

STUDY SESSION

Location:	City Hall	Date:	November 15, 2012
	834 Main Street	Time:	6:30 PM
	Ferndale CA 95536	Posted: 11/8/11	

1. CALL STUDY SESSION TO ORDER – Chairman Jorgen Von Frausing Borch
Speaker: Jon Verbeck, Hazardous Materials Specialist with the Humboldt County Division of Environmental Health, and Captain Ed Laidlaw of Eureka Fire Department’s Hazardous Materials Response Team will address establishments within and near Ferndale which store, handle, or generate hazardous materials; the potential for and effects of hazardous material spills; emergency response; and ways to mitigate risks..... 6:30 pm
2. ADJOURN STUDY SESSION

AGENDA

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

Location:	City Hall	Date:	November 15, 2012
	834 Main Street	Time:	7:00pm Regular Meeting
	Ferndale CA 95536	Posted: 11/8/12	

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.

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|------|--|---------|
| 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 –October 17, 2012..... | Page 2 |
| 4.0 | Public Comment | Page 3 |
| 5.0 | Public Hearing | |
| 5.1 | 1182 Rose Avenue; Variance for Second Dwelling Unit | Page 4 |
| 6.0 | Business | |
| 6.1 | Building and Planning Applications | Page 16 |
| 6.2 | Interview Design Review Committee candidates..... | Page 16 |
| 6.3 | Interview Planning Commission candidates | Page 18 |
| 6.4 | 535 Main Street – Recommendation from the Design Review Committee | Page 20 |
| 6.5 | General Plan Safety Element Update Draft Hazardous Materials Chapter | Page 31 |
| 6.6 | General Plan Safety Element Update Hazardous Materials Policy
Examples..... | Page 38 |
| 7.0 | Correspondence and Oral Communications | None |
| 8.0 | City Planner’s and Deputy City Clerk’s Staff Reports | Page 40 |
| 9.0 | Design Review Minutes..... | Page 43 |
| 10.0 | Sign Committee Minutes..... | Page 44 |
| 11.0 | Adjournment – Next regular meeting December 19, 2012 | Page 46 |

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of October 17, 2012

Study Session: Chair Jorgen Von Frausing-Borch called the study session to order. Planner Melanie Rheaume introduced Mr. Mark Rodgers, Pre-Fire Planning Battalion Chief for CAL FIRE, and Ms. Cybelle Immitt, staff support for the Humboldt County Fire Safe Council, who spoke to the commissioners on Fire Safety in and around Ferndale.

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:12pm. Commissioners Dan Brown, Trevor Harper, and Lino Mogni along with staff City Clerk Nancy Kaytis-Slocum and City Planner Melanie Rheaume were present. Uffe Christiansen was absent. Those in attendance pledged allegiance to the flag. MOTION: (Brown/Harper). The September 19, 2012 minutes were unanimously approved with a correction in the spelling of revocable.

Public Comment: Mr. Stuart Garbutt spoke on behalf of Yuki McCarthy of 219 Francis Street. After some discussion it was decided that this should go on the Design Review agenda before it is placed on the Planning Commission Agenda. Mr. Garbutt indicated that he would help Yuki begin the Design Review Use Permit application process.

Revised Permit Processes: Planner Rheaume went through the changes in the Design Review Use Permit Application as well as the changes in the Secondary Dwelling Unit and Home Occupation Permit processes. The Planning Commission asked to be informed of all land use approvals as an information item under business.

Safety Element Update, Fire Safety: Planner Rheaume went through the draft Fire Safety section of the Safety Element Update for the Commissioners. She also gave some examples of Policies, as requested by the Commission during the last meeting. Coming in November is a talk on Hazardous Material; in January, Risk Assessment and in February, Emergency Preparedness. Although the February study session will probably go longer than a half hour, the Commission asked that the study session begin at 6:30pm as planned.

Mr. Michael Bailey presented the Draft Sign Ordinance updates to sections 1001 (Background, Purpose and Scope) and 1002 (Sign Definitions); and new sections 1004.1 (Sign Standards, Maintenance and Design Criteria) and 1004.2 (Miscellaneous Business Signs). He asked that if the Commission has changes or concerns that they let the Sign Ordinance Committee (SOC) know as soon as possible, as the SOC continues to move forward on the ordinance. MOTION (Harper/Brown) Approve updates to sections 1001 and 1002, approve sections 1004.1 and 1004.2 as presented. All in favor.

Planning Commission vacancy: MOTION: (Von Frausing-Borch/Brown) Direct staff to advertise for Planning Commission vacancy. All in favor.

Design Review vacancy: MOTION: (Von Frausing-Borch/Harper) Direct staff to advertise for Design Review Committee vacancy. All in favor.

November meeting date change: The Commission confirmed that they will be meeting on November 15 at 6:30 pm. The meeting was adjourned at 8:37pm.

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 Hearing

1. OPEN PUBLIC HEARING

- a. Announce agenda item number and state the subject
- b. Invite staff to report on the item, including any recommendation
- c. Ask members of the Council or Commission if they need clarification. If so, the questions should be asked of the person reporting on the item.
- d. Invite Public Comment. Mayor or Chair may limit the time for speakers to 3 minutes

2. CLOSE PUBLIC HEARING

- a. Invite a motion from the governing body and announce the name of the person making the motion
- b. Invite a second from the governing body and announce the name of the person seconding the motion
- c. Make sure everyone understands the motion by having it repeated by
 - i. The maker of motion
 - ii. The Chair
 - iii. The Secretary
- d. Invite discussion by members of the governing body
- e. Take a vote; ayes and then nays are normally sufficient
- f. Announce the result of the vote and announce what action (if any) the body has taken.
- g. Indicate names of members who voted in the minority of the motion

PC Meeting:	November 15, 2012	Case No.: VA 1226 & SDU 1225
Applicant:	Michael and Susan Felse	Agenda Item: 5.1
Property Address:	1182 Rose Avenue	APN 031-241-004
Zoning:	Residential One-Family (R1)	

PROJECT DESCRIPTION: Request for Variance from Zoning Ordinance 02-02 §7.21.4f pertaining to allowable square footage of Secondary Dwelling Units and §5.03.3d pertaining to side setbacks, as well as a request for a Secondary Dwelling Unit (SDU). The Variance will allow an SDU of 836 sq. ft. (instead of the 640 sq. ft. allowed) to remain 1' from the side lot line (instead of the 5' required) at 1182 Rose Avenue (APN 031-241-004), Residential One-Family Zone. Commission approval is necessary for SDUs that are outside of the standard parameters.

ENVIRONMENTAL REVIEW: This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA), and qualifies for a Class 5 Categorical Exemption per Section 15305 of CEQA Guidelines. Class 5 exempts minor alterations to land use limitations, such as lot line adjustments, variances, and encroachment permits on land with a slope of less than 20% that do not result in changes in land use or density.

STAFF CONTACT: Planwest Partners, Contract City Planners. Phone: 707.825.8260, Fax, 707.825.9181 and Email: melanier@planwestpartners.com.

STAFF RECOMMENDATION:

Adopt the findings of fact as described in Attachment A, approve the Variance to allowable square footage and minimum side setback for an SDU, and approve the SDU, subject to the conditions of approval listed in Attachment B.

Recommended Motion: "Adopt Resolution No. PC 2012 - 35 making the required findings of fact listed in Attachment A, and approve the variance and SDU as requested, subject to the conditions of approval listed in Attachment B, to allow a SDU at 1182 Rose Avenue to have 836 sq. ft. instead of the 640 sq. ft. allowable and to remain 1' from the side lot line instead of the 5' required."

SUMMARY OF PROPOSED PROJECT:

The applicant owns and resides at the property at 1182 Rose Avenue. The project consists of converting part of an existing detached garage into a SDU in order to provide applicant's parents a place to live. The southern portion of the existing garage will be remodeled to have a kitchen, living area, bedroom, and bathroom. The total square footage of the proposed SDU will be 836 sq. ft., which will exceed the allowed square footage of a SDU by approximately 200 sq. ft. Please note that the existing building is 1' from the east property line, when 5' is required of a SDU. It is not proposed that the building be moved.

ANALYSIS:

Ferndale Zoning Ordinance Article IX §9.01 specifies the findings that must be made to grant the variance:

Grant of special privilege: The City has, in the past, granted variances to property owners for larger than the 640 sq. ft. allowed for a SDU, as well as variances for setbacks less than 5', as shown below. Therefore, the granting of this variance does not constitute the granting of special privilege, nor is it inconsistent with the limitations upon other properties in the vicinity and zone.

Date	Address	Zone	Variance	Sq. Ft.
04/26/1990	505 Fern	R-1-B-2	Max sq ft of SDU	900
10/18/2000	533 Watson	R-1	Max sq ft of SDU	844
04/21/1999	1183 Main	R-1-D	Max sq ft of SDU	850
12/20/2006	1171 Rose	R-1	Max sq ft of SDU	1600
03/17/2010	450 Fifth	R-1-D	Max sq ft of SDU & setback req.	850

Special Circumstance: The purpose of the variance process is to allow flexibility in the application of the zoning regulations particularly when there are special circumstances, including size or location (ZO §9.01.2), affecting a property where strict application of the zoning regulations is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The building that is proposed to be made into the SDU is an existing building that has been used as a garage. The existing garage is on the rear part of the lot. Zoning Ordinance 02-02 §7.26.2 allows a detached accessory building to be at least one foot from the side lot line when the building is located on the rear one-half of the lot. Because the building already exists on the property, and it is of a certain size and in a certain location on the property, special circumstances exist.

Public interest, safety, health and welfare: The purpose of the 640 sq. ft. limitation on the square footage for the SDU is so that the SDU will not overshadow the primary residence. Since the accessory building already exists, and the remodeling will occur inside the building, the outline of the existing building will not change. The property is larger than the 6000 sq. ft. required in this zone, and the proposed SDU is on the rear part of the lot, while the primary residence is on the front of the lot, the distance between the two buildings is enough that the SDU would not be out of proportion and therefore not contrary to the intent of the zoning regulations. In addition, other nearby residences have been granted variances to allow larger SDU's, including one across the street at 1171 Rose Ave, where a 1600 sq. ft. SDU was approved, and to Staff's knowledge the City has not received complaints that those SDU's have been detrimental to the public. Staff believes that the finding can be made that the requested variance will not be detrimental to the public health, safety or welfare.

APPLICABLE REGULATIONS:

Ferndale Zoning Ordinance 02-02 Article VII, §7.21 address Secondary Dwelling Units in a Residential One-Family Zone:

§7.21 Secondary Dwelling Units: Creation of New SDUs (Entire Ordinance 03-03 on July 14, 2003.) §7.21 amended by

7.21.1 As of the effective date of this section, an approved SDU permit application shall be obtained prior to construction, conversion and/or development of a SDU. Pursuant to California Government Code 65852.2 the SDU permit shall be considered ministerially without discretionary review or a hearing.

7.21.2 An application for a permit for a SDU may be made by the owner or the owner's authorized agent to the Planning Department on forms provided by the Department which shall include the following data:

- a. Name and address of the applicant
- b. Proof that, at the time of application for the SDU permit, the applicant is the owner of the property on which the SDU is proposed to be located;
- c. Proof that, at the time of application for the SDU permit, the owner occupies the property on which the SDU is proposed to be located.
- d. Address or description of the property.

