

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

Location:	City Hall	Date:	May 18, 2011
	834 Main Street	Time:	7:00 p.m. Regular Meeting
	Ferndale CA 95536	Posted: 5/13/11	

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

- 1.0 Open meeting / flag salute / roll call
- 2.0 Update Agenda
 - 2.1 Proposed changes, modifications to agenda items
 - 2.2 Commissioners comments
- 3.0 Approval of previous minutes – April 20, 2011. Page 2
- 4.0 Public Comment Page 3
- 5.0 Public Hearing Page 3
 - 5.1 100 Harrison – Vacation Rental Application
- 6.0 Correspondence and Oral Communications Page 18
- 7.0 Business
 - 7.1 Reaffirmation of direction given to Design ReviewPage 19
 - 7.2 SignsPage 51
 - 7.3 Public EducationPage 75
- 8.0 City Clerk’s and City Planner’s Staff Reports Page 80
- 9.0 Design Review Minutes Page 82
- 10.0 Adjournment – Next regular meeting June 15, 2011 Page 85

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of April 20, 2011

Call to Order: Chair Jorgen Von Frausing-Borch called the Planning Commission meeting to order at 7:00p.m. Commissioners Lino Mogni, Nancy Trujillo, Trevor Harper and Dan Brown as well as staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and City Planner Vanessa Blodgett were present. Those in attendance pledged allegiance to the flag.

MOTION: (Harper/Mogni): The February 16, 2011 minutes were unanimously approved. There was no public comment.

Correspondence: The commission questioned the Restaurant Matias signage on the window glass. After some discussion it was learned that the signage is not etched onto the glass, but is an applied decal. This item needs to go back to the Design Review committee.

Draft Historical and Cultural Resources Element Goals and Policies: Planner Blodgett explained that the draft goals presented here included comments previously given by the Planning Commission and Design Review Committee. Additional comments were given by the Planning Commissioners.

Goals: The City Manager talked about goals being set by the City Council and asked that the Planning Commission begin thinking about goals and that some of those goals may be passed on to the Design Review Committee. Chair von Frausing-Borch determined that he and the City Manager will work on goals, then call for a work study session including the Design Review Committee.

Lighting and Signage: The Ad Hoc committee previously set up is now past their 6 month mandate. Design Review Committee member Michael Bailey explained that because of frustration of having to use a flawed Ordinance to review design review applications, he had taken it upon himself to spend some time putting together definitions as well as an outline for a possible Sign Ordinance for the City of Ferndale. The Commission asked Mr. Bailey to get background information and possible ordinance changes to the Commissioners before the next meeting, and to have this item put on the next Planning Commission agenda for Mr. Bailey to make a presentation to the Planning Commission.

Historical Record of Architectural Changes: This would entail a change in the building permit process to include photographs of the building before changes are made. MOTION: (Trujillo/Harper) Direct staff to include the necessity for a photographic record to be submitted with the building permit application. All in favor.

Public Education: Hold this over to the next agenda.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

Section 4: PUBLIC COMMENT

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction.

Items requiring Commission action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rd of the Commission (three of the five members) that the item came up after the agenda was posted and is of an urgent nature requiring immediate action.

This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes.

Please state your name and address for the record. (This is optional.)

Section 5: PUBLIC HEARINGS

PC Meeting:	May 18, 2011		Case No.:	UP1112	
Applicant:	Peter J. Wilke		Agenda Item:	5.1	
Property Address:	100 Harrison Avenue; Ferndale CA		APN	031-111-006	
General Plan & Zone:	Residential Single Family Special Building Site, 10,000 square foot lots (R1B2)				
Type of Item:	x	Action		Discussion	Information
Action Required:		No Action	x	Voice Vote	Roll Call Vote

PROJECT DESCRIPTION: Request for a Use Permit to allow for vacation rental use of the existing residence located at 100 Harrison Street (APN 031-111-006). The project site is zoned Residential Single Family 10,000 sq. ft. minimum lots (R1B2).

ENVIRONMENTAL REVIEW: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 1, Section 15301 Categorical Exemption from preparation of environmental documents. This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures involving negligible or no expansion of use.

CONTACT: Planwest Partners, Contract City Planner. Phone: 707.825.8260; Fax, 707.825.9181 and Email: vanessat@planwestpartners.com

STAFF RECOMMENDATION:

Staff has included findings of fact (Attachment A) necessary to take an action on the Use Permit. If the Planning Commission accepts the findings of fact or makes comparable findings, then staff recommends the Planning Commission approve the Use Permit, subject to the conditions of approval listed in Attachment B.

Recommended Motion: "Adopt Resolution No. 2011-22PC making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B, and allow for vacation rental use of the existing residence located at 100 Harrison Street."

PROJECT SUMMARY:

The applicants own the approximately ¼ acre (10, 890 square foot) lot at 100 Harrison Street. The subject property is located at the 90 degree corner of Harrison and Cleveland Streets in the R1B2 designation/zone. There are five off-street parking spaces provided. The applicants propose to use the entire existing residence (approximately 2,000 square feet) as a vacation rental by offering it for overnight transient lodging for compensation. The residence will only be rented out to one group at a time (rooms will not be rented out individually) and there will be a two night minimum stay requirement.

The applicants may advertise the vacation rental in the Enterprise and through websites such as Vacation Rental By Owner (VRBO). For the most part, reservations and property management will be handled by Nancy Trujillo.

APPLICABLE REGULATIONS: The following sections are from Ferndale's Zoning Ordinance, 02-02.

§5.03 Residential Single-Family or R1 Zone is intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development.

§5.03.2 Uses permitted with a Use Permit:

- a. Guest houses and servants' quarters.
- b. Public and private non-commercial recreation facilities, including golf courses.
- c. Bed and breakfast inns.
- d. Secondary dwelling units.

§6.03 Special Building Site Combining (B) Zone. The B combining zone indicates that lot area and yard requirements are modified; B2 indicates a minimum lot area of 10,000 square feet.

§10.01 Use permits may be granted upon application to the Planning Commission for any use for which a use permit is permitted or required by these regulations, or for any use which, while not specifically enumerated in these regulations is, in the opinion of the Planning Commission, similar to and compatible with the uses permitted in the zone in which the subject property is situated.

ANALYSIS:**Zoning and Permit Requirements:**

The Ferndale Zoning Ordinance does not directly define or address the proposed type of transient vacation rental use. However, the R1 zone allows for guest houses, bed and breakfast inns, and

secondary dwelling units with a Use Permit. The proposed use is most similar to a bed and breakfast type use in that they have similar short-term rental that is more transient in nature than typical rental of single family residences or secondary dwelling units. Bed and breakfasts are allowed in all residential and agricultural zones per Zoning Ordinance §7.06.

As stated in Zoning Ordinance §10.01, Use Permits may be granted for any use, while not specifically enumerated, is similar to and compatible with the uses permitted in the zone. Conditional Use Permits typically may be granted if the proposed use will not be contrary to, or does not significantly impact the general peace, safety, comfort, health and welfare of the zone neighborhood or community. Conditions may be imposed to reduce and/ or mitigate any issues associated with the proposed use.

Surrounding General Plan Land Use and Zoning Designations:

The subject property is located at the 90 degree corner of Harrison and Cleveland Streets in the R1B2 designation/zone. The adjacent surrounding lots to the northeast, east and south are all single family residential lots designated/zoned R1B2. Across Harrison Street to the northwest are single family residential lots designated/ zoned R1D. Adjacent to and west of the subject site is the City's Fireman's Park designated/ zoned Public Facility.

Aesthetics and Character:

The proposed project will not change the exterior appearance of the house or lot in any way. The vacation rental type use is more transient in nature than typical single family residential uses, however it is similar to bed and breakfast type use which is allowed in residential zones. Sufficient off-street parking is available (there are currently up to five parking spaces), the residence will only be rented out to one group at a time, and a two night minimum stay will be required. Therefore, the proposed use is compatible with and similar to the residential character of the neighborhood.

Previously the Planning Commission has approved vacation rental use of residential units in the R1B2 zone, Community Commercial Design Control zone, and the Agriculture Exclusive zone. In addition to these vacation rentals there have been bed & breakfasts approved in various residential and agriculture zones throughout the City.

Conditional use permits are a method to provide flexibility to strict zoning regulations and typically may be granted if the proposed use does not significantly impact the general peace, safety comfort, health and welfare of the zone, neighborhood or community. The proposed project will not change the exterior appearance of the house or property and sufficient off- street parking is available. The proposed vacation rental use is similar to and compatible with other uses allowed in the R1 zone and will not significantly impact the general peace, safety comfort, health and welfare of the zone, neighborhood or community.

Project application materials including a letter from applicant, site photos, and APN map are provided on the following pages.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF FERNDALE
Resolution Number PC 2011-22PC**

**MAKING THE REQUIRED FINDINGS FOR CONDITIONALLY APPROVING THE
USE PERMIT TO ALLOW FOR VACATION RENTAL USE
AT 100 HARRISON STREET,
ASSESSOR PARCEL NUMBER: 031-111-006**

WHEREAS, Peter and Lorraine Wilke have submitted an application and evidence in support of approving the Use Permit to allow for vacation rental use of the existing residence at 100 Harrison Street; and

WHEREAS, the project is exempt from California Environmental Quality Act per Section 15301 of Article 19 "Categorical Exemptions;" and

WHEREAS, the City has reviewed the submitted application and evidence for conformance with General Plan policy, goals and regulations and applicable Zoning Ordinance as required to allow for the Use Permit; and

WHEREAS, the staff report includes evidence in support of making all of the required findings for approving the Use Permit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Ferndale approves the Use Permit to allow for vacation rental use at 100 Harrison Street, subject to the conditions contained in Attachment B.

PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 18th day of May, 2011 by the following vote:

The motion was made by COMMISSIONER _____ and seconded by COMMISSIONER _____.

AYES:

NOES:

ABSTAIN:

ABSENT:

Jorgen Von Frausing-Borch, Chairman

Attest:

Nancy Kaytis-Slocum, City Clerk

Attachment A

FINDINGS OF FACT

Staff feels the Planning Commission can make the following findings to allow for Use Permit approval:

1. The Use Permit for the project is a discretionary action of the City, and subject to the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 1, Section 15301 Categorical Exemption from preparation of environmental documents. This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures.
2. The project will approve a Use Permit to allow for vacation rental use of the existing residence located at 100 Harrison Street (APN 031-111-006). The project site is zoned Residential Single Family 10,000 sq. ft. minimum lot (R1B2).
3. The existing project, as outlined and with conditions,
 - Is similar and compatible to other uses allowed in similar zones,
 - Maintains the integrity and character of the zone (or neighborhood),
 - Is not detrimental to the public health, safety, or welfare,
 - Is compatible with the maintenance of a healthful residential living environment and the predominantly residential character of the area,
 - Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential communities, and,
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones.
4. The proposed project, as outlined and conditioned is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance including Section 5.03, Residential Single Family zone and Section 10, Use Permits.

Attachment B**CONDITIONS OF APPROVAL**

Approval of the Use Permit is conditioned on the following terms and requirements. The violation of any term or requirement of this conditional approval may result in the revocation of the permit(s).

Staff recommends Use Permit approval shall be subject to the following conditions:

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Use Permit and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Use Permit is considered final and approved.
2. The effect of this Use Permit is to approve vacation rental use, as specified and detailed in this staff report, of the existing residence located at 100 Harrison Street.
3. The applicant shall notify the City should at any time the use of the property revert back to non-transient and typical residential type use. The notification shall contain sufficient details for the City to determine conformance with the Zoning Ordinance and/ or other applicable City Ordinances, codes and regulations.
4. The proposed use shall be in conformance with the approved permit application and with the information and analysis contained in the associated staff report and conditions of approval on file with the City. Should the proposed site use deviate from that as allowed by this approval, then the applicant may be required to first receive Planning Commission approval for such changes.
5. Should the applicant or any other future owner of the subject property who uses the property as approved under this permit not conform to the requirements of these conditions, then said non-conformance shall constitute a violation of this use permit and shall become null and void, until either the issues have been addressed to the City's satisfaction, or the permit is revoked.

PETER J. WILKE

POB 5640

Playa del Rey, CA 90296

(323) 397-5380

Fax by prior arrangement

petewilke@aol.com

April 27, 2011

City of Ferndale
Planning Department
POB 1095
Ferndale, CA 95536

Re: application for use permit, 100 Harrison Ave

Dear Sir or Madam,

Please find enclosed our Permit Application, Environmental information Form, photos of the exterior of the residence, legal description of the property and my check #1868 in the amount of \$650.00 for the permit application fee.

My wife, Lorraine, and I are owners of the property. We are seeking permission to allow periodic vacation rentals of our home. We understand that receipt of this application packet by tomorrow, April 28th, will allow this matter to be addressed at the meeting set for May 18, 2011. Ms. Nancy Trujillo will be our property manager and our representative appearing at the meeting.

Please contact me immediately if I can supply additional information or answer any questions. Thank you!

Very Truly Yours,



cc: Lorraine Wilke
Nancy Trujillo

CITY OF FERNDALE
PLANNING DEPARTMENT

STANDARD APPLICATION FORM

Please provide the following information as it applies to your application. For questions, call 786-4224.

1. Type of Application Date: 4-27-2011

<input type="checkbox"/>	Bed & Breakfast Inn	<input type="checkbox"/>	Minor Subdivision (4 parcels or less)
<input type="checkbox"/>	Exception to Development Standards	<input type="checkbox"/>	Second Dwelling Unit
<input type="checkbox"/>	Historic District Design Review	<input type="checkbox"/>	Street Vacate
<input type="checkbox"/>	Home Occupation Permit	<input checked="" type="checkbox"/>	Use Permit
<input type="checkbox"/>	Lot Line Adjustment	<input type="checkbox"/>	Use Permit - Design Review
<input type="checkbox"/>	Merger	<input type="checkbox"/>	Variance
<input type="checkbox"/>	Major Subdivision (5 parcels or more)	<input type="checkbox"/>	Zoning & General Plan Amendment

2. Name of Property Owner: Pete & Lorraine Wilke Phone: 323-397-5380
 Address: 700 Harrison Dr POBox: 5690 Playa del Rey CA, 90296

3. Name of Applicant (if different): Same Phone: Same
 Address: Same

4. Property Location: 100 Harrison Ave Ferndale, CA 95536
 Accessor Parcel Number(s): 031-111-006400
 Description: Single family residence
 Lot Area: 1/4 acre +/- +/- 3936 s.f.

5. Present Use of Property: Single family residence
 Present Zoning: Residential

6. Description of Proposed Project: permission to use residence as a vacation rental.

Filing Fee: A filing fee of \$650 has been paid as part of the application. (Refer to Resolution 00-21 for fees and charges for review and processing of development permits.) I hereby certify that to the best of my knowledge the information in this application and all attached exhibits is full, complete and correct, and I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for denying the application, or suspending or revoking a permit issued on the basis of these of subsequent representations, or for the seeking of such other and further relief as may seem proper to the City.

[Signature] Date: 4-27-11
 Signature of Applicant or Agent

Authorization of Agent: I hereby authorize Nancy Trujillo to act as my representative and bind me in all matters concerning this application. (Form 100208)

FOR STAFF USE ONLY				
Full App Rec'd	Sent to DR	Returned	App notified	Project Final

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

**CITY OF FERDALE
Environmental Information Form**

Date Filed 4-28-2011 (by overnight delivery)
(To be completed by Applicant)

GENERAL INFORMATION

- Name and address of developer or project sponsor: Peter Lorraine Wilke POB 5640 Playa del Rey CA 90296
- Address of project: 100 Harrison Ave Ferndale, CA 95536
Assessor's Block and Lot Number: attach; Ex. "A"
- Name, address, and phone number of person to be contacted concerning this project: Pete Wilke, contact info above; 323-397-5380
- Indicate number of the permit application for the project to which this form pertains: application attached
- List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: none
- Existing zoning district: residential
- Proposed use of site (project for which this form is filed): Vacation residential rental

PROJECT DESCRIPTION

- Site Size: 1/4 acre +/-
- Square footage - house; approx 2000
- Number of floors of construction: 1
- Number of off-street parking spaces provided: up to 5
- Attach plans: n/a
- Proposed scheduling (time line): ASAP
- Associated project: n/a
- Anticipated incremental development: n/a
- If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. rental expected to be approx. \$300/day
- If commercial, indicate the type, whether neighborhood-, city- or regionally-oriented, square footage of sales area, and loading facilities: n/a
- If industrial, indicate type, estimated employment per shift, and loading facilities: n/a
- If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project: n/a

City of Ferndale
P.O. Box 1095; Ferndale, CA 95536

707.786.4224 – phone
707.786.9314 – fax

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required. *permission needed to operate as vacation rental*
Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

Yes	No	
	<input checked="" type="checkbox"/>	21. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.
	<input checked="" type="checkbox"/>	22. Change in scenic views or vistas from existing residential areas or public lands or roads.
	<input checked="" type="checkbox"/>	23. Change in pattern, scale or character of general area of project.
	<input checked="" type="checkbox"/>	24. Significant amounts of solid waste or litter.
	<input checked="" type="checkbox"/>	25. Change in dust, ash, smoke, fumes or odors in vicinity.
	<input checked="" type="checkbox"/>	26. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns
	<input checked="" type="checkbox"/>	27. Substantial change in existing noise or vibration levels in the vicinity.
	<input checked="" type="checkbox"/>	28. Site on filled land or on slope of 10 percent or more.
	<input checked="" type="checkbox"/>	29. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.
	<input checked="" type="checkbox"/>	30. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)
	<input checked="" type="checkbox"/>	31. Substantially increased fossil fuel consumption (electricity, oil, natural gas, propane, etc.)
	<input checked="" type="checkbox"/>	32. Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING:

- 33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
- 34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

single family home photos included
neighbor directly south of corner of street E. & N. bordered on w by Fireman's Park

CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

4-27-11
Date

[Signature]
Signature

For applicant

Escrow No.: 08-232602-LG
Locate No.: CAPNTD912-0912-0001-0000232602
Title No.: 08-232602

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FERNDALE, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

BEGINNING at the most Southerly corner of Cleveland Street in said City of Ferndale, said point being located 766.89 feet South and 372.81 feet East of the City Monument at Francis and Eugene Streets; running
thence from said point of beginning North 38 degrees East, 77.09 feet;
thence South 39 degrees 32 minutes East, 120 feet;
thence South 45 degrees 25 1/2 minutes West, 75.57 feet;
thence South 78 degrees 17 minutes West, 110.67 feet;
thence North 38 degrees 39 1/2 minutes East, 100 feet;
thence North 39 degrees 32 minutes West, 37.90 feet to the point of beginning.

EXCEPTING THEREFROM one-half of all oil, gas, hydrocarbons, metals and minerals together with the right to remove same.

BEING the same as reserved by Francis Land and Water Company by Deed recorded March 12, 1954 in Book 284 of Official Records, Page 356, Humboldt County Records.

