

# HISTORIC DISTRICT COMMISSION AGENDA March 6, 2024 6:30 p.m. 50 Natoma Street Folsom, California 95630

**CALL TO ORDER HISTORIC DISTRICT COMMISSION:** Daniel West, John Lane, John Felts, Mark Dascallos, Ralph Peña, Jennifer Cabrera, 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, upon request, at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California

#### 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 February 7, 2024, meeting will be presented for approval.

#### **NEW BUSINESS**

## 1. DRCL23-00147: 906 Bidwell St., New ADU and Garage Project and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Aaron Salazar for approval of a Residential Design Review application for the construction of a 1,000-square-foot ADU and a 470-square-foot built-in garage along the alleyway at 906 Bidwell Street. The zoning classification for the site is R-1-M (Single-Family, Small Lot District) while the General Plan land-use designation is SFHD (Single-Family, High Density). The property is located within the Central Subarea of the Historic Residential Primary Area of the Historic District. The project is categorically exempt under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Nathan Stroud / Applicant: Aaron Salazar)

#### 2. USPT24-00009: Ms. Ting's Shanghai Tattoo and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Joshua Thompson & Tingting Zhong for approval of a Conditional Use Permit application to operate a tattoo and piercing shop and art gallery at 305 Wool Street. The site is zoned HD (Historic Folsom) within the Sutter Street Subarea of the Historic Commercial Primary Area and has a General Plan designation of HF (Historic Folsom Mixed Use). The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Josh Kinkade / Applicant: Joshua Thompson & Tingting Zhong)

#### PRINCIPAL PLANNER REPORT

#### HISTORIC DISTRICT COMMISSION COMMENTS

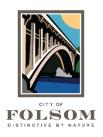
#### **ADJOURNMENT**

The next regularly scheduled meeting is <u>April 3, 2024</u>. 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, 2<sup>nd</sup> 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 <a href="mailto:ksanabria@folsom.ca.us">ksanabria@folsom.ca.us</a>. 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 Folsom Municipal Code Section 17.52.700, if a permit applicant, permittee, or other person whose property rights may be affected is dissatisfied with any determination made by the Historic District Commission, such person(s) may appeal to the City Council. Any such appeal shall be in writing, shall state the specific reason for the appeal and grounds asserted for relief, and shall be filed with the City Clerk not later than 10 calendar days after the date of the action being appealed. 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.



# HISTORIC DISTRICT COMMISSION MINUTES February 7, 2024 6:30 p.m. 50 Natoma Street Folsom, California 95630

#### **CALL TO ORDER HISTORIC DISTRICT COMMISSION:**

A special meeting of Historic District Commission Meeting was called to order at 6:30 p.m. with Chair Kathy Cole presiding.

#### **ROLL CALL:**

Commissioners Present: Jennifer Cabrera, Commissioner

Daniel West, Commissioner John Lane. Vice Chair

Mark Dascallos. Commissioner

Kathy Cole, Chair

Commissioners Absent: John Felts, Commissioner

Ralph Peña, Commissioner

#### **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

#### **CITIZEN COMMUNICATION:**

NONE

#### MINUTES:

The minutes of the January 10, 2024, meeting was approved.

#### **NEW BUSINESS:**

## 1. DRCL23-00155: 616 Mormon Street Shed Demolition and New Garage and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from AKS Equities c/o Gary Khera for approval of a Residential Design Review and Demolition Application for the demolition of a shed and the construction of a new 424-square-foot garage located at 616 Mormon Street. The zoning classification for the site is R-2 (Two-Family Residence) while the General Plan land-use designation is MLD (Multifamily- Low Density). The property is located within the Central Subarea of the Historic Residential Primary Area of the Historic District. The project is categorically exempt under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Josh Kinkade/Applicant: AKS Equities c/o Gary Khera)

1. Laura Fisher addressed the Commission with concerns regarding the setbacks and the use of stucco on the garage. As a representative of HFRA, Ms. Fisher wanted to note that HFRA did not support the stucco on the garage.

COMMISSIONER LANE MOVED TO APPROVE THE APPLICATION (DRCL23-00155) FOR DEMOLITION OF A SHED AND DESIGN REVIEW OF A NEW 424-SQUARE-FOOT GARAGE LOCATED AT 616 MORMON STREET, AS ILLUSTRATED ON ATTACHMENT 6 FOR THE 616 MORMON STREET DEMOLITION AND NEW GARAGE PROJECT, BASED ON THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-I) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-18), WITH THE ADDITION OF CONDITION 3D THE PRIMARY SIDING OF THE PROPOSED ACCESSORY STRUCTURE SHALL SUBSTANTIALLY MATCH THE PRIMARY SIDING OF THE EXISTING PRIMARY RESIDENCE TO THE SATISFACTION OF THE COMMUNITY DEVELOPMENT DEPARTMENT. THIS MODIFICATION SHALL BE REFLECTED IN PLANS SUBMITTED FOR A BUILDING PERMIT.

COMMISSIONER DASCALLOS SECONDED THE MOTION.

The Motion carried the following roll call vote:

AYES: CABRERA, WEST, LANE, DASCALLOS, COLE

NOES: NONE RECUSED: NONE

ABSENT: PEÑA, FELTS

MOTION PASSED

#### 2. PN21-258: 719 Traders Lane Remodel and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from Gray Construction (Ron Gray) for approval of a Residential Design Review Application for remodeling an existing 2,119-square-foot building located at 719 Traders Lane. The zoning classification for the site is HD (Historic District) while the General Plan land-use designation is HF (Historic Folsom). The property is located within the Sutter Street Subarea of the Historic Commercial Primary Area of the Historic District. The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Josh Kinkade/Applicant: Gray Construction- Ron Gray)

- 1. Moe Hirani addressed the Commission in support of the project. Mr. Hirani suggested there be a gate installed separating the building next door.
- 2. Bob Delp addressed the Commission with concerns regarding the screening of the rooftop mechanical equipment.

COMMISSIONER WEST MOVED TO APPROVE THE DESIGN REVIEW APPLICATION (PN21-258) FOR A REMODEL OF AN EXISTING BUILDING LOCATED AT 719 TRADERS LANE, AS ILLUSTRATED ON ATTACHMENTS 5 AND 6 FOR THE 719 TRADERS LANE REMODEL PROJECT, BASED ON THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-H) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-12) WITH THE ADDITION OF THE FOLLOWING CONDITIONS:

- CONDITION 3D, LIGHT FIXTURES SHALL SUBSTANTIALLY MATCH THOSE OF THE NEIGHBORING GASLIGHT BUILDING TO THE SATISFACTION OF THE COMMUNITY DEVELOPMENT DEPARTMENT
- CONDITION 3E, the EXISTING HORIZONTAL SIDING SHALL BE RETAINED AND REPAIRED AS NECESSARY INSTEAD OF THE STUCCO SHOWN IN ATTACHMENT 6
- CONDITION 13, THE OWNER/APPLICANT SHALL HAVE THE WALL ENCLOSING THE EXISTING GAS LINES INSPECTED BY AN INDEPENDENT ENGINEER. THE ENGINEER SHALL PROVIDE DESIGNS NEEDED TO ADEQUATELY REPAIR THE WALL FOR STRUCTURAL STABILITY, AND THOSE DESIGNS SHALL BE ADDED TO THE BUILDING

PERMIT PLANS AND COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY FOR THE TWO-UNIT STRUCTURE.

COMMISSIONER CABRERA SECONDED THE MOTION.

The Motion carried the following roll call vote:

AYES: CABRERA, WEST, LANE, COLE

NOES: NONE

RECUSED: DASCALLOS ABSENT: PEÑA, FELTS

MOTION PASSED

## 3. DRCL23-00182: 406 and 408 Scott St., Exterior Renovations Project, and Determination that the Project is Exempt from CEQA

A Public Meeting to consider a request from JL Equity Ventures Inc. c/o Jim Quaschnick, Jr. for approval of a Residential Design Review for the replacement of sixteen windows, the removal of two windows, and the re-siding and re-painting of an existing residential duplex located at 406 and 408 Scott Street. The zoning classification for the site is R-2 (Two-Family Residence) while the General Plan land-use designation is MLD (Multifamily-Low Density). The property is located within the Central Subarea of the Historic Residential Primary Area of the Historic District. The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines. (Project Planner: Nathan Stroud / Applicant: JL Equity Ventures Inc. c/o Jim Quaschnick, Jr.)

 Bob Delp addressed the Commission with concerns regarding the approval process for emergency situations.

COMMISSIONER DASCALLOS MOVED TO APPROVE THE APPLICATION (DRCL23-00182) FOR RESIDENTIAL DESIGN REVIEW FOR A WINDOW REPLACEMENT, RE-SIDING, AND RE-PAINTING OF AN EXISTING 1,830-SQUARE-FOOT RESIDENTIAL DUPLEX LOCATED AT 406 AND 408 SCOTT STREET, AS ILLUSTRATED ON ATTACHMENT 6, BASED ON THE FINDINGS INCLUDED IN THIS REPORT (FINDINGS A-H) AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL (CONDITIONS 1-6).

COMMISSIONER COLE SECONDED THE MOTION.

The Motion carried the following roll call vote:

AYES: CABRERA, WEST, LANE, DASCALLOS, COLE

NOES: NONE RECUSED: NONE

ABSENT: PEÑA, FELTS

MOTION PASSED

#### 4. Informational Item: Historic District Garage and Standing Seam Metal Roof Guide

On December 6th, 2023, the Historic District Commission (HDC) approved Resolution HDC23-001 making a Design Determination on the use of standing seam metal roofs, and approved Resolution HDC23-002 making the Design Determination on the use of metal garage doors. As part of those approvals, the Historic District Commission requested that staff return with a guide showing examples of designs and colors that would be considered appropriate based on the approved resolutions. This informational item provides a final draft of the approved standing seam metal roof colors and approved garage door styles in accordance with Resolution HDC23-001 and Resolution HDC23-002, respectively. (**Project Planner: Nathan Stroud**)

#### PRINCIPAL PLANNER REPORT

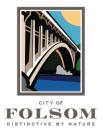
Principal Planner Steve Banks reported that the next Historic District Commission meeting is tentatively scheduled

#### Principal Planner Steve Banks provided an update on the following items:

- The Commission was provided with an update on the Building Permit activity in the Historic District (One projects).
- The Commission was given an update regarding the parklet design on Sutter Street and the timeline (end of February) for bringing the existing parklets into compliance with accessibility requirements.
- The Commission was notified the next meeting will be on March 6, 2024.
- Staff acknowledged that the Commission would like to see Historic District Garage and Standing Seam Metal Roof Guides promoted in the City's Newsletter

There being no further business to come before the Folsom Historic District Commission, Chair Kathy Cole adjourned the meeting at 8:22 p.m.