7.21.3 Plans / Other information:

- a. Site Plan – An accurate scaled drawing drawn to a standard engineer or architect scale showing the following
 - i. Title – “Site Plan”
 - ii. Name, address and phone number of applicant and/or agent
 - iii. Property address and assessor parcel number
 - iv. Date, north arrow, scale
 - v. Entire parcel boundary with dimensions
 - vi. Adjacent public and private driveways, streets, alleys and easements as well as right-of-way widths of each
 - vii. Dimensions and location of all off-street parking spaces
 - viii. Location, dimensions and square footage of existing residential dwelling and accessory structures.
 - ix. Location, dimensions and square footage of proposed SDU
 - x. Include distance from all property lines to all structures.

b. The City Planner may require additional information, plans and/or drawings if they are necessary to enable the Planner to determine whether the proposed SDU complies with the applicable provisions of this ordinance.

7.21.4 Development Standards:

- a. A SDU is permitted only on lots within in the R-1 and R-S zones
- b. At the time of application for the SDU permit, the applicant shall be an owner-occupant of the subject property;
- c. The lot on which the SDU is sited shall comply with the minimum site area, width and depth standards prescribed for the R-1 and R-S zones
- d. The SDU shall be accessory to a principal one-family dwelling in that it is subordinate and incidental to the principal dwelling
- e. The SDU may either be attached to the principal dwelling, or detached from the principal dwelling
- f. The maximum gross floor area of the SDU shall not exceed 640 square feet
- g. When a single-family dwelling of less than 640 square feet exists on a lot, a larger single-family dwelling may be constructed as the principal dwelling, provided that the existing dwelling complies with the regulations for a SDU as prescribed herein
- h. A SDU attached to the principal dwelling shall comply with the applicable development standards for additions to a single-family residence; a detached SDU shall conform to the applicable development standards for an accessory structure
- i. Not more than one SDU shall be permitted on any one lot. A SDU shall not be permitted on a lot already having two or more dwelling units located thereon and shall not be permitted in addition to a guesthouse. A guesthouse shall not be permitted on any lot developed with a SDU
- j. The lot on which the SDU is sited shall be developed with at least two parking spaces, one per dwelling, as noted in section 7.16 of the Zoning Ordinance 02-02
- k. The SDU shall provide complete independent living facilities for one or more persons. It shall include permanent separate provisions for living, sleeping, eating, cooking, and sanitation; and shall have a separate entrance which is subordinate to the entrance to the main building if located facing the street
- l. The SDU may have utility services metered separately from, or with the principal dwelling unit
- m. The SDU shall comply with all local, state and federal codes and standards, including the building codes as adopted by the City of Ferndale. Development of the SDU shall not cause the principal dwelling to violate any local, state or federal codes and standards, including the building codes as adopted by the City of Ferndale
- n. A SDU that conforms to the requirements of this ordinance shall not be considered to exceed the allowable density for the lot upon which it is

- located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot
- o. SDU permits shall not be issued for SDUs that result in adverse impacts to the adequacy of water and sewer services and/or that result in adverse impacts on traffic flow, and or that result in adverse impacts on any real property that is listed in the California Register of Historic Places
 - p. All construction proposed under the SDU permit shall be subject to architectural review. The SDU shall be constructed in such a manner as to be compatible with the existing neighborhood in terms of form, height, material and landscaping
 - q. The SDU shall not be sold or owned separately from the principal residential unit but may be rented
 - r. The minimum separation between the main residence and a detached SDU shall be ten (10) feet
 - s. A detached SDU which is located within any portion of a required rear yard shall not exceed one (1) story or sixteen (16) feet in height, whichever is less
 - t. A detached SDU may not be constructed within five (5) feet of a rear or side property line
 - u. The SDU shall conform to any other conditions or standards which in the judgment of the City Planner are necessary to mitigate possible adverse impacts on the neighborhood.

Ferndale Zoning Ordinance 02-02, Article IX, §9.01 specifies the findings that must be made to grant the variance:

- 9.01.1 That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege, inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated, and
- 9.01.2 That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning regulations is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification, or
- 9.01.3 That any variance granted will not be contrary to the intent of the zoning regulations or to the public interest, safety, health and welfare, and,
- 9.01.4 Where due to special conditions or exceptional characteristics of such property, or its location or surroundings, a literal enforcement of the zoning regulations would result in practical difficulties or unnecessary hardships.

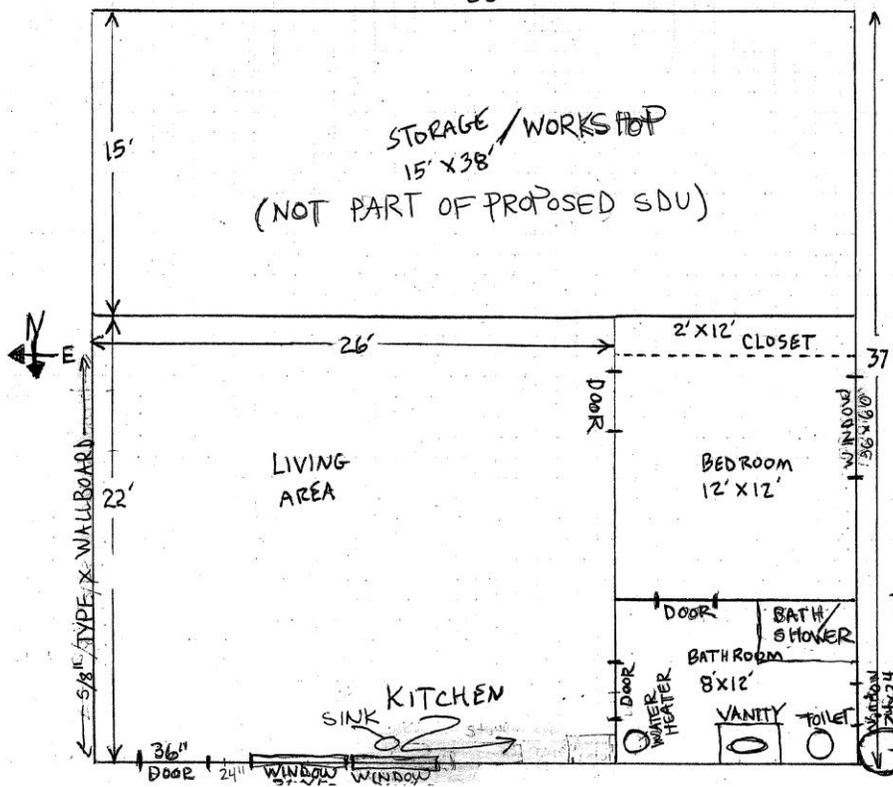
CONCLUSION:

The State of California encourages cities to infill as much as possible instead of spreading outside of the existing City limits. Staff feels that converting the existing building into a SDU is a good use of the space. The additional 200 sq. ft. is less than the City has granted in the past; the variance will not be contrary to public interest, safety, health, and welfare; and the literal enforcement of the zoning regulations would result in the applicants using less than the available footprint of the existing building.

PROPOSED
SDI
AREA

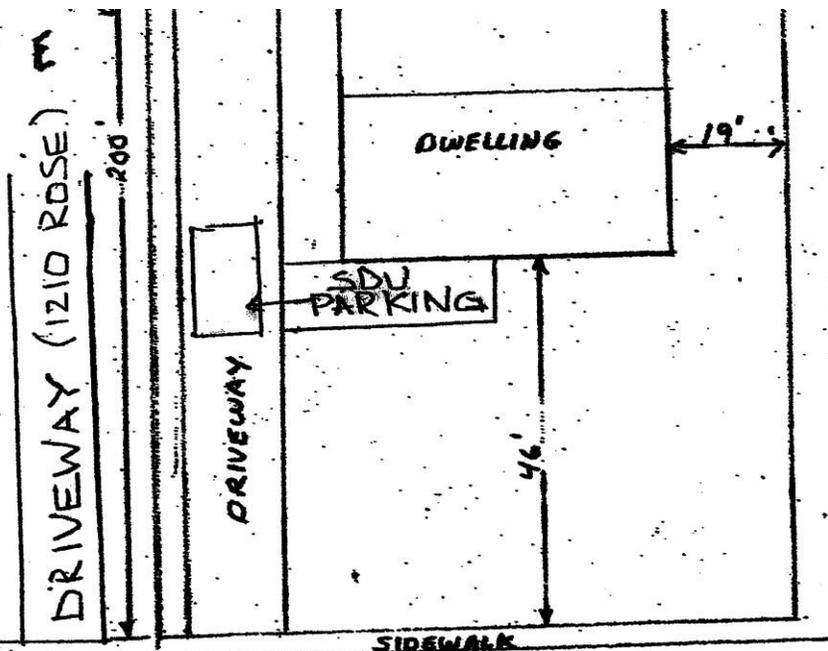
SDU PROPOSAL - 1182 (ROSE AVE (FELSE))
38'