APN: 031-111-006-000



Attachment A

FINDINGS OF FACT

Staff feels the Planning Commission can make the following findings to allow for Use Permit approval:

1. The Use Permit for the project is a discretionary action of the City, and subject to the California Environmental Quality Act (CEQA). The proposed project qualifies for a CEQA Class 1, Section 15301 Categorical Exemption from preparation of environmental documents. This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures.
2. The project will approve a Use Permit to allow for vacation rental use of the existing residence located at 100 Harrison Street (APN 031-111-006). The project site is zoned Residential Single Family 10,000 sq. ft. minimum lot (R1B2).
3. The existing project, as outlined and with conditions,
 - Is similar and compatible to other uses allowed in similar zones,
 - Maintains the integrity and character of the zone (or neighborhood),
 - Is not detrimental to the public health, safety, or welfare,
 - Is compatible with the maintenance of a healthful residential living environment and the predominantly residential character of the area,
 - Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential communities, and,
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones.
4. The proposed project, as outlined and conditioned is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance including Section 5.03, Residential Single Family zone and Section 10, Use Permits

Attachment B**CONDITIONS OF APPROVAL**

Approval of the Use Permit is conditioned on the following terms and requirements. The violation of any term or requirement of this conditional approval may result in the revocation of the permit(s). Staff recommends Use Permit approval shall be subject to the following conditions:

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Use Permit and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Use Permit is considered final and approved.
2. The effect of this Use Permit is to approve vacation rental use, as specified and detailed in this staff report, of the existing residence located at 100 Harrison Street.
3. The applicant shall notify the City should at any time the use of the property revert back to non-transient and typical residential type use. The notification shall contain sufficient details for the City to determine conformance with the Zoning Ordinance and/ or other applicable City Ordinances, codes and regulations.
4. The proposed use shall be in conformance with the approved permit application and with the information and analysis contained in the associated staff report and conditions of approval on file with the City. Should the proposed site use deviate from that as allowed by this approval, then the applicant may be required to first receive Planning Commission approval for such changes.
5. Should the applicant or any other future owner of the subject property who uses the property as approved under this permit not conform to the requirements of these conditions, then said non-conformance shall constitute a violation of this use permit and shall become null and void, until either the issues have been addressed to the City's satisfaction, or the permit is revoked.

Section 6: CORRESPONDENCE

**Correspondence Files are available for review at City Hall during regular business hours,
Monday through Thursday, 9am to 4pm.**

Section 7: BUSINESS

Meeting Date:	May 18, 2011	Agenda Item Number	7.1
Agenda Item Title:	Reaffirmation of direction given to Design Review		
Presented By:	City Manager Jay Parrish		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Receive and File.

DISCUSSION

Over the course of two or more years, the Planning Commission has reorganized the Design Review Committee from two members to five members, and has given the committee additional tasks to perform. Staff thought it would be constructive to review the chronology of events that has brought us to where we are today and to clarify the direction given to the Design Review Committee by the Council and Planning Commission.

In the chart below, and in the following documents, it can be shown that the Planning Commission directed the Design Review committee to look at all sections of the Zoning Ordinance that pertain to Design Review. Both the Planning Commission and the City Council accepted the Design Review’s mission statement.

Date	Document	Present at meeting
11/19/08	Minutes PC Meeting – Ordinance 08-04 re changes in the Design Review Committee. Motion to approve change, Motion to send the amended ordinance to the City Council. All in favor.	Von-Frausing Borch, Brown, Maxwell, Trujillo, Mogni
2/25/09	Minutes for special PC meeting. Changes in §6.05.4 Design Review. Motion to approve changes and present to City Council. All in favor	Von-Frausing Borch, Brown, Maxwell, Trujillo, Mogni
8/26/09	PC Minutes – Interviewed candidates for the Design Review Committee. Recommend 3 candidates to CC for appt to the Design Review Committee, Recommend PC members Mogni and Brown to CC for appt to the Design Review Committee. All in favor.	Von-Frausing Borch, Brown, Maxwell, Trujillo, Mogni
11/18/09	PC Minutes – staff directed to place LED type signs on next Design Review Committee agenda and ask committee to come back to the commission with recommendations on whether a zoning ordinance change to the sign section is warranted.	Von-Frausing Borch, Brown, Maxwell, Trujillo, Mogni
12/7/09	DR Minutes - The Committee discussed illuminated signs. Currently, there is nothing in the Zoning Ordinance prohibiting illuminated signs in the C2D zone. It was agreed, however, that all signs must go through design review. City Manager Parrish mentioned that staff should do enforcement. Items to go on the January agenda shall include: What can we do as far as people not complying with signage; design review follow up and final sign off. A public notice in the newspaper will inform citizens that we are going to be looking a signs and checking for conformance. Some signs are grandfathered in and won't be affected by newer code.	Dan Brown, Michael Bailey, Lino Mogni, Doug Brown and Dane Cowan
2/17/10	PC Minutes - The Design Review Committee requests <u>direction to look at the entire design review section</u> of the Zoning Ordinance. MOTION: (Maxwell/von Frausing-Borch) Direct the Design Review Committee to look at all sections of the Zoning Ordinance that pertain to Design Review. All in favor.	Von Frausing-Borch, Brown, Maxwell (Trujillo and Mogni absent)
3/17/10	PC Minutes - <u>February 17, 2010 minutes were accepted</u> unanimously. Commissioner Trujillo is concerned that the Design Review Committee would request anything of staff before coming back to the Planning Commission.	Von Frausing-Borch, Brown, Trujillo (John Maxwell excused, Lino Mogni absent)
3/25/10	DR Minutes - <u>Procedures for Review in Historical District</u> : MOTION: (Doug Brown/Bailey) Send the procedures to the Planning Commission for review and discussion. All in favor. <u>Mission Statement</u> : MOTION: (Bailey/Mogni) Approve the 2 nd mission statement as follows: All in Favor. The Design Review Committee will provide a timely and efficient review process for historically sensitive building projects within the design review district as established by the Ferndale City Council by using five guiding principals as follows; <ul style="list-style-type: none"> • Restrict its scope to matters affecting the present and future historic resources of this community under the authority of the Ferndale Planning Commission. 	Cowan, Bailey, Brown, Mogni. (Dan Brown excused)

	<ul style="list-style-type: none"> • Be informative and educative in relaying the requirements for and process of design review to the public. • Utilize appropriate state law and city ordinances during deliberation of historically sensitive building projects. • Act in a cooperative, innovative and harmonious manner while considering the integrity and needs of the design review district balanced with the needs of the property owners. • Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations when appropriate. 	
4/21/10	<p>PC Minutes - <u>Design Review in the Historic District</u>: MOTION (Brown/Mogni) The agenda item was tabled until the next meeting. All in favor.</p> <p><u>Draft Minutes from the Design Review Committee</u>: Commissioner Trujillo asked that the mission statement come before the Planning Commission for approval on the next agenda.</p>	<p>Von Frausing-Borch; Brown, Mogni, Maxwell</p> <p>(Nancy Trujillo absent)</p>
5/19/10	<p>PC Agenda Item - <u>Mission Statement</u>: The Design Review Committee will provide a timely and efficient review process for historically sensitive building projects within the design review district as established by the Ferndale City Council by using five guiding principals as follows;</p> <ul style="list-style-type: none"> • Restrict its scope to matters affecting the present and future historic resources of this community under the authority of the Ferndale Planning Commission. • Be informative and educative in relaying the requirements for and process of design review to the public. • Utilize appropriate state law and city ordinances during deliberation of historically sensitive building projects. • Act in a cooperative, innovative and harmonious manner while considering the integrity and needs of the design review district balanced with the needs of the property owners. • Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations when appropriate. 	
5/19/10	<p>PC Minutes - <u>Design Review Mission Statement</u>: The last item was changed as follows: "Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations when appropriate. MOTION: (von Frausing-Borch/Mogni) Accept the Design Review Committee Mission Statement as corrected and present it to the City Council for approval. All in favor.</p> <p><u>Historic District – Design Review application process</u>: MOTION: (von Frausing-Borch/Brown) Present the revised Historic District – Design Review application process to the City Council for approval. All in favor.</p>	<p>Von Frausing-Borch, Brown, Mogni</p> <p>(John Maxwell and Nancy Trujillo absent)</p>
6/3/10	<p>CC Agenda Item - Planning Commission and the Design Review Committee request that the City Council approve the mission statement as shown in the attached Resolution No. 2010-32.</p> <p>The Ferndale Planning Commission has tasked the Design Review Committee to streamline the Design Review Process as well as to examine the Zoning Ordinance for possible changes to fit the changing needs of the city.</p>	

	<p><i>The Design Review Committee will provide a timely and efficient review process for historically sensitive building projects within the design review district as established by the Ferndale City Council by using five guiding principals as follows:</i></p> <ul style="list-style-type: none"> • <i>Restrict its scope to matters affecting the present and future historic resources of this community under the authority of the Ferndale Planning Commission.</i> • <i>Be informative and educative in relaying the requirements for and process of design review to the public.</i> • <i>Utilize appropriate state law and city ordinances during deliberation of historically sensitive building projects.</i> • <i>Act in a cooperative, innovative and harmonious manner while considering the integrity and needs of the design review district balanced with the needs of the property owners.</i> • <i>Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations.</i> 	
<p>6/3/10</p>	<p>CC Minutes - <u>Design Review Committee Mission Statement</u>: MOTION: (Titus/Moreland) Approve Resolution 2010-32 Approving the Design Review Committee Mission Statement. All in favor. <u>Design Review in the Historic District</u>: . MOTION: (Lorenzen/Moreland) Mail a copy of the procedure to every property owner in the Historic District, and hold another hearing at next month's meeting. All in favor.</p>	<p>Farley, Titus, Moreland, Lorenzen (Ken Mierzwa absent)</p>
<p>7/1/10</p>	<p>CC Minutes - <u>Design Review in the Historic District</u>: MOTION: (Titus/Mierzwa) Approve Resolution 2010-33 Approving the "Design Review in Historic District" Procedure and direct staff to include the procedure in the Application Guide for Development Permits. Motion carried with a Nay from Councilman Moreland.</p>	<p>Farley, Titus, Moreland, Mierzwa, Lorenzen</p>
<p>7/21/10</p>	<p>PC Minutes - <u>Design Review Committee member appointment</u> from within the Planning Commission: Staff asked that the following change be made to the staff report: "The Design Review Committee is an official committee formed by the City Council when they adopted Ordinance 09-01, changing the design control combining or -D Zone in Zoning Ordinance 02-02. The changes included the Planning Commission <i>shall</i> recommendation to the Council for appointment of two Planning Commission members to the Design Review Committee, along with and <i>make</i> PC recommendations for Council appointment of three members of the public to the Design Review Committee." [Begin change requested during 8/25/10 meeting:] Commissioner Mogni stated that he wanted to stay on the committee. Commisioner Mogni stated that he never wanted to leave the committee to begin with. [End change requested during the 8/25/10 meeting.]</p>	<p>Von Frausing-Borch, Brown, Mogni, Maxwell, Trujillo</p>

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of November 19, 2008

Call to Order: Chair Jorgen Von Frausing-Borch called the Planning Commission meeting to order at 6:55 p.m. Commissioners Dan Brown, John Maxwell, Nancy Trujillo and Lino Mogni, as well as City Clerk Nancy Kaytis-Slocum, City Engineer Michael Hollrigel and City Planner representative Vanessa Tomlin were present. Those in attendance pledged allegiance to the flag. There were no changes to the agenda, nor were there any commissioner comments.

MOTION: (Maxwell/Brown) Approve the October 15, 2008 minutes. Motion carried.

MOTION: (Brown/Mogni) Approve the October 23, 2008 Study Session Minutes. Motion carried.

There was no public comment.

OPEN PUBLIC HEARING: Major Subdivision (8 new parcels) application for David Walters; Jacobsen Way (APN 031-231-004 & 031-171-013) will be heard. The project site is zoned Residential-Single Family, Special Building site 10,000 sq. ft. minimum lots (R1-B2). The City Clerk introduced the project and turned it over to Vanessa Tomlin, City Planner representative. Ms. Tomlin relayed that this project had been before the commission previously, but based on comments from the September meeting, and comments that had been received after circulation of the Initial Study and Mitigated NegDec, staff was directed to address those comments. She discussed the analysis of the comments. Michael Hollrigel, City Engineer, then commented that he had recently received information from the Cream Court Subdivision on the drainage study and collection system, which he had not had time to review. However, conditions 16 and 17 of the staff report deals with drainage questions that will have to be answered before a final map is approved.

16. A revised drainage plan showing all drainage facilities on and adjacent to the project site shall be prepared for approval by the City Engineer prior to filing the final parcel map with the County Recorder.

17. The drainage plan must include calculations which show that the existing stormwater collection facilities in Jacobsen Way have adequate capacity to accept projected development flows during a 25-year storm event. Drainage improvements shall be completed or bonded for (subject to City approval) prior to final parcel map recordation.

The applicant's engineer, Brian Ontiveros addressed the commission on another Condition of approval. He had his environmental consultant Keith Hess speak to the commission about this.

5. The final parcel map shall show a 25 foot buffer from the wetlands on Lots 3-8. Development shall not be allowed within the buffer area. Any lots made unbuildable due to this buffer shall be removed from the final parcel map.

Mr. Hess felt that no buffer zones were necessary because environmental permits would be required only if someone wanted to work in the wetland. If the work is out of the wetland, no special environmental permit would be necessary. The wetland is isolated and disconnected from other water sources. Because it is not connected to other water sources there is low to moderate aquatic wildlife potential habitat. Mr. Hess explained that the most persistent wetland area is against the city limit line, and again suggested a zero buffer zone.

Mr. Robert Hamilton addressed the commission regarding traffic having only one way in and one way out and asked that they deal with this issue.

The public hearing was closed, and commission discussion ensued. Mr. Maxwell is concerned about the drainage problem, as is Ms. Trujillo. They both felt they could not make a decision without a report or input from the drainage committee. City Clerk Kaytis-Slocum explained that the Planning Commission and the Drainage Committee members were all appointed by the City Council and reported back to the City Council. The comments presented by the Drainage Committee had already gone to our City Engineer and to the City Planner. When the preliminary map goes before the City Council for approval that would be the time that either the Drainage Committee or the City Engineer would relay the Drainage Committee's concerns to the City Council.

MOTION: (Brown/Trujillo) Change condition 5 to require a 15' buffer instead of a 25' buffer for lots 3-8. Motion carried.

It was pointed out by the commission that the traffic studies done on this area do not warrant another entrance-exit at this time. Chair von Frausing-Borch commented that the Planning Commission is looking at the general planning of the subdivision, and that drainage issues would be reported to the City Council. This project needs to move forward.

MOTION: (Brown/Trujillo) Adopt Resolution No. 08-24 approving the Notice of Determination for compliance with CEQA, and making the required findings of fact listed in Attachment A; and approve the major subdivision as requested, subject to the amended conditions of approval listed in Attachment B to subdivide an approximately 3.8 acre residential lot located on Jacobsen Way into eight parcels. All in favor.

Review Ordinance 08-04 "An Ordinance of the City of Ferndale, State of California, adding §2.07 pertaining to enforcement authority, and amending §6.05.4a pertaining to Design Review Committee Members and §7.04 pertaining to animals of Zoning Ordinance 02-02."

§2.07: "In the event that any fee or charge is not paid within the time period specified by the City, the City shall retain the right to seek enforcement and/or collection in court, at the expense of the responsible party. Expenses shall be recoverable by the City whether by assessment by the City Council following a hearing at a regularly scheduled City Council meeting or by a court of competent jurisdiction and shall further include the actual costs of collection such as staff time, administrative costs, court costs, attorneys' fees and penalties."

The commission then suggested and change (underlined) in §6.05.4 Design Review.

§6.05.4 Design Review

a. The Planning Commission shall appoint ~~three~~ two of its members as Design Review Coordinators. *The City Council shall appoint one member at large as a Design Review Coordinator from within the 95536 area, preferably with design background in planning, architecture, historical restoration, landscape architecture or other similar experience related to the design of physical improvements and buildings. The City Council may also appoint an alternate member-at-large to serve in the absence of the member-at-large.*

After some discussion, §7.04 was accepted as written.

MOTION: (Brown/Trujillo) Approve the change to §6.05.4a. All in favor.

MOTION: (von Frausing-Borch/Maxwell) Approve sending this ordinance as amended by the Planning Commission to the City Council for a First Reading of Ordinance 08-04 "An Ordinance of the City of

Ferndale, State of California, adding §2.07 pertaining to enforcement authority, and amending §6.05.4a pertaining to Design Review Committee Members and §7.04 pertaining to animals of Zoning Ordinance 02-02" By Title Only. All in favor.

Handbook for City Council Appointed Commissioners: This will be discussed at a future meeting.

The meeting was adjourned at 9:05 p.m.; the next meeting will be December 3, 2008; and December 17, 2008.

Respectfully submitted, Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Minutes for Special Planning Commission Meeting of February 25, 2009

Call to Order: Chair Jorgen Von Frausing-Borch called the Planning Commission meeting to order at 7:00 p.m. Commissioners Dan Brown, Nancy Trujillo, John Maxwell and Lino Mogni, as well as City Clerk Nancy Kaytis-Slocum, City Planner Vanessa Tomlin and City Manager Jay Parrish were present. Those in attendance pledged allegiance to the flag.

OPEN PUBLIC HEARING for Tipple Motors Design Review changes to the outside of the building at 524 Main Street, APN 031-143-001, Zoning C2D. Attachment B, the Conditions of Approval were changed as follows: (1) The exterior of the building shall be applied with stucco, hand applied texture cement on a concrete backer board, or another similar and suitable material *such as horizontal pine, cedar or redwood siding* that is historically appropriate and approved by the City. After some discussion with the applicants and staff the Public Hearing was closed. MOTION: (Trujillo/Mogni) Approve the double-hung windows as installed. All in favor. MOTION: (Maxwell/Brown) Adopt the Findings of Fact and approve the Design Review as requested, subject to the conditions of approval listed in attachment B, as amended. All in favor.

Ordinance 09-XX: Amending Article 2 Enforcement Authority, §6.05.4 Design Review and § 7.04 Animals of ZO 02-02. The commissioners requested the following changes in the wordage:

§6.05.4 Design Review Use Permits for structural or building alterations, remodeling or improvements so as to change the outward appearance of the structure or building, including changes in exterior paint color, shall be subject to the following procedures:

- a. The Planning Commission shall appoint two of its members as Design Review Committee Members.
- b. The ~~City Council~~ *Planning Commission* shall appoint three members at large as Design Review *Committee* Member(s) *from the 95536 zip code*, preferably with design background in planning, architecture, historical restoration, ~~landscape architecture~~ or other similar experience related to the design of physical improvements and buildings, in the following manner:
 - i. The City Clerk shall advertise the vacancy(ies) (via notice in newspaper, public posting) and notify Ferndale residents to contact the City Clerk for an application, which can be picked up at City Hall or mailed to the applicant.
 - ii. Applications must be received by the City Clerk by ten (10) calendar days from the date of posting of the vacancy. Applications must be forwarded to the members of the Planning Commission by the next meeting. The Planning Commission will interview applicants *and make appointments* at their next regular or special meeting. *A priority ranking of the Commission's recommendations as well as reasons supporting the ranking will be forwarded the following business day to the City Council via the City Clerk.*
 - iii. ~~The City Clerk shall include the recommendation list and reasons to support the ranking of candidates as an action agenda item for the next regular City Council meeting. The Council may interview the~~

applicants, or rely on the Planning Commission recommendations. A member of the Commission will be present to summarize the qualifications and merits that support their ranking, and to answer questions posed by the City Council. The Council will vote, in open session, for the new Commissioner in the order of ranking by the Commission. The first person that receives a majority will be selected to fill the vacancy. If a majority is not obtained, or if there are no applicants, the vacancy will be re-advertised and the ninety (90) day clock resets.

- c. The Design Review Committee is a sub-committee of, and reports to the Planning Commission.
- d. Design Review Use Permit applications shall be reviewed by the Design Review Committee Members. If *three of the Design Review Committee Members Coordinators* deem that the request does not require Planning Commission approval, they may sign the Design Review Use Permit allowing such activity. Design Review Use Permits must be signed by at least ~~two~~ *three* of the ~~three five committee members coordinators~~ before a building permit can be issued or where there is no building permit, prior to the commencement of the activity.
- e. If ~~two three~~ of the ~~coordinators committee members~~ decline to sign a Design Review Use Permit for any reason, said application will be placed on the agenda of the next Planning Commission meeting.

MOTION: (Brown/Trujillo) Approve the changes in the Zoning Ordinance, including Enforcement Authority, Design Review, as changed, and Animals, and direct staff to present the ordinance to the City Council for a first reading. All in favor.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of August 26, 2009

Study Session: At 6:10 pm. Commissioners John Maxwell, Nancy Trujillo and Jorgen von Frausing-Borch, along with staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and Planner George Williamson reviewed a power point presentation on the Housing Element by Planner Vanessa Tomlin. Commissioner Dan Brown arrived at 6:30 and Lino Mogni at 6:45 p.m. After discussion of the presentation, Planwest determined that they would be able to bring a draft Housing Element to the September 16, 2009 study session starting at 6:30 pm.