RESPECTFULLY SUBMITTED,
Karen Sanabria, ADMINISTRATIVE ASSISTANT
APPROVED:
Kathy Cole, CHAIR



AGENDA ITEM NO. 1 Type: Public Meeting Date: March 6, 2024

### **Historic District Commission Staff Report**

50 Natoma Street, Council Chambers Folsom, CA 95630

**Project:** 906 Bidwell St., New ADU and Garage Project

**File #:** DRCL23-00147

**Request:** Design Review, Commission-Level

**Location:** 906 Bidwell Street **Parcel(s):** APN 070-0201-009

**Staff Contact:** Nathan Stroud, Assistant Planner, (916) 461-6220

nstroud@folsom.ca.us

Property Owner

Name: David Maselli Name: Aaron Salazar

Address: 906 Bidwell Street Address: 2324 Clapton Way

Folsom CA 95630 Folsom CA 95630

#### Recommendation

Conduct a public meeting and upon conclusion recommend approval of an application (DRCL23-00147) for Design Review for a new 1,000-square-foot Accessory Dwelling Unit (ADU) and a built-in 470-square-foot garage located along the alleyway at 906 Bidwell Street, as illustrated on Attachment 5, based on the findings included in this report (Findings A-H) and subject to the attached conditions of approval (Conditions 1-6).

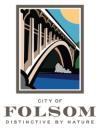
**Applicant** 

#### **Project Summary**

The proposed project includes the construction of a new 1,000-square-foot Accessory Dwelling Unit (ADU) and a built-in 470-square-foot garage located along the alleyway at 906 Bidwell Street. The project proposes to have a "Western Farmhouse" architectural style similar to that of the primary residence. The subject property is located at the southern edge of the Historic District within the Central Subarea of the Historic Residential Primary Area, and is not listed on the City of Folsom's Cultural Resources Inventory.

#### **Table of Contents**

- 1 Description/Analysis
- 2 Background
- 3 Proposed Conditions of Approval
- 4 Vicinity Map
- 5 Plan Set. Dated 1-9-24
- 6 Color and Materials Board
- 7 Site Photographs



AGENDA ITEM NO. 1 Type: Public Meeting Date: March 6, 2024

Submitted,

PAM JOHNS

Community Development Director

## ATTACHMENT 1 DESCRIPTION/ANALYSIS

#### **Applicant's Proposal**

The applicant, Aaron Salazar, is seeking Design Review approval for the construction of a new 1,000-square-foot ADU and a built-in 470-square-foot two-car garage located along the alleyway at 906 Bidwell Street. The ADU and garage is proposed to have a "Western Farmhouse" architectural style similar to that of the main residence, as shown in Attachment 5. Design features of the proposed structure include:

- Two-story massing with a side-gabled roof;
- Board-and-batten wood and horizontal lap wood siding painted white;
- A dark bronze standing seam metal roof:
- Single-hung windows with a four-pane grid colored black;
- Solid wood exterior doors; and
- A carriage-house style steel garage door with a wood-grain finish.

#### Policy/Rule

<u>Folsom Municipal Code (FMC)</u> Section 17.52.300 states that the Historic District Commission shall have final authority relating to the design and architecture of all exterior renovations, remodeling, modification, addition, or demolition of existing structures within the Historic District. <u>FMC</u> 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.

<u>FMC</u> Section 17.52.490 states that ADUs in the Historic District shall comply with the standards set forth in <u>FMC</u> Chapter 17.105, which states that the design standards set forth in <u>FMC</u> Section 17.105.150 apply to all attached and detached ADUs city-wide and, in addition, the design standards of <u>FMC</u> 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.

<u>FMC</u> 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 <u>FMC</u> sections 17.52.300 through 17.52.350, generally governing design review in the Historic District. As a result, staff has

determined that the proposed project (which includes development of 24-foot—tall 1,000-square-foot Accessory Dwelling Unit) is subject to Design Review approval by the Historic District Commission.

#### **General Plan and Zoning Consistency**

The project, which is located within the Central Subarea of the Historic Residential Primary Area, has an underlying zoning designation of R-1-M (Residential Single-Family, Small Lot District), and is designated as SFHD (Single-Family, High Density) in the General Plan. ADUs are permitted in zones with a single-family dwelling per <u>FMC</u> Section 17.105.060, and accessory structures, such as garages, are allowed in the Historic Residential Primary Area per <u>FMC</u> 17.52.540(a)(1).

The property is subject to the pervious surface requirement for the Historic Residential Primary Area as established in <u>FMC</u> 17.52.540. The proposed ADU is subject to the development standards for Accessory Dwelling Units as established in <u>FMC</u> Chapter 17.105, and the proposed built-in garage is subject to the development standards for Accessory Structures as established in <u>FMC</u> Section 17.52.480. The design guidelines established in the <u>Historic District Design and Development Guidelines</u> (<u>DDGs</u>) also apply to this project. The project does not involve or affect a historic or cultural resource.

The following tables show how the proposed ADU, and built-in garage relates to the <u>FMC</u> zoning requirements:

**Standards Applicable to the Property** 

FMC 17.52.540			
(Historic Residential Primary Area Special Use and Design Standards)			
Required Proposed			
Minimum Pervious Surface	≥45%	~53%	

Standards Applicable to the Proposed ADU

Otalida do Applicació to tilo i Topocoa Aco				
FMC 17.105 (Accessory Dwelling Units)				
	Required	Proposed		
Maximum ADU Size	1,000-square-foot (Two bedroom ADU)	1,000-square-foot (Two bedroom ADU)		
Maximum Building Height (Historic District)	≤25 Feet, or height of primary residence, whichever is less	24 Feet, 4 5/8 Inches		
Side/Rear Setback	≥4 Feet	≥5 Feet		
Building Setback	Setback ≥6 Feet >25 feet			
Maximum Rear Yard Coverage	≤40% of Rear Yard Area, or 800 square feet, whichever is greater	·		
ADU Parking Requirement (Historic District)	Exempt	2 Covered Parking Spaces		

Standards Applicable to the Proposed Built-In Garage

FMC 17.52.480 (Accessory Structures)			
	Required	Proposed	
Maximum Building Size	<50% of main structure square-footage	~23% of main structure square-footage	
Maximum Building Height   < Height of main structure   < Height of ma		< Height of main structure	
Front Setback	Front Setback≥20 Feet>100 feetSide/Rear Setback≥5 Feet≥5 Feet		
Side/Rear Setback			
Building Setback	≥6 Feet	>25 feet	

#### **Building Design and Architecture**

The proposed project is subject to compliance with the  $\underline{DDGs}$  Section 5.04.03(b), which establishes the design concepts for the Central Subarea, and provides property owners with broad discretion in choosing styles from the 1850-1950 historical timeframe. Restoration, reconstruction, and new construction of "average" homes are encouraged, rather than an increase in the number of "high-style" homes.

The architectural design of the proposed exterior modifications has elements of the Western Farmhouse architectural style similar to that of the primary residence. The Western Farmhouse style is an evolution of the colonial-style, and was most prevalent during the railroad-inspired era of the "National Folk" styles of housing when transportation technology allowed for widespread access to manufactured building materials. The proposed project includes Western Farmhouse style features, including the use of manufactured materials such as painted wood imitation lap siding (fiber cement) and board-and-batten wood imitation siding (fiber cement), the use of a standing seam metal roof, window trim with a built-up head and sill, and a covered porch entry with simple painted wooden posts.

The Western Farmhouse style, being a rendition of the National Folk era, is an architectural style compatible with the 1850 – 1950 timeframe of the Central Subarea. Compared to the "Folk Victorian" style, which is a similar architectural style that is also prevalent throughout the Folsom Historic District, the Western Farmhouse Style has less ornamentation and would be considered a more 'average' style.

Staff has made the determination that the proposed Western Farmhouse Architectural Style is consistent with the intent of the Central Subarea of the Historic District.

#### **Siding and Trim**

The proposed project is subject to compliance with <u>FMC</u> 17.105.150, which establishes the design standards City-wide for ADUs, and states that for two-story ADUs, the building massing shall be modified through the incorporation of certain design features, including the use of at least two different building materials. The applicant has proposed to use both board-and-batten and horizontal lap siding painted white to satisfy this requirement. The trim around the doors, windows, roof gable and porch elements will also be colored white.

The proposed board-and-batten and horizontal lap siding styles are also listed as an appropriate style in the Building Materials Palette in Appendix D of the  $\underline{DDGs}$ , and is a siding style that existed within the 1850-1950 timeframe. The use of wood imitation fiber cement material for the exterior siding has also been supported by the Commission in the past as consistent with the intent of the DDGs, and the matching white color proposed for both the siding and the trim is a design choice that existed within the 1850-1950 timeframe, being common for colonial architectural styles and successor styles such as the Western Farmhouse style.

The style, colors, and materials of the proposed siding and trim are consistent with the design intent of the Central Subarea as outlined in the <u>DDGs</u>.

#### **Windows and Doors**

The proposed project is subject to compliance with <u>FMC</u> 17.105.150, which establishes the design standards City-wide for ADUs, and states that for two-story ADUs, second story windows facing an abutting property shall be either translucent glazed windows, transom windows, clerestory windows, false windows, or other similar design approach. The <u>DDGs</u> also 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 <u>DDGs</u> state that residentially scaled and detailed solid wood or glazed doors of many styles may be appropriate.

The applicant has proposed to use translucent glazed windows on the second story windows on the east, west, and north elevations, as noted on the Plan Set provided in Attachment 5, to satisfy the requirements for two-story ADUs in <u>FMC</u> 17.105.150. The

windows are also proposed to be narrow with a vertical orientation, with a grid of fourpanes to imitate a window glazing pattern that was prominent between the mid-19<sup>th</sup> century and the present. The window frames are made of a composite material consisting of wood fiber and thermoplastic polymer colored black.