SCALE:
3/16" = 1 FT

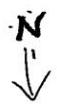


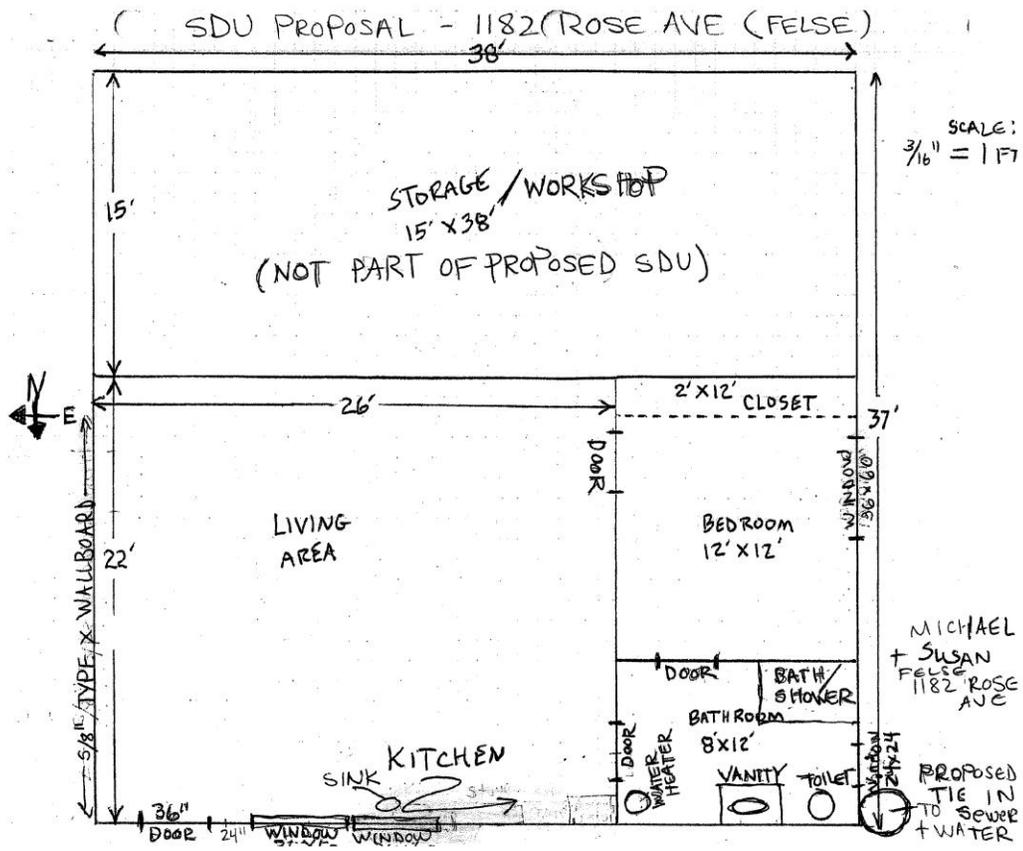
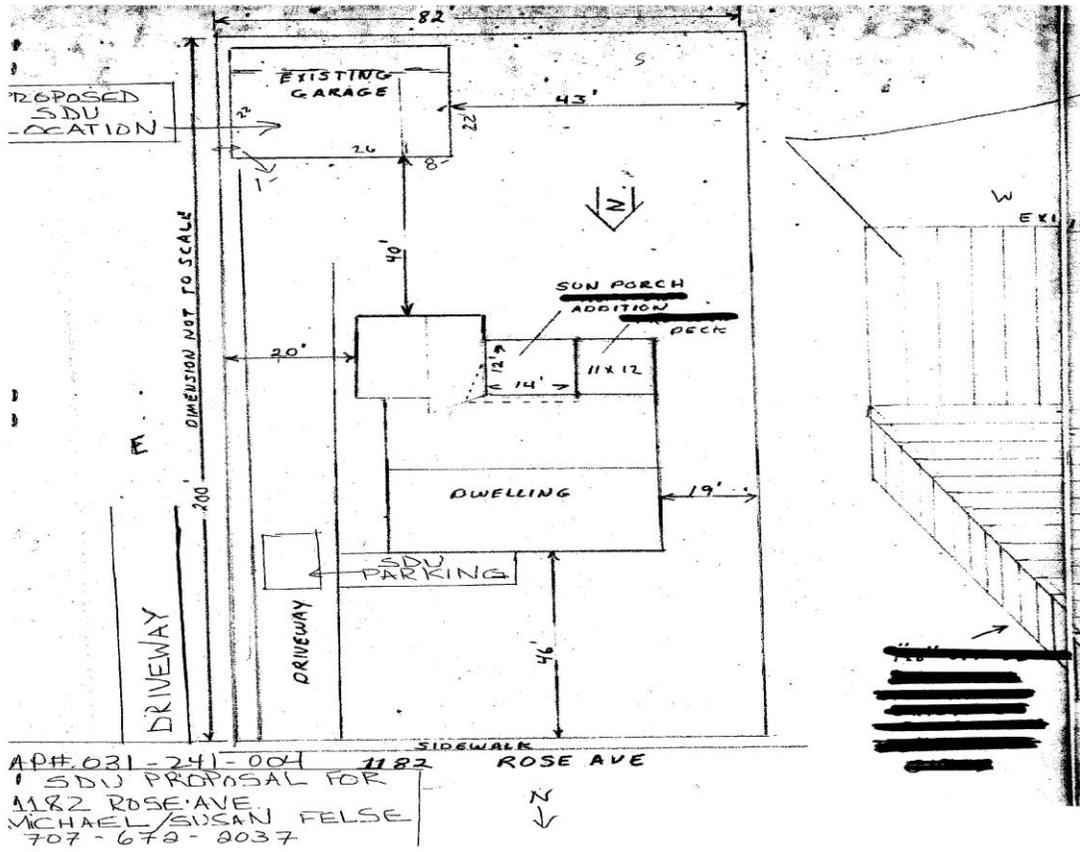
MICHAEL
+ SUSAN
FELSE
1182 ROSE
AVE

PROPOSED
TIE IN
TO SEWER
+ WATER

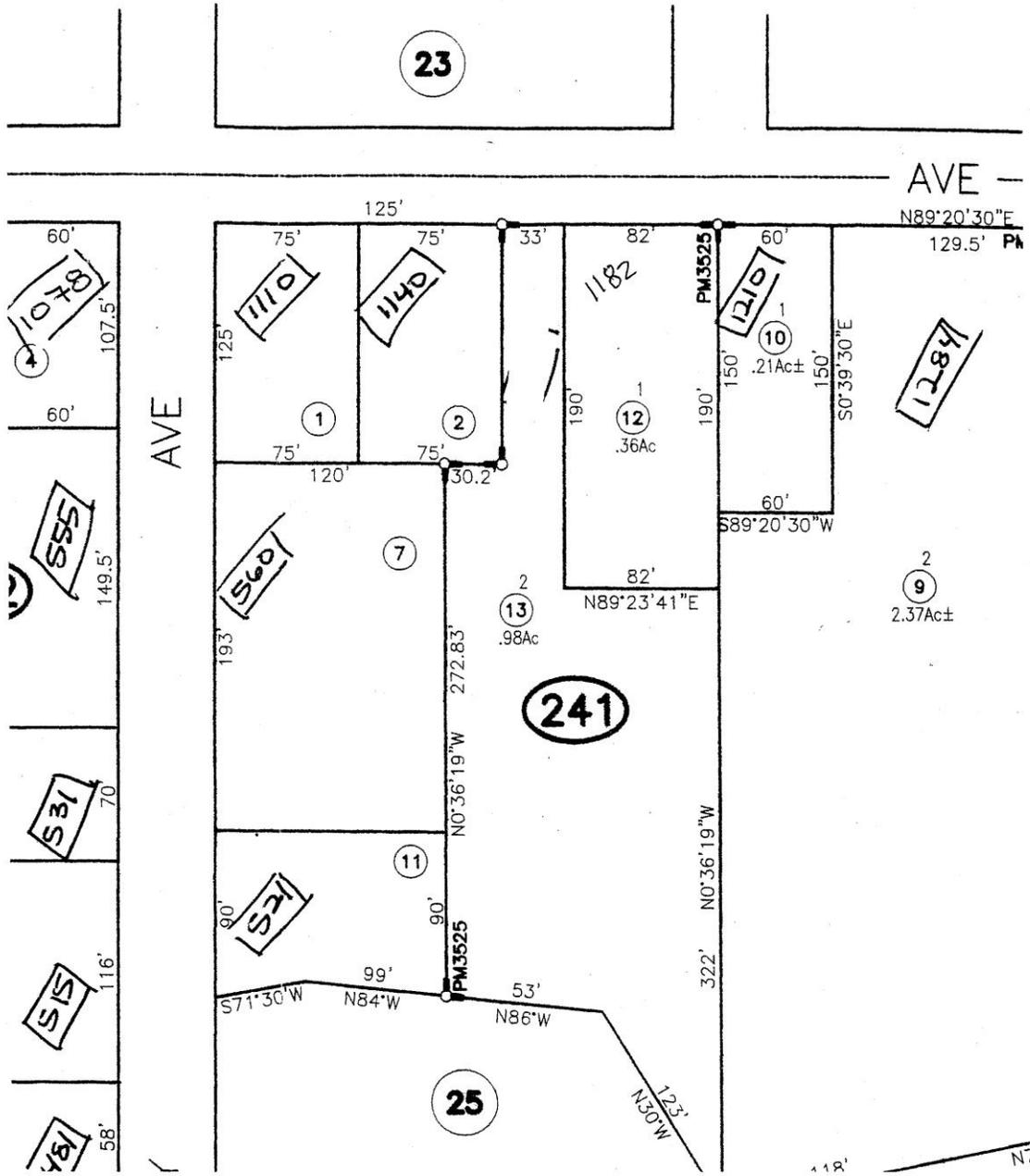


#031-241-004 1182 ROSE AVE
 SDU PROPOSAL FOR
 1182 ROSE AVE.
 MICHAEL + SUSAN FELSE
 707-672-2037





CITY OF FERNDALE



Attachment A

FINDINGS OF FACT

Staff feels the Planning Commission can make the following findings to allow for Variance and Secondary Dwelling Unit approval:

1. This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA), and qualifies for a Class 5 exemption from the preparation of environmental documents. Class 5 exempts minor alterations to land use limitations, such as lot line adjustments, variances, and encroachment permits on land with a slope of less than 20%, that do not result in changes in land use or density.
2. The City of Ferndale has granted similar variance requests to properties with similar topography that are also located in the one-family residential zone. Due to the projects location and surroundings, a literal enforcement of the zoning regulations would result in practical difficulties or unnecessary hardships (Zoning Ordinance Section 9.01.4).
3. The requested variance for more than the 640 sq. ft. allowed for a SDU will result in approximately 836 sq. ft. of an existing garage to be remodeled for use as a dwelling.
4. The proposed project, as outlined, will not be contrary to the intent of the zoning regulations or to the public interest, safety, health and welfare (Zoning Ordinance Section 9.01.3), and
 - Appears to be similar and compatible to other uses allowed in the zone,
 - Does not appear to impair the integrity and character of the zone (or neighborhood),
 - Does not appear to be detrimental to the public health, safety, or welfare,
 - Appears to be 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.

Attachment B**CONDITIONS OF APPROVAL**

Staff recommends that approval of the Variance and Secondary Dwelling Unit be 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.

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing this Variance and SDU approval and permit. All applicable fees shall be paid to the satisfaction of the City of Ferndale before the Variance permit and the SDU permits are considered final and approved.
2. The effect of the variance is to approve the modification of established development standards for a SDU in the R-I Zone; specifically, to allow an existing building to be made into a 836 sq. ft. SDU with a 1' side lot setback; and that the approval of the variance shall have no effect on or in any way alter, modify or remove any current, prior or future terms and conditions applied to the subject property and the uses permitted, or not permitted.
3. Unless the Variance Permit and SDU Permit as made possible under this action are granted by the City and the use described and permitted by this action is initiated within 6 months and completed within 12 months from the effective date of this action, then the approval granted under this action shall be suspended and all privileges granted shall lapse; provided, that the Planning Commission, upon written application prior to said date, may grant an additional extension(s) for the initiation and/or completion of the use described and permitted here, upon showing of good cause.
4. All proposed site development shall be in conformance with all applicable city ordinances, regulations and codes (as amended), including but not limited to Zoning Ordinance 02-02, Uniform Building Code, and Fire Code and/or Public Health & Safety Code regulations applicable to the nature and type of proposed construction and/or uses.
5. The applicants and/or property owners are required to obtain a building permit for any proposed construction, reconstruction and renovation, per the Uniform Building Code.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF FERNDALE
Resolution Number PC 2012 – 35**

**MAKING THE REQUIRED FINDINGS FOR CONDITIONALLY APPROVING A
VARIANCE FROM ZONING ORDINANCE 02-02 §7.21.4F PERTAINING TO ALLOWABLE SQUARE
FOOTAGE OF SECONDARY DWELLING UNITS AND §5.03.3D PERTAINING TO SIDE SETBACKS, AS
WELL AS A REQUEST FOR A SECONDARY DWELLING UNIT (SDU) ON ASSESSOR PARCEL NUMBER:
031-241-004**

WHEREAS, Glenn Holbrook submitted an application and evidence in support of approving a Variance from Zoning Ordinance 02-02 §7.21.4f pertaining to allowable square footage of Secondary Dwelling Units and §5.03.3d pertaining to side setbacks, as well as a request for a Secondary Dwelling Unit at 1182 Rose Avenue; and

WHEREAS, the project is exempt from California Environmental Quality Act per Section 15305 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 Variance and Secondary Dwelling Unit; and

WHEREAS, the staff report includes evidence in support of making all of the required findings for approving the Variance and Secondary Dwelling Unit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Ferndale approves the Variance from Zoning Ordinance 02-02 §7.21.4f pertaining to allowable square footage of Secondary Dwelling Units and §5.03.3d pertaining to side setbacks, as well as a request for a Secondary Dwelling Unit at 1182 Rose Avenue, subject to the conditions contained in Attachment B.

PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 15th day of November, 2012 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

Section 6: BUSINESS

<i>BUSINESS ITEM 6.1</i>		<i>November 15, 2012</i>
<i>Building Permits</i>		
410	Arlington	reroof
535	Main	reroof
591	Arlington	new garage
580	Main	demo Shaw Street side stucco
580	Main	Encroachment Permit
<i>Land Use Permits</i>		
535	Main	Design Review side over <e> siding in back of bldg
580	Main	Design Review façade replacement w wood new trim same color paint
277	Ocean	Design Review windows and siding change to reduce sq footage of window-energy efficiency
1182	Rose	SDU
1182	Rose	Variance
161	Francis	Design Review Deck
207	Francis	Design Review Paint colors

Meeting Date:	November 15, 2012	Agenda Item Number	6.2
Agenda Item Title:	Interview Planning Commission candidate		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Recommend the City Council appoint a Planning Commissioner		

RECOMMENDATION: Recommend the City Council appoint a Planning Commissioner.

BACKGROUND:

Commissioner Dan Brown has been elected to the City Council, leaving his seat vacant. We've had one applicant in response to our advertisement. His application is attached and he is here for you to interview. The process is for the Planning Commission to make a recommendation to the City Council to make an appointment to the Planning Commission.

City of Ferndale
PLANNING COMMISSION APPLICATION

NAME: Dean M. Nielsen

ADDRESS: 1099 Van Ness Ave

PHONE: 786-4207 EMAIL: dean.m.nielsen@gmail.com

Please list education and/or experience which you feel relates to or would be beneficial to the role of Planning Commissioner (this may include serving on a board, commission or council, past or present government or civic experience, completed courses in land use planning, etc.)

I have a BS Degree in Business/Accounting, was appointed to the Contra Valley Municipal Advisory Council for 10 years. The CUMAC served in a similar capacity as the Ferndale Planning Commission and City Council. The regulations governing the CUMAC were almost identical to those in Ferndale. I was Chairman of the CUMAC for 4 years.

Please describe your knowledge or familiarity with Ferndale's General Plan and Zoning Ordinance:

My wife and I have owned a home in Ferndale for 4 1/2 years. I have read the Master Plan and all of the Ferndale ordinances as they appear on the City website. The regulations in Ferndale are almost identical to those zoning and land use regulations governing the CUMAC.

Please list any planning or zoning issues with which you may find yourself in conflict:

No

Dean M. Nielsen
Applicant's Signature

11/7/12
Date

Meeting Date:	November 15, 2012	Agenda Item Number	6.3
Agenda Item Title:	Interview Design Review Committee candidates		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Recommend the City Council appoint a Design Review Committee member		

RECOMMENDATION: Recommend the City Council appoint a Design Review Committee member.

BACKGROUND:

Commissioner Dan Brown has been elected to the City Council, leaving his seat on the Planning Commission as well as his seat on the Design Review Committee vacant. We've had one applicant in response to our advertisement. His application is attached and he is here for you to interview. The process is for the Planning Commission to interview and recommend to the City Council to appoint a Design Review Committee member.

Mark A. Giacomini
P.O. Box 373
Ferndale, CA 95536
707-786-7139

OCT 29 2012
BY:.....

October 26, 2012

City of Ferndale
834 Main Street
Ferndale, CA 95536

To Whom It May Concern:

I understand there openings on the Ferndale Design Review committee and I have an interest in applying for a seat on this committee.

As a resident of Ferndale on and off over the course of my life I have returned to town permanently. I am very interested in doing all that I can to preserve the historical status of the community.

Thank you for your consideration.

Sincerely,


Mark A. Giacomini

PC Meeting:	November 15, 2012	Case No.: DR 1221
Applicant:	Willis Hadley	Agenda Items: 6.4
Property Address:	535 Main Street	APN 031-085-012
Zoning:	Community Commercial Design Control (C2D)	

PROJECT DESCRIPTION: Request for a Design Review Use Permit to cover existing siding with Hardipanel® siding on the back of the building at 535 Main Street (APN 031-085-012) in the City of Ferndale, CA. The project site is located in Community Commercial Design Control zone (C-2-D). The Design Review Committee reviewed the proposed project at a scheduled meeting on October 25, 2012 and passed a motion to recommend that the application be forwarded to the Planning Commission with the Committee’s recommendation for approval of the proposed project.

ENVIRONMENTAL REVIEW: The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The proposed facility qualifies for a Class 31 Categorical Exemption under CEQA guidelines §15331 Historical Resource Restoration/ Rehabilitation. The Class 31 Categorical Exemption “consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards.”

STAFF CONTACT: Planwest Partners, Contract City Planners. Phone: 707.825.8260; Fax, 707.825.9181 and Email: melanier@planwestpartners.com

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

Recommended Motion: “Adopt Resolution No. PC 2012 - 36 making the required findings of fact listed in Attachment A, and approve the Design Review Use Permit, subject to the conditions of approval listed in Attachment B, to allow for covering of existing siding with Hardipanel® siding on the back of the building at 535 Main Street.”

SUMMARY OF PROPOSED PROJECT:

The City received an application for a building permit proposing to cover existing asbestos 4’ x 8’ panel siding with 4’ x 8’ Hardipanel® siding on the back of the building at 535 Main Street (see attached plans and drawings). The existing panels are approximately 50 years old and would be covered over with new siding. The back of the building fronts on Francis Creek and is not visible from Main Street. The back and portions of the sides of the building may be seen from Shaw Street.

Originally constructed in 1901, the building at 535 Main Street is listed on the National Register of Historic Places and is considered a historical resource and a contributing building in the Main Street Historic District.

APPLICABLE REGULATIONS: The proposed project is subject to comply with Ferndale Zoning Ordinance 02-02 and is located in Community Commercial Design Control Zone (C-2-D). The C-2 zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience (§5.08).

The Design Control Combining or -D Zone is intended to be combined with any principal zone in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the zone for the uses permitted therein, and in which it is desired to protect the over-all Victorian appearance of the zone by regulating the design of proposed buildings and structures in the zone (§6.05). The proposed project involves modifications to the building exterior, therefore design review is required (§6.05.2).

Because issuing a Design Review Use Permit constitutes a discretionary action of the City, the proposed project is subject to CEQA. Planning staff has determined that the proposed project is eligible for a Class 31 Categorical Exemption under CEQA guidelines §15331 Historical Resource Restoration/ Rehabilitation. The Class 31 Categorical Exemption “consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards.”

The following are the relevant excerpts from the Secretary of the Interior’s Standards:

- The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The description of the building for the National Register does not mention any materials or features on the rear of the building as distinctive or as characterizing the property. The material currently on the back and sides of the building is asbestos paneling, not the original material nor one that is consistent with the architectural period.

If the Commission concurs with staff that the old siding does not contribute to the historic character of the property and is not a distinctive historic feature, then the proposed project may be considered categorically exempt as per CEQA guidelines §15331.

ANALYSIS: As the project is proposed, the applicant would be altering the physical appearance of the building with new rear siding, but the material being covered is not the original material and is not considered historically significant. Even with the existing siding, however, the building itself is considered a contributing building in the Main Street Historic District.

Ferndale ordinances and policies do not currently specify what materials may be used for historic building repairs. The historical construction practice in Ferndale is to concentrate the materials that are more decorative, detailed, and reflective of period craftsmanship on the portions of buildings that are visible from the street, but the City lacks a clear policy to guide this practice. This application to use Hardipanel® siding on the back of a building in the Historic District provides an opportunity for the City to discuss this issue. The Design Review Committee reviewed the proposed project at a scheduled meeting on October 25, 2012 and passed a motion to recommend forwarding the application to the Planning Commission with the Committee's recommendation for approval of the proposed project.

Zoning Ordinance 02-02 §6.05.5 states: "The Planning Commission shall consider the proposed structure or building in conjunction with the appearance and design of other structures and/or buildings in the zone in an endeavor to provide that the proposed structure or building will not be unsightly, obnoxious or undesirable in appearance to the extent that it will hinder the harmonious development of the zone, impair the desirability of the zone for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements or otherwise adversely affect the general property and welfare. The Planning Commission shall suggest any changes or alterations in the proposed structure or building as it may deem necessary to accomplish the purposes of this Section."

According to Zoning Ordinance 02-02 §6.05.1, Design Review procedures were established to:

- Ensure that the architectural design of structures and their materials and colors are visually harmonious with and conceptually consistent in character and scale with surrounding area.
- Ensure that new structures and/or modification, alteration, enlargement of existing structures occur in a manner consistent with Ferndale General Plan policies.

These objectives do not preclude the use of non-historic materials where their use would be "visually harmonious with and conceptually consistent in character and scale" with the buildings in the immediate vicinity. Because other buildings in the Historic District tend to treat the portions of buildings visible from Main Street differently than the less visible portions, and the building at 580 Main Street currently follows this

practice, the proposed project can be considered to comply with this Design Review objective.

The proposed project is consistent with Ferndale General Plan Historical and Cultural Resources Element goals and policies, including:

Goal 1: Preserve Ferndale's distinctive and valued historic district, structures, and sites representing various periods of the City's history; and

Policy 1.4: Encourage the use of the Secretary of Interior Standards and the State Historic Building Code as guidelines for the preservation and rehabilitation of historic properties.

In determining that the proposed project is categorically exempt from CEQA, the argument was made that the proposed project is consistent with the Secretary of the Interior's Standards, and that the existing asbestos panels have no historical significance.

As mentioned above, the Commission has the ability to suggest changes to the proposed project. Currently both the rear and sides of the building are the same material type. The proposed project only includes treatment of the rear of the building. For consistency, staff recommends suggesting that the applicant extend the proposed treatment to the sides of the building. This may be done by pre-approving the application of the same material and design as approved for the rear of the building to the connecting sides. Consistent treatment of the rear and sides of the building will maintain the current continuity of appearance and materials.

In addition, the Commission might consider imposing a condition requiring the applicant to combine the proposed vertical siding with Harditrim® planks suggested by the manufacturer to provide more visual relief to the proposed 4' x 8' panels. As described by the manufacturer, the combination of the two materials would create a board and batten look that might be better suited to the Historic District aesthetic (see attached example).

Surrounding Land Use, General Plan and Zoning Designations: The subject site is located on Main Street and is surrounded by similar retail and commercial uses. The properties surrounding the subject site are similarly zoned C-2-D.

Zoning Requirements: A Design Review Use Permit is required for the proposed project per Zoning Ordinance §6.05.2.

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number 7 Page 8.

Ferndale "Main Street" Historic District
Humboldt County, CA

Description (continued)

By 1941, Mr. Marca opened his bakery business here which he "equipped with the latest obtainable bakery machinery". The interior of the building was "entirely rebuilt" doing away with the "attractive" blue and white enamel decor. During the 1992 remodeling, a blue and white interior decor was reintroduced.

5.) 535 Main Street (C) 1902/1936/1958

Historical Name: R.H. Edward's Building

Other Name: Rochdale Store/Marcussen Cash & Carry/Louie's Grocery

AP Number: 31-085-12

This single-story, false front building has a stepped, gable parapet with a permanent, shingled awning over modern, plate glass storefront windows. The building was originally constructed in 1902 by contractors, Haywood and Matthews. "It will be a one-story structure with an iron roof and when completed will be occupied by the Rochdale Co-operative Store."

