request staff to bring the Building Permit Book to the meeting. Only current permits that have not been finalized are in the Building Permit Book. A public request can be initiated to review a specific property for a building permit at any time.

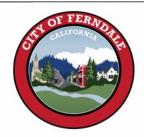
Section 10: CORRESPONDENCE

CITY OF FERNDALE

POB 1095

FERNDALE, CA 95536

"A Historic Victorian Village"



December 5, 2024

Robert and Mary Sue Trooper POB 547 Ferndale, CA 95536

RE: Design Review Use Permit Application DR2408 (490 Berding St)

Robert & Mary Sue,

This letter is to inform you that your application for a Design Review Use Permit for replacing your garage has been approved. Please be sure to follow the approved details on your application. If any corrections or changes are needed for your project, please contact the city as soon as possible before proceeding.

Please also be informed that your project will require additional permitting through the city. Please contact City Hall via email at cityclerk@ci.ferndale.ca.us or by phone at (707)786-4224 during business hours for assistance. City hall is open Mon-Thurs 9am-4pm.

Thank you,

Kristene Hall

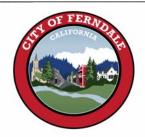
City Clerk

CITY OF FERNDALE

POB 1095

FERNDALE, CA 95536

"A Historic Victorian Village"



December 5, 2024

Jim Price POB 1374 Ferndale, CA 95536

RE: Design Review Use Permit Application DR2409 (620 Main Street)

Jim,

This letter is to inform you that your application for a Design Review Use Permit for installing a three-foot white picket fence has been approved. Please be sure to follow the approved details on your application. If any corrections or changes are needed for your project, please contact the city as soon as possible before proceeding Mon-Thurs 9am-4pm at (707)786-4224.

Once your project is complete, please email <u>cityclerk@ci.ferndale.ca.us</u>, or call at (707)786-4224 so we can mark the project as completed.

Thank you,

Kristene Hall

City Clerk

Section 11: COMMISSIONER COMMENTS

Section 12: STAFF REPORTS

Section 13:
ADJOURNMENT