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:00 p.m. Commissioners Dan Brown, John Maxwell, Nancy Trujillo and Lino Mogni, as well as City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and City Planner George Williamson were present. Those in attendance pledged allegiance to the flag.

The agenda was changed as follows: The Item on Tipple Motors was pulled because of new information that came from Tipple's Lawyer on Monday (three days after the agenda packet was distributed), which was not delivered to the Commissioners until this evening. Under business, Item 7.5 was moved to the top of the Business agenda.

Under Commissioner Comments, Staff was directed to look into the very bright LED light on the Vacancy sign at the Shaw House.

MOTION: (Maxwell/Brown) Unanimous acceptance of the July 15 minutes.

Under Public Comment, Michael Moreland commented on the Tipple Item that was pulled asking for the email or phone numbers of all Commissioners so that correspondence could be sent directly to them instead of through city staff.

Public Hearing: Commissioners Nancy Trujillo and Lino Mogni withdrew their recusal from the Design Review Permit for structure(s) to replace the old Nilsen Feed Barn, identified as 345 Main Street. Neither felt they would be financially affected by the decision about the building. The Chairman opened the Public Hearing for Design Review Permit for structure(s) to replace the old Nilsen Feed Barn identified as 345 Main Street (APN 031-083-002) in the alley between the City Parking lot and the back of the Portuguese Hall. The project site is zoned Community Commercial Design Review (C2D). Doug Brown presented new drawings to fit into the same footprint of the project submitted about a month ago. It was discovered that the site plan and drawings had been omitted from the packet. Commissioner Trujillo is concerned that no security lighting is shown on the drawings, and wanted to be sure that the city could have a say in what type and intensity of lighting could go up. In light of the new design and the omission of the site plan from the Planning Commission Packet, the Planner advised that the Planning Commission accept testimony, but continue the item to the next meeting. Mel Hoff at 453 4th Street commented that he liked what Doug Brown had done to accommodate the neighbors – he liked the new design better than the 1st and 2nd iterations. The commissioners asked for CDs of the drawings and photos as soon as possible. Mr. Brown offered to supply the CDs and a set of drawings to the Commissioners and to City Hall tomorrow. This item will be continued to the next meeting.

Business: Planner George Williamson introduced the item: Process for Design Review in Historical District. Commissioner Maxwell asked that we get away from the two-tiered system of contributing and non-contributing buildings. There was general discussion about whether fire safety required by the building codes trumps the need for historical material in the historical zone.

Interviews: The Commissioners interviewed Dane Cowan and Doug Brown. The City Clerk read the letter from Michael Bailey regarding his interest in being on the committee. MOTION: (Maxwell/Brown) Recommend the three candidates to the City Council for appointment to the Design Review Committee. All in favor. MOTION: (Von Frausing-Borch/Maxwell) Recommend Lino Mogni and Dan Brown to the City Council for appointment to the Design Review Committee.

Parking: After a lengthy discussion on whether there is a parking problem or not, Commissioner Trujillo and Chamber President Karen Pingitore suggested that the Chamber and Council work together to educate business owners and apartment building owners that employees, owners, and residents of the apartments should not be parking on Main Street during business hours. A parking committee was appointed: Lino Mogni, Nancy Trujillo and Karen Pingitore.

989 Milton Antenna: Chairman von Frausing-Borch is concerned that there is no sign off when the Committee or the Commission approves a design review – how do we know that what was approved was actually used? Staff was directed to research this issue and write to T-Mobile if warranted to ask for an explanation.

Ordinance 09-XX “Amending §7.05 Assemblages of Persons and Vehicles of Zoning Ordinance 02-02.” Commissioners Mogni and von Frausing-Borch will look at this Ordinance and bring comments to the next meeting.

The next meeting will be September 16, 2009 beginning at 6:30 with a Housing Element Study Session, and the Regular Meeting beginning 7 pm.

Respectfully yours,

Nancy Kaytis-Slocum
City Planner

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of November 18, 2009

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:00 p.m. Commissioners Dan Brown, Nancy Trujillo, Lino Mogni and John Maxwell, as well as City Clerk Nancy Kaytis-Slocum and City Planner Vanessa Tomlin were present. Those in attendance pledged allegiance to the flag.

MOTION: (Maxwell/Brown) The October 21, 2009 minutes were accepted unanimously as presented. There were no commissioner or public comments.

Under Correspondence, staff was directed to place LED type signs on the next Design Review Committee agenda and ask the committee to come back to the Commission with recommendations on whether a Zoning Ordinance change to the sign section is warranted. Staff informed the commission that the City Clerk's office would be emailing copies of correspondence to the commissioners instead of putting copies in their city hall mail boxes.

Land Use / Map Correction: City Planner Tomlin explained to the Commission that the map correction is the result of a property owner's recollection of a 1986 general plan update hearing, where the City Council approved several changes to the Zoning Map that were never implemented. The next step will be to bring this before the City Council, also as an informational item, to correct the General Plan and Zoning Map.

Housing Element Update: Planner Tomlin answered questions from the Commission regarding Policies and programs in the Housing Element. The questions related to Parking, ADA compliance rules, and the Design Review Committee.

Design Review in the Historic District: Planner Tomlin and City Staff are preparing application forms and handouts to clearly define the City's Design Review process. The purpose of these materials is to have a clear and organized procedure/ review process for administering Design Review Permits. Procedures, guidelines, and a review checklist will be prepared for applicant and City Staff use.

Parking Committee Report: Chief Smith will be preparing a report on the parking committee meetings.

Ordinance 10-XX: Change to Section 7.05, Assemblages of Persons and Vehicles of Zoning Ordinance 02-02: Commissioner Maxwell requested that the Planning Commissioners look at the proposed section, and get any comments, changes, additions to the city clerk. Commissioner Maxwell will then meet with staff to prepare the Ordinance for resubmission to the Planning Commission. There was some discussion regarding the ordinance process and when the City Attorney gets involved. MOTION: (Maxwell/Brown) Table this item until the next meeting. All in favor.

There were no questions on the Planning and Clerk Staff Reports.

The meeting was adjourned at 8:15pm

Respectfully submitted: Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 12/07/09 8:30am meeting

Chair Dan Brown opened the meeting at 8:30 a.m. Committee Members Michael Bailey, Lino Mogni, Doug Brown and Dane Cowan were present, as well as City Manager Jay Parrish and City Clerk Nancy Kaytis-Slocum.

The minutes from the previous meeting were accepted by MOTION: (Cowan/Bailey). All in favor. There were no changes in the agenda and no public comment.

The Committee discussed illuminated signs. Currently, there is nothing in the Zoning Ordinance prohibiting illuminated signs in the C2D zone. It was agreed, however, that all signs must go through design review. City Manager Parrish mentioned that staff should do enforcement. Items to go on the January agenda shall include: What can we do as far as people not complying with signage; design review follow up and final sign off. A public notice in the newspaper will inform citizens that we are going to be looking at signs and checking for conformance. Some signs are grandfathered in and won't be affected by newer code.

The regular meeting date shall be the 4th Thursday of every month at 8:30 a.m.

Procedures for review in Historic District. There will be some information to review at the next meeting.

Mission Statement, goals: Some words to use in a mission statement are: cooperation, innovative, harmonious, historically compatible. This continues to be a work in progress.

The following information was distributed at the meeting.

- i. Main Street Historic District Information
- ii. Historic Building Code Information
- iii. Zoning Ordinance
- iv. Design Review Procedure

Committee protocol and information about ethics will be available at the next meeting.

The meeting was adjourned at 9:45am. The next meeting will be January 7, 2010 at 8:30.

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of February 17, 2010

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:00 p.m. Commissioners Dan Brown and John Maxwell, as well as City Clerk Nancy Kaytis-Slocum and City Planner Vanessa Tomlin were present. Nancy Trujillo and Lino Mogni were absent. [Note: Commission Trujillo left a message to say she could not attend the meeting due to an emergency.] Those in attendance pledged allegiance to the flag.

MOTION: (Maxwell/Brown) The November 18, 2009 minutes were accepted unanimously as presented. There were no commissioner or public comments.

The City Clerk discussed Correspondence, which included information about the Notice of Preparation for the Bear River Wind Farm, a letter to the owner of the Abraxas asking her to submit design review forms for the extra work she had done, and a letter to the owners of Lentz telling them they would have to hand apply textured cement over a concrete backer board, advising them that the hardiboard stucco panels could be considered the concrete backer board. Chairman von Frausing-Borch asked that the Planning Commission see the letter that is being prepared by Planwest regarding the Wind Farm.

Housing Element Update: Planner Tomlin answered questions from the Commission on the housing element. Planwest is preparing Chapter 3 Resources and Constraints, Chapter 4 Review and Revise, and Chapter 5 Summary of Conclusions. Chapter 3 includes a discussion of Regional Housing Needs Allocation, vacant land inventory, and an analysis of governmental constraints. Chapters 4 and 5 include a review of previous housing programs, progress that has been made, and a brief summary of conclusions. The Chairman asked if all the numbers would be updated when the new census information comes in. The Planner explained that we will have to update the housing element again in about seven years and that the new figures would then be used.

Café Main Street sign at 553 Main Street: Design Review Chair Dan Brown relayed that from the four votes he received on this matter, three of them approved of the compromise. City Clerk Kaytis-Slocum explained that a new procedure at the counter would have applicants sign for information they receive, showing that it was received and explained. MOTION: (Maxwell/von Frausing-Borch) Members of the Planning Commission recommend allowing the applicant to leave the existing “Café Main Street” lettering on both windows without having to go through the Variance process. Motion carried.

Parking Committee Report: Chief Smith could not attend the meeting, but sent a memo to be read into the record: The attached parking changes for Brown Street are recommended as a result of the construction of the new fire facility and the necessity for an updated parking plan. The recommendations come as a cumulative result of discussions and recommendations from fire department staff, parking committee members Karen Pingatore and Nancy Trujillo, Lentz Department Store and Chief Smith. The attached diagram should be amended to show “A” and “E” as three hour parking – consistent with parking on Main Street. The remainder of the legend represents the following: “B” – Twenty -five foot yellow loading zone for Lentz. “C” and “G” – Red fire zones in front of the fire facilities. “D” – Residential parking at the east portion of Brown west of Berding St. “F” – Fifteen minute green parking zone for ATM machine at North Valley Bank. The Commission asked that the time for the green parking zone be the same all over town. MOTION: (von Frausing-Borch/Maxwell) The Planning

Commission recommends that the attached parking changes go to the City Council for approval. All in favor.

MOTION: (Brown/von Frausing-Borch) The Planning Commission recommends that Ordinance 10-XX "Amending Section 7.05 Assemblages of Persons and Vehicles of Zoning Ordinance 02-02" along with applicable forms be presented to the City Council for a first reading. All in favor. The Commission thanked Commissioner Maxwell for his work on this ordinance change.

The Design Review Committee requests direction to look at the entire design review section of the Zoning Ordinance. Design Review Chair Brown explained that we have an ordinance in place now regarding design review that is not being followed. City Manager Parrish volunteered to visit those businesses that have excess lighting to explain to them that all signs have to go through design review. The City Manager and Design Review Chair agreed that this method would be less confrontational than a letter. Brown also explained that we've been looking at other sign ordinances and would be collecting some from other cities closer in size to us than Eureka. MOTION: (Maxwell/von Frausing-Borch) Direct the Design Review Committee to look at all sections of the Zoning Ordinance that pertain to Design Review. All in favor. Chairman von Frausing-Borch thanked Commissioner Dan Brown for stepping up to chair the Design Review Committee, and felt that the Committee's work will be well received and respected in the community.

The Planner and City Clerk staff reports were presented from December through February. Design Review Committee Minutes from the January 7 and January 28, 2010 meetings were included in the packet.

Commissioner Maxwell will not be able to attend the March meeting. The City Clerk will check to be sure a quorum will be present for the March meeting, or else try to find another date that would work.

Commissioner Brown had a Brown Act question: Can one commissioner talk to another outside of the meeting and then bring that person's opinion back to the next duly noticed public meeting? The City Clerk explained that the best way to have an absent Commissioner's opinion known would be for the missing Commissioner to submit his/her opinion in writing.

The meeting was adjourned at 8:20pm. The next meeting will be March 17, 2010.
Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of March 17, 2010

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:10 p.m. Commissioners Dan Brown and Nancy Trujillo as well as City Clerk Nancy Kaytis-Slocum and City Planner George Williamson were present. John Maxwell was excused and Lino Mogni was absent. Those in attendance pledged allegiance to the flag.

There were no applications for the open seat on the Planning Commission. The Chair recommended to the City Council that Dan Brown be re-appointed. There was consensus on this.

MOTION: (Brown/Von Frausing-Borch) The **February 17, 2010 minutes were accepted unanimously** as presented. There were no commissioner or public comments.

PUBLIC HEARING:

The public hearing was opened for 454 Fifth Street: Commissioner Trujillo was concerned that she may have a conflict of interest because of her residence's proximity to the project. She was assured by both the City Clerk and the City Planner that unless she received monetary gain from the project, just proximity was not a conflict. The Planner explained that the applicant wants to amend the existing variance to enclose a covered patio area of an existing secondary dwelling unit, increasing the total area of the unit from 700 square feet to approximately 850 square feet. The secondary dwelling unit received a variance for additional square footage above the allowed 640 square feet from the Planning Commission in 2007. Therefore, the proposed project requires an amendment to the 2007 conditions of approval. The Public Hearing was closed. MOTION: (Brown/Trujillo) Adopt the findings of fact as described in Attachment A and approve the project as proposed and amend the conditions of approval listed in Attachment B for the variance to the allowable square footage for the secondary dwelling unit located at 454 5th Street. All in favor. The applicant was informed that there is a 10 day appeal period before he can get his building permit.

The public hearing was opened and turned over to the City Planner for a lot line adjustment between APN 030-191-16 (Flocchini) and APN 030-191-17 (Rocha). If approved, this adjustment will relocate the easterly property line of the Flocchini parcel 17-feet to the east into the Rocha parcel. Both of these parcels are residentially zoned (R1D) and front Main Street south of Arlington Avenue. Staff explained that the Planning Commission meeting is used by the Planner and/or Engineer in Lot Line Adjustments as a vehicle for a public hearing. The public hearing was closed. The applicant's agent is concerned with one of the conditions of approval that may require his client to move an existing fence and set new property corners. The City Planner remarked that he would relay this request to the City Engineer and ask the City Engineer to respond to the applicants and their agent. The City Planner turned the meeting back over to the Planning Commission Chair.

Housing Element, chapters 4 and 5: Chairman von Frausing-Borch asked to have the wordage match on pgs 40 and 50 concerning mobile / manufactured homes. The City Clerk is checking over the vacant land inventory for changes. "Sewer Moratorium" should be removed as a constraint. *[NOTE from the City Manager: The Sewer Moratorium is still in effect and the city is still subject to a Cease and Desist Order (CDO) from the Water Quality Control Board. One of the stipulations of the CDO is that we would be granted one hookup for every 900 gallons of I & I reduction: the city has been granted 100 hookups.]* The

Chair thanked Planwest Partners for their work on this document. There will be more public hearings as the draft is completed.

Correspondence: Bear River Wind Power. The Planner explained that the letter from the City Manager to the County of Humboldt was in response to the Notice of Preparation for an EIR, and that there would be additional meetings and opportunities to comment on this subject. Commissioner Trujillo is concerned with traffic and the impact on tourism in Ferndale. The County is the lead agency on this. Once the draft is reviewed there are going to be opportunities to comment.

Election of Chair and Vice-Chair for 2010: Commissioner Dan Brown nominated Jorgen Von Frausing-Borch as chair, and was seconded by Commissioner Nancy Trujillo. All were in favor. Commissioner Jorgen Von Frausing-Borch nominated Dan Brown as vice-chair, and was seconded by Commissioner Nancy Trujillo. All were in favor.

Commissioner Trujillo is concerned that the Design Review Committee would request anything of staff before coming back to the Planning Commission. After much discussion, the Chair suggested that this be put on the next agenda for discussion with no action.

The meeting was adjourned at 8:05 pm. The next meeting will be April 21, 2010.

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 03/25/10 8:30am meeting

Vice-Chair Dane Cowan opened the meeting at 8:37 a.m. Committee Members Michael Bailey, Doug Brown and Lino Mogni, were present. Dan Brown was excused. Staff City Manager Jay Parrish and City Clerk Nancy Kaytis-Slocum were also in attendance for a short time.

Modifications: Items 5C and 5F were moved to the top of the Business portion. The minutes from the previous meeting were accepted by MOTION: (Dan Brown/Mogni). All in favor.

Lentz Department Store letter: City Manager Jay Parrish gave the background on the letter that was written. Materials had to be ordered so that Lentz could work over the weekend to cover the wall that was going to be inaccessible on Monday when the wall to the new Fire Station was erected. Both our attorney and our City Planner advised that because of a previous decision on Tipple Motors, that hand-applied textured cement over a concrete backerboard would be the only historically correct material that could be used. When Design Review gave their approval of the stucco hardboard, they were not aware of this because the application information was incomplete. Committee Members expressed that they felt ineffectual. City Manager Jay Parrish reiterated that the policy was set by the City Council, and that they are the last voice in this matter. There was no further action on this matter.

Role of the Design Review Committee: City Manager Jay Parrish's opinion is that the committee is advisory to the Planning Commission. Recommendations from the committee should be forwarded to the Planning Commission. Not everything that goes on at the committee level has to go through the Planning Commission, but the request to have the letter to Lentz Department Store rescinded should have gone through the Planning Commission. If the committee wants to have something put on the PC agenda, they should ask staff to do so. It would be helpful to have a member of the committee at the Planning Commission meeting in case there are questions. City Manager and City Clerk left the meeting.

Procedures for Review in Historical District: MOTION: (Doug Brown/Bailey) Send the procedures to the Planning Commission for review and discussion. All in favor.

Mission Statement: MOTION: (Bailey/Mogni) Approve the 2nd mission statement as follows: All in Favor.

The Design Review Committee will provide a timely and efficient review process for historically sensitive building projects within the design review district as established by the Ferndale City Council by using five guiding principals as follows;

- Restrict its scope to matters affecting the present and future historic resources of this community under the authority of the Ferndale Planning Commission.
- Be informative and educative in relaying the requirements for and process of design review to the public.
- Utilize appropriate state law and city ordinances during deliberation of historically sensitive building projects.
- Act in a cooperative, innovative and harmonious manner while considering the integrity and needs of the design review district balanced with the needs of the property owners.
- Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations when appropriate.

Ethics training. Doug Brown has promised his Ethics Training Certificate by the next meeting.

Future Ordinance - Non-Compliance / Design Review: Tabled until the next month for discussion.

The next meeting will be April 23, 2010 at 8:30 a.m. The meeting was adjourned at 9:22 a.m.

Respectfully submitted:

Transcribed by Nancy Kaytis-Slocum, City Clerk
from
Doug Brown, Recording Secretary

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of April 21, 2010

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:00 p.m. Commissioners Dan Brown, Lino Mogni and John Maxwell, as well as City Clerk Nancy Kaytis-Slocum and City Planner Vanessa Tomlin were present. Nancy Trujillo was absent. [Note: Commission Trujillo left a message with the City Manager to say she could not attend the meeting due to an emergency.] Those in attendance pledged allegiance to the flag.

MOTION: (Brown/Mogni) The March 17, 2010 minutes were accepted as corrected. Commissioner John Maxwell abstained as he had not attended the meeting. There were no commissioner or public comments.