Alterations to the facade included a marquee or guyed awning and stucco veneer on the false front parapet which dates from 1936 when the Marcussen Cash and Carry Grocery remodeled. "A modern front has transformed the building into one of the most attractive business houses along Main Street and the ample window space is designed to display the large stock carried by the Marcussen Company..." The building has a modern storefront with four large, plate glass windows; double entrance doors of chrome and glass; and a projecting roof canopy covered in asphalt shingles. Four metal eyes are visible on the false front parapet where the cables for a guyed awning were once attached to the facade.

This building originally housed the Rochdale Store which was incorporated in 1900 by E. C. Damon and his brother-in-law, P.R. Burris as the Ferndale Rochdale Company Cooperative Association. The purpose was "to engage in a general merchandise, commission, manufacturing, and shipping business."



Board and Batten Example



Back of Building at 535 Main Street

Hardipanel® Vertical Siding



Cedar Mill®

SPECIFICATIONS

Cedar Mill® Panels

Thickness	5/16"
Weight	2.3 lbs./sq.ft.
Sizes	4' width x 8' height
	4' width x 9' height
	4' width x 10' height

For those applications that call for panel installation, Hardipanel® vertical siding is equal to our lap siding in beauty, value and long-lasting performance, and it's covered by the same 50-year limited transferable product only warranty. Because of its structural strength, Hardipanel vertical siding may be utilized as a shear panel. A board and batten look can also be achieved when Hardipanel vertical siding is combined with Harditrim® planks. All styles of Hardipanel siding are pre-primed with the James Hardie proprietary Primeplus® sealer and primer.



Create appealing architectural styles with Hardipanel® vertical siding. Use it in tandem with our other siding products for a unique look.



Select Sierra 8™

Select Sierra 8® Panels

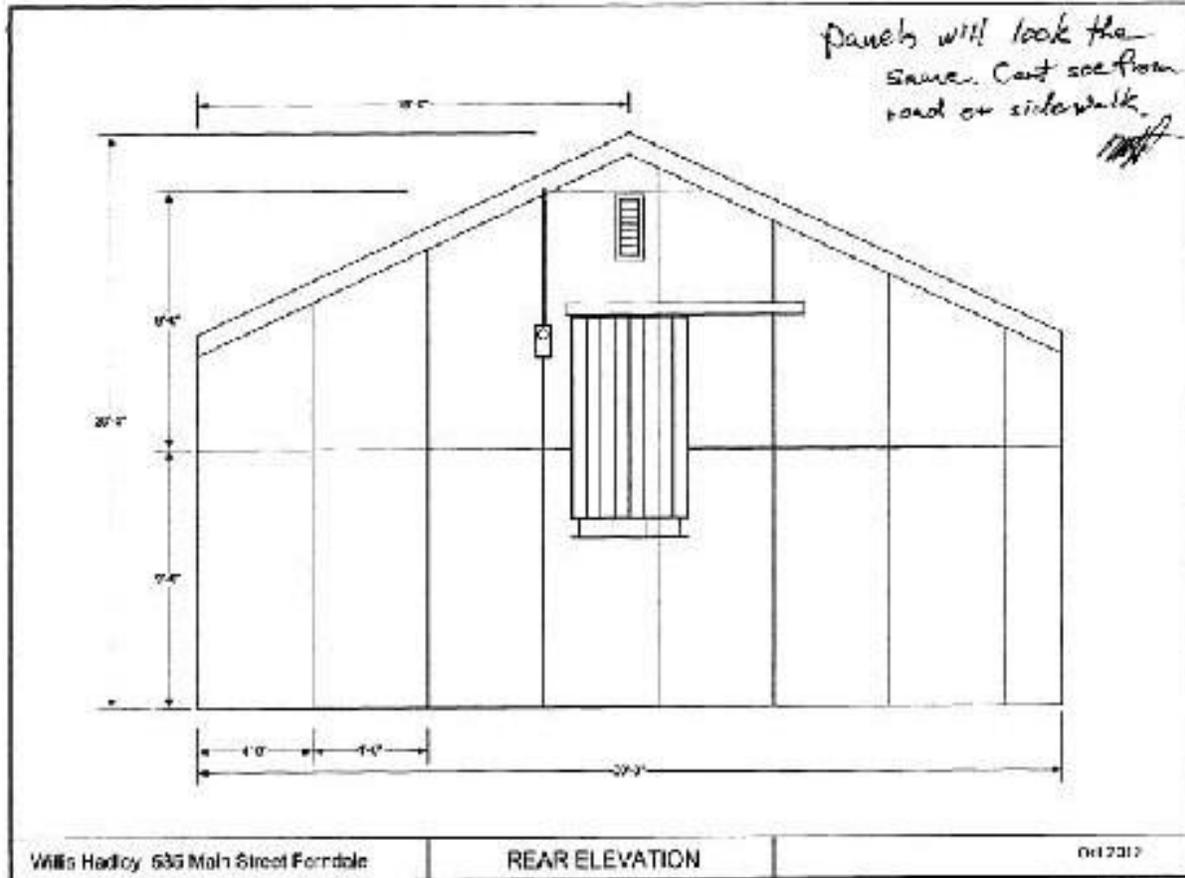
Thickness	5/16"
Weight	2.3 lbs./sq.ft.
Sizes	4' width x 8' height
	4' width x 9' height
	4' width x 10' height



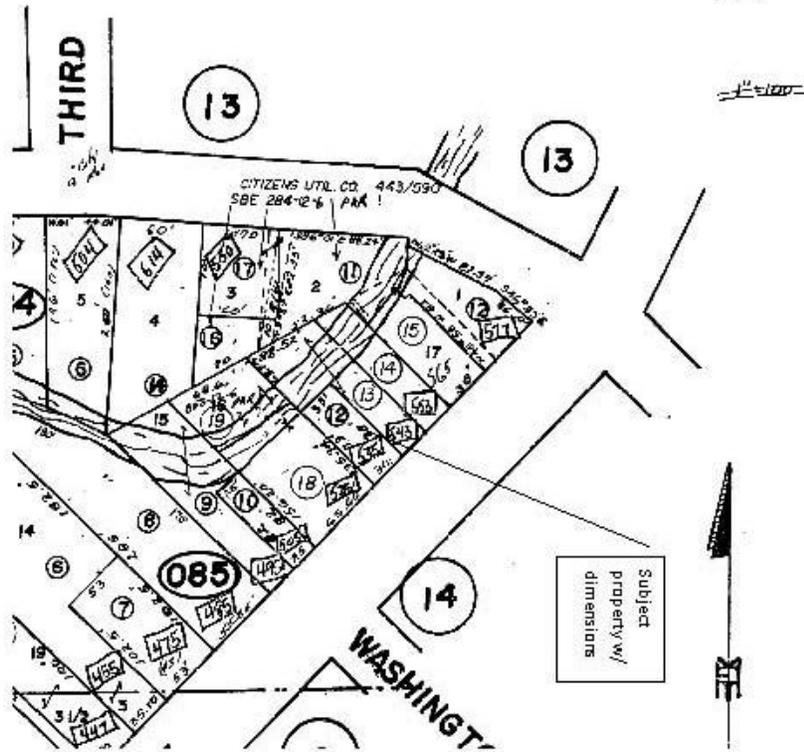
Smooth

Smooth Panels

Thickness	5/16"
Weight	2.3 lbs./sq.ft.
Sizes	4' width x 8' height
	4' width x 9' height
	4' width x 10' height



31-08



Attachment A
FINDINGS OF FACT

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

1. The Design Review Use Permit for the proposed project is a discretionary action of the City, and subject to the California Environmental Quality Act (CEQA). The proposed facility qualifies for a CEQA Class 31, Section 15331, Categorical Exemption from preparation of environmental documents. This exemption allows for the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards.
2. The proposed project as outlined and conditioned conforms to and is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance and the requirements associated with the Community Commercial Design Control (C2D) zone.
3. The existing proposed project, as outlined and with conditions,
 - Appears to be similar and compatible to other uses allowed in similar zones,
 - Does not appear to impair the integrity and character of the zone (or neighborhood),
 - Does not appear to be detrimental to the public health, safety, or welfare,
 - Appears to be 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.

Attachment B
CONDITIONS OF APPROVAL

Staff recommends approval Design Review Use Permit shall be subject to the following conditions. The violation of any term or requirement of this conditional approval may result in the revocation of the permit.

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with processing and finalizing the Design Review Use Permit, and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Permit and uses allowed are considered final and approved.
2. All proposed work shall be in conformance with the approved permit application and with the information and analysis contained in the associated staff report and conditions of approval on file with the City. Should the work deviate from that as allowed by this approval, then the applicant may be required to first receive Design Review Committee approval for such changes.
3. Should the applicant or any other future owner of the subject property not conform to the requirements of these conditions, then said non-conformance shall constitute a violation of this Design Review Use Permit and shall become null and void until either all the issues have been addressed to the satisfaction of the City, or the permit is revoked.
4. All proposed and/or future development, improvements, and construction authorized hereunder shall be in conformance with all applicable City ordinances, regulations and codes, including but not limited to Zoning Ordinance 02-02, including the Design Review requirements, the Uniform Building Code, any Fire Codes and/or Public Health & Safety Code, applicable to the nature and type of proposed use and/or construction. A City building permit is required for any construction associated with the proposed project with the burden on the applicant to comply.
5. Any future alteration of the connecting sides of the back of the building shall match the treatment of the back of the building as approved and conditioned herein unless a new Design Review Use Permit for those connecting sides is obtained.
6. The applicant shall combine the proposed vertical siding with Harditrim® planks suggested by the manufacturer to provide more visual relief to the proposed 4' x 8' panels.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF FERNDALE
Resolution Number PC 2012 - 36**

**MAKING THE REQUIRED FINDINGS FOR CONDITIONALLY APPROVING A
DESIGN REVIEW USE PERMIT TO ALLOW FOR COVERING EXISTING ASBESTOS PANEL SIDING
WITH HARDIPANEL® SIDING ON THE REAR AND SIDES OF AN EXISTING BUIDLING ON ASSESSOR
PARCEL NUMBER: 031-085-012**

WHEREAS, Willis Hadley submitted an application and evidence in support of approving a Design Review Use Permit to cover existing asbestos panel siding with Hardipanel® siding on the back of the building at 535 Main Street; and

WHEREAS, the project is exempt from California Environmental Quality Act per Section 15331 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 Design Review Use Permit; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Ferndale approves the Design Review Use Permit to cover existing asbestos panel siding with Hardipanel® siding on the rear and connecting sides of an existing building at 535 Main Street, subject to the conditions contained in Attachment B.

PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 15th day of November, 2012 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

Meeting Date:	November 15, 2012	Agenda Item Number	6.5
Agenda Item Title:	General Plan Safety Element Update: Chapter 7.0 Hazardous Materials		
Presented By:	Melanie Rheaume, Contract City Planner		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	Review and file		

RECOMMENDATION: Review the attached draft Hazardous Materials chapter of the General Plan Safety Element Update; provide input, and direct staff to proceed with next chapters.

BACKGROUND:

June 7th – the City Council concurred with the Planning Commission and approved the General Plan Safety Element Update Scope of Work.

June 20th – the Planning Commission reviewed and approved the overall schedule outlining the tasks, meetings, deliverables, and coordination to accomplish the approved Scope.

July 18th – the Planning Commission reviewed and provided input on the initial draft of the Safety Element Update including the overall element format, Table of Contents, Introduction, and Definitions.