The exterior doors are proposed to be solid wood doors with a four-pane window grid, and the garage doors are proposed to be a two-car metal garage door with a wood-grain finish, gridded windows, and a style similar to a traditional carriage house door. The proposed exterior doors are consistent with the <u>DDGs</u>, and the proposed garage door is consistent with Resolution HDC23-002 (Design Determination on the use of Metal Garage Doors).

The style, colors, and materials of the proposed windows and doors are consistent with Resolution HDC23-002, <u>FMC</u> 17.105.150, and with the design intent of the Central Subarea as outlined in the <u>DDGs</u>.

#### Roofing

Pursuant to Resolution HDC23-001, standing seam metal roofs with a dark tone, earth tone or natural metallic color are considered appropriate roofing materials in the Historic District for new structures constructed after 1950 not listed on the City's Cultural Resources Inventory. Neither the property nor the proposed structure is listed on the City's Cultural Resources Inventory. The applicant proposes to use a standing seam metal roof colored dark bronze; staff has made the determination that the proposed roof is consistent with Resolution HDC23-001.

#### **Public Comments**

No public comments have been received.

#### Conclusion

Staff has determined that the overall design, colors, materials, and layout of the proposed ADU and garage can be successfully incorporated into quality residential design and are compatible with the existing residential character in the project vicinity and is generally consistent with the Design and Development Guidelines for the Central Subarea of the Historic Residential Primary Area. Staff has concluded that the applicant has met the design standards identified in the Folsom Municipal Code and the design guidelines in the Historic District Design and Development Guidelines as well as the recent Commission resolutions on standing seam metal roofs and metal garage doors.

#### Recommendation

Staff recommends approval of the proposed project, subject to the attached conditions of approval.

#### **Historic District Commission Action**

Move to approve the application (DRCL23-00147) for Design Review for a new 1,000-square-foot Accessory Dwelling Unit (ADU) and a built-in 470-square-foot garage located

along the alleyway at 906 Bidwell Street, as illustrated on Attachment 5, based on the findings included in this report (Findings A-H) and subject to the attached conditions of approval (Conditions 1-6).

#### **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 THE ZONING CODE OF THE CITY.

#### **CEQA FINDINGS**

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15303 (NEW CONSTRUCTION OR CONVERSION 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 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.
- H. THE PROPOSED PROJECT IS IN CONFORMANCE WITH THE HISTORIC DISTRICT DESIGN AND DEVELOPMENT GUIDELINES ADOPTED BY THE CITY COUNCIL.

## ATTACHMENT 2 BACKGROUND

#### **Background**

In 1952, a 1,202-square-foot single-family residence was constructed at a neighboring property at 908 Bidwell Street. Around the same time, a 480-square-foot garage structure and 394-square-foot attached carport were constructed on the subject property that is now 906 Bidwell Street.

On October 2, 2019, the Historic District Commission approved a Design Review and Demolition Application to construct a 2,030-square-foot single-family residence with a "Craftsman" architectural style and to demolish the 480-square-foot garage structure and a 394-square-foot attached carport at 906 Bidwell Street (PN 19-285). A building permit was submitted for the project in 2019, but that building permit expired and neither the demolition of the accessory building nor the construction of the single-family residence had occurred. The Design Review Approval (PN 19-285) expired on October 2, 2021, and the property owner at the time resubmitted plans for Design Review (DRCL22-00156) consistent with previously approved plans as modified by the Conditions of Approval for PN 19-285.

On August 3, 2022, the Historic District Commission approved the Design Review and Demolition Application (DRCL22-00156). The 480-square-foot garage and the 394-square-foot attached carport were demolished later that year, and construction began for the 2,030-square-foot single-family residence.

The current property owner purchased the subject property in early 2023. On December 6, 2023, the Historic District Commission approved a Design Review application to modify the exterior design of the 2,030-square-foot single-family residence (DRDL23-00131) from the previously approved plans to a "Western Farmhouse" architectural style. No structures currently occupy the rear yard of the property.

GENERAL PLAN DESIGNATION	SFHD (Single Family High Density)
ZONING	CEN/R-1-M (Central Subarea of the Historic Residential Primary Area/ Residential Single- Family, Small Lot District)
ADJACENT LAND USES/ZONING	North: Single Family Residential Parcel (CEN/R-1-M) with the Persifer Street/Bidwell Street Alley Beyond
	South: Bidwell Street with Multi-Family Residential Development (CEN/R-4) Beyond
	East: Single-Family Residential Development

(CEN/R-1-M) with Decatur Street Beyond

West: Single Family Residential

Development (CEN/R-1-M) with Reading

Street Beyond

**SITE CHARACTERISTICS** The 7,000-square-foot (0.16-acre) project

site contains a 2,030-square-foot single-family residence under construction.

**APPLICABLE CODES** FMC Chapter 17.52, HD, Historic District

<u>FMC</u> Section 17.52.300, Design Review <u>FMC</u> Section 17.52.540, Historic Residential

Primary Area Special Use and Design

Standards

FMC Chapter 17.105, Accessory Dwelling

Units

Historic District Design and Development

Guidelines (DDG's)

**PUBLIC NOTICING**A notice was posted on the project site five

days prior to the Historic District Commission

meeting of March 6, 2024, that met the requirements of <u>FMC</u> Section 17.52.320.

# Attachment 3 Proposed Conditions of Approval

	CONDITIONS OF APPROVAL FOR 906 BIDWELL ST., NEW ADU AND GARAGE PROJECT (DRCL23-00147)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department	
1.		The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below, as modified by these conditions of approval:			
		<ul> <li>Plan Set, Dated 1-9-24 (Attachment 5)</li> <li>Color and Materials Board (Attachment 6)</li> </ul>	В	CD (P)(E)	
		This project approval is for the 906 Bidwell St., New ADU and Garage Project which includes the construction of a new 1,000-square-foot Accessory dwelling Unit (ADU) and a built-in 470-square-foot garage located along an alleyway at 906 Bidwell Street. Implementation of the project shall be consistent with the above-referenced items as modified by these conditions of approval.			
2.		Building plans shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.	В	CD (P)(E)(B)	
3.		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.	OG	CD (P)(E)(B) PW, PR, FD, PD	

City of Folsom Page 12 18

4.	The project approval granted under this staff report shall remain in effect for one year from final date of approval (Expires March 6, 2025). Failure to obtain the relevant building or other permits within this time period, without the subsequent extension of this approval, shall result in the termination of this approval. The owner/applicant may file an application with the Community Development Department for an extension not less than 60 days prior to the expiration date of the approval, along with appropriate fees and necessary submittal materials pursuant to Section 17.52.350 of the Folsom Municipal Code. If after approval of this project, a lawsuit is filed which seeks to invalidate any approval, entitlement, demolition permit, or other construction permit required in connection with any of the activities or	В	CD (P)
	this project, a lawsuit is filed which seeks to invalidate any approval, entitlement, demolition	В	CD (P)

City of Folsom Page 13

19

ARCHITECTURE DESIGN REQUIREMENTS			
5.	The project shall comply with the following architecture and design requirements:		
	a. This project approval is for exterior modifications to approved plans for a 1,000-square-foot ADU and a 470-square-foot built-in garage for the 906 Bidwell St., New ADU and Garage Project located at 906 Bidwell Street. The applicant shall submit building plans that comply with this approval, and the attached plan set provided in Attachment 5 as modified by the conditions of this Staff Report (DRCL23-00147).		
	b. The level of window trim shall be consistent with the window trim of the primary residence.		
	c. Edge trim painted white shall be provided on the corners of the exterior horizontal lap siding, to the satisfaction of the Community Development Department.		
	d. Porch post/columns and porch trim shall be painted to match the trim of the windows and doors.	OG	CD (P)
	e. Translucent Glazed Windows shall be used for all second story windows on the east, west, and north elevations of the project.	00	OD (I )
	f. The garage door shall be a two-car garage door with a wooden carriage door appearance, as indicated on the Color and Materials Board provided in Attachment 6, or of a garage door style from a style approved by the HDC in Resolution HDC23-002.		
	g. The final design, materials, and colors of the proposed 906 Bidwell St., New ADU and Garage Project shall be consistent with the submitted exterior elevations, material samples, and color scheme as modified by these conditions to the satisfaction of the Community Development Department. The final design shall be subject to review and approval by the Community Development Department.		
	h. All Conditions of Approval as outlined herein shall be made as a note or separate sheet on the Construction Drawings.		

City of Folsom Page 14 20

NOISE REQUIREMENT			
6.	Compliance with the 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.	I, B	CD (P)(E)

RESI	PONSIBLE DEPARTMENT	WHE	N REQUIRED
CD	Community Development Department	I	Prior to approval of Improvement Plans
(P)	Planning Division	М	Prior to approval of Final Map
(E)	Engineering Division	В	Prior to issuance of first Building Permit
(B)	Building Division	0	Prior to approval of Occupancy Permit
(F)	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

City of Folsom Page 15

# Attachment 4 Vicinity Map



# Attachment 5 Plan Set, Dated 1-9-24



#### HISTORIC DISTRICT STYLE: WESTERN FARMHOUSE STYLE

PROPOSED

01 SITE PLAN

#### SITE PLAN GENERAL NOTES

- STORM WATER PROTECTION MEASURES SHALL BE IMPLEMENTED AT THE INITIAL PHASE OF CONSTRUCTION ACTIVITY. PROJECTS SHALL PREVENT EROSION AND RETAIN SOIL RUNOFF ON THE SITE THROUGH THE USE OF A BARRIER SYSTEM, WATTLE OR OTHER APPROVED METHOD
- SITES SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET (5%).
- IMPERVIOUS SURFACES WITHIN 10 FEET OF THE BUILDING SHALL BE SLOPED A MINIMUM OF 1/4" PER
- ALL CONSTRUCTION MATERIAL AND WORKSHIP SHALL CONFORM TO THE CITY OF SACRAMENTO STANDARDS SPECIFICATIONS, DATED JUNE 2007.
- THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATIONS OF ALL EXISTING THE CONTRACT IS RESPONSIBLE FOR PERMINING IN THE EXACT LOCATIONS OF ALL EXISTING
  UTILITIES AND FOR THE PROTECTION OR AND REPAIR OF DAMAGE TO THEM. CONTRACT UNDEGROUND
  SERVICE ALERT 1-800-642-2444, 48 HOURS BEFORE WORK IS TO BEGIN.
- THE CONTRACTOR SHALL PROVIDE EROSION, SEDIMENT AND POLLUTION CONTROL BEST MANAGEMENT PRACTICES (BMPs), WHEN AND WHERE APPLICABLE PER THE CITY OF SACRAMENTO STANDARD SPECIFICATIONS SECTION 16-3.
- DIRECT ALL NEW DOWNSPOUTS ONTO NATURAL GROUND OF LANDSCAPED AREA WHERE FEASIBLE.
- FLOOD ZONE: SHADED X, PANEL 0180.

