Effective July 7, 2022, the City of Folsom is returning to all in-person City Council, Commission, and Committee meetings. Remote participation for the public will no longer be offered. Everyone is invited and encouraged to attend and participate in City meetings in person.

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Daniel West, John Lane, Mickey Ankhelyi, Justin Raithel, John Felts, Mark Dascallos, Kathy Cole

The Historic District Commission has adopted a policy that no new item will begin after 10:30 p.m. Therefore, if you are here for an item that has not been heard by 10:30 p.m., you may leave, as the item may be continued to a future Commission Meeting.

Any documents produced by the City and distributed to the Historic District Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Historic District Commission welcomes and encourages participation in City Historic District Commission meetings and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of the October 5, 2022 meeting will be presented for approval.

Commendation to be Presented to Mickey Ankhelyi

NEW BUSINESS

1. DRCL22-00079, 1006 Persifer Street Garage Demolition and Garage/Accessory Dwelling Unit and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Danelle Giusti for approval of a Design Review Application for a two-story structure containing a 720-square-foot garage and a 720-square-foot Accessory Dwelling Unit at 1006 Persifer Street. The zoning classification for the site is CEN/R-1-M, while the General Plan land-use designation is SFHD. The project is exempt from the California Environmental Quality Act in accordance with Sections 15301 and 15303 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Danelle Giusti)
2. Historic District Commission Rules of Conduct Modification Related to Meeting Time

Community Development Department Staff is recommending a modification to the previously approved Rules of Conduct Before the Historic District Commission, related to regular meeting time. (Principal Planner: Steve Banks)

PRINCIPAL PLANNER REPORT

HISTORIC DISTRICT COMMISSION COMMENTS

ADJOURNMENT

The next regularly scheduled meeting is January 4, 2022. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6200 and fax number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6203, (916) 355-7274 (fax) or ksanabria@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Historic District Commission Action: Pursuant to all applicable laws and regulations, including without limitation, California Government Code, Section 65009 and/or California Public Resources Code, Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning, and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing. Any appeal of a Historic District Commission action must be filed, in writing with the City Clerk’s Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081.
CALL TO ORDER HISTORIC DISTRICT COMMISSION:

The regular Historic District Commission Meeting was called to order at 6:00 pm with Commissioner Justin Raithel presiding.

ROLL CALL:

Commissioners Present: Mark Dascallos, Commissioner
Daniel West, Commissioner
John Lane, Commissioner
Justin Raithel, Commissioner

Commissioners Absent: Mickey Ankhelyi, Vice Chair
John Felts, Commissioner
Kathy Cole, Chair

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

CITIZEN COMMUNICATION:

NONE

MINUTES:

The minutes of the September 21, 2022 meeting were approved.

NEW BUSINESS:

1. DRCL22-00104, 702 Sutter Street Staircase Remodel and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Moe Hirani c/o Visione Enterprises LLC for approval of a Design Review Application for a new front staircase on the existing Hacienda Building located at 702 Sutter Street. The zoning classification for the site is SUT/HD, while the General Plan land-use designation is HF. The project is exempt from the California Environmental Quality Act in accordance with Section 15301 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Moe Hirani c/o Visione Enterprises LLC)
COMMISSIONER WEST MOVED TO APPROVE THE APPLICATION (DRCL22-00104) FOR DESIGN REVIEW FOR A NEW FRONT STAIRCASE ON THE EXISTING HACIENDA BUILDING LOCATED AT 702 SUTTER STREET, AS ILLUSTRATED IN ATTACHMENTS 5 AND 6 FOR THE 702 SUTTER STREET STAIRCASE REPLACEMENT PROJECT, BASED ON THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-H) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL, WITH THE FOLLOWING MODIFICATIONS TO CONDITION NO. 3:

COND. NO. 3. THIS APPROVAL IS FOR DESIGN REVIEW FOR A NEW FRONT STAIRCASE ON THE EXISTING HACIENDA BUILDING LOCATED AT 702 SUTTER STREET. THE APPLICANT SHALL SUBMIT BUILDING PLANS THAT COMPLY WITH THIS APPROVAL AND THE SITE PLAN DATED 6/8/22 AND ELEVATIONS DATED 9/9/22 INCLUDED IN ATTACHMENT 5 AND COLORS AND MATERIALS BOARD INCLUDED IN ATTACHMENT 6, WITH THE FOLLOWING MODIFICATIONS:

a) THE PROPOSED PLANTER AS SHOWN IN THE SITE PLAN SHALL BE OPTIONAL FOR THE APPLICANT.

b) BOLLARDS SHALL BE ADDED TO THE SITE TO THE SATISFACTION OF THE FIRE DEPARTMENT.

COMMISSIONER LANE SECONDED THE MOTION.

The Motion carried the following roll call vote:

AYES: Commissioner(s): WEST, LANE, RAITHEL
NOES: Commissioner(s): NONE
RECUSED: Commissioner(s): DASCALLOS
ABSENT: Commissioner(s): ANKHELYI, FELTS, COLE

MOTION PASSED

2. DRCL22-00116, 198 Persifer Street Garage and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Bart Edwards for approval of a Design Review Application to construct a 370-square-foot detached garage located at 198 Persifer Street. The zoning classification for the site is PER/R-1-M, while the General Plan land-use designation is SFHD. The project is exempt from the California Environmental Quality Act in accordance with Section 15303 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Bart Edwards)

COMMISSIONER WEST MOVED TO APPROVE THE APPLICATION (DRCL22-00116) FOR DESIGN REVIEW OF A 370-SQUARE-FOOT GARAGE LOCATED AT 198 PERSIFER STREET, AS ILLUSTRATED ON ATTACHMENT 5 FOR THE 198 PERSIFER STREET GARAGE PROJECT, BASED ON THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-H) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-18).

COMMISSIONER LANE SECONDED THE MOTION.