August 29th – the Planning Commission reviewed and provided input on the initial draft Settings & Context and Geologic & Seismic Hazards chapters.

September 19th – the Planning Commission reviewed the initial draft Flooding & Drainage Hazards chapter. During a Study Session immediately preceding the meeting, the Commission heard a joint presentation on flooding hazards by Sherry Constancio of the Department of Water Resources Division of Flood Management and Reginald Kennedy of the National Weather Service.

October 17th – the Planning Commission reviewed the initial draft Fire Hazards chapter. During a Study Session immediately preceding the meeting, the Commission heard a joint presentation on fire hazards by Mark Rodgers, Pre-Fire Planning Battalion Chief for CAL FIRE, and Cybelle Immitt, staff support for the Humboldt County Fire Safe Council.

DISCUSSION:

The initial draft of the Hazardous Materials chapter is attached.

The Hazardous Materials chapter addresses hazards associated with the use, exposure, storage, or release of hazardous materials; provides an overview of federal, state, and local hazardous material regulations; and describes existing known hazardous materials in the Planning Area.

The rest of the Element Chapters will be prepared per the schedule and are listed in this attachment with scoping language. Note that since the draft is currently in progress future tense is used in regards to anticipated coordination; subsequent to Element adoption this will be changed.

NEXT STEPS:

The initial draft of the Risk Assessment chapter will be prepared for the January meeting. Troy Nicolini will address geologic and seismic hazards during the study session.

7.0 Hazardous Materials

This section focuses on those hazards associated with the use, exposure, storage, or release of hazardous materials; provides an overview of federal, state, and local hazardous material regulations; and describes existing known hazardous materials in the Planning Area.

The California Health and Safety Code Section 25501 defines a Hazardous Material as "any material that because of its quantity, concentration, or physical or chemical characteristics poses a significant present or potential hazard to human health and safety or the environment if released into the work-place or environment." Hazardous materials may be associated with transportation accidents or occur in a fixed production or storage facility. Both accidental and sabotage-related releases are possible. Short-term and long-term contamination of an affected area is possible depending upon the situation.

Regulatory Setting

The storage and clean-up (remediation) of hazardous sites is regulated by a series of federal, state and local agencies, including the U.S. Environmental Protection Agency, Cal EPA, the State Department of Toxic Substance Control and Humboldt County's Certified Unified Program Agency (CUPA).

The Humboldt County Department of Health & Human Services Division of Environmental Health (HCDEH) has a Hazardous Materials Area Plan (HMAP) that covers the County, including the City of Ferndale and its surroundings. The HMAP establishes the following:

- Policies, responsibilities, and procedures required for protecting the health and safety of Humboldt County's population, the environment, and the public and private property from the effects of hazardous materials incidents;
- Emergency response organization for hazardous materials incidents occurring within Humboldt County; and
- Operational concepts and procedures associated with the Eureka Fire Departments Regional Hazardous Materials Response Team (EFD HMRT).

The City of Ferndale has adopted Humboldt County's Integrated Waste Management Plan (IWMP). The goals of the IWMP are to reduce the amount of household hazardous waste generated through reuse and recycling, diversion from landfills, promoting alternatives to toxic household products and educating the public regarding household hazardous waste management.

Existing Conditions

This section includes a summary of known regulated and/or hazardous material sites currently listed within the Planning Area.

The Humboldt County Department of Health and Human Services, Division of Environmental Health maintains a database of sites that handle, generate, or store hazardous materials. Such sites within the Planning Area are listed in Figure 8. The majority of these facilities are associated with the agricultural industry, including 19 dairies.

Figure 8 - Hazardous Material Facilities in the Planning Area

Facility ID	SITE NAME	City	FILE #	Status
FA0004839	Alexandre Acres 210 Sage RD	Ferndale	002705	Active
FA0000616	Asbury Environmental Services - Chico II, LLC 989 Milton Ave Bay #7-8	Ferndale	001453	Active
FA0000189	AT&T Mobility (CA253) - Ferndale (99397) 989 Milton AVE Site A	Ferndale	002594	Active
FA0000159	AT&T Mobility (CA254) - Fel River Sawmill (99391) 110 Weymouth Bluff Rd	Ferndale	002322	Active
FA0004558	Bancrest Dairy 509 Coppini LN	Ferndale	002682	Active
FA0004546	Boldrini Dairy 225 Sage RD	Ferndale	002683	Active
FA0004561	Brazil Dairy 5736 Grizzly Bluff RD	Ferndale	002694	Active
FA0004671	Bunker Hill Ranch 655 Bear River Ridge RD	Ferndale	002591	Active
FA0004550	Cahill Dairy 1073 Fulmore AVE	Ferndale	002684	Active
FA0000670	City of Ferndale - Public Works Yard 48 Francis St	Ferndale	000736	Active
FA0005045	City of Ferndale - Wastewater Treatment Plant 606 Port Kenyon RD	Ferndale	000450	Active
FA0000641	Citizens Telecom - Bunker Hill Microwave Site Bear River Ridge Rd	Ferndale	000369	Active
FA0004789	Coffee Creek Dairy 2824 Grizzly Bluff RD	Ferndale	002689	Active
FA0004573	Coppini Lane Jerseys 720 Coppini LN	Ferndale	002712	Active
FA0004691	Darren Hansen Dairy 3784 Grizzly Bluff RD	Ferndale	002697	Active
FA0000820	Del Oro Water Company 995 Eugene St	Ferndale	002118	Active
FA0000819	Del Oro Water Co - Van Ness Ave Well 1400 Van Ness Ave	Ferndale	002117	Active
FA0000808	Dennis DelBiaggio 3078 Grizzly Bluff Rd	Ferndale	001823	Active
FA0000837	Diamond Point Dairy 1312 Pleasant Point Rd	Ferndale	001377	Active
FA0004791	Diamond R Ranch Inc 100 Price Creek Rd	Ferndale	000979	Active
FA0001092	Fernbridge Tractor & Equipment 20 Depot Rd	Fernbridge	000143	Active
FA0004692	Fern Valley Goats 2027 Waddington RD	Ferndale	002721	Active
FA0000644	Frontier Telecommunications Co of CA 550 Shaw Ave	Ferndale	000372	Active
FA0001382	HCDPW - Ferndale Maintenance Station Arlington St & 5	Ferndale	000911	Active
FA0001564	Humboldt County Fair Association 1250 5th St	Ferndale	001553	Active
FA0001572	Humboldt Creamery - Fernbridge Facility 572 Highway 1 HWY	Fortuna	000398	Active
FA0001670	Jack Tipple Motors Inc 524 Main St	Ferndale	000158	Active
FA0001814	L & M Renner Inc - Fernbridge Cardlock 597 Fernbridge Dr	Fernbridge	000523	Active
FA0001836	Larry Denning DDS 460 Ocean Ave	Ferndale	002559	Active
FA0004840	Larry Nicholson Dairy 4431 Grizzly Bluff RD`	Ferndale	002706	Active
FA0004624	Leonardi Dairy 1291 Waddington RD	Ferndale	002719	Active
FA0001917	Lost Coast Communications 982 Bear River Ridge RD Site 2	Ferndale	002631	Active
FA0004780	Miranda Dairy 965 Waddington RD	Ferndale	002686	Active
FA0002457	PG & E - Fel River Substation 295 Substation Rd	Ferndale	000618	Active
FA0004599	Pleasant Point Dairy 890 Pleasant Point RD	Ferndale	002588	Active
FA0004793	Radelfinger Dairy 2001 State Highway 211 HWY	Ferndale	002691	Active
FA0002587	Redding Dairy 387 Price Creek School Rd	Ferndale	001445	Active
FA0002610	Redwood Broadcasting Co MW 655 Bear River Ridge Rd	Ferndale	002293	Active
FA0004662	Regli Jersey's Dairy 500 Witman LN	Ferndale	002718	Active
FA0004607	Robert Hansen Dairy 6950A Grizzly Bluff RD	Ferndale	002704	Active
FA0004838	Shinn Dairy 1990 Waddington RD	Ferndale	002703	Active
FA0003292	The Farm Shop 650 Herbert St	Ferndale	000231	Active
FA0004850	Tom Losa Dairy 199 Saottini LN	Ferndale	002715	Active
FA0004697	Vevoda Dairy 255 Price Creek School RD	Ferndale	002669	Active
FA0004694	William Tunzini Dairy 487 Aggler LN	Ferndale	002713	Active

Source: Humboldt County Division of Environmental Health. Received August 14, 2012.

The Department of Toxic Substances Control (DTSC) lists sites that have known contamination or sites for which there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose or transfer hazardous waste. The DTSC has no listed sites within the Planning Area (DTSC 2012).

The State Water Resources Control Board has identified over 36 hazardous waste sites in the Planning Area that involve issues of leaking underground storage tanks (LUST's). These are typically associated with past automobile-related activities, such as service stations and automobile repair shops. The primary risk they pose is leaking gasoline and diesel fuel hydrocarbons and related compounds into the soil and groundwater. Most of the sites have undergone successful remediation, which usually involves removal of the underground tanks and

any contaminated soil. There are currently eight open LUST cases in the Planning Area (see Figure 9).