(E) SINGLE FAMILY RESIDENCE PERMIT # NRES22-07174

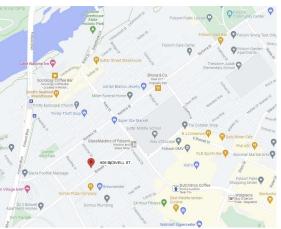
NO PERMANENT STRUCTURE (INCUDEING WITHOUT LIMITATION GARAGE, PATIOS, CONCRETE SLAB, TOOL SHED, ROOF OVERHANGS AND SIMILAR STRUCTURES) SHALL BE CONSTRUCTED ON TOP OF WATER, SEWER OR DRAINAGE PIPELINE OR ANYWHERE WITHIN THE ASSOCIATED UTILITY EASEMENT. (ORD.

50.-0..

10. CONTRACTOR SHALL GRADE TO PREVENT DRAINAGE FROM CROSSING PROPERTY LINES.

25

IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO DETERMINE THE LOCATION OF ANY EASEMENTS OF RECORD ENCUMBERED WITHIN THE PROPERTY.



VINCITY MAP

STREEET

DWELL

#### FLOOR AREA ANALYSIS

BUILDING COVERAGE:

LOT SIZE: 7,000 SQ. FT. LOT COVERAGE: 35% OR 2,450 SQ. FT.

HOME & ADU LOT COVERAGE: 40% OF 55% OF LOT

"ADU AND REAR LOT COVERAGE: An ADU that is larger than 800 square feet must not cover more than 40% of the rear yard. In addition, at least 45% of the entire lot must remain as pervious surface (refer to Glossary for definition). This means that the home and the ADU must not cover more than 55% of the lot. If your ADU overs more than is allowed"

970 SQ. FT. OR 13%

	PRUPUSED
MAIN LEVEL	485 SQ. FT.
UPPER LEVEL	515 SQ. FT.
TOTAL	1000 SQ. FT.
CARACE:	

470 SO. FT. COVERED AREA 125 SQ. FT.

#### PROJECT DATA

PROJECT NAME: RESIDENCE AT PROJECT ADDRESS: 906 BIDWELL STREET FOLSOM, CALIFORNIA BASE ZONE:

A.P.N.: 070-0201-009-000

SITE PLAN LEGEND

SETBACKS (BUILDING ENVELOPF)

DESIGN REVIEW DESIGN DOC-4 DESIGN DOC-3 DESIGN DOC-2 DESIGN DOC-1 06.09.2023 05.15.2023

A. SALAZAR

SITE PLAN

Z/L L = 67

PROPERTY LINE 140,00'

PROPERTY LINE 140,00'

MS DRAFTING & DESIGN

AMS DRAFTING

&DESIGN

CUSTOM RESIDENTIAL ADU:
RESIDENCE AT
APN: 070-0201-009-000
906 BIDWELL STREET
FOLSOM, CA 95630

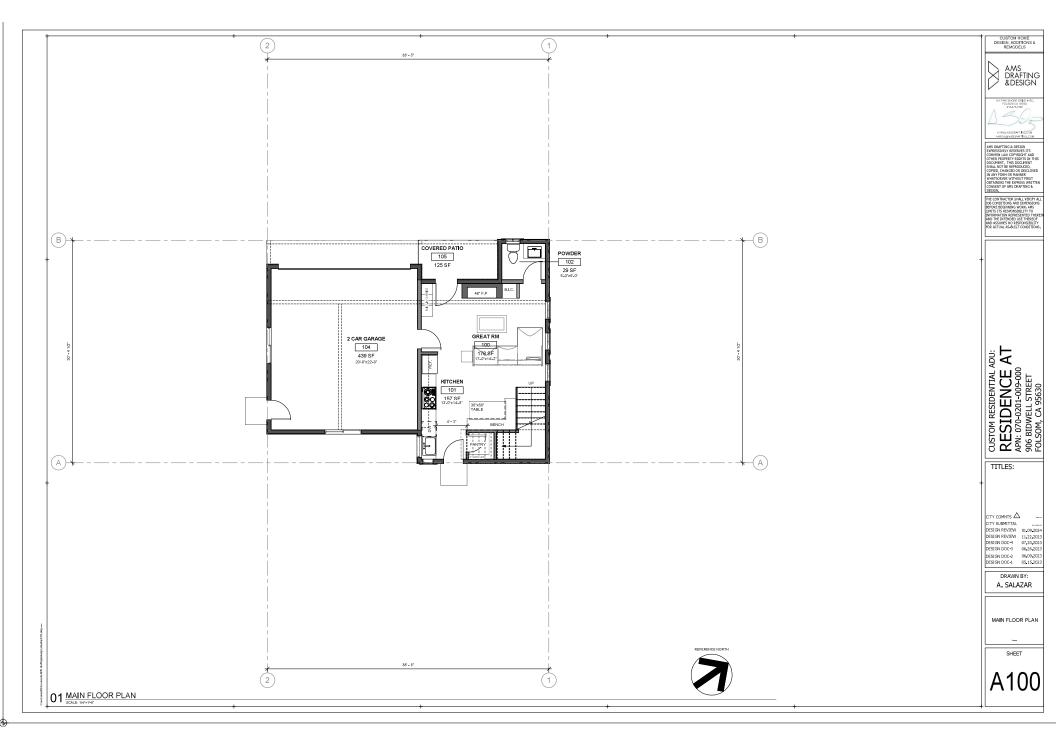
TITLES:

CITY COMNTS 🛆 CITY SUBMITTAL
DESIGN REVIEW 01.09.2024 06.26.2023

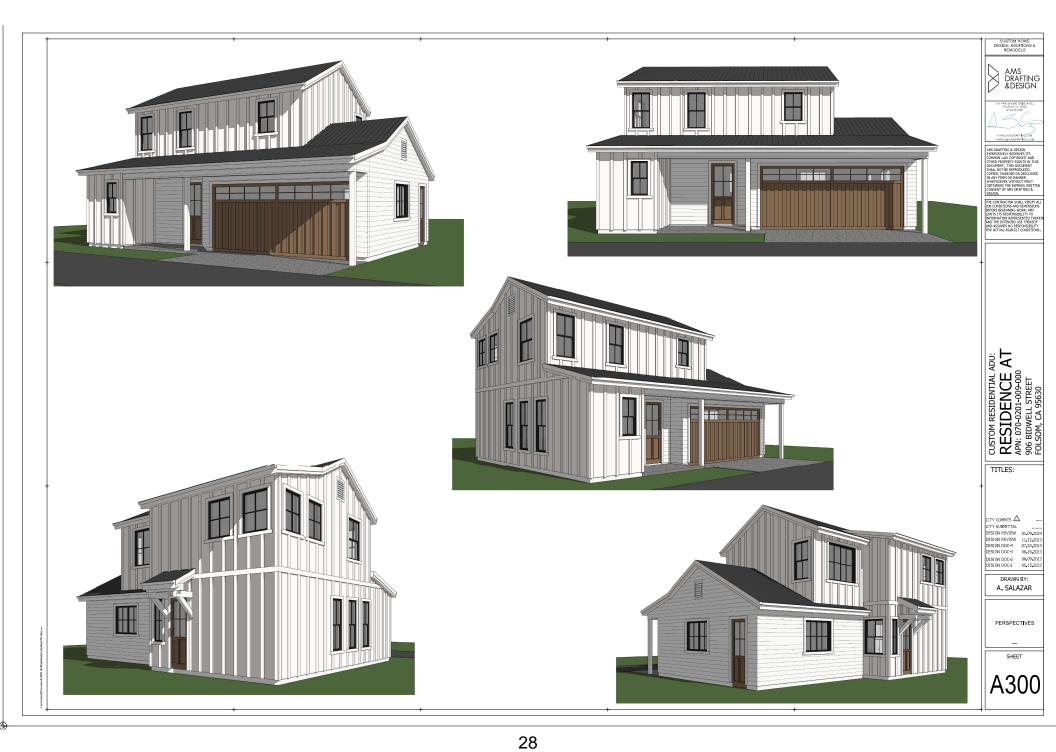
DRAWN BY:

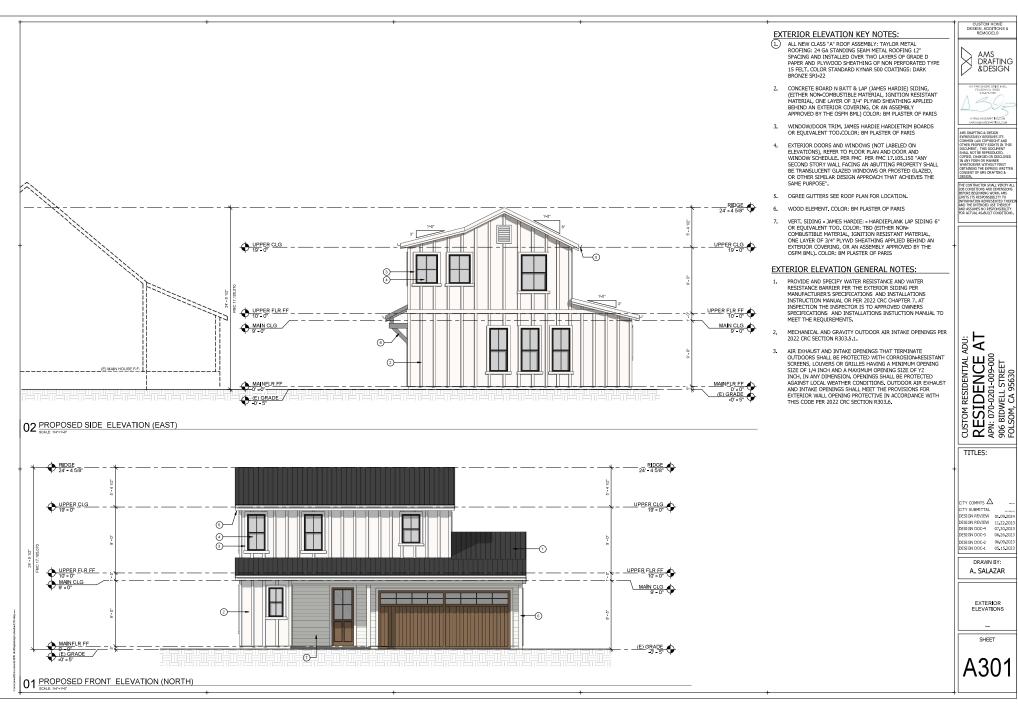
SHEET

A002









AMS DRAFTING &DESIGN



AMS DRAFTING & DESIGN EXPRESSIVELY RESERVES 1TS COMMON LAW COPPRIOR THAN OTHER PROPERTY RIGHTS IN 1 DOCUMENT, THIS DOCUMENT IN SHALL NOT BE REPODUCED. COPED, CHANGED OR DISCLOID IN ANY FIGH OR MANNER WHATSOEVER WITHOUT RESS. OPTAINING THE EXPRESS WRIT CONCENT OF AMS DRAFTING & DESIGN.

THE CONTRACTOR SHALL VERIFY ALL DOS CONDITIONS AND DEMENSIONS BEFORE BEGINNING WORK, ANS LIMITS TIRS RESPONSIBILITY THERE AND THE INTEROBE USE THE PREPARED AND ASSUMES NO RESPONSIBILITY OF R ACTUAL AS-BUILT COMDITIONS

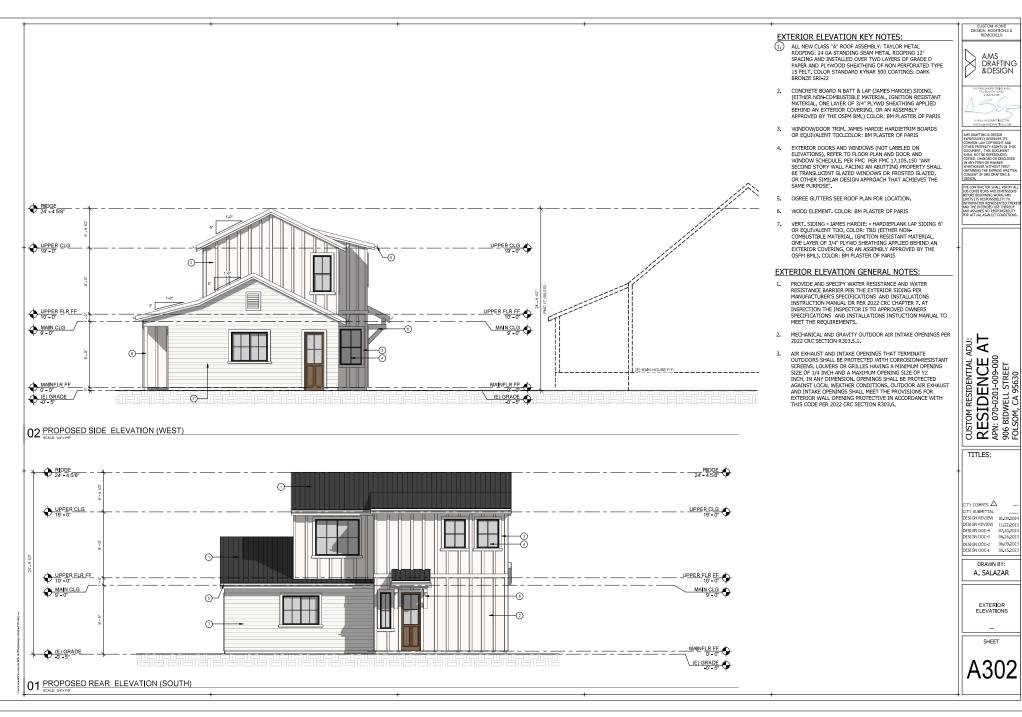
CITY SUBMITTAL
DESIGN REVIEW 01.09.2024 DESIGN REVIEW DESIGN DOC-4 DESIGN DOC-3 06.26.2023 DESIGN DOC-2 DESIGN DOC-1 06.09.2023 05.15.2023

> DRAWN BY: A. SALAZAR

EXTERIOR FLEVATIONS

SHEET

A301



AMS DRAFTING &DESIGN



THE CONTRACTOR SHALL VERIPY ALL
JOB CONTITIONS AND DIMENSIONS
BEFORE BEGINNING WORK, AMS
LIMITS ITS RESPONSIBILITY TO
INFORMATION REFRESENTED THEREOF
AND THE INTENDED USE THEREOF
AND ASSUMES NO RESPONSIBILITY
FOR ACTUAL AS-BUILT CONDITIONS

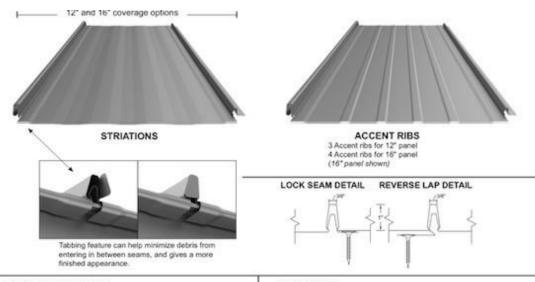
CITY SUBMITTAL
DESIGN REVIEW 01.09.2024 06.26.2023

A302

# Attachment 6 Color and Materials Board

### **Roof Type Concept:**

### Dark Bronze Standing Seam Metal



#### **KEY FEATURES**

- · 12" and 16" coverage options
- 26, 24 & 22 Tru-Gauge™ and .032® Aluminum
- · 16 & 20 oz. Copper (Please inquire)
- · Factory-notched and tabbed panels available
- Vertical interlocking application: allows installation from both directions starting at any location
- · Patented no-siphon lock seam
- 1" vertical rib with 3/8" flat top for ease of flashing attachment
- · Concealed fasteners: fasteners cannot leak
- Pre-slotted fastener flange: allows expansion & contraction of panel (high wind clips available for panel lengths over 35')
- 3:12 minimum pitch recommended (For lower pitches, please inquire)
- Standard panel lengths 4' to 35' not notched Standard panel lengths 1' to 35' - notched (For longer panels, please inquire)
- · Panel options: Striations, Accent Ribs, and Flat Pan

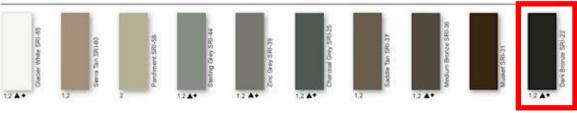
#### **TESTING**

- Code compliance UL Evaluation Report UL ER #25913-01
- · UL Construction No. 529
- · UL 580 Class 90 Wind Uplift
- · UL 790 Class A (ASTM E108) Fire rated
- · UL 2218 Class 4 Impact (hail) rated
- ASTM A653/A924 G90 Galvanized
- ASTM A792 Zincalume/Galvalume AZ-50/55
- · ASTM B209 Aluminum Substrate

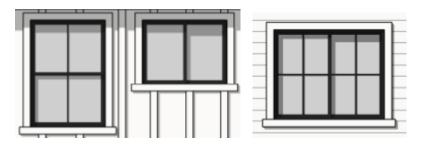


The Easy-Lock™ Standing Seam is the only metal roofing panel with a patented no-siphon dry lock seam, with a unique reversing feature to allow installation of panels from both directions starting at any location. The panel is designed with softer, less industrial lines to provide an architecturally pleasing appearance.

#### STANDARD COOL KYNAR 500® COLORS



### Windows:



Andersen series 100 (Single-Hung)

Color - Black Frame

Grids – custom grids as shown on plans.

https://www.andersenwindows.com/windows-and-doors/series/100-series

### **Exterior Doors and Garage Door:**





<u>Door</u>: Rustic Knotty Alder 4-Lite Clear Glass 2-Panel Unfinished Wood Front Door Slab

Garage: Steel Garage Door with Wood-Grain print

### **Exterior Siding:**

James Hardie Panel & Batten (Cement Fiber, wood imitation Batten-Board Siding)

- Color BM Plaster of Paris (White)
- Flat Board Panels with 3.5" Batten Trim Board
- <a href="https://www.jameshardie.com/products/hardietrim-boards">https://www.jameshardie.com/products/hardietrim-boards</a>

James Hardie Lap Siding (Cement Fiber, wood imitation Lap Siding)

- Color BM Plaster of Paris (White)
- 6" Width Boards
- <a href="https://www.jameshardie.com/products/hardieplank-lap-siding">https://www.jameshardie.com/products/hardieplank-lap-siding</a>



### **Exterior Lighting:**

Midland 9" High Dusk-to-Dawn LED Motion Sensor Light

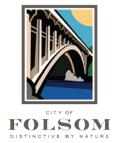
- Style # 8M841

https://www.lampsplus.com/products/midland-9-inch-high-dusk-to-dawn-led-motion-sensor-light 8m841.html



# Attachment 7 Site Photographs





AGENDA ITEM NO. 2 Type: Public Hearing

**Date: March 6, 2024** 

# **Historic District Commission Staff Report**

50 Natoma Street, Council Chambers Folsom, CA 95630

**Project:** Ms. Ting's Shanghai Tattoo

**File #:** USPT 24-00009

Request: Conditional Use Permit

**Location:** 305 Wool Street **Parcel(s):** 070-0105-019

**Staff Contact:** Josh Kinkade, Associate Planner, 916-461-6209

jkinkade@folsom.ca.us

# **Property Owner/Applicant**

Name: Joshua Thompson & Tingting Zhong

Address: 305 Wool Street

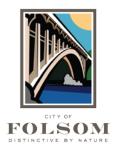
Folsom CA 95630

**Recommendation:** Conduct a public hearing and upon conclusion approve a Conditional Use Permit application to operate a tattoo and piercing shop and art gallery at 305 Wool Street (USPT 24-00009) based on the findings included in this report (Findings A-G) and subject to the attached conditions of approval (Conditions 1-17).