The Motion carried the following roll call vote:

AYES: Commissioner(s): DASCALLOS, WEST, LANE, RAITHEL
NOES: Commissioner(s): NONE
RECUSED: Commissioner(s): NONE
ABSENT: Commissioner(s): ANKHELYI, FELTS, COLE

MOTION PASSED
3. DRCL22-00206, 409 Sibley Street Addition and Remodel and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Roman Kolesnikov for approval of a Design Review Application for an addition and remodel of an existing residence at 409 Sibley Street. The zoning classification for the site is CEN/R-2, while the General Plan land-use designation is MLD. The project is exempt from the California Environmental Quality Act in accordance with Section 15301 of the CEQA Guidelines. (Project Planner: Josh Kinkade/Applicant: Roman Kolesnikov)

COMMISSIONER DASCALLOS MOVED TO APPROVE THE APPLICATION (DRCL22-00206) FOR DESIGN REVIEW OF A 282-SQUARE-FOOT ADDITION, A 417-SQUARE-FOOT UNCOVERED DECK ADDITION AND REMODELING OF AN EXISTING RESIDENCE AT 409 SIBLEY STREET, AS ILLUSTRATED IN ATTACHMENT 5 FOR THE 409 SIBLEY STREET ADDITION AND REMODEL PROJECT, BASED ON THE FINDINGS BELOW (FINDINGS A-H) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-11) INCLUDED AS ATTACHMENT 3.

COMMISSIONER WEST SECONDED THE MOTION.

The Motion carried the following roll call vote:

AYES: Commissioner(s): DASCALLOS, WEST, LANE, RAITHEL
NOES: Commissioner(s): NONE
RECUED: Commissioner(s): NONE
ABSENT: Commissioner(s): ANKHELYI, FELTS, COLE

MOTION PASSED

PRINCIPAL PLANNER REPORT

Principal Planner Steve Banks reported that the next Historic District Commission meeting is tentatively scheduled for November 2, 2022.

ADJOURNMENT

There being no further business to come before the Folsom Historic District Commission, Commissioner Justin Raithel adjourned the meeting at 6:43 p.m.

RESPECTFULLY SUBMITTED,

Karen Sanabria, ADMINISTRATIVE ASSISTANT

APPROVED:

Kathy Cole, CHAIR
City of Folsom
Resolution of Commendation

Honoring

Mickey Ankhelyi

WHEREAS, Mickey Ankhelyi was appointed to serve on the Historic District Commission in February of 2019; and

WHEREAS, during his term of service, Mickey Ankhelyi served notably to promote and support quality development within the City of Folsom; and

WHEREAS, the Folsom community has greatly benefited from the service of Mickey Ankhelyi’s work on the Historic District Commission in the study and review of proposed plans, development applications, and programs; and

WHEREAS, Mickey Ankhelyi has spent many voluntary hours meeting with staff, applicants, and the public to make positive and constructive recommendations to the City Council; reviewed and approved development projects; and considered and approved appropriate land uses; and

WHEREAS, during his term of service, Mickey Ankhelyi was a valued and appreciated colleague by the Historic District Commission and deserves formal recognition.

NOW, THEREFORE, the City of Folsom Historic District Commission, and on behalf of the Folsom community, does hereby commend Mickey Ankhelyi for his dedicated service on the Historic District Commission.

PASSED AND APPROVED, this 7th day of December 2022.

Attest:

Kathy Cole, CHAIR

Christina Kelley, ADMINISTRATIVE ASSISTANT
Historic District Commission Staff Report
50 Natoma Street, Council Chambers
Folsom, CA 95630

Project: 1006 Persifer Street Garage Demolition and Garage/Accessory Dwelling Unit
File #: DRCL22-00079
Request: Demolition and Design Review
Location: 1006 Persifer Street
Parcel(s): 070-0145-021
Staff Contact: Josh Kinkade, Associate Planner, 916-461-6209
jkinkade@folsom.ca.us

Property Owner
Name: Tama & Dave Burnett
Address: 1006 Persifer St.
Folsom, CA 95630

Applicant
Danelle Giusti
5980 88th St.
Sacramento, CA 95828

Recommendation: Conduct a public meeting, and upon conclusion recommend approval of a garage demolition and Design Review application for a two-story structure containing a 720-square-foot garage and a 720-square-foot Accessory Dwelling Unit at 1006 Persifer Street (DRCL22-00079) subject to the findings included in this report (Findings A-J) and the attached conditions of approval (Conditions 1-16).

Project Summary: The proposed project consists of demolition of an existing 700-square-foot garage and construction of a two-story structure containing a 720-square-foot garage and a 720-square-foot Accessory Dwelling Unit at 1006 Persifer Street. The property is located within the Central Subarea of the Historic Residential Primary Area of the Historic District.

Table of Contents:
1. Description/Analysis
2. Background
3. Proposed Conditions of Approval
4. Vicinity Map
5. Site Plan, Floor Plans, Building Elevations, Sections and Renderings, dated 7-13-22
6. Colors and Materials
7. Site Photos
Submitted,

PAM JOHNS
Community Development Director
ATTACHMENT 1
DESCRIPTION/ANALYSIS

APPLICANT’S PROPOSAL
The proposal consists of demolition of an existing garage and construction of a two-story structure containing a 720-square-foot garage on the first level and a 720-square-foot one-bedroom Accessory Dwelling Unit on the second level at 1006 Persifer Street. The structure is proposed to be 22.1 feet in height. Exterior materials proposed are stucco siding on the first floor and board-and-batten siding on the second floor, both colored off-white. Brown asphalt shingle roofing and black window trim and doors are also proposed.

The property at 1006 Persifer Street is not included on the City of Folsom Cultural Resources Inventory.

POLICY/RULE
Section 17.52.300 of the Folsom Municipal Code (FMC) states that the Historic District Commission shall have final authority relating to the design and architecture of all new residential structures and all exterior renovations, remodeling, modification, or addition to existing structures within the Historic District. Section 17.52.330 states that, in reviewing projects, the Commission shall consider the following criteria:

a) Project compliance with the General Plan and any applicable zoning ordinances;

b) Conformance with any city-wide design guidelines and historic district design and development guidelines adopted by the city council;

c) Conformance with any project-specific design standards approved through the planned development permit process or similar review process; and

d) Compatibility of building materials, textures and colors with surrounding development and consistency with the general design theme of the neighborhood.

Section 17.52.490 of the FMC states that ADUs in the Historic District shall comply with the standards set forth in FMC Chapter 17.105, which states that the design standards set forth in FMC Section 17.105.150 apply to all attached and detached ADUs city-wide. In addition, the design standards of FMC Section 17.105.160 apply to all ADUs in the Historic District that are larger than 800 square feet or greater than 16 feet in height.