Dedini Minor Subdivision: Request for a minor subdivision of a 1.3 acre (58,060 square foot) parcel, APN 031-241-004, into two lots resulting in one 15,580 square foot lot (Parcel 1) and one 42,480 square foot lot (Parcel 2). The subject site is located at 1182 Rose Avenue; the General Plan and zoning are Residential Single Family (R-1), and Residential Single Family Special Building Site, 10,000 square foot lots (R1B2). City Planner Tomlin explained that the City Engineer has asked that condition #1 be removed, and that staff recommends approval. Commissioner Maxwell asked if the flag lot could be further subdivided. Yes, it can be, and the width of the drive is sufficient for further subdivision.

MOTION (Maxwell/Brown) Adopt Resolution No. PC 2010-25 making the required findings of fact listed in Attachment A, to approve the minor subdivision as requested, subject to the conditions of approval, as amended, listed in Attachment B, to subdivide a parcel located at 1182 Rose Avenue into two lots, Parcels 1 and 2 per the tentative map. Unanimous approval.

Design Review – Install a 12’ antenna for KHUM radio: Request for a Use Permit and Design Review Permit to install a twelve foot diameter antenna on the rooftop of an existing building, at 989 Milton Avenue (APN 030-111-004) in the City of Ferndale, CA. The project site is located in Neighborhood Commercial Design Control Qualified zone (C1DQ). The applicant explained that they will paint the antenna grey to match the roof, and that it is a receiving antenna; it won’t transmit. Commissioner Mogni asked how high the antenna will be. Applicant DelBiaggio said it will be mounted on a 4” pipe, and will be tall enough for the circumference of the antenna to clear the roof. MOTION:

(Maxwell/Brown) Adopt Resolution No. PC 2010-26 making the required findings of fact listed in Attachment A, and approve the Use Permit and Design Review Permit, subject to the conditions of approval listed in Attachment B, to install a new twelve foot diameter antenna on the rooftop of an existing building located at 989 Milton Avenue. All in favor.

Housing Element Update: Planner Tomlin presented the draft Housing Element. There was consensus from the commission to present the Housing Element to the City Council for a public hearing. As soon as that Public Hearing is complete, it will be sent to Housing and Community Development for their comments. The final will be presented to the City Council for their approval and acceptance.

Design Review in the Historic District: Commissioner and Design Review Chair Dan Brown presented the procedure. Mr. Rick Phillis has an issue with Secretary of the Interior Standards and CEQA process. City Planner Tomlin explained that CEQA and the Secretary of the Interior Standards are intertwined. A lengthy discussion followed regarding the procedure. Commissioner Trujillo arrived at 8:20 and had

some comments. MOTION (Brown/Mogni) The agenda item was tabled until the next meeting. All in favor.

Role of the Design Review Committee in regards to the Planning Commission: Staff read from the staff report: "City Manager Jay Parrish's opinion is that the committee is advisory to the Planning Commission. Recommendations from the committee should be forwarded to the Planning Commission. Not everything that goes on at the committee level has to go through the Planning Commission, but the request to have the letter to Lentz Department Store rescinded should have gone through the Planning Commission. If the committee wants to have something put on the PC agenda, they should ask staff to do so. It would be helpful to have a member of the committee at the Planning Commission meeting in case there are questions." Commissioner Dan Brown explained that he should have corrected the minutes, and that his intent was not that the Lentz letter be rescinded, but rather that the committee wanted an explanation as to why it was sent.

Draft Minutes from the Design Review Committee: Commissioner Trujillo asked that the mission statement come before the Planning Commission for approval on the next agenda.

The meeting was adjourned at 8:45pm. The next special meeting will be April 28, 2010, with the next regular meeting May 19th, 2010.

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

Meeting Date:	PC Mtg May 19, 2010	Agenda Item Number	7.1
Agenda Item Title:	Design Review Mission Statement		
Presented By:	Dan Brown, Chair of the Design Review Committee		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Approve the Design Review’s Mission Statement

BACKGROUND:

During the March 25, 2010 Design Review Committee Meeting, the following Mission Statement was adopted. The Design Review Committee would like the Planning Commission to review and approve the Mission Statement.

Mission Statement: MOTION: (Bailey/Mogni) Approve the 2nd mission statement as follows: All in Favor. The Design Review Committee will provide a timely and efficient review process for historically sensitive building projects within the design review district as established by the Ferndale City Council by using five guiding principals as follows;

- Restrict its scope to matters affecting the present and future historic resources of this community under the authority of the Ferndale Planning Commission.
- Be informative and educative in relaying the requirements for and process of design review to the public.
- Utilize appropriate state law and city ordinances during deliberation of historically sensitive building projects.
- Act in a cooperative, innovative and harmonious manner while considering the integrity and needs of the design review district balanced with the needs of the property owners.
- Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations when appropriate.

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of May 19, 2010

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:00 p.m. Commissioners Dan Brown and Lino Mogni as well as City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and Mayor Jeffrey Farley were present. John Maxwell and Nancy Trujillo were absent. Those in attendance pledged allegiance to the flag.

Under Commissioner Comments the Chairman announced the yearly creek cleanup walk at 10 am on 6/2 and the BLM meeting on Tuesday 5/25 at 6:30 pm.

MOTION: (Brown/Mogni) The April 21, 2010 minutes were approved. MOTION: (Brown/Mogni) The April 28, 2010 minutes were approved. The Chair thanked staff for information regarding FPPC rules. Motions carried. There were no public comments.

Design Review Mission Statement: The last item was changed as follows: "Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations ~~when appropriate.~~ MOTION: (von Frausing-Borch/Mogni) Accept the Design Review Committee Mission Statement as corrected and present it to the City Council for approval. All in favor.

Direction regarding Design Review Non-compliance: After some discussion MOTION: (von Frausing-Borch/ Brown) Request that the City Council reaffirm the portions of the Zoning Ordinance regarding Design Review and ask for direction on enforcement. All in favor.

Historic District – Design Review application process: MOTION: (von Frausing-Borch/Brown) Present the revised Historic District – Design Review application process to the City Council for approval. All in favor. The meeting was adjourned at 8:02pm. The next meeting will be June 16, 2010.

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

Meeting Date:	CC Mtg June 3, 2010	Agenda Item Number	11e
Agenda Item Title:	Resolution No. 2010-32 Approve the Design Review Committee Mission Statement		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Approve Resolution No. 2010-32 Approving the Design Review Committee Mission Statement

BACKGROUND:

The Design Review Committee was directed to create a mission statement. The Planning Commission and the Design Review Committee request that the City Council approve the mission statement as shown in the attached Resolution No. 2010-32.

FISCAL IMPACT:

Not Applicable

RESOLUTION 2010-32
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE APPROVING
THE DESIGN REVIEW COMMITTEE MISSION STATEMENT

WHEREAS, The Ferndale Planning Commission has tasked the Design Review Committee to streamline the Design Review Process as well as to examine the Zoning Ordinance for possible changes to fit the changing needs of the city; and

WHEREAS, the Design Review Committee is subsidiary to the Planning Commission as the Planning Commission is subsidiary to the City Council; and

WHEREAS, The Ferndale Planning Commission has recommended the following mission statement be presented to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ferndale hereby approves the following:

The Design Review Committee will provide a timely and efficient review process for historically sensitive building projects within the design review district as established by the Ferndale City Council by using five guiding principals as follows:

- *Restrict its scope to matters affecting the present and future historic resources of this community under the authority of the Ferndale Planning Commission.*
- *Be informative and educative in relaying the requirements for and process of design review to the public.*
- *Utilize appropriate state law and city ordinances during deliberation of historically sensitive building projects.*
- *Act in a cooperative, innovative and harmonious manner while considering the integrity and needs of the design review district balanced with the needs of the property owners.*
- *Faithfully utilize the Secretary of State's Standards for Historic Buildings as a guide in its deliberations.*

PASSED AND ADOPTED by the City Council of the City of Ferndale on June 3, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jeffrey Farley, Mayor

Attest:

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA

City Council Minutes for the June 3, 2010 7:00 p.m. Page 44

Mayor Jeffrey Farley called the meeting to order at 7:00 pm. Councilmen Stuart Titus, Michael Moreland and Niels Lorenzen as well as staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and Chief Bret Smith were in attendance. Those present pledged allegiance to the flag. The City Clerk took roll call: Councilman Ken Mierzwa was absent. There were no modifications to the agenda.

Under public comment Jack Crlenjak, owner of property in the Historical District, was told that the procedure for design review in the historic district is on the agenda, and he should hold his comments for that time.

Consent calendar. The City Manager answered questions on checks to Campbell Pet Company, Hach Company, Manhard Consultants and Northcoast Labs. MOTION: (Titus/Moreland) Accept Accounts Payable and Approve the minutes for May 6, 2010, 2010. Motion carried unanimously.

Tipple Motors Collections 524 Main Street: Councilman Moreland recused himself and left the room as he is ½ owner of the building. On 7/2/09 The City Council gave direction to City Manager Jay Parrish to negotiate a payment plan with Tipple Motors, but no progress had been made when this item went on the agenda. He would also like a reaffirmation from the council authorizing him to negotiate a settlement. He explained that the material chosen by Jerry Lema was in the hands of the design review committee, and that the agreement between the city and Tipple motors would be less than the full amount due. The Public Hearing was opened. Councilman and co-building owner Moreland, when invited back to the room to make public comment, asked for a resolution to this agenda item. John Maxwell, resident of Berding Street remarked that he is pleased that there has been some progress. He asked the council to consider a one month postponement of any legal action. Councilman Moreland again left the room. The Public Hearing was closed at 7:18pm. MOTION: (Titus/Farley) Authorize the City Attorney to proceed with the collection process, if necessary, and authorize the City Manager to negotiate a settlement. All in favor. Councilman Moreland resumed his seat on the council.

Resolution No. 2010-31 Authorizing the City Manager to sign the Department of Forestry's "Less than three acre conversion exemption" for tree removal on property adjacent to Firemen's Park. City Manager Parrish explained that the city has been working with Mr. Willis Hadley for years concerning the trees on Hadley's property. Although we don't own the land the trees grow upon, the city has safety concerns. The Department of Forestry requires that the city acknowledge that the trees are being cut. The removal of the trees is being done by a tree removal firm that will use the wood he gets as payment for the removal. Mr. Hadley will pay for a fence and will maintain it. The fence line will be moved to more accurately reflect the property line. The City will not have to move anything, but we will lose some park land. There was no public comment. MOTION: (Titus/Farley) Approve Resolution No. 2010-31 Authorizing the City Manager to sign the Department of Forestry's "Less than three acre conversion exemption" for tree removal on property adjacent to Firemen's Park. All in favor.

Resolution 2010-29 Consolidated Election: The City Manager explained that along with the Mayor and two council seats, a possible Article 34 election may be added concerning the city acquiring the Navy Housing facility. MOTION: (Titus/Moreland) Approve Resolution 2010-29 Consolidated Election. All in favor.

Resolution 2010-30 Authorizing Execution and Delivery of an Installment Sale Agreement to Finance Wastewater System Improvements, and approving related documents and actions. City Manager Parrish explained that the bids came in a little over. If the numbers change, we may have to bring something back to the council. The requirement-s from the Coastal Commission regarding the wetlands will cost the city about a half million dollars. We may get a further grant from USDA, or we will continue working with the low bidder to see if there are was to reduce the costs. We have 60 days to award the bid. We are still locked into the 2.375% rate with USDA. MOTION: (Titus/Farley) Approve Resolution 2010-30 Authorizing Execution and Delivery of an Installment Sale Agreement to Finance Wastewater System Improvements, and approving related documents and actions. All in favor.

Design Review Committee Mission Statement: MOTION: (Titus/Moreland) Approve Resolution 2010-32 Approving the Design Review Committee Mission Statement. All in favor.

Design Review in the Historic District: City Manager Parrish explained that the design review committee had been working on this procedure since they met for the first time in January. The Planning Commission has approved it and asked that it go before the City Council for approval. Public Comments came from Jack Crlenjak, Dale Stemwedel, and Richard Hooley. The City Manager explained that we are not changing the Zoning Ordinance, just putting all information regarding design review in one place – in one procedure. The Public Hearing was closed. Councilman Moreland wants a copy of the procedure to go to every property owner in the Historic District. MOTION: (Lorenzen/Moreland) Mail a copy of the procedure to every property owner in the Historic District, and hold another hearing at next month's meeting. All in favor. Resolution 2010-33 was not approved.

Non-Compliant Design Review: City Manager Jay Parrish explained the situation. There are design review laws in effect, but numerous signs and window infractions exist, as well as end projects that do not match the approved application. Does the council want staff to enforce the existing laws or should the laws be changed? Speaking on the matter were Joanne Farley, Jack Crlenjak and Richard Hooley. MOTION: (Titus/Moreland) Direct staff to work with the Mayor in the next 30 days to form an ad hoc committee to develop a communication to the property owners [regarding non-compliant Design Review]; that communication would include an advertisement in the paper asking for people who are interested to come by city hall and work with the Mayor to formulate this process better and report back as to the status of that effort at the next meeting. All in favor.

City Manager Report: Jay Parrish met with Supervisor Jimmy Smith, County Public Works and Scott Bauer of Fish and Game to discuss alleviate the Port Kenyon flooding situation. There may be Coastal Conservancy or Fish & Game funding available for a project. The City continues to work with Elizabeth Conner our Navy Housing consultant. Currently we are solidifying cost estimates for renovation. We've had discussions with Del Oro water regarding distribution systems. We are working on escrow, title reports and environmental reports. We may need to have an Article 34 election regarding acquisition of the Navy Housing complex.

Under Council Reports: Mayor Farley attended HCAOG. The Mayor reported that the I & I workshop that CPO Doug Culbert put together was well attended. The meeting was adjourned at 9:25pm. The next regular council meeting will be July 1, 2010.

Respectfully Submitted:

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA

City Council Minutes for the July 1, 2010 5:30 p.m. Page 46

Mayor Jeffrey Farley began the Study Session at 5:35pm. Elizabeth Conner presented the new Inspection Report by Pacific Builders. Councilman Moreland requested two copies in his box – he will give one to Maryann Bansen. Also in attendance were Councilman Moreland, City Accountant Phil Aycock, Consultant Elizabeth Conner, Maryann Bansen, newsman Adam Cole as well as staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and Finance Manager Deb Austrus.

Elizabeth Conner reported on the Pacific Builder's survey of needed repairs on the housing units. We're having positive discussions with North Valley Bank; however, the term of the loan is only one year, when we need a 15 year loan. Because this is a commercial loan, every year the loan is renewed we will be paying points. Bedroom windows in 24 of the single family dwellings must be up to code before they can be rented. Councilman Moreland asked if the \$3.6 million is considered Federal Funding. Conner replied that it is an appropriation. City Manager Parrish has spoken to Del Oro and Sequoia Gas regarding metering the units. Conner is working on escrow documents; the Navy may do the documents inhouse, which would save approximately \$7000 in escrow and title fees. Conner reported that 48% of the housing will be affordable. We can set up a non-profit organization to run the housing project. Accountant Phil Aycock reported the City Council would appoint a board as soon as we are sure we get the property and an election takes place. The Board makes a resolution to incorporate and applies for Federal Income Tax Exemption. (We have 27 months to get this in after incorporation.) It would then be up to the board to create bylaws, rental contracts, management policies, income levels. There are pros and cons for holding an Article 34 election. Conner pointed out that most jurisdictions don't have an Article 34 election. In order to have the Article 34 election, we must make a decision by July 12 in order to get the paperwork to the Board of Supervisors to vote on. The Study Session was closed.

Mayor Jeffrey Farley called the regular meeting to order at 7:00 pm. Councilmen Stuart Titus, Michael Moreland, Ken Mierzwa and Niels Lorenzen as well as staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and Chief Bret Smith were in attendance, along with Consultant Elizabeth Conner. Those present pledged allegiance to the flag. The City Clerk took roll call; all Councilmen were present. The City Clerk read the Proclamation: Americans with Disabilities Act (ADA) 20th Anniversary Week - July 25-31, 2010. Mayor Farley presented the proclamation to Mr. Glenn Reed, Outreach and Research Development Coordinator of Tri-County Independent Living. Mr. Reed gave a short speech.

Under modifications to the agenda, item 11f Ordinance 2010-01 "Amending Section 7.05 Assemblages of Persons and Vehicles of Zoning Ordinance 02-02" was pulled. There was no public comment.

Consent calendar. The City Manager answered questions on checks various checks. MOTION: (Titus/Mierzwa) Accept Accounts Payable and Approve the minutes for June 3, 2010, 2010. Motion carried with one Nay from Councilman Lorenzen.

Ferndale Housing: Consultant Elizabeth Conner gave a report and offered the pros and cons for holding an Article 34 Election. Mr. Richard Hooley encouraged the city to hold the election. Education is extremely important.

MOTION: (Titus/Moreland) Approve Resolution No. 2010-34 Confirming January 2010 Contract Extension with Navy Housing Consultant and Including authorization to continue with the acquisition

process and to start the process of setting up a non-profit organization to manage the property. Motion carried with one Nay from Councilman Lorenzen.

Discussion followed on the Article 34 Election. Elizabeth Conner pointed out that it has been 25 years since an Article 34 Election has been held. Councilman Mierzwa welcomes the public forum. With or without the Article 34 Election, there will be a public forum. Speaking on the issue were Gordon Green, Maryann Bansen, Marlin Mesman and Nancy Trujillo. Some of the issues discussed were Section 8, income levels considered low income, how the housing will affect the city in the future. The public portion was closed. Councilman Titus asked staff to describe the challenges the city has in meeting the Regional Housing Needs. These are a requirement that a county looks at, and allocates fair share to each city. Ferndale's 2007-2014 fair share of the regional housing needs are 14 units for very low income (50% or less of median income), 9 units for low (80% or less); 9 units for moderate income (80% - 120%) and 20 units for above (120%+). In the last five years one moderate income house has been built. In the last 30 years we've averaged 3 units a year. Some of the penalties for not meeting our housing needs is the inability to receive state and federal funding. Councilman Moreland wants more information; Councilman Lorenzen wants the people to vote. MOTION (Titus/Moreland) Table the resolution until Monday July 12, to get more information/advice from our attorney. Motion passed unanimously. Conner said she will have an opinion from our attorney, and will also have income level figures. FY 2010-2011 Budget: This will be discussed on Wednesday July 7, 2010 at 3pm.

Design Review in the Historic District: The letter and procedure that went out to the property owners in the historic district is included in the packet. It was noted that the proposed procedure does not create new regulations. It merely spells out the ordinances and regulations that are already in effect. The only element added to the procedure is that there is a sign-off showing the completed project matches the project which was approved. People who spoke on the subject were Gordon Green, Nancy Trujillo, Councilmen Ken Mierzwa and Niels Lorenzen, City Manager Jay Parrish, Sonya Friedman and Sandra Mesman. Councilman Mierzwa pointed out that we have been subject to the California Environmental Quality Act (CEQA) since it was adopted, but perhaps weren't aware of it until recently. We can simplify the procedure, but we still have to go by state and federal laws. Planning Commission Chair Jorgen von Frausing-Borch spoke, as well as Marlin Mesman. MOTION: (Titus/Mierzwa) Approve Resolution 2010-33 Approving the "Design Review in Historic District" Procedure and direct staff to include the procedure in the Application Guide for Development Permits. Motion carried with a Nay from Councilman Moreland. Councilman Moreland questioned the objectives of the ad-hoc committee. Councilman Mierzwa said he was fine with revisiting the procedure, but that is not what is before the council right now.

League of California Cities Annual Meeting: Defer to the next meeting.

Develop a communication to the non-compliant property owners in the Design Review zone: Many of the people in the audience were confused and disappointed that they wouldn't be working on the procedure as well as ordinances, and didn't understand that they were to be working on the communication to non-compliant property owners. Citizens who spoke were Jorgen von Frausing-Borch, Polly Stemwedel, Nancy Trujillo, Ken Mierzwa, Lowell Daniels and Caroline Titus. The place to review the zoning ordinance would be in conjunction with the General Plan Update. The Land Use Element is the next Element to be updated. Mayor Farley expressed his disappointment in losing good citizens who thought they would be working on the procedure instead of a communication to non-compliant property owners, and to move this item along he made the following motion which died for the lack of a

second. MOTION: (Farley/) Approve committee members to develop a communication to the non-compliant property owners in the Design Review Zone. The Motion failed.