**Project Summary:** The proposed project includes operation of a tattoo and piercing shop and art gallery business within an existing 3,541-square-foot commercial building located at 305 Wool Street.

# **Table of Contents:**

- 1 Description/Analysis
- 2 Background
- 3 Conditions of Approval
- 4 Vicinity Map
- 5 Proposed Floor Plans
- 6 Applicant's Narrative
- 7 Photographs of the Project Site



AGENDA ITEM NO. 2 Type: Public Hearing

Date: March 6, 2024

# Submitted,

PAM JOHNS

Community Development Director

# ATTACHMENT 1 DESCRIPTION/ANALYSIS

# APPLICANT'S PROPOSAL

The applicants, Joshua Thompson & Tingting Zhong, are requesting approval of a Conditional Use Permit (USPT 24-00009) to operate a tattoo and piercing shop and art gallery business (Ms. Ting's Shanghai Tattoo) within an existing 3,541-square foot commercial building located at 305 Wool Street. The applicants have been running a tattoo shop at 718 Sutter Street (Gaslight Building) since 2018 and are seeking to change locations and expand operations.

The proposed business includes eleven tattoo and piercing stations which will be situated within the existing office space. A majority of the piercings and tattoos will be scheduled via appointment, with walk-ins being permitted up until 8:00 p.m.. All tattoo and piercing shops are subject to County and State health and safety regulations. The art gallery portion of the business will be operated in the open area on the first floor of the building, as shown on the first-floor site plan provided in Attachment 5 as "Open Office" and "Reception/Waiting". The applicant is proposing to host small art show events every two to three months in this area displaying the art of the tattoo artists in residence as well as other local artists. Events would typically be held between the hours of 5:00 p.m. and 9:00 p.m. on Friday and Saturday evenings. The art would be left up in the space after the events for display and purchase.

The subject building was previously used as office space for medical and professional uses as well as an art gallery. The building was previously approved for a parking variance in 2014 to eliminate the requirement for on-site parking. No physical expansion or modifications to the exterior of the building is proposed. Note that the floor plans provided in Attachment 5 are intended to show where tattoo and piercing stations will occur. All exterior work called out on those plans was from a previously completed addition to the building in 2014.

# POLICY/RULE/ZONING AND GENERAL PLAN CONSISTENCY

The General Plan land use designation for the project site is HF (Historic Folsom Mixed Use) and the zoning designation for the project site is HD (Historic District) within the Sutter Street Subarea of the Historic Commercial Primary Area of the Historic District.

Pursuant to Section 17.52.510 of the Folsom Municipal Code (FMC), "uses which would require a conditional use permit from the Planning Commission in the modern central business district (C-2 zone) require a conditional use permit from the Historic District Commission" in the Sutter Street Subarea. The FMC states that tattoo/body art establishments are permitted uses within a Central Business District zoning district (C-2) upon the issuance of a Conditional Use Permit (CUP) by the Historic District Commission. Therefore, staff has determined that the proposed tattoo use requires a CUP. However, art galleries and studios are allowed by right in the C-2 zone. As such, the proposed art

gallery use does not require Commission approval but is included in the analysis for overall project context.

Section 17.60.010 of the <u>FMC</u> states that the Historic District Commission shall have final authority relating to the issuance of Conditional Use Permits for any of the uses or purposes for which such permits are required or permitted by the terms of this title. <u>FMC</u> 17.60.020 states that application for a use permit shall be made to the Community Development Department in writing, on a form prescribed by the department, and shall be accompanied by plans and elevations necessary to show details of the proposed land use activities on the subject property. <u>FMC</u> Section 17.60.040 states that the Commission's findings shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the city.

# **ANALYSIS**

In order to approve a request for a Conditional Use Permit, the Commission must find that the "establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City" (FMC, Section 17.60.040).

Pursuant to Sections 17.60.050 of the Folsom Municipal Code, in any case where the required conditions for a Use Permit have not been, or are not, complied with, the Historic District Commission may revoke the permit after a public hearing on the matter. Therefore, Ms. Ting's Shanghai Tattoo Conditional Use Permit is subject to ongoing review by the Community Development Department to ensure that it does not result in adverse impacts to the community. If the Community Development Director finds evidence that conditions of approval for the business have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property or have a substantial adverse impact on public facilities or services or the general welfare of the City, the Director will refer the Use Permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit following a hearing on the matter. Condition No. 2 is included to reflect this requirement.

# Land Use Compatibility

In reviewing this request for a Conditional Use Permit, staff took into consideration the proposed use and the compatibility of the proposed business in relation to surrounding

land uses and businesses. Existing uses within the project vicinity include retail uses to the north, east and west, and residential uses to the south. Proposed hours of operation in which the proposed business would be open to the public (through 8:00 p.m. for the tattoo and piercing shop and through 9:00 p.m. for art gallery shows) are compatible with those of existing businesses in the area, which are generally open Monday through Sunday between 8:00 a.m. and 9:00 p.m. Condition No. 1 reflects the proposed hours of operation for the tattoo and piercing shop. Limited hours are not conditioned for the art gallery because that use is allowed by right without a limitation on hours.

FMC Section 17.52.510(A)(3)(b) states that, in assessing compatibility between residential and commercial uses in the Sutter Street Subarea, residential uses will be expected to tolerate greater impacts from commercial uses than if it were located in a primarily residential area and that commercial and residential uses may each be expected to make reasonable physical or operational modifications to improve compatibility between them. Staff notes that the art gallery is allowed by right and that tattoo and piercing shops typically do not have operational or physical characteristics that create a greater impact than other retail uses allowed by right in the Sutter Street Subarea. Furthermore, the primary entry to the building is facing away from residential uses and walk-in customers for tattoo and piercing services are not allowed after 8:00 p.m. In addition, outdoor use associated with the tattoo and piercing business is prohibited by Condition No. 12, and any entertainment (as defined in Section 5.90 of the Folsom Municipal Code) associated with the art gallery is subject to the regulations of an Entertainment Permit.

Based on the mixed-use nature of the project area and the operational characteristics of Ms. Ting's Shanghai Tattoo, staff has determined that the proposed use is compatible with the surrounding land uses and businesses and would not result in any additional impacts to nearby uses beyond any other business allowed by right in the Sutter Street Subarea. Existing and prior tattoo studios and piercing shops in Folsom have not generated any significant impacts to nearby properties as conditioned based on the absence of Code Enforcement cases associated with these uses in recent years.

# **Health and Safety**

In considering the request by the applicant for a Conditional Use Permit, staff also evaluated potential health and safety-related impacts that may be associated with operation of a tattoo business and piercing shop at the subject location in relation to existing State regulations. On October 9, 2011, Governor Brown signed AB 300, also known as the "Safe Body Art Act", which has been amended since its passage. The intent of the law is to provide fair, safe, and enforceable standards across California for body art, including tattooing, permanent makeup, body piercing, and branding. The law requires a person performing body artwork to register annually with the local enforcement agency, requires blood-borne pathogen training, establishes sanitation requirements, and requires the owner of a body art facility to obtain and annually renew a health permit.

In this particular case, the Sacramento County Environmental Management Department is the local enforcement agency relative to the aforementioned requirements. Staff has

conditioned the owner/applicant to provide evidence that they have filed a Certificate of Registration with the Sacramento County Environmental Management Department for each individual tattoo artist and piercer working at the business. In addition, staff has also conditioned the owner/applicant to comply with all requirements of the Safe Body Art Act, Health & Safety Code § 119300, et seq. Conditions No. 10 and No. 11 are included to reflect these requirements.

Planning staff consulted with the City of Folsom Police Department to determine if there are any potential issues associated with operation of the tattoo parlor and piercing business as proposed. The Police Department does not have any safety-related concerns about the proposed operation of the business as described by the applicant at the subject location.

# **Parking**

Regarding parking, <u>FMC</u> Section 17.52.510(F) requires one off-street parking space per 350 square feet of retail, office, restaurant, museum, and similar uses. Given the 3,541 square feet of building space, this would result in a requirement of 10 spaces. The project site does not have any existing on-site parking, similar to most other commercial properties within the Sutter Street Subarea. However, in 2014, the Historic District Commission approved a Parking Variance for 305 Wool Street associated with the expansion of the building to its current square footage.

The staff report for the Parking Variance listed the small lot size and challenging topography as grounds for the Variance. It also stated that City has existing public parking lots and the parking garages at the intersection of Reading Street and Leidesdorff Street and the intersection of Sutter Street and Scott Street to provide parking for the district. Moreover, Section 3.03.03 of the Historic District Design and Development Guidelines acknowledges that because of the historic downtown lot sizes and development patterns, the opportunities in the Sutter Street subarea to provide on-site parking are severely constrained, and in order to preserve the historic structures and ambiance of the area, the City has assumed a share of the responsibility for providing adequate parking for the entire subarea, which is why there are public parking lots and a public parking garage located in the Sutter Street subarea unlike other commercial areas of Folsom.

The proposed use will retain the same parking standard as other uses allowed by right, as art galleries are allowed by right and would have a similar parking demand as museum uses, and tattoo and piercing shops have a similar parking demands of office and retail uses. As such, the standard of one space per 350 square feet would continue to be applicable for the proposed uses and the project will not create additional parking demand beyond what was previously considered in the Parking Variance. As such, the approved Parking Variance continues to apply to the proposed use. Furthermore, staff has carried over the conditions from the 2014 Parking Variance that require the owner to participate in a Parking Assessment District if one is ever formed (Condition No. 8) and to place a sign on premises directing staff and visitors to park in designated public parking lots and strongly discouraging parking on Figueroa Street (Condition No. 15). With these measures in place, staff concludes that the approved Parking Variance adequately

addresses parking for the proposed use.

# Signage

Signage for the proposed use is not included in this application. Signage is subject to <u>FMC</u> Chapter 17.59 as modified by Chapter 17.52, and the Historic District Design and Development Guidelines. Condition No. 13 is included to reflect this requirement. Furthermore, Per <u>FMC</u> Section 17.52.510(E), the total of all window signage may not cover more than 25 percent of the window and no neon, internally illuminated, backlit canopy or corporate flag signs are allowed. This requirement is reflected in Condition No. 14.