FMC Section 17.105.070 states that in the Historic District, any proposed detached ADU that exceeds a height of 16 feet shall be subject to review by the Historic District Commission, in compliance with the provisions of FMC sections 17.52.300 through 17.52.350, generally governing design review in the Historic District.
Section 17.52.660 of the FMC states that the demolition of a structure located in the Historic District is subject to the review and approval of the Historic District Commission. Before demolition is authorized, the applicant must provide documentation of the structure for the historical record, to the extent that the history of the structure is known to, or reasonably obtainable by, the applicant. If the structure is considered historically significant, the Historic District Commission shall consider several factors before authorizing the demolition. Section 4.13 of the Historic District Design and Development Guidelines (DDGs) makes clear that demolition may be more readily approved for structures that do not comply with the goals, policies, and regulations of FMC Chapter 17.52 and the DDGs themselves.

ANALYSIS

General Plan and Zoning Consistency
The General Plan land use designation for the project site is SFHD (Single-Family High Density), and the zoning designation for the project site is R-1-M (Single-Family Residential, Small Lot District), within the Central Subarea of the Historic Residential Primary Area of the Historic District. FMC Section 17.105.060 states that one ADU is permitted in zones with an existing or proposed single-unit dwelling. Accessory structures are allowed in the Historic Residential Primary Area per FMC Section 17.52.520(a)(1).

Section 17.52.540 of the FMC institutes requirements for lot size, lot width, setbacks, pervious surface, and building height in the Historic Residential Primary Area. Sections 17.105.070 and 17.105.110 of the FMC institute development standards regarding location, size, setbacks, height, separation, lot coverage, and parking for detached ADUs.

Accessory structures (such as garages) are allowed in the Historic Residential Primary Area per FMC Section 17.52.520(a)(1). FMC Section 17.52.480 institutes the applicable development standards regarding location, size, setbacks, height, and separation for accessory structures. The following table shows how the proposed garage and ADU structure relates to the FMC zoning requirements:

<table>
<thead>
<tr>
<th>REQUIRED</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size</td>
<td>n/a</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>n/a</td>
</tr>
<tr>
<td>Maximum ADU Size</td>
<td>One bed: 850 sf</td>
</tr>
<tr>
<td></td>
<td>Two+ beds: 1,000 sf</td>
</tr>
<tr>
<td>Maximum Garage Size</td>
<td>No larger than the main structure in</td>
</tr>
<tr>
<td></td>
<td>square footage or height</td>
</tr>
<tr>
<td>ADU and Garage Front Setback</td>
<td>Does not break front plane of primary</td>
</tr>
<tr>
<td></td>
<td>dwelling and meets setback of primary</td>
</tr>
</tbody>
</table>
As shown in the above table (and on the site plan in Attachment 5), the proposed project meets all applicable development standards of the FMC.

FMC Section 17.105.170(D) states that any accessory dwelling unit proposed for construction on or within fifty feet of the property line of a parcel containing a structure listed on the California Register of Historical Resources shall have a peak height above finished grade of no more than sixteen feet. The proposed ADU is not located within fifty feet of a property line of a parcel containing a structure listed on the California Register of Historical Resources.

Because ADUs and garages are both allowed uses for the subject parcel, the use itself is not subject to Commission approval. However, the design of the proposed structure is subject to Commission approval since this ADU exceeds the height (16 feet) standard established in FMC Section 17.105.060(B).

**Building Design/Architecture**

Pursuant to FMC section 17.105.070(B)(1), this is a discretionary design review by the Commission. As a result, the design standards in FMC sections 17.105.150 and 17.105.160, as well as the design guidance established within the Historic District Design and Development Guidelines (DDGs) apply to this project.

The following table provides an analysis comparing the proposed ADU and the standards of FMC Section 17.105.150 for two-story ADUs or ADUs constructed above an accessory structure:

<table>
<thead>
<tr>
<th></th>
<th>dwelling (20 feet)</th>
<th>Rear Setbacks</th>
<th>Side Setbacks</th>
<th>Minimum Pervious Surface</th>
<th>Parking Requirement</th>
<th>Maximum Building Height</th>
<th>Structure Separation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>4 feet (ADU)</td>
<td>5 feet (garage)</td>
<td>15 feet (ADU and garage)</td>
<td>2 parking spaces for primary residence, 0 parking spaces for ADU</td>
<td>25 feet, or the height of the primary structure (whichever is less)</td>
<td>6 feet from the primary structure or other accessory structures on-site</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 feet (ADU)</td>
<td>5 feet (garage)</td>
<td>5 feet (ADU and garage)</td>
<td></td>
<td>22.1 feet (primary structure is 22.2 feet tall)</td>
<td>25 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>45%</td>
<td></td>
<td>48%</td>
<td>3 parking spaces (proposed)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>STANDARD</strong></td>
<td><strong>ANALYSIS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>All exterior walls shall include at least two different materials, as well as either windows or projections or bays or recessed elements.</td>
<td>All exterior walls utilize two different materials (stucco board and batten) along with windows.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The accessory dwelling unit shall have the same roof pitch as the primary dwelling with matching eave details but may vary by up to 2/12 more or 2/12 less than the roof pitch of the primary dwelling. Roof must follow the roof pitch requirements for design style allowed in the Historic District subarea.</td>
<td>Primary roof pitch of existing primary dwelling is 8/12. Primary roof pitch of ADU is 8/12. Craftsman design style is allowed in the Central Subarea, and mandates a roof pitch between 3/12 and 8/12.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any second story wall facing an abutting property shall incorporate the following features: translucent glazed windows, transom windows, clerestory windows, false windows, or other similar design approach that achieves the same purpose.</td>
<td>All side windows (facing neighbor) to be tempered privacy glass.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The landing area of any external staircase shall be screened from the bottom of the landing to the top of the entry of the accessory dwelling unit to maintain the privacy of abutting properties. Materials used to screen the landing shall be of the same color and material as those used for the accessory dwelling unit.</td>
<td>The landing area is screened using the same colors and siding as those used for the ADU.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Building massing shall be modified using one of the following methods:  
  1. Use of at least two different building materials.  
  2. Use of recessed or projecting windows, doors, or parts of the wall to avoid flat monotonous facades. Recessed windows and doors shall project a minimum of six inches or shall be recessed a minimum of six inches. Any projection must be behind the parcel side or rear yard setback line. | All exterior walls utilize two different materials (stucco and board and batten siding). Varied roof forms and projections have also been incorporated into the design to address massing. |
3. Use of cantilevered areas so long as area does not extend beyond the side or rear yard setback.
4. Use of varied roof form such as a mix of different roof types (e.g., hipped, gabled, slant, etc.).