Figure 9 - Leaking Underground Storage Tanks (LUSTs) in the Planning Area

Facility ID	SITE NAME	CLEANUP STATUS	ADDRESS	CITY
T0602300448	BANK OF AMERICA	COMPLETED - CASE CLOSED	394 MAIN STREET	FERNDALE
T0602300180	BAR ALE OF HUMBOLDT	COMPLETED - CASE CLOSED	989 MILTON AVENUE	FERNDALE
T0602393478	BAR ALE OF HUMBOLDT	OPEN - VERIFICATION MONITORING	989 MILTON AVENUE	FERNDALE
T0602311174	CANDY STICK GALLERY	COMPLETED - CASE CLOSED	361 MAIN ST	FERNDALE
T0602300182	CITIZEN'S MORTUARY	COMPLETED - CASE CLOSED	470 OCEAN AVENUE	FERNDALE
T0602300409	CRANE RESIDENCE	COMPLETED - CASE CLOSED	117 BERDING STREET	FERNDALE
T0602300230	FARLEY PROPERTY	COMPLETED - CASE CLOSED	1677 MARKET STREET	FERNDALE
T0602300264	FARM SHOP, THE	COMPLETED - CASE CLOSED	817 ROSE AVENUE	FERNDALE
T0602300284	FERN CAFE	COMPLETED - CASE CLOSED	606 MAIN STREET	FERNDALE
T0602300029	FERNDALE ELEMENTARY	COMPLETED - CASE CLOSED	164 SHAW AVENUE	FERNDALE
T0602300220	FERNDALE HIGH SCHOOL /BUS GARAGE	COMPLETED - CASE CLOSED	1231 MAIN STREET	FERNDALE
T0602300262	FERNDALE MOTORS	OPEN - SITE ASSESSMENT	638 MAIN STREET	FERNDALE
T0602300043	FERNDALE MUSEUM	OPEN - SITE ASSESSMENT	515 SHAW AVENUE	FERNDALE
T0602300232	FERNDALE PUBLIC WORKS DEPT.	COMPLETED - CASE CLOSED	48 FRANCIS STREET	FERNDALE
T0602300340	FERNDALE UNION HIGH SCHOOL / GYM	COMPLETED - CASE CLOSED	1231 MAIN STREET	FERNDALE
T0602300509	FERNDALE VETERANS MEMORIAL BLDG	OPEN - SITE ASSESSMENT	1100 MAIN STREET	FERNDALE
T0602300390	FULLER PROPERTY	COMPLETED - CASE CLOSED	1050 VAN NESS	FERNDALE
T0602300126	HCDPW FERNDALE MAINT. STATION	COMPLETED - CASE CLOSED	ARLINGTON STREET	FERNDALE
T0602300299	LAFFRANCHI REFRIGERATION	COMPLETED - CASE CLOSED	520 MCKINLEY AVENUE	FERNDALE
T0602300474	LINOS SERVICE	OPEN - INACTIVE	318 MAIN STREET	FERNDALE
T0602300072	LORENZO'S GAS & GROCERY	OPEN - SITE ASSESSMENT	1392 MAIN STREET	FERNDALE
T0602300484	MARY GOMES TRUST	COMPLETED - CASE CLOSED	1154 PORT KENYON ROAD	FERNDALE
T0602300445	MCBRIDE ESTATE	COMPLETED - CASE CLOSED	951 VAN NESS	FERNDALE
T0602300063	NILSEN COMPANY	COMPLETED - CASE CLOSED	424 MAIN STREET	FERNDALE
T0602300274	NOBLES GROCERY	OPEN - SITE ASSESSMENT	2028 MARKET ST. ARLYNDA CIR.	FERNDALE
T0602300164	PEERS MOTOR SALES	COMPLETED - CASE CLOSED	580 MAIN STREET	FERNDALE
T0602300500	PRIVATE RESIDENCE	COMPLETED - CASE CLOSED	PRIVATE RESIDENCE	FERNDALE
T0602326726	PRIVATE RESIDENCE	COMPLETED - CASE CLOSED	PRIVATE RESIDENCE	FERNDALE
T0602330151	PRIVATE RESIDENCE	COMPLETED - CASE CLOSED	PRIVATE RESIDENCE	FERNDALE
T0602350415	PRIVATE RESIDENCE	COMPLETED - CASE CLOSED	PRIVATE RESIDENCE	FERNDALE
T0602393589	PRIVATE RESIDENCE	OPEN - VERIFICATION MONITORING	PRIVATE RESIDENCE	FERNDALE
T0602300392	RUTHERFORD RESIDENCE	COMPLETED - CASE CLOSED	563 OCEAN AVENUE	FERNDALE
T0602300070	SILVA, MAURICE	COMPLETED - CASE CLOSED	1348 LINCOLN STREET	FERNDALE
T0602300046	TIPPLE MOTORS, JACK	COMPLETED - CASE CLOSED	524 MAIN STREET	FERNDALE
T0602300749	US BANK FERNDALE	COMPLETED - CASE CLOSED	330 OCEAN AVENUE	FERNDALE
T0602300335	WISER, RAY	COMPLETED - CASE CLOSED	942 MAIN STREET	FERNDALE

Source: State Water Resources Control Board Geotracker 2012

Databases regarding hazardous and toxic materials use and storage are maintained by the following agencies:

- **Cal-DHS.** California Department of Health Services
- **Cal-EPA.** California Environmental Protection Agency
- **CIWMB.** California Integrated Waste Management Board
- **CORRACTS.** Corrective Action Report
- **DOG.** California Division of Oil and Gas
- **DTSC.** Department of Toxic Substances Control
- **HCDEH.** Humboldt County Department of Health and Human Services, Division of Environmental Health
- **NPL.** Environmental Protection Agency's National Priorities List
- **ODW.** Cal-DHS, Office of Drinking Water
- **OEHHA.** Office of Environmental Health Hazard Assessment

- **RCRIS-TSD.** Resource Conservation and Recovery Information System
- **RWQCB.** Regional Water Quality Control Board, North Coast Region
- **SWRCB.** California (State) Water Resources Control Board

Hazardous Material Incident Response

The primary responder for hazardous material-related calls within the Planning Area is the Ferndale Volunteer Fire Department (FVFD). Several members of the Ferndale Volunteer Fire Department have training and certifications in hazardous materials incident response, including Hazardous Materials Technician, Hazardous Materials Decontamination, Meth Lab Fire Scene Preservation, and Hazardous Materials: First Responder Awareness/Operations.

The Humboldt County Health Department, Division of Environmental Health is the Certified Unified Program Agency (CUPA) with oversight of hazardous materials for Humboldt County. The City responds to calls related to hazardous material spills or releases and calls on the Humboldt County Environmental Health Department for support, if needed.

The purpose of the CUPA program is to provide hazardous material information about facilities to emergency responders and the general public. Facilities are required to disclose all hazardous material and waste above certain designated quantities that are used, stored, or handled at their facility. Facilities are also required to train their employees to safely handle chemicals and to take appropriate emergency response actions. Inspections are conducted periodically to verify a facility's inventory and other information on the Business Plan.

The Eureka Fire Department Regional Hazardous Material Response Team (HMRT) was established in 1993 to respond to emergencies involving hazardous materials. The HMRT is funded primarily through a Joint Powers Agreement (JPA) between Humboldt County, Del Norte County, City of Eureka, City of Crescent City, City of Arcata, City of Blue Lake, City of Ferndale, City of Rio Dell, and City of Trinidad. The JPA establishes the Humboldt/Del Norte Hazardous Material Response Authority (HMRA). The HMRA Board consists of elected officials of each member agency and meets quarterly to provide oversight to the Team.

Humboldt County Department of Environmental Health (DEH) provides staff functions for the HMRA. DEH is the regulatory authority relative to hazardous materials and supports the HMRT at emergency incidents. DEH and HMRT maintain a close working relationship to ensure public safety and effective response to emergencies.

The HMRT consists of twelve members of the Eureka Fire Department, each of which is certified as Hazardous Material Specialists by the State of California. HMRT members are “non-dedicated,” meaning that they have other duties within the fire department but also function as hazardous material specialists. The HMRT meets monthly for training and members are required to maintain their skills and competencies to fulfill their mission. The HMRT also conducts quarterly drills at various facilities within its response area to maintain skills and to interface with local industry. All members of the Eureka Fire Department are trained and State certified to the First Responder Operational and Decontamination for Hazardous Materials (City of Eureka 2012).

MINIMIZING RISKS

Requiring that all land uses that transport, generate, use, handle, store, dispose of, and/or emit hazardous materials or waste be in compliance with all applicable, federal, state, County and local hazardous materials safety laws and regulations, as well as enforcing all building and fire codes adopted by the State, will minimize potential harm to the public from hazardous materials.

Continuing to coordinate with the County, the Regional Water Quality Control Board, Environmental Protection Agency, and State Department of Toxic Substance Control would minimize the risk of hazardous materials impacting people and property from sites that store, handle and/or use hazardous materials above local, State, and Federal thresholds.

The Ferndale Volunteer Fire Protection District's continued maintenance of state-of-the art first responder equipment and trained personnel within the Ferndale Volunteer Fire Department would help to minimize the impacts of hazardous material releases within the Planning Area.

8.0 Acceptable Risk

NOTE: To be developed per schedule.

SCOPE: This section will define the term ‘acceptable risk’ as the level of risk that a majority of citizens and insurance companies will accept without asking for governmental action to provide protection. Various structures and land uses will be classified according to how the population of Ferndale would be affected in the event of loss or failure of each facility, and a level of acceptable damage will be established for each facility type. This information will be used to identify best locations for the various land uses in relation to Ferndale’s hazard areas.

9.0 Emergency Preparedness

NOTE: To be developed per schedule.

SCOPE: This section will consider the steps that can be taken to cope with major emergencies such as a major earthquake, extensive flooding, or large scale threats to the public health and safety. It will be consistent with the County Hazard Mitigation Plan and will discuss collaboration with the Regional Training Institute (RTI) - Community Disaster Preparedness. The Institute’s mission is to offer a centralized system for conducting Community Emergency Response Team (CERT) training in addition to other preparedness classes.

10.0 Goals, Policies and Implementation Programs

NOTE: To be developed per schedule.

SCOPE: Goals, policies, and implementation programs will be developed to provide a policy basis for measures Ferndale can take to prevent loss of life, reduce injuries and property damage, and minimize economic and social dislocations which could result from earthquake, fire, or other natural and man-made disasters. The contract planner and City staff will work with the Planning Commission and City Council to craft policies and implementation strategies for reduction of risk and mitigation or abatement of those hazards and for emergency preparedness and disaster response through land use planning. Policies may address the intensity of development in hazardous areas, clearly define the scope of hazard mitigation measures by type of land use, requirements (if any) for geotechnical and geologic investigations to mitigate geologic hazards and clear procedures for geotechnical and geologic report review.

Meeting Date:	November 15, 2012	Agenda Item Number	6.6
Agenda Item Title:	General Plan Safety Element Update: Examples of Goals, Policies, and Implementation Programs		
Presented By:	Melanie Rheaume, Contract City Planner		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	Review and discuss		

RECOMMENDATION: Review and discuss the attached examples of General Plan Safety Element Policies.

BACKGROUND:

At the Planning Commission's request, planning staff brought examples of General Plan Safety Element Flooding & Drainage Hazards policies to the October 17th meeting. The Commission requested that planning staff continue to bring examples of policies corresponding to the Safety Element Update draft chapter under consideration.

DISCUSSION:

The following is a list of sample General Plan goals, policies, and implementation programs for the Hazardous Materials chapter of the General Plan Safety Element Update.

Goal:

Protect people and property from risks associated with the use, transport, treatment and disposal of hazardous materials and wastes.

Policies:

1. Encourage citizen opportunities for appropriate and safe recycling and disposal of household hazardous materials and wastes.
2. Strive to maintain adequate Fire Protection service levels as necessary to protect persons and property from hazardous materials spills or releases.
3. Continue to work cooperatively with other jurisdictions to manage hazardous materials use, transport, treatment and disposal.

Implementation Programs:

- a. Require that all land uses that transport, generate, use, handle, store, dispose of, and/or emit hazardous materials or waste be in compliance with all applicable, federal, state, County and local hazardous materials safety laws and regulations.
- b. Enforce all building and fire codes adopted by the State to minimize any potential harm to the public from the storage of hazardous materials.

- c. Require new industries that store and process hazardous materials to provide a buffer zone between the installation and the property boundaries sufficient to protect public safety.
- d. Coordinate with Humboldt County, the Regional Water Quality Control Board, Environmental Protection Agency, and State Department of Toxic Substance Control to minimize the risk of hazardous materials impacting people and property from sites that store, handle and/or use hazardous materials above local, State, and Federal thresholds.
- e. Prohibit the siting of new hazardous waste repositories, incinerators, and facilities that use a substantial quantity of hazardous materials within the 100-year floodplain.
- f. Provide public information related to household hazardous waste drop-off days, such as handouts listing upcoming dates and locations.
- g. Support county efforts to sponsor household hazardous waste drop-off opportunities which allow for the recycling and disposal of computer components [e.g., monitors, keyboards, printers, and computer processing units (CPU)]. Support may be provided through providing assistance in locating facilities in or near the city for drop-off and assisting in promoting public awareness of opportunities for disposal and recycling.
- h. Continue to require fire safe design standards, including proper storage and use of hazardous materials, for new development consistent with the provisions of applicable state and federal regulations.
- i. Continue to seek input from the Ferndale Volunteer Fire Department for land development proposals for identification of measures necessary to mitigate or reduce risks associated with the use and storage of hazardous materials.
- j. Continue to maintain and expand fire prevention inspection activities as necessary to reduce the risks associated with the use and storage of hazardous materials.
- k. Continue to maintain state-of-the art first responder equipment and trained personnel within the Ferndale Volunteer Fire Department as necessary to respond to hazardous spills and emissions.