# **ENVIRONMENTAL REVIEW**

The project is categorically exempt under Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines. 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 exemption(s) in this case.

### RECOMMENDATION

Staff recommends approval of the proposed project, based on the following findings and subject to the conditions of approval attached to this report.

# HISTORIC DISTRICT COMMISSION ACTION

Move to approve Ms. Ting's Shanghai Tattoo Conditional Use Permit (USPT 24-00009), based on the findings included in this report (Findings A-G) and subject to the attached conditions of approval (Conditions 1-17).

# **GENERAL FINDINGS**

- A. NOTICE OF HEARING 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 THE ZONING CODE OF THE CITY.

# **CEQA FINDINGS**

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 (EXISTING FACILITIES) 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. THIS PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE TO THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

# **CONDITIONAL USE PERMIT FINDING**

G. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, AS THE PROPOSED BUSINESS WILL HAVE NOT HAVE NEGATIVE IMPACTS TO NEARBY USES THAT HAVE NOT BEEN MITIGATED.

# ATTACHMENT 2 BACKGROUND

According to County Recorder records, the commercial building located at 305 Wool Street was first constructed in 1960. The building was used as retail space for Pacific Western Traders (selling Native American artwork and artifacts) from 1971 until early 2014. On August 6, 2014, the Historic District Commission approved a Commercial Design Review and Parking Variance for a remodel and 1,668-square-foot addition to the building (PN14-179). Since construction of the addition/remodel, the building has housed medical and professional offices and an art gallery. The building was sold to the business owners of Ms. Ting's Shanghai Tattoo in January 2024.

GENERAL PLAN DESIGNATION HF, Historic Folsom Mixed Use

**ZONING** HD (Historic District/Sutter Street subarea of

the Historic District)

ADJACENT LAND USES/ZONING North: Commercial building and Sutter

Street beyond (HD)

South: Sutter/Figueroa Street Alley and

residential units beyond (FIG)

East: Parking area for Sutter Street

commercial buildings (HD)

West: Wool Street and commercial

buildings beyond (HD)

SITE CHARACTERISTICS The 3,808-square-foot project site is currently

occupied by a 3,541-square-foot commercial building and associated landscaping. The lot slopes upward from the north (Sutter Street) to

the south (alley).

APPLICABLE CODES FMC Chapter 17.22; Commercial Land Use

Zones

FMC Chapter 17.52- Historic District FMC Chapter 17.60; Use Permits

# ATTACHMENT 3 Conditions of Approval

CONDITIONS OF APPROVAL FOR MS. TING'S SHANGHAI TATTOO CONDITIONAL USE PERMIT (USPT24-00009)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		This Conditional Use Permit is approved for the establishment of Ms. Ting's Shanghai Tattoo business at 305 Wool Street, which includes operation of a tattoo and piercing shop and art gallery within a 3,541-square-foot commercial space. The business may be open Monday through Sunday. Walk-in customers for tattoo and piercing services shall not be allowed after 8:00 p.m. The business shall substantially conform to the floor plans included in Attachment 5 and the applicant's narrative provided in Attachment 6. Any expansion of the hours of operation or plans shall be subject to review and approval by the Historic District Commission through a Conditional Use Permit Modification.	OG	CD (P)
2.		If the Community Development Director finds evidence that conditions of approval for the Conditional Use Permit have not been complied with or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or has a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.	OG	CD (P)
3.	·		CD	

City of Folsom Page 11

4.	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.	OG	CD (P)(E)(B) PW, PR, FD, PD
5.	The project approval granted under this staff report shall remain in effect for one year from final date of approval (expires March 6, 2025). If a complete application for a building permit is not submitted within the identified time frame and/or the applicant has not demonstrated substantial progress towards completion of the project, this approval shall be considered null and void. The owner/applicant may file an application with the Community Development Department for an extension not less than 60 days prior to the expiration date of the approval, along with appropriate fees and necessary submittal materials pursuant to Section 17.52.350 of the Folsom Municipal Code. If after approval of this project, a lawsuit is filed which seeks to invalidate any approval, entitlement, demolition permit, or other construction permit required in connection with any of the activities or construction authorized by the project approvals, or to enjoin the project contemplated herein, or to challenge the issuance by any governmental agency of any environmental document or exemption determination, the one year period for submitting a complete permit application referenced in FMC section 17.52.350(A) shall be tolled during the time that any litigation is pending, including any appeals.	OG	CD (P)
	· · · · · · · · · · · · · · · · · · ·	00	OD (D)(E)
6.	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.	OG	CD (P)(E)

City of Folsom Page 12 49

	<del>,</del>		
7.	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.	OG	CD (P)(E)
8.	If a Parking Assessment District is formed within the Historic District in the future, the owner/applicant shall be required to participate fully in the aforementioned Parking Assessment District.	OG	CD (P), PW
·	CONDITIONAL USE PERMIT REQUIREMENTS		
9.	Any intensification or expansion of the use approved and conditioned herein will require a Use Permit modification approval by the Historic District Commission.	OG	FD NS (B)
10.	The owner/applicant shall provide evidence that they have filed a Certificate of Registration with the Sacramento County Environmental Management Department for each individual tattoo artist and piercer working at the business prior to approval of each individual's business certificate.	OG	CD (P)
11.	The owner/applicant shall comply with all requirements of California Health & Safety Code sections 119300, et seq. ("Safe Body Art Act") including but not limited to: registering annually with the local enforcement agency, complying with vaccination, blood borne pathogen training, conforming to sanitation requirements, and obtaining and annually renewing a health permit.	OG	CD (P)
12.	Outdoor activity of any kind associated with the tattoo and piercing business shall be prohibited. Any entertainment (as defined in Section 5.90 of the Folsom Municipal Code) associated with the art gallery shall be subject to the regulations of an Entertainment Permit.	OG	CD (P)
13.	All future signage associated with the project shall comply with the <u>FMC</u> Section 17.52.510(E), <u>FMC</u> Section 17.59 (City Sign Standards), and City of Folsom Historic District Design and Development Guidelines to the satisfaction of the Community Development Director.	OG	CD (P, B)
14.	Per <u>FMC</u> Section 17.52.510(E), the total of all window signage may not cover more than 25 percent of the window and no neon, internally illuminated, backlit canopy or corporate flag signs are allowed.	OG	CD (P)

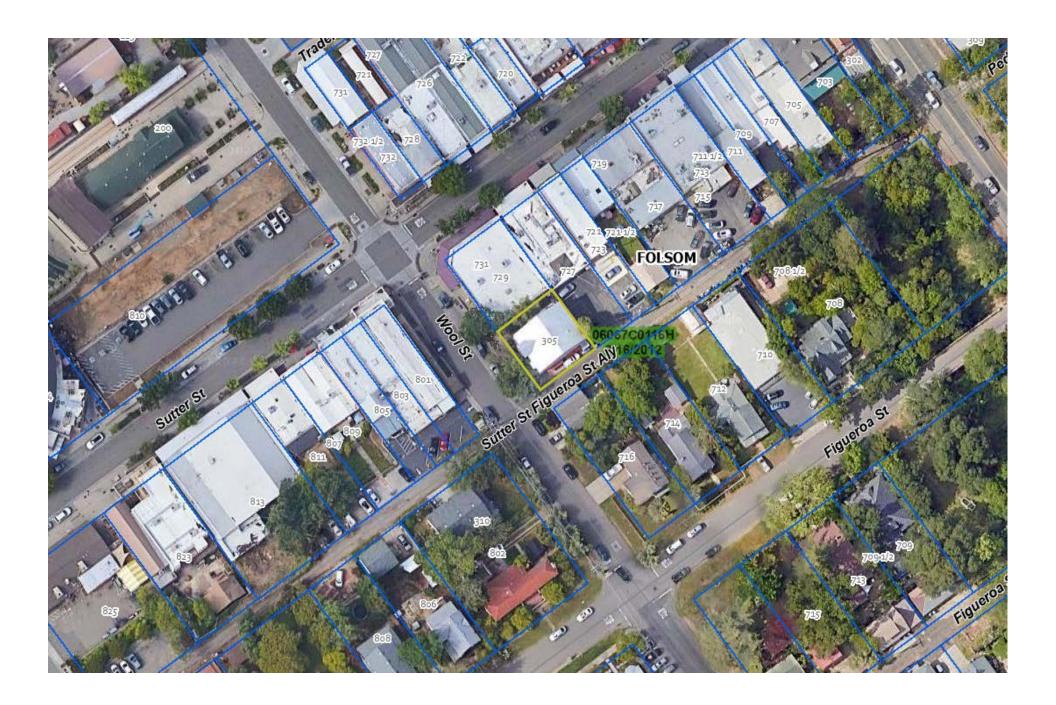
City of Folsom Page 13 50

15.	Within 30 days of receiving a Business License Certificate, the applicant shall post	OG	CD (P)
	signage on premises directing staff and visitors to park in designated public parking lots		
	and that parking on Figueroa Street is strongly discouraged. This signage shall be		
	subject to review and approval by the Community Development Department.		
16.	Compliance with the City of Folsom's Noise Control Ordinance (Folsom Municipal Code	OG	CD (P)
	Chapter 8.42) and General Plan Noise Element shall be required.		
17.	The alerting/alarm system shall adhere to the National Fire Protection Association	OG	FD
	(NFPA) 72 Code.		