| No decks or balconies shall be allowed, except that one balcony no larger than twenty square feet shall be allowed on the front facade | No balcony is proposed. |
| If any external staircase is necessary to access the unit, that staircase shall be located at the side or rear of the unit and shall be at least five feet from the adjacent property line. | External staircase located on the side of the unit and is 11 feet from the adjacent property line |

The applicant is also required to comply with the objective design standards of FMC Section 17.105.160, which mandate that an appropriate style (Craftsman, Queen Anne, Delta, Italianate, or Spanish Eclectic for all zones including the subject area) is chosen and that specific design elements are met for the chosen style. In this case, the applicant has chosen the Craftsman style. The table below lists the required design elements of the Craftsman style from FMC Section 17.105.160(C)(1) and provides an analysis for how the applicant is meeting these design elements.

<table>
<thead>
<tr>
<th><strong>DESIGN ELEMENT</strong></th>
<th><strong>ANALYSIS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>A roof pitch between 3/12 and 8/12.</td>
<td>Roof pitches are 3/12 and 8/12</td>
</tr>
<tr>
<td>Front-gabled, side-gabled or cross-gabled roof with unenclosed eave overhang.</td>
<td>ADU utilizes a front-gabled roof with unenclosed eave overhangs</td>
</tr>
<tr>
<td>Exposed roof rafters and/or braces under gables (i.e., knee braces or corbels).</td>
<td>ADU utilizes wood corbels.</td>
</tr>
<tr>
<td>Single- or double-hung sash windows with small panes above large pane (e.g., three small panes over one large pane, or six-over-one window) for all windows on the front elevation.</td>
<td>ADU utilizes single-hung windows with small panes over one large pane on all windows on the elevation facing the alley.</td>
</tr>
<tr>
<td>Horizontal clapboard or shingle siding that is 2.5 to 6 inches wide or board and batten or a mix of shingles, stone, and siding for different levels or elements may be used. Fiber cement board and shingles may be used in place of wood siding or shingles.</td>
<td>Proposed exterior materials are board and batten siding for the ADU and stucco siding for the garage to match the primary residence.</td>
</tr>
<tr>
<td>Optional: Shed or gabled roof dormer.</td>
<td>Not utilized</td>
</tr>
</tbody>
</table>
Optional: Entry porch under roofline with roof supported by tapered or square columns with square bases that extend to the ground. | Not utilized

As shown in the tables above, the applicant is meeting all required design elements of the FMC for two-story ADUs as well as ADUs in the Historic District.

The design guidelines established within the Historic District Design and Development Guidelines (DDGs) also apply to this project. The property is located within the Central Subarea of the Historic Residential Primary Area of the Historic District. Chapter 5.04.03(b) of the DDGs, which addresses the design concepts for the Central Subarea, states that the Central Subarea provides property owners with broad discretion in choosing styles from the entire 1850-1950 timeframe. Restoration, reconstruction, and new construction of “average” homes are encouraged, rather than increase in the number of “high-style” homes. The design, color, and scale of the proposed residence are consistent with the architectural styles prevalent during the 1850-1950 timeframe in the Subarea. Furthermore, in assessing the appropriateness of a particular use/design, the DDGs recommend that consideration be given to the physical circumstances of the project site and its surroundings in the Central Subarea.

The DDG’s state that exterior materials and finishes for residential properties should be of residential grade, durable and of high quality and should include details appropriate for design period of the Subarea and building style. The proposed project utilizes stucco siding, window trim and asphalt shingle roofing with board-and-batten siding on the second floor. Pursuant to the DDG’s Appendix D Chapter C.7.c, appropriate roofing materials include fireproof wood shingles, corrugated metal, composition fiberglass shingles, clay tile, or other as determined by historic evidence. Inappropriate materials consist of colored standing seam metal roofs, glazed ceramic tile or imitation roofing materials including concrete shingles and imitation concrete mission tile. The proposed roof of the structure will be composition shingle roofs colored brown, consistent with the DDGs. Staff notes that the proposed exterior colors of the structure do not match those of the existing residence, which utilized beige stucco and white window sills. To ensure compatibility between the existing residence and the proposed structure, staff has added Condition No. 3a, which mandates that the primary residence must utilize the same colors on the siding and window detailing as the garage/ADU by the time the garage/ADU receives a Certificate of Occupancy.

In analyzing the architectural design of the proposed project, staff determined that the structure includes many key elements commonly found in early residential design (pre-1950) Craftsman style, including a low-pitched roof, multi-pane sashes over the windows, board and batten siding and corbels. Staff has also determined that the proposed structure include the use of building materials that are natural in appearance (stucco and board-and-batten siding and trim and composition asphalt shingles), as encouraged by the Historic District Design and Development Guidelines (DDGs). In addition, the proposed project utilizes colors (off-white siding, black trim and a brown asphalt roof)
which are consistent with colors typically utilized on historic residential structures.

The DDG’s state that wood frame double-hung or casement windows are preferred, and that vinyl clad windows may be used for less significant structures. In general, window proportions should be vertical rather than horizontal; however, appropriate proportions and number of panes will vary depending upon the style of the individual building and the context. Regarding entries, the DDG’s state that residentially scaled and detailed solid wood or glazed doors of many styles may be appropriate. The building includes vertically oriented vinyl windows on the alley-facing elevation, consistent with the DDGs.

Proposed doors are residentially scaled, consistent with the DDGs. According to the DDGs, Appendix D, Section C.4 (e), two single garage doors are preferred over a double door. The proposed garage features two overhead roll-up doors, one of which is a two-car garage door. The doors incorporate hinges and handles to resemble a carriage style, thereby meeting the intent of the DDGs. The proposed project’s architecture is consistent with residential appearance through the use of the proposed building materials and design.