The meeting was adjourned at 10:10pm. The next regular council meeting will be August 5, 2010.

Respectfully Submitted: Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of July 21, 2010

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:00 p.m. Commissioners Dan Brown, Lino Mogni, John Maxwell and Nancy Trujillo as well as City Manager Jay Parrish and Clerk Nancy Kaytis-Slocum were present. Those in attendance pledged allegiance to the flag.

Under Commissioner Comments Nancy Trujillo asked about the design review application process concerns she had. City Manager Parrish replied that he had consulted with Chairman von Frausing-Borch and staff and agreed with her concerns. Staff should be able to bring recommended changes to the Planning Commission at next month's meeting.

MOTION: (Trujillo/Maxwell) The June 16, 2010 minutes were unanimously approved as corrected: On the first page, 2nd paragraph from the bottom: "On the next proposed Ordinance 2010-05 on §7.26.2 pertaining to Yard Requirements (setbacks) for Accessory Buildings, *Chair Von Frausing-Borch* Commissioner Trujillo wants all the setbacks to be the same for accessory buildings, whether on the front half of the property or back half of the property." On the 2nd page, under Shaw House Inn vacancy sign, 4th line "been no action on the No Brand Burger Stand *signage lighting* infractions."

There was no public comment.

Correspondence contained a fax from Redwood Empire Roofing Re 505 Main Street stating: "When the roof was replaced the existing metal gutter on the north side of the building was removed and replaced with metal gutter."

Design Review Committee member appointment from within the Planning Commission: Staff asked that the following change be made to the staff report: "The Design Review Committee is an official committee formed by the City Council when they adopted Ordinance 09-01, changing the design control combining or -D Zone in Zoning Ordinance 02-02. The changes included the Planning Commission *shall* recommendation to the Council for appointment of two Planning Commission members to the Design Review Committee, *along with* and make PC recommendations for Council appointment of three members of the public to the Design Review Committee." [Begin change requested during 8/25/10 meeting:] Commissioner Mogni stated that he wanted to stay on the committee. *Commissioner Mogni stated that he never wanted to leave the committee to begin with.* [End change requested during the 8/25/10 meeting.]

The Commission requested that "Conflicts of Interest within the Design Review Committee" be put on the next agenda and that staff obtain a legal opinion.

Design Review Committee member recommendation: The Commissioners interviewed both candidates. Marc Daniels and Michael Sweeney spoke on their reasons and qualifications for the Committee. Both applicants are well qualified; however, Mr. Sweeney got three votes, and Mr. Daniels got two votes. MOTION: (Von Frausing-Borch/Trujillo) Recommend to the City Council that Michael Sweeney be appointed to the Design Review Committee. All in favor.

General Plan Update: City Manager Jay Parrish relayed the information that the recently adopted budget contained money to get started on the General Plan Update. Our Contract Planners, Planwest Partners, will attend the next meeting and begin the update with Chapter 2: Cultural and Historic Resources Element. This element will clarify policy for historic preservation and historic district maintenance. The update of all the General Plan elements will be considerable, and will give the community a chance to be involved.

Opening up Commissioner Comments again, Commissioner Mogni reported on his task of looking at possible ordinance and procedure changes. This item will be on the next agenda. Agenda Action Item for next month: Planning Commission form an ad hoc committee to look at one section at a time and to report back to the commission with progress.

Under Staff Reports, Commissioner Trujillo questioned the following item on the City Clerk's report: "Met with Dane Cowan regarding a list of historical houses in Ferndale. City Manager directed the City Clerk to contact SHPO regarding grant opportunities for an inventory of houses. Also instructed the Clerk to check with Eureka City Planner regarding a website regarding Certified Local Government." Trujillo felt this was something that shouldn't be done without property owners knowing about it. City Manager Parrish explained that the city is merely looking into funding opportunities, and that the grant would have to be approved at the City Council level.

Because of the fair in August, the next meeting will be postponed a week to August 24, 2010. The meeting was adjourned at 8:35pm.

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

Meeting Date:	May 18, 2011	Agenda Item Number	7.2
Agenda Item Title:	Signs		
Presented By:	Michael Bailey, member of the Design Review Committee		
Type of Item:	x	Action	Discussion Information
Action Required:		No Action	x Voice Vote Roll Call Vote

RECOMMENDATION:

It is not necessary for the Planning Commission to make a decision at this time. However, if they so desire they can assign a group or committee to work on the Sign Ordinance.

Possible options:

- Planning Commission takes on this task as part of its regular meetings.
- Put a committee together (for instance two members from the Planning Commission, two from the Design Review, two from the Chamber, one citizen at large) to bring it to the Planning Commission before the ordinance is presented to the City Council.
- Outside specialized entity to create the Sign Ordinance.

DISCUSSION:

The Design Review committee has been tasked to process design review applications and to streamline the process as well as examine the Zoning Ordinance for possible changes to fit the changing needs of the city. The process has been updated, and now the Design Review Committee has requested the Planning Commission review possible changes to the Zoning Ordinance, in particular, the sign sections. On 2/17/10 the Planning Commission by MOTION: (Maxwell/von Frausing-Borch) directed the Design Review Committee to look at all sections of the Zoning Ordinance that pertain to Design Review.

This is being brought to the Planning Commission as requested during the last meeting. This is the beginning of a long process. The process will be a collaborative effort by the CC, DR, PC and the community including the Chamber of Commerce and our businesses, as well as our community at large. Mr. Bailey has compiled sign information from similar cities, with a wide variety of alternatives. He has presented an outline that will assist in framing the conversation for revision.

**SIGN PRESENTATION TO FERNDALE PLANNING COMMISSION
18 MAY 2011**

I. Sign Ordinance Outlines

When reviewing the outlines you will notice that their structure varies all over the place and in many cases makes little sense in the way it is organized. There is a lot to be learned from the paragraph titles and many of them are very similar. They point up the administrative processes that these cities felt important to codify. The average population, eliminating the high and low values, is about 15,000 as shown in the table below.

12 CITIES REVIEWED FOR SIGN ORDINANCES				
CITIES	AREA POP.	HISTORIC DIST. ORD.	ZONING ORDINANCE	MUNI-CODE
Dillon, SC	6,500	CLG	Title 5, CH 4	5-4-58
East Village – Flint, MI	48,000	YES	YES	Art XXV-B Ord.# 6021-07
Eureka, CA	26,000		Title XV	CH 155.155
Ferndale, CA	1,300		02-02 S.3.66	
Flowery Branch, GA	1,800	Ord.# 441	Article 24	
Greenwood, MS	19,000	YES		S.17.5.21
Hollis, NH	7,000	ZO-S.XVII	S. XIV	
Larkspur, CA	12,000		Title 18.60	
Navada City, CA	3,000		Title 17.68.80	
Opelousas, LA	23,000	CLG	Article 402	
San Juan Bautista, CA	1,700	YES		Title 11, CH 11-10
Savannah, GA	135,000	8-3121	Article E, 8-3111	

NOTE:

1. Notice that two of the cities above are Certified Local Governments (CLG) and hold a special status in the world of historic districts. This program is coordinated by the National Park Service through the California Office of Historic Preservation (links below).

<http://www.nps.gov/history/hps/clg/>

http://ohp.parks.ca.gov/?page_id=21239

2. Several of the cities in the above table have their ordinances managed by companies that specialize in ordinance codification. All of their ordinances are maintained on the internet in a logical searchable management system for review or use by staff and citizens. These companies develop, publish and maintain all of a city's ordinances as some cities are finding it difficult to afford the staff with expertise to do this anymore. They also manage all of the legal aspects of an ordinance so a city does not wind up with law suits when they try to enforce an ordinance. One company, Sterling

Codifiers, claims 19 cities, while Code Publishing claims almost 100 cities in California, including Larkspur and Rio Dell, to be using their services. (See links below)

<http://www.sterlingcodifiers.com/>

<https://www.generalcode.com/>

<http://www.amlegal.com/>

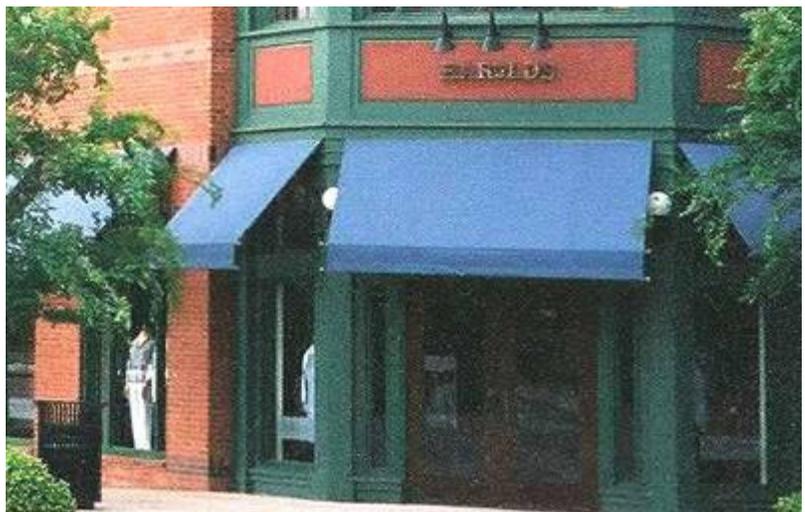
<http://www.codepublishing.com/>

3. Several of these cities in the table above have a general sign ordinance and a separate one for their historic districts, while most of these cities have their sign rules buried within their zoning ordinance as we do. Several have their sign rules scattered all over the zoning ordinance so there is no one place to find all the rules. Several cities also had the sign ordinance in the municipal code, separate from the zoning ordinance. None of these facts make any one city's sign ordinance unworkable, while some seem more effective than others and we may like their structure better. There is no way to know the history of why they chose to do things this or that way and it would be very hard for us to find out which was the most effective of these to administer or which had the best public perception. I can only propose that we attempt to do what is effective for our own town and not create more problems than we solve.

2. Sign Definitions

Manny sources were utilized to compile the following list of sign terms. They are important to define and identify in terms that everyone can understand. Once that is done they can be regulated in the ordinance. Many cities actually show pictures of the signs with limiting measurements shown. This becomes a useful tool. A good example of this is Southlake, Texas. See picture and link below.

Example of an awning with no sign



http://www.cityofsouthlake.com/SiteContent/70/documents/Departments/PlanningDevServices/Ords_Guides/Ordinance_Sign_704-E.pdf

SIGN DEFINITIONS AND TERMS TABLE				
Abandoned	Affiliation	Animated	Architectural feature	Awning
Banner	Billboard	Building Marker	Bulletin board	Business
Canopy	Church	Column	Commercial Message	Construction
Contractor	Copy-change	Derelict	Derogatory	Directional
Door	Double Faced	Event Specific	Exterior	Fence
Flag	Flashing	Freestanding	Garage Sale	Gasoline Price
Gateway	Government	Grandfathered	Ground	Historic
Historic Significance	Home Occupation	Identification	Illegal	Illuminated
Inflatable	Interior	Marquee	Menu-board	Mobile
Monument	Moving message	Multi-unit	Multiple-message	Multifaced
Neon	Nonconforming	Obsolete	Off-site	On-site
Open House	Opinion	Pennant	Permanent	Plaque
Pole	Political	Portable	Poster-board	Professional
Post & Panel	Projecting	Protective	Public Event	Public Information
Public Interest	Public Message	Public Notice board	Public Purpose	Pylon
Reader-board	Real Estate	Reflection	Residential Gateway	Revolving
Roof	Rotating	Sandwich-board	Shingle	Sidewalk
Snipe	Special Event	Special Purpose	Subdivision	Suspended
Swinging	Temporary	Tenant-directory	Trailer	Unregulated
V-Type	Vertical	Wall	Wind-driven	Window
Warning				

It is probably not feasible to include every possible sign definition in an ordinance for Ferndale, but it may be prudent to include most of the common ones with their proper definitions and classifications. What we don't identify will certainly show up on our buildings in the next ten years. This type of inclusiveness may not be easy to shoehorn into our existing zoning ordinance unless the ordinance is significantly revised. It may be best to have a separate ordinance for signs. Below are a couple of examples of towns with their definitions. There are many more links in the ordinance outlines that were provided in my Sign Ordinance Outlines.

<http://www.cmcaplans.com/weho/defs.htm>

http://www.northerntownship.com/sign_ordinance.php

<http://www.edgewood-nm.gov/pdf/Ordinances/SignOrdinance%20march5.pdf>

http://www.gallatin-tn.gov/downloads/Planning/Microsoft_Word_-_Gallatin_Sign_Ordinance.pdf

<http://www.wvc-ut.gov/DocumentView.aspx?DID=1186>

http://www.marshalltexas.net/export/Upload/bpope/City_Ordinance/City_Sign_Ordinance.pdf

3. What is Next?

Changing the sign ordinance has a significant impact on many people and we will need all of their help to be successful. Our main goal should be to make the ordinance helpful to the people it affects as well as the people who must administer the ordinance. A good example of being helpful is the city of Madera. Their Chamber of Commerce advertises the sign ordinance and provides helpful documentation and works hand in hand with the city as a partner in its enforcement. Check the URLs below and see what I mean. You will note that the city of Madera has their code of ordinances managed by American Legal Publishing Corp., while the Chamber has used a plain paper PDF version on their site for simplicity and download. This gives the Chamber the problem of keeping their site up to date when the ordinance changes for some reason, but makes it convenient for their members. I personally think that this is a great role for the Chamber and would encourage membership and compliance.

<http://www.maderachamber.com/content/view/721/71/>

http://www.maderachamber.com/images/stories/documents/sign_ordinance_final.pdf

http://www.amlegal.com/madera_ca/

Change is hard. It often comes in small steps and occasionally in a leap. Our success in the transition depends on our commitment to the success of everyone in the community. We need to evaluate whether the city can see a need for change and if not, how we can better manage the situation we currently have. All I can do is present what we have and what is possible in a way that best presents our options. All the options may not be clear until the various constituency groups voice them in an open forum. We need to keep an open mind until that process has taken place.

Other Cities' SIGN ORDINANCE OUTLINES

Dillon, SC Historic District, Population 6,467 in 2009

<http://www.dilloncitysc.com/historicdillon.html>

http://www.dilloncitysc.com/pdfs/Historic_District_Sign_Ordinance.pdf

BACKGROUND INFORMATION

PURPOSE

APPLICABILITY and CONFORMANCE

DEFINITIONS

SIGN STANDARDS

COLOR, TYPEFACE AND CONTENT

LIGHTING

MATERIALS

MEASUREMENTS

NUMBER OF SIGNS

PLACEMENT

SIZE

ABANDONED/OBSOLETE SIGNS OR STRUCTURES

DILAPIDATED SIGNS OR STRUCTURES

NEW BUSINESS SIGNS

NONCONFORMING SIGNS

PORTABLE SIGNAGE

PROHIBITED SIGNS

REMOVAL OF SIGNS AND STRUCTURES

TEMPORARY POLITICAL SIGNS

TEMPORARY PROMOTIONAL SIGNS AND BANNERS

TEMPORARY REAL ESTATE SIGNS

WINDOW AND DOOR SIGNS

UNDER AWNING OR CANOPY SIGNS

EXAMPLES

HISTORIC DISTRICTS

East Village – Flint, Mich. 48503 – Pop: 120,000

<http://eastvillagemagazine.org/ordinances/10162.html>

<http://www.cityofflint.com/HDC/carriage.htm>

Â§ 50-142.5 DEFINITIONS

Â§ 50-142.6 GENERAL PROVISIONS

Â§ 50-142.7 TYPE 1, TEMPORARY SIGNS

Â§ 50-142.8 TYPE 2, NAMEPLATES

Â§ 50-142.9 TYPE 3, PROJECTING AND VERTICAL SIGNS

§ 50-142.10 TYPE 4, COLUMN SIGNS

Â§ 50-142.11 TYPE 5, ROOF SIGNS

Â§ 50-142.12 TYPE 6, POSTER BOARDS

Â§ 50-142.13 TYPE 7, PORTABLE SIGNS

Â§ 50-142.13.1 MOBILE/TRAILER SIGNS

Â§ 50-142.14 TYPE 8, SPECIAL SIGNS

Â§ 50-142.15 MAINTENANCE OF SIGNS; PRIVILEGE FEES

Eureka , CA – Pop: 26,000

[http://www.eureka.mo.us/MUNICODE/Eureka Municipal Code Chapter 19A %28Supplement 23%29.pdf](http://www.eureka.mo.us/MUNICODE/Eureka_Municipal_Code_Chapter_19A_%28Supplement_23%29.pdf)

[f](#)

§155.155 PURPOSE AND SCOPE

§155.156 DEFINITIONS

§155.157 EXEMPT SIGNS
§155.158 REGULATIONS FOR ON AND OFF PREMISE SIGNS
§155.159 SIGNS AND SCENIC COASTAL AREAS
§155.160 MURALS, GRAPHIC DESIGNS AND THE LIKE
§155.161 ILLUMINATION, MOVEMENT
§155.162 PROHIBITED LOCATIONS; SIGN TYPES; MESSAGES
§155.163 MAINTENANCE; RELOCATION; ABANDONMENT AND REMOVAL
§155.164 NONCONFORMING SIGNS
§155.165 SIGN PERMITS
§155.166 COMPENSATION
§155.167 COMPLIANCE WITH UNIFORM SIGN CODE (ICBO – USC)
§155.168 INVENTORY AND IDENTIFICATION OF ILLEGAL OR ABANDONED SIGNS

Ferndale, CA 95536 – Pop: 1,300

<http://ci.ferndale.ca.us/laws/law-02-02.pdf>

Ferndale Zoning Ordinance 02-02

Section 3.66 Definitions

Section 7.23 Signs and Nameplates

§7.23.1 Principal permitted uses

§7.23.2 Uses permitted with a use permit

§7.23.3 Other regulations

§7.23.4 Abatement and removal

Flowery Branch, GA 30542 – Pop: 1,800

<http://www.flowerybranchga.org/include/pz/zoning/24.pdf>

<http://www.flowerybranchga.org/include/441-FB-Historic-District-Sign-Ordinance.pdf>

ARTICLE 1 GENERAL PROVISIONS

Sec. 1.1. Title.

Sec. 1.2. Purpose and Intent.

Sec. 1.3. Applicability.

Sec. 1.4. General Provisions.

Sec. 1.5. Definitions, Interpretations, and Conflicts

Sec. 1.6. Relationship to Zoning and Other Ordinances.

Sec. 1.7. Content of Signs Not Regulated.

ARTICLE 2 DESIGN REQUIREMENTS

Sec. 2.1. Proportionality.

Sec. 2.2. Sign Materials.

Sec. 2.3. Professional Fabrication.

Sec. 2.4. Shape.

Sec. 2.5. Illumination of Signs.

ARTICLE 3 TYPES OF SIGNS PERMITTED; REQUIREMENTS

Sec. 3.1. Generally.

Sec. 3.2. Wall Signs.

Sec. 3.3. Canopy and Awning Signs.

Sec. 3.4. Window Signs.

Sec. 3.5. Projecting Signs.

Sec. 3.6. Door Signs.

Sec. 3.7. Display Boards.

Sec. 3.8. Permanent Principal Use Ground Signs.

Sec. 3.9. A-Frame Signs.

Sec. 3.10. Historic Markers.

Sec. 3.11. Temporary Signs.

Sec. 3.12. Special Event Signage.

ARTICLE 4 REVIEW AND APPROVAL PROCEDURES

Sec. 4.1. Applications Involving Buildings with Multiple Tenants or Uses.

Sec. 4.2. Buildings with More than One Building Frontage or Façade.

Sec. 4.3. Criteria for Certificates of Appropriateness Generally.

Sec. 4.4. Specific Criteria for Signs.