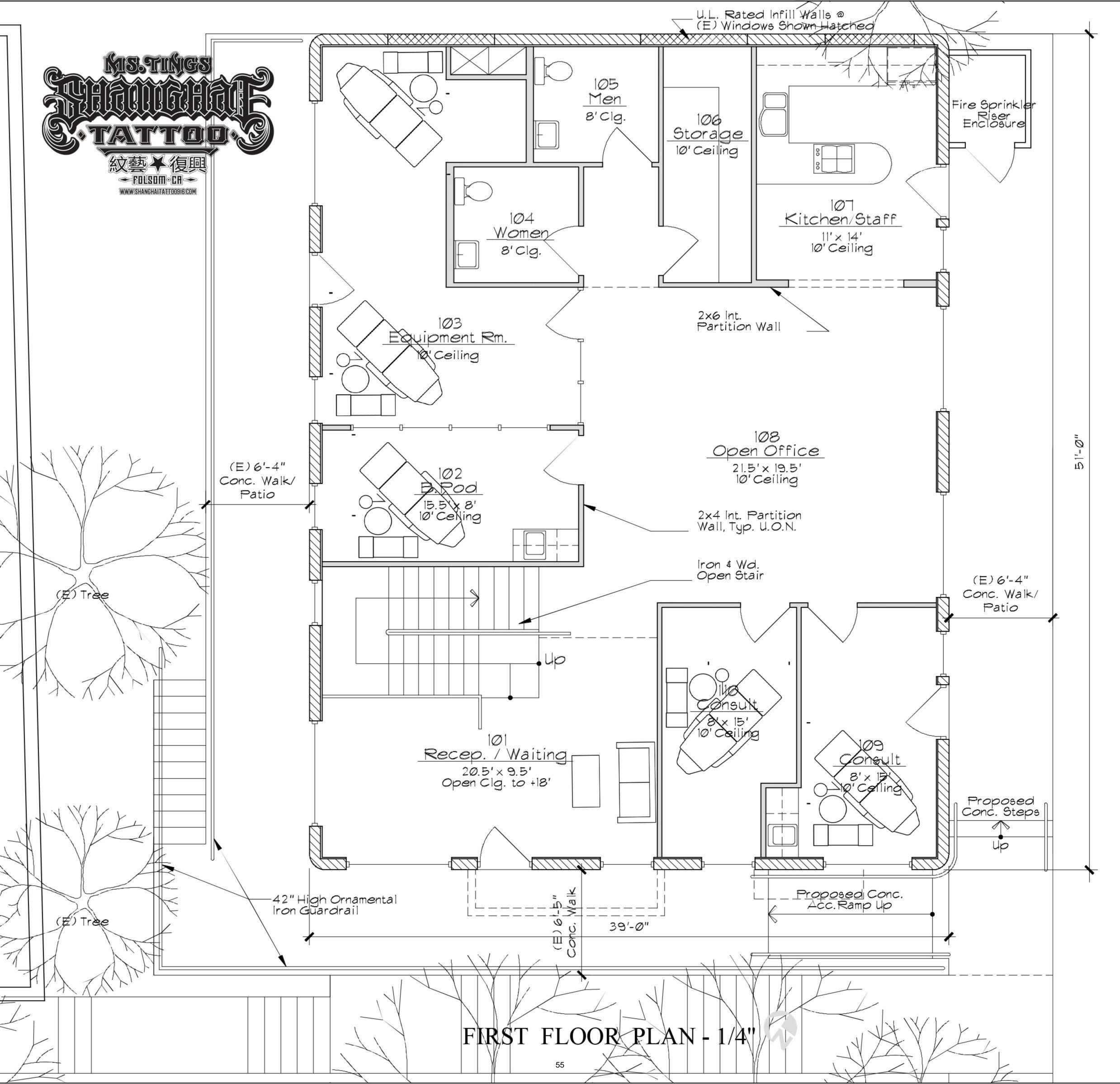
RESPONSIBLE DEPARTMENT		WHEN REQUIRED		
CD (P) (E) (B) (F)	Community Development Department Planning Division Engineering Division Building Division Fire Division	I M B O G	Prior to approval of Improvement Plans Prior to approval of Final Map Prior to issuance of first Building Permit Prior to approval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

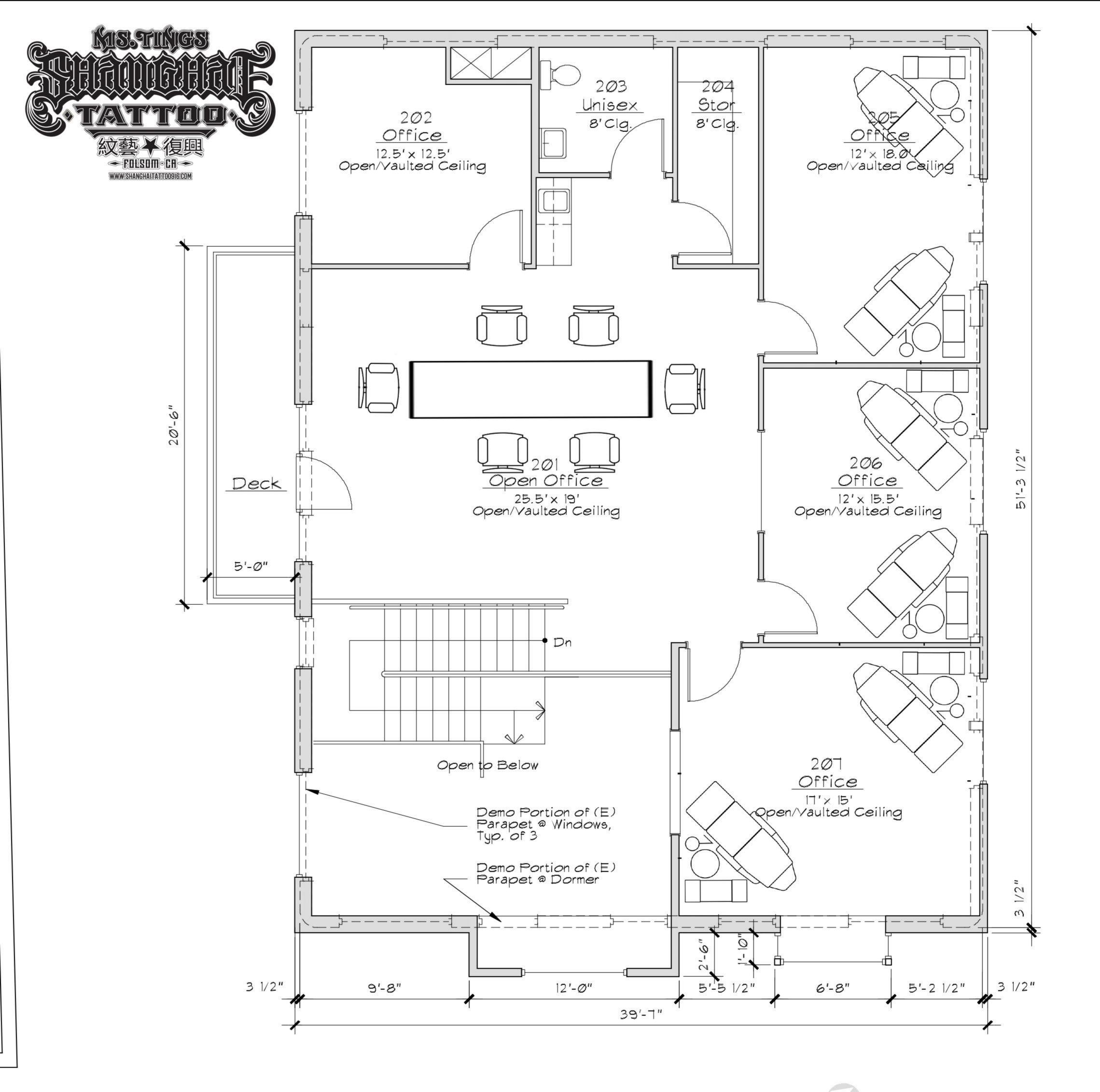
City of Folsom Page 14 51

# Attachment 4 Vicinity Map



# **ATTACHMENT 5 Proposed Floor Plans**





# Attachment 6 Applicant's Narrative

### Elevating Artistry and Community: Ms. Tings Shanghai Tattoo Expansion Project Narrative

#### Introduction:

Ms. Tings Shanghai Tattoo, founded by the world-renowned tattoo artist Zhuo Dan Ting and her husband Joshua Thompson, has been an iconic presence on Sutter Street in Historic Folsom, CA for the past five years. Celebrating a legacy of unparalleled artistry and community engagement, Ms. Tings is poised to acquire a new building at 305 Wool Street, Historic Folsom, CA, ushering in a transformative chapter for the studio.

#### Owners' Profile:

Zhuo Dan Ting, a globally acclaimed tattoo artist, has brought a unique blend of traditional Chinese artistry and contemporary tattoo techniques to Historic Folsom. Joshua Thompson, her husband, has been instrumental in shaping Ms. Tings Shanghai Tattoo into not just a studio but a cultural institution, fostering art and community connections.

#### Location:

The strategic choice of 305 Wool Street for the new studio is a testament to Ms. Tings' commitment to Historic Folsom. The larger space will not only accommodate the studio's growth but also allow for the introduction of new services such as body piercing and the establishment of an active art gallery within the premises.

# **Expanded Services:**

Building on the legacy of artistic excellence, Ms. Tings Shanghai Tattoo is expanding its offerings to include body piercing, providing clients with a comprehensive range of artistic services. The addition of an art gallery within the studio is a reflection of Zhuo Dan Ting and Joshua Thompson's dedication to promoting and celebrating diverse forms of artistic expression within the community.

### **Community Engagement:**

Ms. Tings Shanghai Tattoo has been more than a tattoo studio; it has been a cultural hub and a meeting place for artists and enthusiasts alike. The new space at 305 Wool Street is envisioned as a dynamic center for community engagement, fostering creativity, and providing a platform for local artists to showcase their work.

# **Hygiene and Reputation:**

With a stellar 5-star reputation, Ms. Tings Shanghai Tattoo is committed to maintaining the highest standards of cleanliness and professionalism. The conditional permit process will ensure that the new facilities exceed industry standards, providing a safe, hygienic, and welcoming environment for clients seeking the expertise of Zhuo Dan Ting and her team.

### Conclusion:

The conditional permit application for Ms. Tings Shanghai Tattoo's expansion is a testament to the vision of Zhuo Dan Ting and Joshua Thompson. As they move from 718 Sutter Street to the new location at 305 Wool Street, the goal is not just to create a space for tattoos, body piercing, and art but to establish a cultural landmark that elevates artistry and community spirit in Historic Folsom. Ms. Tings Shanghai Tattoo's legacy of excellence is set to evolve and continue as it embraces new horizons, inspiring both the local community and the broader world of tattoo artistry.

# Attachment 7 Photographs of the Project Site