The scale of the building (720 square feet on the lower floor and 720 square feet on the upper floor) is appropriate as an accessory use to the 1,775-square-foot two-story primary residence on the site. As described in the tables in this section, massing and height issues are addressed via the use of two exterior finish materials for each story of the structure and windows and/or doors on both floors of each wall. The structure also incorporates different roof forms and includes roofing with hipped and gable ends. These elements all add appropriate architectural interest to the structure.

Staff has determined that the overall design, colors, materials, and layout of the proposed project are consistent with the design and development guidelines for the Central Subarea and the building materials, textures and colors are consistent with surrounding development and with the general design theme of the neighborhood. Staff has concluded that the applicant has met the design standards identified in the Folsom Municipal Code and the guidelines contained in the DDG’s.

Demolition
The applicant is proposing to demolish an existing detached garage located on the subject property in order to accommodate development of the proposed garage/ADU structure. In order to approve a request for demolition of a structure considered historically significant, the Folsom Municipal Code, (FMC Section 17.52.660) states that the Historic District Commission must consider the following:

1. Whether the public health, safety and/or welfare warrant the demolition;

2. What accommodations can be provided to the owner of the property to make it feasible for the owner to preserve the property;
3. Whether the owner of the property is willing to sell the property to a buyer who wishes to preserve the property; and

4. Whether a public entity wishes to acquire the property through exercise of the power of eminent domain in order to preserve the property.

Section 4.13 of the Historic District Design and Development Guidelines clarifies that demolition of structures with historic value should be approved only when all other options have been exhausted by the property owner and the City. However, Section 4.13 of the Design and Development Guidelines also makes clear that demolition may be more readily approved for structures which do not comply with the goals, policies, and regulations of the Folsom Municipal Code, (FMC Section 17.52) and the Design and Development Guidelines themselves.

The existing 700-square-foot garage appears to have been constructed at the same time as the primary residence (1935). The garage was constructed with stucco and is not considered historically significant in terms of design and building materials. See Attachment 7 for photographs of the existing garage. In addition, neither structure is listed on the City of Folsom’s Cultural Resources Inventory list.

PUBLIC NOTICING
A public notice was posted on the project site five days prior to the Historic District Commission meeting of December 7, 2022, in compliance with the requirements of FMC Section 17.52.320. Initial plans were also routed to the Heritage Preservation League (HPL) and Historic Folsom Residents Association (HFRA). Staff did not receive any comments from these organizations.

ENVIRONMENTAL REVIEW
The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the garage demolition and Section 15303 (New Construction of Small Structures) for the new construction. Based on staff’s analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemptions in this case.

RECOMMENDED HISTORIC DISTRICT COMMISSION ACTION
Move to approve the application (DRCL22-00079) for a garage demolition and Design Review of a two-story structure containing a 720-square-foot garage and a 720-square-foot Accessory Dwelling Unit at 1006 Persifer Street, as illustrated on Attachment 5 for the 1006 Persifer Street Garage Demolition and Garage/Accessory Dwelling Unit project, based on the findings included in this report (Findings A-J) and subject to the attached conditions of approval (Conditions 1-16).
GENERAL FINDINGS

A. NOTICE OF PUBLIC MEETING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.

B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND ZONING CODE OF THE CITY.

CEQA FINDINGS

C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 (EXISTING FACILITIES) AND 15303 (NEW CONSTRUCTION OF SMALL STRUCTURES) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.

D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.

E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.

F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

DESIGN REVIEW FINDINGS

G. THE PROJECT IS COMPLIANT WITH THE REQUIRED DESIGN STANDARDS OF FOLSOM MUNICIPAL CODE CHAPTER 17.105.

H. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY CITY COUNCIL.

I. THE BUILDING MATERIALS, TEXTURES AND COLORS USED IN THE PROPOSED PROJECT ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT AND ARE CONSISTENT WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

DEMOLITION FINDING

J. THE EXISTING GARAGE STRUCTURE PROPOSED TO BE DEMOLISHED IS NOT CONSIDERED HISTORICALLY SIGNIFICANT.
ATTACHMENT 2
BACKGROUND

BACKGROUND
A 1,416-square-foot single-story residence was first constructed on the property in 1935. The residence features stucco siding painted beige, and white sills below the windows.

GENERAL PLAN DESIGNATION
SFHD, Single-Family High Density

ZONING
CEN, Central Subarea of the Historic Residential Primary Area, with an underlying zoning of R-1-M (Single-Family Residential-Small Lot)

ADJACENT LAND USES/ZONING
North: Natoma-Persifer Street alley with single-family residential (CEN) beyond
South: Persifer Street with single-family residential beyond (CEN)
East: Existing single-family residential property (CEN)
West: Existing single-family residential property (CEN)

SITE CHARACTERISTICS
The 7,000-square-foot project site contains a single-family residence, a detached garage, and associated landscaping.

APPLICABLE CODES
FMC Chapter 17.52 HD, Historic District
FMC Section 17.52.300, Design Review
FMC Section 17.52.330, Plan Evaluation
FMC Section 17.52.340, Approval Process
FMC Section 17.52.540, Historic Residential Primary Area Special Use and Design Standards
FMC Section 17.52.660, Demolition
FMC Chapter 17.105, Accessory Dwelling Units
Historic District Design and Development Guidelines
ATTACHMENT 3
Proposed Conditions of Approval
## CONDITIONS OF APPROVAL FOR
### 1006 PERSIFER STREET GARAGE DEMOLITION AND GARAGE/ACCESSORY DWELLING UNIT
#### DRCL22-00079