Sec. 4.5. Signs Consistent with Uniform Sign Plans.

ARTICLE 5 ADMINISTRATION AND ENFORCEMENT

Sec. 5.1. Administration.

Sec. 5.2. Appeals.

Sec. 5.3. Variances.

Sec. 5.4. Enforcement and Penalties.

ARTICLE 6 LEGAL STATUS PROVISIONS

Sec. 5.1. Repealer.

Sec. 5.2. Severability.

Sec. 5.3. Effective Date.

Greenwood, MS 38930, 38935 – Pop: 19,000

http://search.municode.com/html/14074/level3/CODE_C17.5_AII.html

Sec. 17.5-21. - Short title

Sec. 17.5-22. - Statement of purpose

Sec. 17.5-23. – Definitions

Sec. 17.5-24. - General regulations

Sec. 17.5-25. - Abandoned signs

Sec. 17.5-26. - Administration and penalties

Sec. 17.5-27. - Nonconforming on-premises signs

Sec. 17.5-28. - Penalties for violation of sign ordinance

Hollis, NH 03049 - Pop: 7,000

<http://www.hollis.nh.us/building/SignOrdinance.pdf>

A. SCOPE

B. DEFINITIONS

C. ADMINISTRATION

D. GENERAL REQUIREMENTS

E. APPLICATION FOR PERMIT

F. PERMITS

G. GENERAL PROVISIONS

H. PROHIBITED SIGNS

I. EVENT-SPECIFIC SIGNS

J. ILLUMINATION STANDARDS

K. CONSTRUCTION AND SAFETY STANDARDS

L. EXEMPTIONS

M. RESIDENTIAL AND SUBDIVISION SIGNS

N. AGRICULTURAL SIGNS

O. REAL ESTATE SIGNS

P. HISTORIC DISTRICT SIGNS

Q. BUSINESS AND INDUSTRIAL SIGNS

R. VENDING MACHINES

S. SIGN MASTER PLANS

T. GRANDFATHERED SIGNS

Larkspur, CA 94939 – Pop: 12,000 - Municipal Code

<http://www.codepublishing.com/CA/larkspur.html>

<http://www.ci.larkspur.ca.us/40839.html>

Procedures for sign review

Section 1.02, Chapter 18.60 SIGNS

(a) 18.60.010 Purpose

(b) 18.60.020 Definitions

- (c) 18.60.030 Sign Permit Requirement and Approval
- (d) 18.60.040 Application for Sign Permit
- (e) 18.60.050 Exempt Signs
- (f) 18.60.060 Permitted identification Signs for Places of Business
- (g) 18.60.070 Permitted Business Center Identification and Residential Gateway Signs
- (h) 18.60.080 Permitted Identification Signs for Home Occupations
- (i) 18.60.090 Calculation of Sign Area
- (j) 18.60.100 Prohibited Signing Characteristics
- (k) 18.60.110 Nonconforming Signs
- (l) 18.60.120 Maintenance
- (m) 18.60.130 Penalty for Violations

NAVADA CITY, CA 95959 – Pop: 3,000 – Mother Lode Region

<http://library.municode.com/index.aspx?clientId=16305&stateId=5&stateName=California>

Article II – HD Historical Combining District

17.68.80 – Signs – Requirements and restrictions

17.68.90 – Signs – Service Stations

17.68.100 – Signs – Exemptions

17.68.110 – Signs – Nonconformance

Opelousas, LA 70570 - Pop: 23,000

<http://www.opelousas.info/historic-district/pdf/HD%20Ordinance.pdf>

<http://www.discoverourtown.com/LA/Opelousas/Attractions/historic-district-walking-tour/61296.html>

SECTION 21. Signs

A. Definitions

B. SIGNS Must Conform to Character of Section

C. No signs to be displayed in Certain Places

D. What Signs May Advertise

E. Number of Primary Signs

F. Surface Area of Signs

G. Secondary Signs

H. Temporary Signs

I. Portable and Changeable Letter Signs

J. Illuminated Signs

K. Signs No Longer Complying as to Advertisement to be Taken Down.

L. Building Code Applicable to Signs.

M. Application for Signs to be Submitted to Commission.

N. Form of Application to Display Signs; Accompanying Drawings.

O. The hanging or stringing of banners or streamers prohibited ...

Savannah, GA 31401, 31499 - Pop: 135,000

<http://www.thempc.org/Administrative/SavannahZoning.htm>

<http://www.thempc.org/Administrative/Zoning/City/Sec.%208-3121.pdf>

Sec. 8-3121. Historic sign district created.

(A) District identified.

(B) Requirements

(1) Where review board approval is required

(2) Sign clearance and height

(3) Lighted signs

(4) Restricted signs

(5) Setback requirement

(6) Temporary signs

(7) Announcement sign requirements

(8) Under-awning or canopy signs

(9) Marquee signs

- (10) Building identification sign
- (11) Principal use sign requirements
- (12) Pump island identification signs
- (13) Supplemental identification signs
- (14) Bus stop bench signs. [Reserved.]
- (15) Nonconforming signs within the historic district

San Juan Bautista, CA 95045 – 1,700

http://www.san-juan-bautista.ca.us/PDFs/Planning/Final_Zoning_Ordinance_CC_071806.pdf

<http://www.san-juan-bautista.ca.us/PDFs/Ordinances/Ord%202007-15%20Signs.pdf>

- 11-10-020 Prohibited Signs
- 11-10-030 General Sign Regulations
- 11-10-040 Requirement for permit – Exemptions
- 11-10-050 Application for permit
- 11-10-060 Criteria for review of application
- 11-10-070 Signs in residential districts
- 11-10-080 Signs in industrial districts
- 11-10-090 Signs in commercial districts
- 11-10-100 Signs in mixed use districts
- 11-10-110 Temporary subdivision signs
- 11-10-120 Temporary construction signs
- 11-10-130 Public interest signs
- 11-10-140 Open house signs in residential districts
- 11-10-150 Temporary political signs
- 11-10-160 Gasoline price signs
- 11-10-170 Comprehensive signage program
- 11-10-180 Special permits from the City Manager
- 11-10-190 Nonconforming signs
- 11-10-200 Violations – Removal of illegal signs on public property
- 11-10-210 Exceptions from standards
- 11-10-220 Indemnity and insurance

DEFINITIONS OF SIGNS

PROPOSED FERNDALE SIGN ORDINANCE OUTLINE - DRAFT

Introduction:

The following is a compilation and logical organization of sign ordinances from five cities with historic districts. All or parts of this could be incorporated into the existing zoning ordinance or be separated into a stand-alone sign ordinance for better administration. No particular organization of a sign ordinance is perfect and this is no exception. The goal of any ordinance should be that it is useful to the public to obtain use permits and understand the rules for signs. A sign ordinance should also be easy to administer and enforce as well as thorough in the establishment of sign rules. Please review and comment on the necessity, utility and organization of this outline.

SIGN ORDINANCE OUTLINE

Background, Purpose and Scope

Definitions

Sign Area

- Calculations
- Double-faced Signs
- Multifaced Signs

General Sign Regulations, Requirements & Restrictions

Prohibited Sign Characteristics, Locations, Types, and Messages

- Derogatory Signs
- Misleading or Misdirecting Signs
- Vulgar, Distasteful or Pornographic Signs
- Billboard Signs
- Roof Signs

Nonconforming Signs

- Grandfathered Signs

Zoning Requirements

- Signs in Residential Zones
- Signs in Industrial/Manufacturing Zones
- Signs in Commercial Zones
- Signs in Mixed Use Zones
- Signs in Agricultural Zones
- Signs in Flood Prone Zones
- Signs in Planned Development Zones, Subdivisions and Construction Areas

On and Off Site and Directional Signs

- Murals and Graphic Designs
- Illumination and Movement Signs

- Animated or moving message signs
- Flashing Signs
- Reader-board Signs
- Neon Signs
- Illuminated Signs
- Exceptions and Exemptions

Other Sign Regulations

Temporary Signs

- Event-specific Signs
- Freestanding Signs
- Subdivision Signs
- Construction Signs
- Open House Signs
- Garage Sale Signs
- Opinion Signs
- Political Signs
- Portable Signs
- Real Estate Signs
- Sandwich-board Signs
- Special Event Signs

Permanent Signs

- Pole Signs
- Projecting Signs
- Wall or Fence Signs
- Warning Signs
- Window Signs

Public Signs

- Public Message or Interest Signs
- Public Purpose Signs
- Bulletin or Public Notice Board Signs

Situational Signs

- Construction Signs
- Contractor Signs
- Gasoline Price Signs
- Gateway or Residential Gateway Signs
- Historic Significance Signs
- Menu-board Signs
- Tenant Directory Signs

Identification Signs

- Affiliation Sign
- Business Sign
- Church Sign

- Home Occupation Sign
- Professional Sign
- Historic Significance Signs
- Nameplate Signs
- Suspended Signs
 - Awning, canopy or marquee Signs
 - Banner Signs
 - Wind-driven Signs

Use Permits

- Application process
- Review of Applications and Criteria
- Special Permits

Administration

- Maintenance
- Relocation
- Abandoned, Dilapidated, or Obsolete Signs
- Violations
- Abatement and Removal
- Indemnity and Insurance

FERNDALE'S EXISTING Sign Definitions

Ferndale Ordinance (P-17)

Ferndale's Zoning Ordinance 02-02, as amended by Ordinance 02-03

Section 3.66 **Sign:** Any writing, pictorial representation, object, structure, symbol, display, banner or streamer, which is intended to identify, announce, direct attention to or advertise; or which is used to decorate or illuminate for commercial purposes; or attract attention to any privately owned property or premises; or is intended to inform the public of sales, rentals, leases or other activities; or is provided by a public agency for a public purpose required or specifically authorized by law, statute or ordinance, or for the protection of the public health, safety or welfare.

- 3.66.1 **Sign, Abandoned:** A sign which no longer applies to the business or property, due to the lack of a business licenses or a change in business name or for any other reasons, rendering the sign not applicable to the premises involved.
- 3.66.2 **Sign, Double-faced:** A sign that has two (2) sign faces.
- 3.66.3 **Sign, Exterior:** A sign which is located on the outside of a building or business premises, located on a vacant property or painted on or attached to either the inside or outside of a door or window.
- 3.66.4 **Sign, Illuminated:** Any sign that can radiate light.
- 3.66.5 **Sign, Interior:** A sign which is located on the interior of a building or structure and is within the first five (5) feet of the exterior surface of a building or structure, excluding signs which are primarily designed for the information of persons within a building.
- 3.66.6 **Sign, Multifaced:** A sign that has more than two (2) sign faces.
- 3.66.7 **Sign, Political:** Any display utilized for the purpose of proposing or opposing the election of a candidate or ballot measure.
- 3.66.8 **Sign, Portable:** Any freestanding sign, including Sandwich Board.
- 3.66.9 **Sign, Special Events:** Any sign or banner that announces an upcoming event.
- 3.66.10 **Sign, Temporary:** Any sign constructed of paper, cloth or other similar temporary material which may be affixed or placed in the window of a commercial building to inform the public of a sale, event or other activity which is occurring on the premises. Temporary signs may remain in place for no more than thirty (30) days, unless exempted by the Planning Commission.

Section 7.23 **Signs and Nameplates:** Nameplates (which shall be limited to a statement of the name, address, phone number and occupational designation of the occupant) and signs shall be permitted in conformity with the following regulations. Ferndale is a historically preserved community. Signs should be compatible with the environment, character and safety of the community. (Note: If the sign is to be placed in a -D Zone, it must go through the Design Review Committee. See Section 6.05.3)

City of Ferndale – Possible Definitions Draft

FERNDALE’S Article 3. POSSIBLE DEFINITIONS DRAFT

The following list is hereby proposed for consideration to be included in the Ferndale sign ordinance under sign definitions. Many of the definitions listed below are not currently regulated under the 10 definitions in the Ferndale sign ordinance, but if we include all of them in our new listing they will have to be regulated. Many of them can be grouped into signs that are not allowed or other categories. It is better to include all the definitions to enable us to provide proper wording in the remainder of the ordinance and to be able to easily modify the ordinance in the future.

§ 3.66 "Sign" means a medium for visual communication, including its supporting structure, which is used or intended to be used to attract attention to a location. It includes any writing, pictorial representation, object, structure, lettering, symbol, display, banner, streamer, or other thing of visual appearance primarily used for, or having the effect of, identifying, announcing, directing or attracting attention or to advertise, or which is used to decorate or illuminate for commercial purposes, or attract attention to any privately owned property or premises from the street, sidewalk or other outside public arena for advertising or identification purposes with the intent to inform the public of sales, rentals, leases or other activities, or is provided by a public agency for a public purpose required or specifically authorized by law, statute or ordinance, or for the protection of the public health, safety or welfare.. A sign shall not mean displays of merchandise or products for sale on the premises, or ornamentation, designs, pictures, paintings or other such art forms unless the attraction, because of location, size, use or nature thereof, has the substantial effect of attracting attention for advertising or identification purposes or stating personal or political viewpoints when viewed from an outside area.

§ 3.66.1 “Sign, abandoned or obsolete” means any sign which no longer applies to the business or property, due to the lack of a business licenses or a change in business name or for any other reasons, rendering the sign not applicable to the premises involved.

§ 3.66.2 “Sign, affiliation” means any sign with a message identifying membership in an association of businesses, such as credit card companies or civic organizations.

§ 3.66.3 “Sign, animated or moving message” means any sign, with or without electrical energy, that uses movement, blinking, flashing, change or fluctuation of lighting intensity, color, motion, or sound to depict action or creates a special effect or scene including programmable display, swinging and rotating signs.

§ 3.66.4 “Sign, architectural feature” means either a projecting, three-dimensional or flush-mounted, sculptural, constructed item, or artistic rendering, that has no written message, lettering or business name incorporated into its design. This feature can be separate from the sign face and must be designed to visually identify the type of product for sale or a service offered, such as, but not limited to: molded coffee mug, ice cream cone or shoe projecting from the wall face to identify a coffee shop, ice cream shop or shoe store; flush mounted figures or painted murals of running horses for a tack shop, a barber pole for a barber shop, a pair of scissors flush mounted on the wall of a hair salon, a bicycle affixed to the wall of a bicycle shop, a model airplane mounted over the entry door of a toy store.

§ 3.66.5 "Sign, area" means the area of the smallest rectangle drawn to include all letters, designs, frame, and structural components which are part of the sign, but excluding any supports, uprights, posts or structures by which any sign is supported unless such supports, uprights, posts or structures are designed in such a manner as to form an integral background of the sign. In computing the area of a double face sign, only one (1) face of the sign shall be included; provided, that the two (2) faces shall be

City of Ferndale – Possible Definitions Draft (Continued)

approximately the same size and approximately parallel to each other and not more than two feet (2') apart at any point.

§ 3.66.6 “Sign, awning, canopy or marquee” means a suspended sign that is mounted, painted on or attached to an awning, canopy or marquee. An awning is a metal and cloth structure. A canopy is solid structure; a marquee is a structure that typically is a covering with changeable advertising, such as the theatre marquee. An awning becomes a sign when it contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of the awning.

§ 3.66.7 “Sign, banner, flag or pennant” means any suspended sign made of a flexible material such as canvas, sailcloth, plastic or waterproof paper.

§ 3.66.8 “Sign, billboard or poster-board” means a freestanding off-site outdoor advertising sign and or panel typically designed on a free standing framework independent of a building to attract the interest of passing motorists.

§ 3.66.9 “Sign, border” means an edge or line constituting the perimeter of a sign.

§ 3.66.10 “Sign, building marker” means any permanent sign indicating the name of a building and date and incidental information about its construction. Such a sign typically is cut into a masonry surface or made of bronze or other permanent material.

§ 3.66.11 “Sign, bulletin or public notice board” means a permanent sign with posted messages that relay public information.

§ 3.66.12 “Sign, business” means any sign that identifies the existence of a profit-making, nonprofit, or governmental organization involved in the provision of goods or services.

§ 3.66.13 “Sign, church” means any sign that identifies the existence of a religious building that provides for member prayer, services or assembly.

§ 3.66.14 “Sign, commercial message” means any sign, wording, logo or other representation, except for the actual name of the business, that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

§ 3.66.15 “Sign, construction” means a sign advertising or identifying the persons or firms associated with a construction project and typically attached to a building(s), fence, or freestanding.

§ 3.66.16 “Sign, contractor” means a sign identifying a contractor’s name, company, address or contact information associated with a construction project.

§ 3.66.17 “Sign, derelict” means sign that is dilapidated or in such condition as to create a hazard or nuisance, or to be unsafe or fail to comply with the Building or Electrical Codes applicable in the jurisdiction.

§ 3.66.18 “Sign, derogatory” means any sign that insults, accuses, demeans or adversely effects any person, institution, company, religion or organization regardless of the intention of the sign.

§ 3.66.19 “Sign, directional” means a sign, other than a governmental sign, with a message that provides only directions (e.g., “exit only,” “deliveries in rear,” “private parking”) to pedestrian or vehicular users of the premises.

§ 3.66.20 “Sign, directional, off-site” means a sign, located on one (1) parcel, advertising and/or directing traffic to a business located on a different parcel within the City.

§ 3.66.21 “Sign, directional, on-site” means a sign, the sole purpose of which is to direct the flow of traffic, indicate entrances or exits, transmit parking information or convey similar information.

§ 3.66.22 “Sign, double-faced” means any sign that has two (2) sign faces.

§ 3.66.23 “Sign, event-specific” means any temporary sign to be used to announce an event such as a festival, dance, business opening, sale, meeting, fund-raiser, parade and information about political candidates and other events which have a short term conclusion

City of Ferndale – Possible Definitions Draft (Continued)

§ 3.66.24 **“Sign, exterior”** means a sign which is located on the outside of a building or business premises, located on a vacant property or painted on or attached to either the inside or outside of a door or window.

§ 3.66.25 **“Sign, flashing”** means any sign which contains an intermittent or flashing, scintillating, blinking or traveling light source which includes signs that give the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

§ 3.66.26 **“Sign, freestanding or ground”** means a sign supported by one (1) or more upright poles, columns, or braces placed in or on the ground to support the sign and not attached to any building, fence or structure. Included are pole, post & panel, pylon, monolith, and masonry wall-type signs.

§ 3.66.27 **“Sign, garage sale”** means a sign with a message advertising the resale of personal property that has been used by the resident.

§ 3.66.28 **“Sign, gasoline price”** means a sign that announces the price of any fuel to the public passing by on a sidewalk or street.

§ 3.66.29 **“Sign, gateway or residential-gateway”** means a sign installed along a street or frontage and specifically intended to identify the name of a neighborhood, residential planned development, residential subdivision, residential districts, subdivision, apartment, condominium, apartment complex consisting of five or more units or office complex.

§ 3.66.30 **“Sign, government”** means any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

§ 3.66.31 **“Sign, grandfathered”** means a non-conforming sign which legally exists and is allowed to remain even though it may not meet the terms of this ordinance

§ 3.66.32 **“Sign, height”** means the vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The ground level shall be either the natural grade or finished grade, whichever is lowest.

§ 3.66.33 **“Sign, historic significance or historic plaque”** means a sign or marker announcing the location of any feature, place or building found to be historically significant and authorized or erected by the City Council, or a federal, or state authority.

§ 3.66.34 **“Sign, home occupation”** means a sign that identifies a permitted business located in a residence.

§ 3.66.35 **“Sign, identification”** means a sign, the sole purpose of which is to identify the site or the building, use, or persons occupying the site on which the sign is located.

§ 3.66.36 **“Sign, illuminated or reflecting”** means a sign illuminated by electricity, gas or other artificial light either from the interior or exterior of the sign and which may include reflective glass and/or phosphorescent surfaces.

§ 3.66.37 **“Sign, inflatable”** means any sign that is or can be filled with three (3) cubic feet or more of air or gas.

§ 3.66.38 **“Sign, interior”**: means a sign which is located on the interior of a building or structure and is within the first five (5) feet of the exterior surface of a building or structure, excluding signs which are primarily designed for the information of persons within a building.

