



December 16, 2024

Community & Economic  
Development

**CITY OF FERNDALE  
REQUEST FOR COUNCIL ACTION**

**FROM:** Kyle Bryce

**SUBJECT:** Second Reading and Consideration of Adoption of Zoning Ordinance

**SUGGESTED ACTION**

Approve the Zoning Ordinance by the attached resolution, as submitted by the CED Director.

**Agenda Item Category**

Operational Item

**Agenda Item Deadline Date**

2024-12-16

**Item Description**

Ferndale City staff, in partnership with consultant McKenna, will present the final draft of the proposed Zoning Ordinance for a Second Reading and consideration of adoption.

The Zoning Ordinance governs land use throughout the City by dividing it into a series of zoning districts. Each zoning district is unique in its character, form, and permitted uses. Staff routinely use the Zoning Ordinance to make determinations on a variety of items, such as where certain types of businesses are permitted and the size and appearance of new construction. The Zoning Ordinance also includes regulations on matters such as signage, fencing, lighting, landscaping, accessory structures, parking, alternative energy systems, and storage. Additionally, the Zoning Ordinance dictates City processes such as Site Plan review and Special Land Use review, and the functions of the Planning Commission and Board of Zoning Appeals.

Staff has worked since May 2023 to rewrite the Zoning Ordinance, relying on public input from Plan Ferndale, the City's adopted Master Land Use Plan, and more.

City Council may consider adopting the Zoning Ordinance via resolution. If adopted, the Zoning Ordinance will go into effect in seven (7) days.

**Item Background**

The City of Ferndale and its consultant, McKenna, held a kickoff meeting on May 23, 2023 to begin the rewrite process for the City's Zoning Ordinance. The City's existing Zoning Ordinance had been

amended significantly over several decades and included outdated practices, inconsistent cohesion, and jargon-heavy language.

The team has rewritten the Zoning Ordinance in accordance with Plan Ferndale, the City's adopted Master Plan from September 2022, which is heavily rooted in public input. The draft Ordinance also contains input from four (4) community sessions from Summer 2023, with topics on equity, sustainability, downtown design, and housing; and from the Zoning Ordinance Steering Committee, composed of elected officials, City staff, and residents.

The attached draft includes input received from the October 2, 2024 Joint City Council and Planning Commission meeting, the November 20, 2024 Planning Commission meeting, the November 25, 2024 First Reading, and additional minor edits.

Planning Commission input from the November 20, 2024 meeting included:

- Clarify Clear Vision Triangle language and graphics.
- Modify the term "recommendation" with respect to the Parking Guidebook and to repeat the parking and ADA intention statement in the guidebook to ensure ADA parking is mandatory.
- Review double fencing language to ensure successful implementation.
- Review mobile vending language for best practices related to operation and the avoidance of nuisances.
- Enhance stormwater retention requirements to clarify how and when it is required, to encourage green infrastructure where applicable, and to develop an intent statement.
- Revise proposed permitted uses in the industrial zoning districts to eliminate non-traditionally industrial uses or to utilize special land use review, where appropriate.
- Consider allowing marihuana commercial sales outside of industrial.
- Review residential schedule of regulations, specifically to consider a maximum lot size, to maintain neighborhood character.
- Enhance design standards via intention statement to include "durable and sustainable" materials.
- Modify Article 4 intent statement to include language related to accessibility and sustainability.
- Reduce maximum permitted light pole height in industrial zoning districts.
- Review and revise general zoning district intent statements to ensure they are addressing inclusivity and accessibility.

City Council feedback from the November 25, 2024 First Reading led to the following proposal in the R-1 zoning district:

- Single-unit and duplexes allowed by right in R-1.
- Accessory Dwelling Units allowed by right in R-1, but only on properties with single-unit or duplex structures.
- Triplexes allowed with Special Land Use approval in R-1. This process includes public notice and public hearings at Planning Commission, which makes a recommendation to City Council. A second round of public notice and public hearings are held at a City Council meeting who, with Planning Commission's recommendation, can approve or deny the request.
- Fourplexes not permitted in R-1.

The Planning Commission held a Public Hearing at their November 20, 2024 meeting where they recommended approval with noted edits and the ability for staff to make non-substantive changes. The City Council held a First Reading at the November 25, 2024 City Council meeting.

**Item Costs**

n/a

**GL#**

n/a

**CIP#**

n/a

**Additional Notes****ATTACHMENTS:**

[Ferndale Zoning Code Draft V.7 - For Consideration of Adoption.pdf](#)

[City of Ferndale - Resolution to Adopt Zoning Code and Map.pdf](#)

[City of Ferndale Parking Manual.pdf](#)