<table>
<thead>
<tr>
<th>Cond. No.</th>
<th>Mitigation Measure</th>
<th>GENERAL REQUIREMENTS</th>
<th>When Required</th>
<th>Responsible Department</th>
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<tbody>
<tr>
<td>1.</td>
<td>Issuance of a Building Permit, Demolition Permit and Encroachment Permit is required. The applicant shall submit final site and building plans to the Community Development Department that substantially conform to the Site Plan, Floor Plans and Building Elevations, dated 7-13-2022, included in Attachment 5. Implementation of this project shall be consistent with the above referenced items as modified by these conditions of approval.</td>
<td>B</td>
<td>CD (B)</td>
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<td>2.</td>
<td>Compliance with all local, state and federal regulations pertaining to building construction and demolition is required.</td>
<td>OG</td>
<td>CD (B)</td>
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<td>3.</td>
<td>This approval is for demolition of an existing garage and construction of a two-story structure containing a 720-square-foot garage and a 720-square-foot Accessory Dwelling Unit located at 1006 Persifer Street. The applicant shall submit building plans that comply with this approval and the Site Plan, Floor Plans, Building Elevations, and Renderings, dated 7-13-2022, included in Attachment 5 and colors and materials included in Attachment 6, with the following modifications:</td>
<td>B, O</td>
<td>CD (P)</td>
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<td>a) The primary residence shall utilize the same colors on the siding and window detailing as the garage/ADU by the time the garage/ADU receives a Certificate of Occupancy.</td>
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<td>b) All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings.</td>
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<td>4.</td>
<td>If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides recommendations to the City. The City shall determine and require implementation of the appropriate mitigation as recommended by the consulting archaeologist. The City may also consult with individuals that meet the Secretary of the Interior’s Professional Qualifications Standards before implementation of any recommendation. If agreement cannot be reached between the project applicant and the City, the Historic District Commission shall determine the appropriate implementation method.</td>
<td>G, I, B</td>
<td>CD (P)(E)(B)</td>
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5. In the event human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code 5097.98. If the coroner determines that no investigation of the cause of death is required and if the remains are of Native American Origin, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely decedent. The decedent will then recommend to the landowner or landowner’s representative appropriate disposition of the remains and any grave goods.

6. The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:

- The City bears its own attorney’s fees and costs; and
- The City defends the claim, action or proceeding in good faith

The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.

7. The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.

8. If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.

9. The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.
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<td><strong>10.</strong></td>
<td>If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the improvement plans or beginning inspection, whichever is applicable.</td>
<td><strong>B</strong></td>
<td><strong>CD (P)(E)</strong></td>
<td></td>
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<td><strong>11.</strong></td>
<td>This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Quimby, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.</td>
<td><strong>B</strong></td>
<td><strong>CD (P)(E), PW, PK</strong></td>
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<td><strong>12.</strong></td>
<td>The owner/applicant agrees to pay to the Folsom-Cordova Unified School District the maximum fee authorized by law for the construction and/or reconstruction of school facilities. The applicable fee shall be the fee established by the School District that is in effect at the time of the issuance of a building permit. Specifically, the owner/applicant agrees to pay any and all fees and charges and comply with any and all dedications or other requirements authorized under Section 17620 of the Education Code; Chapter 4.7 (commencing with Section 65970) of the Government Code; and Sections 65995, 65995.5 and 65995.7 of the Government Code.</td>
<td><strong>B</strong></td>
<td><strong>CD (P)</strong></td>
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<td><strong>13.</strong></td>
<td>The owner/applicant shall coordinate the planning, development and completion of this project with the various utility agencies (i.e., SMUD, PG&amp;E, etc.).</td>
<td><strong>I</strong></td>
<td><strong>CD (P)(E)</strong></td>
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<td><strong>14.</strong></td>
<td>Per FMC Section 17.105.140(J), all ADUs approved under this chapter may be rented separate from the primary residence; however, the rental must be for a term longer than thirty days. Per FMC Section 17.58.050(1), a maximum of three paying guests are permitted to rent rooms in a dwelling. Per FMC Chapters 17.11, 17.12, 17.13 and 17.14, boarding houses, defined as a residence wherein three or more rooms are rented to individuals under separate rental agreements or leases, are not allowed in single-family or two-family zones. Per FMC Section 17.105.140(I), no ADU may be sold or otherwise conveyed separately from the primary dwelling in the case of a single-unit parcel, or from the parcel and all of the dwellings in the case of a multi-unit parcel.</td>
<td><strong>O</strong></td>
<td><strong>CD (P)</strong></td>
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15. Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays. In addition, construction equipment shall be muffled and shrouded to minimize noise levels.

16. The project approval granted under this staff report shall remain in effect for one year from final date of approval (December 7, 2023). Failure to submit a complete application for the relevant building, demolition, or other permits within this time period, without the timely extension of this approval, shall result in the termination of this approval.

<table>
<thead>
<tr>
<th>RESPONSIBLE DEPARTMENT</th>
<th>WHEN REQUIRED</th>
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<tbody>
<tr>
<td>CD (P) Community Development Department</td>
<td>I Prior to approval of Improvement Plans</td>
</tr>
<tr>
<td>(P) Planning Division</td>
<td>M Prior to approval of Final Map</td>
</tr>
<tr>
<td>(E) Engineering Division</td>
<td>B Prior to issuance of first Building Permit</td>
</tr>
<tr>
<td>(B) Building Division</td>
<td>O Prior to approval of Occupancy Permit</td>
</tr>
<tr>
<td>(F) Fire Division</td>
<td>G Prior to issuance of Grading Permit</td>
</tr>
<tr>
<td>PW Public Works Department</td>
<td>DC During construction</td>
</tr>
<tr>
<td>PR Park and Recreation Department</td>
<td>OG On-going requirement</td>
</tr>
<tr>
<td>PD Police Department</td>
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</tbody>
</table>

City of Folsom   Page 17
ATTACHMENT 4
Vicinity Map
ATTACHMENT 5
Site Plan, Floor Plans, Building Elevations, Sections and Renderings, dated 7-13-22
TYPICAL BASE SIDING: 3-COAT STUCCO TO MATCH EXISTING RESIDENCE, COLOR: KELLY MOORE, STILETTO

EXPOSED STRUCTURE:  COLOR: KELLY MOORE, STILETTO

HVAC CONDENSER ON CONC. PAD

TYPICAL FASCIA - 1X8 SPF, COLOR: KELLY MOORE, STILETTO

WOOD STAIRS AND RAILING, COLOR TO MATCH TRIM AT BUILDING

TYPICAL SECOND LEVEL SIDING: CEDAR MILL HARDIPANEL W/ 1X3 BATTS @ 16" O.C. COLOR: KELLY MOORE, SWISS COFFEE

1X4 SPF DOOR AND WINDOW TRIM, COLOR: KELLY MOORE, STILETTO

1X4 SPF CORNER TRIM, COLOR: KELLY MOORE, STILETTO

4X8 OUTLOOKERS W/ CORBELS, COLOR: KELLY MOORE, STILETTO

VINYL WINDOWS COLOR: BLACK AT SINGLE HUNG WINDOWS, PROVIDE DIVIDED LIGHTS ON UPPER HALF OF WINDOW

DOORS SHALL BE PROVIDED WITH LANDINGS NOT MORE THAN 7 3/4" BELOW THE TOP OF THE THRESHOLD.
ATTACHMENT 6
Colors and Materials
EXTERIOR TRIM & FACIA:
KELLY MOORE
STILETTO
#KMA87

EXTERIOR SIDING COMBINATION:
BOARD & BATTEN

+ STUCCO

ROOF: TIMBERLINE SHINGLES:
SHAKEWOOD

GARAGE DOOR: WOOD LOOK TO BE SELECTED WITH VENDOR.