§ 3.66.39 **“Sign, menu-board”**: means a permanently mounted structure displaying the changeable bill of fare of a restaurant.

City of Ferndale – Possible Definitions Draft (Continued)

§ 3.66.40 **“Sign, monument”** means a permanent, freestanding sign mounted on a base or support where the entire bottom is affixed to the ground, not to a building. The bottom of the sign face is normally within three (3) feet of ground level. The width of the sign structure can be no less than ninety (90) and no more than one hundred and twenty (120) percent of the width of the base.

§ 3.66.41 **“Sign, multifaced”** means a sign that has more than two (2) sign faces.

§ 3.66.42 **“Sign, nameplate”** means a sign that is a statement of the name, address, phone number and occupational designation of the occupant.

§ 3.66.43 **“Sign, neon”** means a sign containing any outline tubing which is located inside or outside a building, and which is designed to be seen from outside the building.

§ 3.66.44 **“Sign, nonconforming or illegal”** means a sign that is in violation of any section of this ordinance, and which has not received "nonconforming status."

§ 3.66.45 **“Sign, off-site”** means a sign not located on the same parcel of land from which the product, service or activity described by the sign is made available.

§ 3.66.46 **“Sign, on-site”** means a sign located on the same parcel of land from which the product, service or activity described by the sign is made available.

§ 3.66.47 **“Sign, open house”** means an off-site portable sign directing prospective purchasers to the location of a property being offered for sale and open for visitation by the public at the time the sign is displayed.

§ 3.66.48 **“Sign, opinion”** means a temporary sign that expresses a personal or political opinion or position.

§ 3.66.49 **“Sign, permanent”** means any sign for which a sign permit is issued with no time limit in accordance with the provisions of this ordinance. Any mention of signs in this ordinance shall be considered to mean permanent signs unless this ordinance specifies a time limit or references “temporary signs.”

§ 3.66.50 **“Sign, pole, pylon, post & panel or column”** means a sign, with one or more panels that are mounted on or between freestanding pole(s), column or other supports permanently anchored in the ground so that the bottom edge of the sign face is six feet (6') or more above grade.

§ 3.66.51 **“Sign, political”** means a temporary sign that directly relates to a candidate for public office or to a ballot issue, proposition, or a party in an election conducted by a governmental entity or a sign expressing political, religious, or other ideological sentiments that does not advertise a product or service.

§ 3.66.52 **“Sign, portable, trailer or mobile”** means any sign located on a business premises which is intended to be moved or capable of being moved, whether or not on a motor vehicle, wheels or other special supports, including, but not limited to, "A-frame" type signs, placards and banners.

§ 3.66.53 **“Sign, professional”** means any sign which identifies the location of a person(s) engaged in a professional service such as lawyers, doctors, and other professional(s), engaging in a given activity as a source of livelihood or as a career such as a professional writer, or a professional repair job.

§ 3.66.54 **“Sign, projecting or vertical”** means a sign erected upon a building wall, canopy, or awning, and which projects more than twelve (12) inches outward from the plane of the business facade. Any sign under a marquee, porch, walkway covering or similar structure and generally perpendicular to the wall of the adjoining building shall be deemed to be a projecting or vertical sign.

§ 3.66.55 **“Sign, public interest or protective”** means a sign, without advertising, designed and intended to convey information pertinent to the safety, regulations, restrictions, or legal responsibilities of the general public such as "WARNING" and "NO TRESPASSING." This sign can also be associated with safeguarding the permitted uses of the occupancy and provide needed guidance to the general public. Examples include "BAD DOG", and "NO SOLICITORS."

City of Ferndale – Possible Definitions Draft (Continued)

§ 3.66.56 **"Sign, public message"** means a sign which contain only non-commercial messages such as designation of restrooms, telephone locations or parking signs.

§ 3.66.57 **"Sign, public purpose or public information"** means any sign erected and maintained by public officials or public agencies, or approved for use by state or local government authorities or required or authorized by any law, statute or ordinance and which meets the regulations in said law, statute or ordinance. This includes traffic sign, legal notices or other messages posted by a governmental officer in the scope of his or her duties, and signs indicating the location of buried utilities.

§ 3.66.58 **"Sign, reader-board, multiple-message or copy-change"** means a sign constructed to display a visual message that may be periodically changed by the manipulation of letters, panels or numbers on its face(s), either manually or electronically.

§ 3.66.59 **"Sign, real estate"** means a temporary sign announcing the offer to build on, sell, lease or rent the real property, or any portion thereof, upon which the sign is located and the identification of the person handling such sale, lease or rental.

§ 3.66.60 **"Sign, revolving or rotating"** means a sign that revolves three hundred sixty (360) degrees.

§ 3.66.61 **"Sign, roof"** means a sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof .

§ 3.66.62 **"Sign, sandwich-board or sidewalk"** means a portable freestanding A-board sign designed to be placed outside a business or on the sidewalk.

§ 3.66.63 **"Sign, snipe"** means a temporary sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which the sign is located.

§ 3.66.64 **"Sign, special event or public event"** means a temporary sign or banner pertaining to community wide events of civic, community, government, philanthropic, educational or other organizations, which are not conducted in connection with the operation of a commercial enterprise.

§ 3.66.65 **"Sign, special purpose"** means a temporary sign to announce sales, new products, openings or close outs and other special events.

§ 3.66.66 **"Sign, subdivision"** means a temporary sign advertising a subdivision and providing travel directions to properties therein offered for sale or lease for the first time. The term "subdivision sign" also includes a model home sign on the site of a property within the subdivision.

§ 3.66.67 **"Sign, suspended or shingle"** means a sign that is suspended entirely from the underside of a horizontal plane surface such as a covered porch, covered walkway, or an awning and supported by such surface.

§ 3.66.68 **"Sign, swinging"** means a sign other than an animated sign as defined by this Article, where the sign copy area is attached to a sign structure in a way that can be set in motion with pressure, and where the sign structure is attached to a building at a height above normal eye level. This term does not include any freestanding signs.

§ 3.66.69 **"Sign, temporary"** means any sign constructed of paper, metal, plastic or other material that does not require a permit and that can be removed quickly and simply without tools.

§ 3.66.70 **"Sign, tenant directory or multi-unit"** means a ground or building sign identifying or listing the business names of business' located in a mall, building with business offices, multi-tenant office, mixed use building or clusters of store fronts, which may include directional indicators or location designations.

§ 3.66.71 **"Sign, unregulated"** means signs a sign that is defined by this ordinance that would not normally require the issuance of a use permit, provided that the sign does not violate any other part of this ordinance.

City of Ferndale – Possible Definitions Draft (Continued)

§ 3.66.72 “Sign, V-Type” means a type of sign with two faces connected at one end, but facing away from each other at angles that impart a “V” shape to the sign. For purposes of computing surface area, such signs are two separate signs if the angle between the two outer surfaces is greater than 60 degrees; otherwise the panels/wings shall be considered one double-faced sign

§ 3.66.73 "Sign, wall or fence" means a sign fastened to or painted on the wall of a building or a structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than twelve inches (12") from such a building or structure.

§ 3.66.74 “Sign, warning” means signs of danger or caution, and is limited to wall or fence signs.

§ 3.66.75 “Sign, wind-driven” means any flag, banner, balloon, pennant, streamer or similar device that moves freely in the wind. All wind-driven devices are considered to be signs and are regulated and classified as attached or detached by the same regulations as other signs.

§ 3.66.76 "Sign, window and door" means a sign that is applied or attached to the exterior or interior of a window or door, or located in such a manner within a building that it can be seen from the exterior of the structure through a window or door.

FERNDALE’S EXISTING ZONE NAMES AND DEFINITIONS TABLE			
Article V	Zone	Principal Zone Names	Definitions
§ 5.02	R-S	Residential-Suburban	Large lot development of single-family homes.
§ 5.03	R-1	Residential One-Family	Single-family home development.
§ 5.04	R-2	Residential Two-Family	Two families on each building site.
§ 5.05	R-3	Residential Multiple Family	Low-density Apartment developments.
§ 5.06	R-4	Apartment-Professional	Professional & business offices and institutional uses.
§ 5.07	C-1	Neighborhood Commercial	Convenient sales and service facilities to residential areas.
§ 5.08	C-2	Community Commercial	More complete commercial facilities for community convenience.
§ 5.09	C-AG	Agricultural Services Commercial	Service and selling of goods directly related to farming, dairying, & ranching.
§ 5.10	C-H	Highway Service Commercial	Services for traveling public along main roads and highway frontages.
§ 5.11	M-L	Limited Industrial	Used predominant for light manufacturing heavy commercial and large administrative facilities.
§ 5.12	M-H	Heavy Industrial	Used to control congestion and protect surrounding zones.
§ 5.13	F-W	Floodway	Controls lands which lie within stream or tidal channels and to adjacent areas.
§ 5.14	F-P	Flood Plain	Areas which have been inundated by overflow flood waters in the past.
§ 5.15	P-D	Planned Development	Suitable parcels of undeveloped land.
§ 5.16	A-E	Agriculture-Exclusive	Agriculture areas protected from encroachment.
§ 5.17	P-F	Public Facility	Lands owned by public agencies or the location of public facilities.
Article VI	Zone	Combining Zone Names	Definitions
§ 6.02	-A	Agricultural Combining	Combined with principal R Zones for large lots for agriculture and livestock.
§ 6.03	-B	Special Building Site Combining	Area where lot area and yard requirements should be modified.
§ 6.04	-X	Recreation Combining	Addition of recreational uses.
§ 6.05	-D	Design Control Combining	Structures form a substantial contribution to the use of the zone.
§ 6.06	-Q	Qualified Combining	Combined with any principal commercial zone in which predominantly residential.

OTHER CITY SIGN DEFINITIONS:**Larkspur Municipal Code (P-23)****(b) 18.60.020 Definitions.**

- A. **"Affiliation sign"** is any sign with a message identifying membership in an association of businesses, such as credit card companies or civic organizations.
- B. **"Architectural sign feature"** is either a projecting, three-dimensional or flush-mounted, sculptural, constructed item, or artistic rendering, that has no written message, lettering or business name incorporated into its design. This feature can be separate from the sign face and must be designed to visually identify the type of product for sale or a service offered, such as, but not limited to: molded coffee mug, ice cream cone or shoe projecting from the wall face to identify a coffee shop, ice cream shop or shoe store; flush mounted figures or painted murals of running horses for a tack shop, a barber pole for a barber shop, a pair of scissors flush mounted on the wall of a hair salon, a bicycle affixed to the wall of a bicycle shop, a model airplane mounted over the entry door of a toy store.
- C. **"Border"** means an edge or line constituting the perimeter of a sign.
- D. **"Business"** means a profit-making, nonprofit, or governmental organization involved in the provision of goods or services.
- E. **"Business center"** means five or more businesses located on one or more parcels of land sharing common vehicular access from the street and/or common parking facilities. A single business center shall be deemed to include all businesses to which the common access and parking are available.
- F. **"Business facade"** means an exterior wall of a place of business. For purposes of this definition, a series of connected walls located in parallel or generally parallel planes shall be deemed a single business facade. "Business facade" is further defined as either "primary" or "secondary" as follows:
1. **"Primary business facade"** means an exterior wall of a place of business, which wall has a doorway for pedestrian access and faces an adjacent public street, public walkway, or parking lot. Only one business facade meeting this definition may be selected as a primary business facade.
 2. **"Secondary business facade"** means all other facades not considered the primary business facade, and is an exterior wall of a place of business that faces an adjacent public street, public walkway, or parking lot.
- G. **"Construction sign"** means a sign with a message identifying the persons or firms associated with a construction project.
- H. **"Directional sign"** means a sign, other than a governmental sign, with a message that provides only directions (e.g., "exit only," "deliveries in rear," "private parking") to pedestrian or vehicular users of the premises.
- I. **"Erect"** means build, construct, hang, place, relocate, enlarge, alter, attach, suspend, paint, post or display.
- J. **"Freestanding sign"** means a sign so located that it is not attached to a building, fence or any structure other than a framework, post or other such device erected primarily to support the sign.
- K. **"Garage sale sign"** means a sign with a message advertising the resale of personal property that has been used by the resident.
- L. **"Gateway sign"** means a sign installed along a street frontage and specifically intended to identify the name of a neighborhood, subdivision, apartment, condominium or office complex.
- M. **"Home occupation"** means a place of business that complies with the definition of LMC 18.08.300.

OTHER CITY SIGN DEFINITIONS (Continued):

N. **"Identification sign"** means a sign erected in conjunction with a place of business with a message describing a place of business, its products, services or activities.

O. **"Nameplate"** means a sign with a message that identifies only the name and/or address of the occupant.

P. **"On-site sign"** means a sign located on the same parcel of land from which the product, service or activity described by the sign is made available.

Q. **"Permanent sign"** means any sign for which a sign permit is issued with no time limit in accordance with the provisions of this chapter. Any mention of signs in this chapter shall be considered to mean permanent signs unless this chapter specifies a time limit or references "temporary signs."

R. **"Place of business"** shall mean either:

1. A building or portion thereof occupied by one business having exclusive entry and exit (e.g., none of its doorways and hallways used by another business) to and from the exterior of the building; or
2. A building or portion thereof occupied by two or more businesses having any entrance and exit to and from the exterior of the building shared by the businesses (e.g., doorways or hallways used in common).

S. **"Political sign"** means a sign with a message advocating a particular candidate, party, ballot measure, or proposition prior to a scheduled election.

T. **"Projecting sign"** means a sign erected upon a building wall, canopy, or awning, and which projects more than twelve inches outward from the plane of the business facade. Any sign under a marquee, porch, walkway covering or similar structure and generally perpendicular to the wall of the adjoining building shall be deemed to be a projecting sign.

U. **"Readerboard"** means a sign constructed to display a message that may be changed by the manipulation of letters or numbers on its face(s), either manually or electronically.

V. **"Real estate sign"** means a temporary sign with a message announcing the offer to build on, sell, rent or lease the premises upon which it is displayed.

W. **"Sign"** means a medium for visual communication, including its supporting structure, which is used or intended to be used to attract attention to a location or subject matter for advertising, instruction or informational purposes.

X. **"Temporary sign"** means any sign for which a sign permit is approved and issued with a time limit or which is described in this chapter as having a time limit. All regulations of signs shall apply to temporary signs as well as to permanent signs, except as otherwise specified herein.

Y. **"Wall sign"** means a sign erected upon a building, fence or other structure, at no point projecting more than twelve inches horizontally from the surface upon which it is erected.

Z. **"Window sign"** means any sign placed inside or outside of a window, or otherwise located within a building in a manner allowing ready viewing from the exterior of the building through a window or other opening. (Ord. 974 § 1, 2010; Ord. 953 § 1(67), 2007; Ord. 580 § 1 (part), 1977)

Nevada City Sign Ordinance (P-29)

J. **Sandwichboard** signs or A-board signs shall not be allowed.

K. **Neon signs** or signs containing **any outline tubing** which are sought to be located inside a building and which are designed to be seen from the outside of the building are prohibited. Any sign in violation of this subsection shall be removed immediately.

OTHER CITY SIGN DEFINITIONS (Continued):**San Juan Bautista Ordinance (P-31)****DEFINITIONS OF SIGNS**

"**Sign**" means any lettering, symbol or other thing of visual appearance primarily used for, or having the effect of, attracting attention from the street, sidewalk or other outside public arena for advertising or identification purposes. A sign shall not mean displays of merchandise or products for sale on the premises, or ornamentation, designs, pictures, paintings or other such art forms unless the attraction, because of location, size, use or nature thereof, has the substantial effect of attracting attention for advertising or identification purposes when viewed from an outside area.

"**Sign area**" means the area of the smallest rectangle drawn to include all letters, designs, frame, and structural components which are part of the sign, but excluding any supports, uprights, posts or structures by which any sign is supported unless such supports, uprights, posts or structures are designed in such a manner as to form an integral background of the sign. In computing the area of a double face sign, only one (1) face of the sign shall be included; provided, that the two (2) faces shall be approximately the same size and approximately parallel to each other and not more than two feet (2') apart at any point.

"**Sign, construction**" means a sign advertising a contractor's business who is working at a construction site and typically attached to a building(s), fence, or freestanding.

"**Sign, directional, off-site**" means a sign, located on one (1) parcel, advertising and/or directing traffic to a business located on a different parcel within the City.

"**Sign, directional, on-site**" means a sign, the sole purpose of which is to direct the flow of traffic, indicate entrances or exits, transmit parking information or convey similar information.

"**Sign, freestanding**" means a sign supported by one (1) or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure.

"**Sign height**" means the vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The ground level shall be either the natural grade or finished grade, whichever is lowest.

"**Sign, identification**" means a sign, the sole purpose of which is to identify the site or the building, use or persons occupying the site on which the sign is located.

"**Sign, illuminated**" means a sign having its own immediate source of internal or external lighting.

"**Sign, open house**" means an off-site portable sign directing prospective purchasers to the location of a property being offered for sale and open for visitation by the public at the time the sign is displayed.

"**Sign, pole**" means a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six feet (6') or more above grade.

"**Sign, political**" means a temporary sign that directly relates to a candidate for public office or to a ballot issue, in an election conducted by a governmental entity.

"**Sign, portable**" means any sign which is intended to be moved or capable of being moved, whether or not on wheels or other special supports, including, but not limited to, "A-frame" type signs, placards and banners.

"**Sign, real estate**" means a temporary sign advertising the sale, lease or rental of the real property, or any portion thereof, upon which the sign is located and the identification of the person handling such sale, lease or rental.

"Sign, special event" means a temporary sign pertaining to events of civic, community, philanthropic, educational or other organizations, which are not conducted in connection with the operation of a commercial enterprise.

"Sign, subdivision" means a temporary sign advertising a subdivision and providing travel directions to properties therein offered for sale or lease for the first time. The term "subdivision sign" also includes a model home sign on the site of a property within the subdivision.

"Sign, temporary" means any sign of paper, metal, plastic or other material that does not require a permit and that can be removed quickly and simply without tools.

"Sign, wall" means a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than twelve inches (12") from such a building or structure.

"Sign, window" means a sign that is applied or attached to the exterior or interior of a window or located in such a manner within a building that it can be seen from the exterior of the structure through a window.

Meeting Date:	May 18, 2011	Agenda Item Number	7.3
Agenda Item Title:	Public Education		
Presented By:	Michael Sweeney, Design Review Committee Member		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Receive and file.

DISCUSSION

After hearing from Design Review Committee member Michael Sweeney during the January 26, 2011 Planning Commission Meeting about Public Education and discussing his research, the Commission asked to see it worked into a community education / outreach program.

MEMORANDUM

DATE: September 16, 2010

TO: Design Review Committee

FROM: Michael Sweeney

SUBJECT: PUBLIC EDUCATION & AWARENESS – HISTORIC PRESERVATION & DESIGN REVIEW – CITY OF FERNDALE

CHARGE - The Ferndale City Council & Planning Commission has asked the Design Review Committee to address the need for public education and awareness on the City's Historic District and the Design Control Combining Zone.

DISCUSSION POINTS

The following represents some background research and thoughts on the subject of historic preservation and design review. This information is presented for Design Review Committee consideration and discussion and is not intended as recommendations or promoting one idea over another.

Goal Options

Sample Goal #1 – To educate the public on matters pertaining to historic preservation and design review.

Sample Goal #2 – To build support for historic preservation by informing the community of the benefits and procedures involved and the role of design review.

Sample Goal #3 - To promote understanding and appreciation of Ferndale's heritage and encourage support and compliance with applicable policies and procedures as they apply to historic preservation and design control.

Medium Options

- Handbook/guidebook/brochure (low cost, publishing software, copies available to community members, building owners, tourists)
- Publish info in Enterprise (weekly, monthly or periodic articles or cartoon features)
- Posters - Tell a Story via photos, maps, pictures, narrative, etc.
- Quarterly newsletter or section in Ferndale Museum's newsletter
- Presentation at CC or PC meeting (PowerPoint or other form)
- Speakers Bureau (historians such as Ray Hillman and others)
- Walking Tour DVD (probably need funding for someone to put this together)
- Other

Important Ideas and Information

Interesting Information

Why is Ferndale known as the "cream city?"
What does the term "butterfat palaces" refer to?