EXTERIOR LIGHTING

BODY OF THE HOME:
KELLY MOORE
SWISS COFFEE
#23

EXTERIOR FRONT & SIDE DOOR:
KELLY MOORE STILETTO
#KMA87
ATTACHMENT 7
Site Photos
Historic District Commission Staff Report
50 Natoma Street, Council Chambers
Folsom, CA 95630

Subject: Historic District Commission Rules of Conduct and Meeting Time

From: Pam Johns, Community Development Director

Recommendation: Staff recommends that the Historic District Commission consider a modification to the adopted Rules of Conduct for Business Before the City of Folsom Historic District Commission relative to changing the meeting start time from 6:00 p.m. to 6:30 p.m.

Background: On September 7, 2022, the Historic District Commission adopted Rules of Conduct for Business Before the City of Folsom Historic District Commission. One of the Rules of Conduct (Rule 1. Meetings) established by the Commission at the September meeting was that the Historic District Commission would meet on the first Wednesday of each month starting at 6:00 p.m. with no end time.

On November 16, 2022, the Planning Commission adopted modified Rules of Conduct Before the City of Folsom Planning Commission. Specifically, the Planning Commission modified one of the Rules of Conduct (Rule 1. Meetings) to established that the Planning Commission would meet the third Wednesday of each month starting at 6:30 p.m. with no end time. At this meeting, it was suggested by one of the Planning Commissioners that the Historic District Commission consider modifying their meeting start time from 6:00 p.m. to 6:30 p.m. in order to create consistency between the start time of the Planning Commission and Historic District Commission meetings, as well as with the start time of the City Council Meetings (6:30 p.m.).

City staff is supportive of the concept of creating consistent meeting start times among the City Council, Planning Commission, and Historic District Commission bodies. As a result, staff is recommending that the Historic District Commission meet once monthly on the first Wednesday of each month starting at 6:30 p.m.

Motion: Move to adopt a modification to the Rules of Conduct for Business Before the City of Folsom Historic District Commission changing the meeting from time on the first Wednesday of each month from 6:00 p.m. to 6:30 p.m. as shown in Attachment 1.
ATTACHMENT 1

RULES OF CONDUCT FOR BUSINESS BEFORE
THE CITY OF FOLSOM
HISTORIC DISTRICT COMMISSION
THE RULES OF CONDUCT FOR BUSINESS
BEFORE THE CITY OF FOLSOM
HISTORIC DISTRICT COMMISSION

The City of Folsom Historic District Commission, hereinafter called “Commission”, hereby adopts these Rules of Procedure for the conduct of its business.

Rule 1. MEETINGS. Regular meetings of the Commission shall be held the first Wednesday of each month throughout the year commencing at 6:00 p.m. 6:30 p.m., except that if the regular meeting day is a holiday, no meeting shall be held. Regular meetings may also be held on other days and times, as the business of the Commission requires, upon approval of a majority of the Commission. Unless otherwise provided, meetings shall be held in the Council Chambers, City Hall, 50 Natoma Street, Folsom, California.

Rule 2. ELECTION OF OFFICERS. The Commission shall elect a Chair and a Vice-Chair at the first regular meeting in February of each calendar year to serve until the first regular meeting in February of the next succeeding calendar year. If either position is vacated at any time, an election for the vacated position shall be held at the next regularly scheduled meeting.

Rule 3. DUTIES OF CHAIR AND VICE CHAIR. The Chair shall preside at all Commission meetings. The Chair shall preserve order and decorum and shall decide all questions of order not otherwise provided for in these rules in accordance with Robert’s Rules of Order. The Chair shall be entitled to make or second any motion, discuss and present any matter as a member of the Commission, without having to step down from the Chair. The Chair may appoint committees from time to time for any purpose he or she deems proper for the conduct of Commission business. The Vice-Chair shall assume and perform all duties of the Chair in the latter’s absence from any meeting.

Rule 4. CITY ATTORNEY. The City Attorney shall be legal counsel for the Commission. All questions of law shall be referred to the City Attorney for an opinion.

Rule 5. AGENDA. The agenda for each meeting of the Commission shall be prepared by the Director in consultation with the Historic District Commission Chair.

Rule 6. RECORD OF PROCEEDINGS. The Community Development Director (Director) shall take and maintain an audio record of the proceedings of the Commission to ensure that a record of the hearing and any continuance thereof shall be made and duly preserved. The audio record shall be the official record of the Commission. Any person wishing to listen to or make a copy of the audio record of the hearing may do so by contacting the Community Development Department. Nothing herein shall preclude the Commission or any person interested in the hearing from using the services of a court reporter in any public hearing. The party desiring the services of a court reporter shall be responsible for making arrangements and for payment for such services.

Rule 7. QUORUM. No action of the Commission shall be taken unless a quorum thereof is present. A majority of the entire membership of the Commission shall constitute a quorum.
Rule 8. ORDER OF BUSINESS. The regular order of business of the Commission shall be:

1. Roll Call
2. Approval of Minutes of Previous Meetings
3. Opportunity for Public to Address Commission - Items Not on the Agenda
4. Public Hearings and Other Scheduled Matters
5. Director's Report
6. Commissioner Comments
7. Adjournment

No new item will begin after 10:30 p.m.. In the event that an item on the agenda is not begun by that time, the item may be continued to a future Commission Meeting.

Rule 9. PUBLIC HEARINGS

1. Re-ordering the agenda. The Chair, in his or her discretion, may rearrange the order of public hearings.
2. Continuance. The Chair shall, at the opening of the Commission meeting, entertain written or oral requests for continuances. If a continuance is requested by a proponent, it shall be honored only if the proponent consents in writing to an equal extension of time to process any required environmental documentation, tentative map or other documents with fixed processing periods. It is the Commission's policy to continue for a period of thirty (30) days any matter which the Director or his/her staff have not had adequate time to review or any matter which is amended, supplemented, revised or modified within three (3) business days of the meeting at which the matter is scheduled to be heard.

Rule 10. CONDUCT OF THE HEARING. It is the desire of the Commission to have a fair and impartial hearing on all matters. To do so requires the imposition of and compliance with the following rules of conduct:

1. Sequence of Hearings. The sequence of each hearing shall be:
   a. Staff Report
   b. Applicant’s Statement
   c. Open the public hearing
   d. Statements from the public
   e. Close the public hearing
   f. If determined by the Chair to be necessary, invite the applicant to address questions and/or issues raised during public hearing
   g. Commission discussion
   h. Commission action on the matter or continue the matter to another date or time certain or indefinitely

2. Testimony. The Chair may limit public testimony to three (3) minutes per speaker in order to facilitate the business of the Commission. The Chair may grant the applicant additional time for testimony as required.
3. Speaker Forms. The Chair may ask that persons intending to speak advise the Chair of their intent in advance by filling out a form. The Commission will provide forms in a convenient location for such notice.

4. Close of Public Testimony. The Chair shall close the hearing to public testimony before the Commission members discuss the matter. The matter shall not be reopened without the approval of a majority of the quorum of the Commission. Commissioners may seek clarification of testimony from staff or speakers without reopening the public hearing.

5. Spokesperson for Group. Whenever a group of persons wishes to address the Commission on the same subject matter, the Chair may request that a spokesperson be chosen by the group, with the spokesperson being allowed 5 minutes to address the Commission, and in case additional information and testimony is to be presented by any other member of said group, to limit the time of their remarks to (3) minutes per speaker in order to avoid unnecessary repetitions before the Commission.

6. Hearing on Appeal. The sequence of the hearing on matters appealed to the Commission shall be as follows:

   a. Staff Report
   b. Appellant’s Presentation (Time limit – 10 minutes)
   c. Open the public hearing
   d. Statements from the public (Time limit – 3 minutes per speaker)
   e. Close public hearing
   f. Appellants make closing remarks to the Commission (Time limit – 5 minutes)
   g. Appellant and City staff may respond to questions from Commissioners
   h. Commission discussion
   i. Commission action on the matter or continue the matter to another date or time certain

The sequence of the hearing on matters appealed to the Commission may be adjusted by the Chair upon recommendation from the City Attorney.

Rule 11. DOCUMENTARY EVIDENCE. Any documents, writings, pictures, exhibits or other forms of tangible expression once submitted to the Commission shall become the property of the Commission and part of the public record.

Persons desiring to submit documentary evidence are requested to contact the Community Development Department prior to the meeting to facilitate the introduction of such evidence. Failure to do so may cause the matter to be continued to the end of the agenda or to a later date.

Any documentary evidence offered by the project applicant of any other person at the hearing of the matter and which requires review and evaluation by City staff, may cause the matter to be continued to a later date.
Rule 12. MEETING DECORUM. The Commission desires to conduct its meetings in a manner that:

1. Is open to all viewpoints.
2. Ensures that members of the public who attend meetings of the Commission can be heard in a fair and respectful manner.
3. Is supportive of civil, respectful, and courteous discourse and free from abusive, distracting, or intimidating behavior, and
4. Allows the business of the City to be effectively accomplished.

If any meeting is willfully interrupted by any person(s) so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by removal of such person(s), the Chair may order the meeting room cleared and continue in session.

Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media shall be allowed to attend such a session, except for those representatives participating in the disturbance. The Chair may readmit any person(s) not responsible for the disturbance.

Rule 13. FINDINGS. The Commission shall make findings in support of its actions as required by law. All findings shall be based strictly upon evidence presented during the public hearing. The Commission shall not rely upon any communications, reports, staff memoranda, or other materials which are not presented during the public hearing. The Chair may seek the assistance of the City Attorney in preparing or approving the findings.

Rule 14. MINUTES. All official actions or decisions of the Commission shall be entered in the minutes of the Commission by the Director.

Rule 15. APPLICATION, ADOPTION, AMENDMENT AND REPEAL OF RULES. These rules shall be applicable to all business before the Commission. Any rule may be suspended by a majority vote of the Commissioners present and able to vote on the matter being heard. A new rule may be adopted, or an existing rule may be amended or repealed by affirmative vote of a majority of the Commission at any regularly scheduled meeting.

Rule 16. ADJOURNMENT. The Commission may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. A copy of the order or notice of adjournment shall be posted on or near the door of the place where the meeting was held within twenty-four (24) hours after the time of adjournment.

Rule 17. EMERGENCY OR SPECIAL MEETINGS. The Commission may call special meetings as permitted by California law.

Rule 18. VOTING. Commission voting shall be conducted as follows:

1. Calling the Roll. The roll shall be called in voting upon a motion.
2. Majority. Except as may otherwise be required by state law, no action or recommendation of the Commission shall be valid unless a majority of a quorum of the Commission concurs therein.
3. Abstaining Vote. A vote to abstain is not to be construed as a vote for or against a motion but shall be counted for purposes of establishing a quorum.
4. Tie Vote. In case of a tie vote on any motion, the motion fails.

Rule 19. REPRESENTATION OF COMMISSION VIEWS. Upon the vote of a majority of the entire Commission, the Commission may designate any of its members to represent its views with respect to a particular issue. Without such express authorization, no member of the Commission has the authority to represent the Commission.

Rule 20. CONFLICTS OF INTEREST. A Commission member who is unable to participate in an item due to a conflict of interest shall, when the item is called: 1) declare that a conflict of interest exists; 2) state what the conflict of interest is, and 3) shall remove himself or herself from the dais during the discussion. The Commission member’s removal and reason therefor shall be noted on the record by the Chair, who shall also note the member’s return when the item is concluded.

Rule 21. NEW COMMISSIONER SWEAR-IN. New members of the Commission newly appointed by the City Council shall be sworn in by the Clerk of the Commission prior to assumption of office.