Did you know?

The oldest building in Ferndale is the Shaw House built in 1854; Ring's Pharmacy is the oldest drug store in California; Abraxus occupies the original "Red Front" store; According to National Geographic Magazine, the Palace is the furthest west location of a saloon in North America.

State Historic Landmark

City of Ferndale was designated as a *State Historic Landmark* (No. 883) in 1975 by the California State Parks, Office of Historic Preservation.

Pioneer agricultural community, settled in 1852, helped feed the booming population of mid-century San Francisco. Long known as "Cream City," Ferndale made innovative and lasting contributions to the dairy industry. Local creameries and the town's role as a transportation and shipping center in the late 19th and early 20th centuries, fostered prosperity that produced Ferndale's outstanding Victorian Gothic residences and false-front commercial architecture.

Main Street Historic District

City of Ferndale's Main Street was designated as a *Historic District* in 1994 by the National Park Service and placed on the National Register of Historic Places.

Buildings within the City's "Main Street" Historic District represent two distinct architectural periods: 1) the late Victorian era of 19th century (1880-1900) and the Early Modernistic period in the 20th century (1920 – 1936). Other styles include Italianate, Queen Anne, Neo-Classic, Bungalow, and Mission.

The period of significance is 1872 – 1936 beginning with the construction of the earliest extant building, the 1877 Alford's Drug Store (Poppa Joe's). The Historic District includes 39 "contributing" buildings. Contributing buildings are those that best represent a particular architectural style or are the works of local architect, T. J. Frost. 13 buildings are considered "non-contributing." Since the Historic District was established in 1994, some of these "non-contributing" structures may now qualify as "contributing" (current Red Front Store; Lentz's Department Store among others.)

Benefits of Historic Preservation

- Listing on the National Register of Historic Places provides recognition and assists in preserving our nation's heritage. Listing does not mean that the federal or state government will attach restrictive covenants to the property or try to acquire it. Public visitation rights are not required of owners.
- Consideration of potential impacts of federally- assisted projects per Section 106 of the National Historic Preservation Act of 1996
- Eligible for federal tax benefits if individual buildings are listed on National Register or determined to be a contributing structures within a National Register Historic District.
- Qualify for federal grants for historic preservation.

General Plan

In 1986, the *General Plan* update supported design review rules "...to ensure that changes to physical attributes of the city adhered to the General Plan polices and guidelines ...help maintain a cohesive and welcoming experience and harmonious feel to the community" and "...attests to the reason Ferndale is recognized as a tourist destination with world-wide acclaim."

Currently, the Planning Commission is looking at developing a Historic and Cultural Resources Element of the General Plan.

Design Control Zone [Ordinance 09-01 adopted on 8/6/09]

In 2009, the City adopted Section 6.05 of the Zoning Ordinance to create a Design Control Combining Zone (D-zone) intended to be combined with the principle zone (e.g., residential, commercial) in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the principle zone.

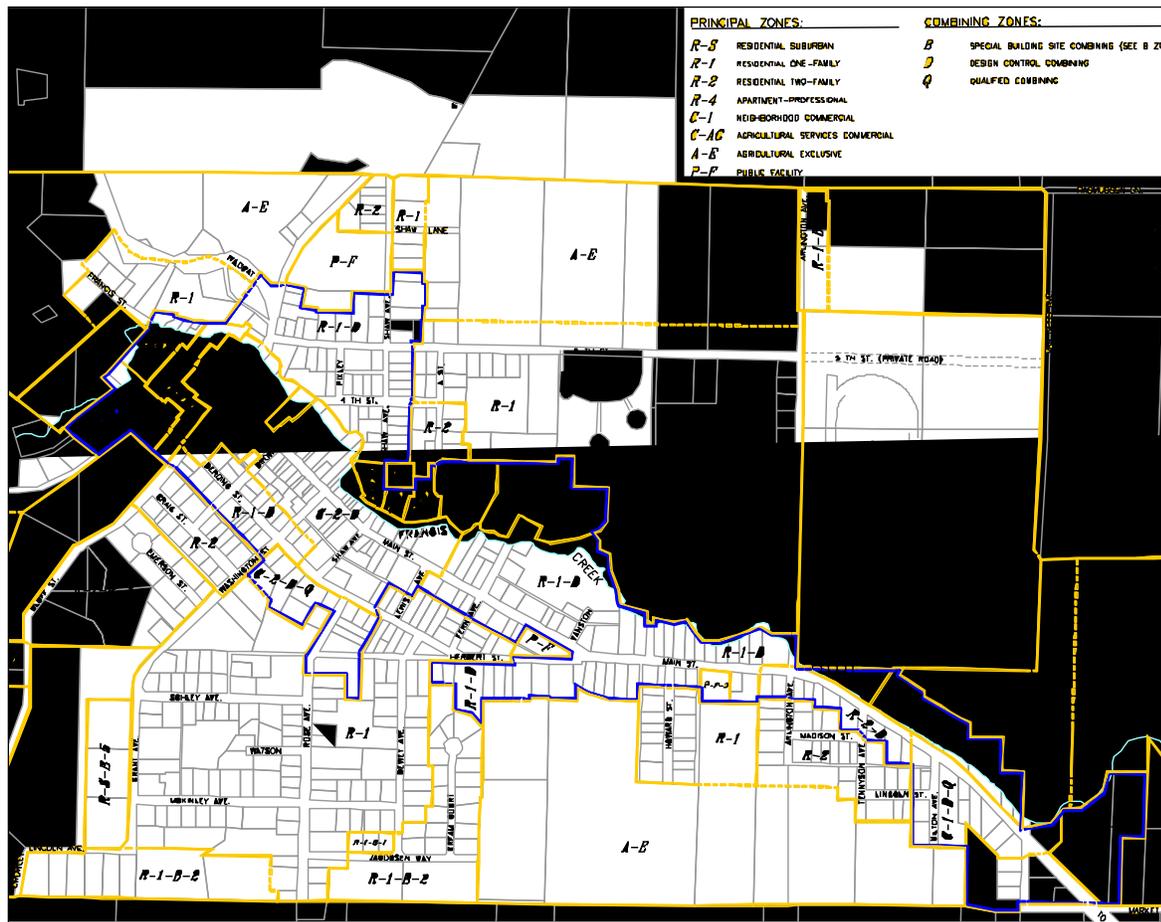
The purpose of the D-zone is to protect the over-all Victorian appearance of the zone by regulating the design of proposed buildings and structures in the zone. The procedures and authority for Design Review are established by this section to achieve the following purposes and objectives:

- a. To ensure that new buildings and structures and/or the modification, alteration and/or enlargement of existing buildings or structures occurs in a manner which is consistent with the policies of the general plan;
- b. To preserve the natural beauty of the town's site and setting;
- c. To ensure that the architectural design of buildings and structures and their materials and colors are visually harmonious with and are conceptually consistent in character and scale with surrounding area;

- d. To ensure that the design and location of signs and their material and colors are consistent with the character and scale of the buildings to which they are attached or which are located on the same site, and to ensure that signs are visually harmonious with surrounding development.

The D–zone includes all of Main Street from the Nilsen Company at Market Street and Highway 211 to Firemen’s Park; and, extends to the surrounding neighborhoods along portions of Herbert and Berding Streets, Shaw Avenue and 5th Street, and the Shamsi Court area. The D – zone overlays the Main Street Historic District.

Zoning Map



How Did All this Come About?

Disastrous floods in 1955 and 1964 all but ruined Lower Eel River Valley dairy ranches. Though the town of Ferndale was spared, store after store was empty. During this time, many communities were replacing their historic storefronts with modern facades or demolishing older buildings all together. New was in...old was out!

Over the years, in many towns, countless historic buildings have been destroyed by fire.

A significant factor in the preservation of Ferndale's historic buildings is the fact that the fire station is located downtown enabling rapid response to fire hazard as witnessed by the recent fires in the Candy Stick and Nilsen's feed barn.

During the 1970s, the Victorian Revival movement swept historic preservation efforts. Thanks to Viola Russ McBride (granddaughter of the Zipporah and Joseph Russ and local artist/activist) and others, many of the "shuttered" buildings were purchased and converted to art galleries. This "revival" encouraged other owners to preserve the historic character of their buildings.

Design Review Permits and Design Review

According to zoning code section 6.05.2, before any structure or building may be erected, structurally altered, or in any way remodeled or improved (within the D-zone) so as to change the outward appearance of the structure or building, a Design Review Use Permit shall be obtained. Design Review Use Permit applications shall be forwarded to and reviewed by the Design Review Committee. The Design Review Committee is a sub-committee of, and reports to, the Planning Commission.

If the Design Review Use Permit is approved by the Design Review Committee, the City Clerk issues a Design Review Permit. If the Design Review Use Permit is denied, the applicant can change the design, or can appeal to the Planning Commission at a fee as set by the Fees and Fines Schedule. Upon denial of any proposal, the applicant has the option of appealing the decision to the City Council, at the same fee as quoted in the current Fees and Fines Resolution for Design Review.

California Environmental Quality Act (CEQA)

Some projects may fall under the guidelines of the California Environmental Quality Act (CEQA) and be subject to applicable regulations. Among the checklist items to be addressed in any CEQA-required environmental review are matters pertaining to Cultural Resources. Specifically, for historic resources, CEQA asks the question: will the proposed project *"Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Section 15064.5?"* Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired

Section 15064.5 of the CEQA Guidelines provides that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance (a significant impact). In this instance, the project would require mitigation measures to reduce the level of impact to "less than significant" or denied as CEQA does not allow approval of a project with a significant impact.

Closure

To maintain Ferndale's legacy and the hard work of people like Viola Russ McBride and many others who have supported historic preservation efforts, it is important that all citizens understand and appreciate the importance of maintaining the historic integrity of Main Street and other historically significant buildings in the surrounding residential neighborhoods within the Design Control zone.

Section 8: REPORTS

CITY PLANNER:

Meetings & Planning Materials

- Coordinated with City Manager and City Clerk on planning and development projects.
- Coordinated burn down letter assistance - 462 Eugene Street.
- Responded to historic listing question about 315 Berding Street which is not listed locally, but is in the Design Control Zone.
- Computerized Mapping - updated the City's GIS database with new parcel information and aerial photo imagery.
- Attended April 20 Planning Commission meeting.

Projects

- General Plan Update - Historic & Cultural Resources Element - Continued preparation of new element including historic & cultural setting, historical resources and design review, and goals and policies. Coordinated with DRC member about museum membership review and comment. Coordinated with City manager about City and public review of Draft Element. Prepared draft goals and policies for Planning Commission review.
- General Plan Update - Housing Element Update - Coordinated with City staff about next steps for responding to HCD comments.

CITY CLERK:

Meetings

- City Council Meeting – 4/7/11
- Design Review Meeting – 3/24/11 covered by Administrative Assistant
- Design Review Special Meeting – 4/14/11
- Planning Commission Meeting – 4/20/11
- Design Review Special Meeting – 4/20/11
- Meetings with City Manager regarding daily work schedule.

Council Meeting Follow Up

- Transcribed Council minutes for the April 7, 2011 meeting.
- Filed Council minutes for March 7, 2011 and March 14, 2011.
- Filed the accepted Ferndale/Navy Housing Study
- Posted the following on next month's agenda
 - H.C. General Plan Update
 - Unmet Transit Needs
 - Mobile Vendor's Process Change
- Filed Original Resolution 2011-13 Authorizing Contract with Humboldt State University for Sewer GIS Mapping; made two copies of contract for City Manager signature; made new Agreement file for our records; prepared letter to go with agreements; notified Chief Plant Operator.

- Filed Original Resolution 2011-14 8th Progress Pay Request for Management and Construction Related Costs for the WWTP in Resolution Book, made copy for Project Manager, filed copy in WWTP USDA payments.
- Filed Original Resolution 2010-15 Authorizing the City Manager to sign a Vehicle Lease Agreement; made two copies of agreement for City Manager signature; made new Agreement file for our records; prepared letter to go with agreements; notified Chief Bret Smith.
- Filed Original Resolution 2010-16 Acknowledging and authorizing the closure of Fernbridge on August 7, 2011 for the Centennial Celebration. Called Rick Phillis who will pick up a copy of the Resolution for CalTrans.
- Filed Original Resolution 2011-17 Health Insurance provider change to California State Association of Counties (CSAC). Spoke with Financial Manager on whether she needs copy.

Planning Commission Follow Up

- Assembled and distributed April 20, 2011 meeting packet.

Design Review Committee Follow Up

- Assembled and disbursed design review committee meeting packets for special design review meetings.
- Instructed Administrative Assistant to write letters or call those applicants with Design Review approval
- Researched and assembled regular meeting packet for April 28, 2011 meeting.

Projects

- Collected and mailed all FPPC Form 700s (Statements of Economic Interest).
- Researched emergency procedures; located Ferndale Emergency Procedures, copied and distributed books to City Clerk, City Manager and Police Chief.
- Changed rental agreements and uploaded new forms onto the city’s web page.
- Sent in corrections to the California Roster.
- Training Assistant
 - Building Permits
 - Daily and weekly duties
 - City Clerk duties
 - Design Review Committee: follow-up to minutes for Design Review, including adding new items to the Planning Commission agenda, as well as the next Design Review agenda; writing letters to applicants whose projects were before the Committee
- Worked with City Manager and Finance Director on a procedure for Non-profit agency use of the Community Center and City Hall.
- Prepare for Special City Council meeting for two items on 4/21/11
- Prepared directions on how to upload minutes to the web page.

Building and Encroachment Permits Issued

433	Eugene	remodel <e> kitchen and bathroom
526	Washington	Clean sidewalks
692	Berding	Water heater and vent
861	Howard	PG&E Pole work

Section 9: DESIGN REVIEW

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 4/14/11 8:30am special meeting

Vice Chair Dane Cowan opened the special meeting at 6:30pm. Committee Members Michael Bailey and Michael Sweeney along with staff City Manager Jay Parrish and City Clerk Nancy Kaytis-Slocum were present. Lino Mogni and Dan Brown were absent. There were no modifications to the agenda.

325 Main Street – window signage. MOTION: (Sweeney/Bailey) Approve the sign as a combination of a sign and a nameplate. All in favor.

Comments: Cream City Café flashing espresso sign did not go through design review. Committee member Sweeney reported that he'd been discussing the Historical and Cultural Resources Element with City Planner Vanessa Blodgett along with Kirk Gothier of the Ferndale Museum. As part of our education and outreach program he would like to put the element on the city's webpage, and have the museum link to it for public comment. Committee member Cowan reported that the fence on Willis Hadley's land between the Shaw House Inn and Sylvia Sterling's property is merely a mock-up. Bailey talked about the definitions of signs as well as an outline for a possible sign ordinance. Questions to bring forward in the discussion may include how do we currently tell a person to remove a sign that has not been authorized? Where are the teeth in our current ordinance? This is what we have been working on, and does the Planning Commission support the concept?

The next regular meeting will be April 28, 2011 at 8:30am. The meeting was adjourned at 9:27am.

Respectfully submitted: Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 4/20/11 6:30pm special meeting

Chair Dan Brown opened the special meeting at 6:30pm. Committee Members Lino Mogni, Michael Bailey, and Dane Cowan along with staff City Clerk Nancy Kaytis-Slocum were present. Michael Sweeney was absent. There were no modifications to the agenda.

452 Main Street – Juice bar including bamboo and paint on entry and door. Discussion included whether the colors chosen for the door and the entryway floor, and the bamboo embellishment around the outside of the building and the doorway was Victorian in nature. MOTION: (Cowan/Bailey) The Design Review Committee does not approve the application. All

in favor. Staff was directed to ask the applicants to submit a different color/material scheme or to appeal the Committee's decision to the Planning Commission.

393 Main Street – Remove built on lean to at the rear of the building. MOTION: (Cowan/Bailey) Approve removal/demolition of the lean to at the rear of the building. All in favor. When the applicants decide upon the design of the exit from the upstairs, it should come back to the Design Review Committee.

Comments: Committee member Bailey talked about goals for the Design Review Committee, including definitions of signs, and an outline for a possible sign ordinance. Committee member Mogni felt it is not the job of the committee to set goals. Chairman Brown explained that the rules we have been working under are vague and that we need better, more clear tools to make decisions. City Manager Parrish noted that the City Council has goals that may overlap the Planning Commission's goals; that the City Council may give direction to or approve of the Planning Commission's Goals; and that the Planning Commission may give direction to or approve of the Design Review's Goals. Bailey asked if it would be appropriate for him to bring his outline and definitions to the Planning Commission as an individual. The consensus was that it would be more appropriate for the Design Review Committee to bring it forward to the Planning Commission. Jorgen von Frausing-Borch felt that the Design Review Committee should bring ideas forward to the Planning Commission and get approval from the Commission to move forward.

The next regular meeting will be April 28, 2011 at 8:30am. The meeting was adjourned at 6:58pm.

Respectfully submitted: Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 4/28/11 8:30am meeting

Chair Dan Brown opened the meeting at 8:36am. Committee Members Lino Mogni, Michael Bailey, and Dane Cowan along with staff Administrative Assistant Brianna Smith were present. Michael Sweeney was absent.

The minutes from the previous three meetings were accepted by MOTION: (Cowan/Bailey). All in favor. There was no public comment.

Public Education: Tabled until next meeting.

Code Enforcement: Discussion about the ongoing issues with code enforcement and how complaints are being pushed off.

Sign Ordinance Presentation: MOTION: (Cowan/Brown) Authorize Michael Bailey as a committee member to make a sign ordinance presentation to the Planning Commission. All in Favor

Procedure for finals on Design Review projects-List of Design Review's recently passed: MOTION: (Bailey/Cowan) Assign various Design Review committee members to finalize each design review application. If a building permit has been assigned, staff can call or notify committee member(s) that a final has been called in. Staff will give the paperwork to whomever is assigned to look at it (so that colors, shapes, [the look] can be compared). If no building permit is in place, staff can let a committee member know when the project is complete. All in Favor

Historical Record of Architectural Changes: No discussion. Done

Restaurant Matias additional signage on windows/ Shaw house Inn : Restaurant Matias: Notify Mr. Matias that the additional sign has been included in the square footage of the total signage permitted let him know what his total signage is and give him an option to decide what signage he would like to take down so that he can come into compliance with Design Review. Shaw House Inn: Denial is based on Zoning Ordinance 02-02 Section 7.23 and Section 6.05.1(c)(d).

Comments: Discussion involved objections to committee's decisions. If the public wants to speak on an issue they can come to a meeting and speak during public comment, and ask to be put on the agenda for the next upcoming meeting.

The next regular meeting will be May 26, 2011 at 8:30am. The meeting was adjourned at 9:43.

Respectfully submitted: Brianna Smith; Administrative Assistant

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 5/5/11 8:30am special meeting

Vice Chair Dane Cowan opened the special meeting at 8:30am. Committee Members Michael Bailey, Lino Moggi and Michael Sweeney along with staff City Clerk Nancy Kaytis-Slocum were present. Dan Brown was absent. There were no modifications to the agenda.

724 Main Street – exterior paint. MOTION: (Sweeney/Bailey) Approve exterior paint colors as shown on example brought to meeting. All in favor.

Comments: Staff was requested to bring the original application to the meeting in case there is a variation in color between the original and the scanned version. Michael Sweeney talked about the museum's link to the city's webpage to review the housing element draft. Dane

Cowan talked about not representing the Design Review Committee outside of a meeting. The committee made some suggestions on changes to the Field Observation Form.

The next regular meeting will be May 26, 2011 at 8:30am. The meeting was adjourned at 8:50am.

Respectfully submitted:

Nancy Kaytis-Slocum
City Clerk

Section 10

ADJOURNMENT