Section 8: REPORTS

CITY PLANNER:

Meetings, Planning & Coordination

- Coordinated with City Manager, City Clerk, and Deputy City Clerk on planning and development projects.
- Continued review of Sign Ordinance Update materials and progress.
- Continued coordination with HCAOG on Regional Housing Needs Allocation Process.
- Continued coordination on alleviating issues stemming from Russ Park access across private land.
- Coordinated with City Clerk on preparation of a Plot Plan Memo regarding lack of conformance to Zoning Ordinance 02-02.
- Coordinated with City Engineer on CEQA Notice of Exemption form for drainage ditch maintenance.
- Initiated coordination and integration of the Humboldt Operational Area Multi-Agency Multi-Hazard Mitigation Plan Update with the City of Ferndale General Plan Safety Element Update.
- Initiated review of application for siding repair at 535 Main St. Prepared staff report for October 25 Design Review meeting.
- Continued review of application for stucco replacement at 580 Main Street. Initiated staff report for November 1 Design Review Meeting.
- Initiated review of application for variance at 1182 Rose Ave.
- Coordinated outreach to encourage public attendance at General Plan Safety Element Update Study Sessions.

Projects

- General Plan Update – Prepared Draft General Plan Safety Element Fire Hazards chapter and presented at 10/17 Planning Commission meeting. Arranged study session presentation by Cybelle Immitt of the Humboldt Fire Safe Council and Mark Rodgers of CAL FIRE. Continued coordination for presentation at November 15 study session. Prepared flyer and Public Service Announcement as part of outreach campaign to encourage public presentation at study sessions. Prepared and presented Safety Element Update policy samples and staff report at 10/17 PC meeting.
- Permit Application Process Updates – Updated the Historic District and Design Review Use Permit, Secondary Dwelling Unit, and Home Occupation Permit application processes to ensure consistency with the current Zoning Ordinance. Prepared staff report and presented at October 17 Planning Commission meeting.

- Design Review Use Permit – Prepared staff report and final draft of application process and presented at 9/27 meeting. Made additional changes to application process as directed by Design Review Committee.
- Secondary Dwelling – revised to conform to Zoning Ordinance §7.21 Secondary Dwelling Units: Creation of New Secondary Dwelling Units (amended by Ordinance 03-03 on July 14, 2003). Coordinated with City Clerk and City Manager.
- Home Occupation Permit – revised to conform to Zoning Ordinance §7.11 Home Occupations (altered by Ordinance 08-03). Coordinated with City Clerk and City Manager.

CITY CLERK ACTIVITY

Meetings

- Daily meetings with City Manager regarding work schedule.
- Design Review meetings 10/4/12 and 10/11
- City Council meeting 10/4/12.

Projects

- Counter and phones.
- Pick up mail, copy, distribute and file.
- Continue to work with InLight Fitness regarding MOU with the city for the use of the Community Center for a reasonable fee of \$5.00 per hour. InLight Fitness has signed an MOU and will be paying for their hourly use of the community center.
- ERMA Training online. Slowly catching up on missed training while on Family Leave last year.
- Filed September report of Building or Zoning Permits issued for new privately-owned housing units.
- Prepared City Council Handbook for Michael Sweeney, made extras for new council people for after election. Researched various government codes.
- Prepared City Council Agenda packet for 10/4/12
- Prepared Design Review Agenda packets for 9/20/12, 9/27/12, 10/4/12, 10/11/12. Prepared minutes for all meetings, posted to 10/25/12 packet for acceptance.
- Worked with write in candidate on paperwork, brought signatures and paperwork to the Elections Office.
- Spoke with City Manager and City Planner regarding setback interpretations. Wrote Plot Plan Memo regarding a building permit application for a garage.
- City Council Meeting Follow-up
 - Printed, signed, posted online and filed September 6, 2012 minutes
 - Filed Michael Sweeney's Oath of Office
 - Filed Resolution 2012-26 Accepting a one year extension to the MOU with Eel River Disposal concerning Green Waste Curbside Collection Program. Copy for ERD Agreement file
 - Filed Resolution Number 2012-28 Approving the Execution of Supplemental Agreement No. 005-N to Administering Agency-State Agreement No. 01-5097R to allocate \$18,000 of Federal Funds to the PA&ED and PS&E phases of the Pedestrian Improvement Project - Phase 2. Original signed copy to City Engineers along with two signed copies of the agreement. Copy to Transportation file.

- Filed Resolution 2012-29 Giving authorization to move forward with the final design, bid process and construction for the drainage Improvements on 5th St near the Ferndale housing complex and authorize the submittal of the Notice of CEQA Exemption. In addition, authorize the City Manager to execute a construction contract dependent upon environmental review clearance. Original Signed copy to City Engineers along with Original of CEQA Exemption, Copy to Drainage File – 5th Street near Ferndale Housing.
- Filed Resolution 2012-30 Authorizing the City Manager to execute an agreement for improvements at the intersection of Washington St. and Schley Ave. and authorize the submittal of the Notice of CEQA Exemption. Original signed copy to City Engineers along with CEQA Exemption. Filed Drainage – Washington & Schley
- Filed Resolution 2012-31 Authorizing the City Manager to move forward with the final design, bid process and construction, as well as execute a construction contract for the drainage Improvements for the intersection of 4th St and Shaw Ave; authorize the submittal of the Notice of CEQA Exemption. Original signed copy to City Engineers. Filed Drainage – 4th and Shaw.
- Prepared City Council packet for November 1, 2012 meeting
- Election Duties: Received paperwork for Write In Candidate; Posted Notice of Nominees
- Prepared Design Review meeting packet for 10/4; 10/11 and 10/25
- Prepared Sign Committee meeting packet for 10/4 and 10/18
- Prepared Planning Commission packet for 10/17; prepared minutes
- Discussions with City Manager and City Planner regarding Design Review for a door on Francis Street; commercial buildings on Main Street;
- Sent letters to all business owners in Ferndale regarding the Sign Ordinance Committee progress. Will also send to property owners of commercial buildings.
- Training Administrative Assistant on business licenses, building permits, dog licenses, encroachment permits.

Section 9: Design Review

<p style="text-align: center;">City of Ferndale, Humboldt County, California USA Design Review Minutes for the 9/27/12 - 8:30am meeting</p>
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Vice Chairman Dane Cowan opened the meeting at 8:30 a.m. Committee Members Michael Sweeney, Lino Moggi and Michael Bailey and along with staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and City Planner Melanie Rheaume were present. Dan Brown was absent. There were no modifications to the agenda.

MOTION (Bailey/Sweeney) The minutes from the 7/26/12 meeting were unanimously accepted.

MOTION (Sweeney/Bailey) The minutes from the 8/29/12 meeting were unanimously accepted.

MOTION: (Bailey/Cowan) The minutes from the 9/20/12 meeting were unanimously accepted.

375A Main Street - 20 x 30' woodwork shop. MOTION (Bailey/Sweeney) Approve the building of a 20 x 30' woodwork shop at 375A Main Street. All in favor.

Design Review Process – With the minor change of requiring the applicant to verify that the house number is visible from the street, the Design Review Committee approved the Design Review Use Permit Application Process and recommended it be brought before the Planning Commission at the October 17th Planning Commission meeting.

Final Procedures for DR Applications: Michael Sweeney turned in the following DR 1005; DR 1014 both approved; DR1010, there has been additional wording below the sign as submitted. The committee agreed a letter should be written to the applicant to apply for the additional signage. DR 1009, Blush Boutique has moved, so this application is void.

Comments: Committee Member Michael Bailey asked if it would be appropriate for Committee Member Sweeney to continue on the sign ordinance review committee and/or on the Design Review Committee after he is sworn in as a City Council member on 10/4/12. Staff will check on this.

The meeting adjourned at 9:33AM. The next meeting regular meeting will be October 25, 2012

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

Section 10: Sign Committee

City of Ferndale, Humboldt County, California USA Sign Ordinance Committee Minutes for the 10/18/12 2:30 pm meeting

Chairman Michael Bailey opened the meeting at 2:35 pm. Committee members Michael Sweeney, Trevor Harper, Phil Ostler and Karen Pingitore were present.

No modifications to agenda

October 4, 2012 Minutes: MOTION: Approve minutes as edited (remove City Manager Jay Parish as being present; Page 9, item 4. last sentence the word will should replace the word with). (Sweeney/Ostler). All in favor.

Board members of the Ferndale Rep were present to express their plans to structurally upgrade the theater including a new marquee. In the meantime, the Rep is considering one or more banners to announce upcoming performances in the absence of a marquee. The board members were interested in getting feedback from the committee on what such banners may look like and where they would be located. Committee members responded by clarifying that the Sign Ordinance Committee is updating the City's sign regulations and is not a committee that would approve or deny an application for banners. Such an application would go before the Design Review Committee. The Committee did support the idea of utilizing banners in lieu of a marquee until such time that the upgrades and new marquee are implemented. Cautions were expressed that they should limit the height of these banners as much as feasible.

BUSINESS

A. Sign Ordinance Publicity

At the October 4, 2012 meeting it was decided that City Manager Parish would consult the publisher of the Ferndale Enterprise about an article related to an update on the activities of the Sign Ordinance Committee. As City Manager Parish was not present at the meeting there was no report on this issue. Committee member Karen Pingitore stated that the letter mailed to business owners regarding the Committee's progress went out and was affective. However, the letter also needs to be sent to the building owners as it is they who are responsible for completing sign permit applications.

B. Review and Approve the following:

- i. 1004.3 Prohibited or Illegal Sign Characteristics, Locations, Types, and Messages
- ii. 1004.4 Nonconforming Signs
- iii. 1004.5 Unregulated or Exempt Signs and Exceptions

Chairman Bailey introduced revised language for section 1004.3 Prohibited or Illegal Sign Characteristics, Locations, Types, and Messages reflecting changes made at the October 4, 2012 meeting. Committee member Phil Ostler raised the issue of his I.O.F. sign on his building and whether or not it would be considered an illegal sign. Chairman Bailey pointed out that based on the language in Section 1004.4.4, the I.O.F. sign would be considered an historically significant sign. In a discussion of language in Section 1004.5, additional edits to revised language under Section 1004.5, paragraph 4 where the following language was changed to:

...Signs attached to or lettered on a vehicle used to conduct commercial business and not used primarily to advertise that business.

...Signs attached to or lettered on a vehicle used to conduct commercial business and not used primarily to direct people to a business location.

Additionally, revised language pertaining to Section 1004.5.4 Flags bearing an official design, item 4. was changed as follows:

4. The length of a flag shall not exceed one-third (1/3) the length of the flag pole and no flag shall be larger than 250 Sq. Ft. in area. Flags with an aspect ratio (hoist to fly, or height to width) greater than 1:1 are not permitted.

The Committee reviewed the remaining sections with no additional revisions.

MOTION: Approve forwarding of draft ordinance sections i-iii to the Planning Commission (Pingitore/Ostler). All in favor.

C. Review Committee Input on the following:

- i. 100.6. Illumination & Reflecting Signs
- ii. 100.7. Movement & Wind-driven Signs

Chairman Bailey presented and the Committee discussed new draft language pertaining to 1004.6 and 1004.7. Related to these sections is a revised language in Section 1004.1.6 Lighting which provides general guidelines for illumination. Further language regulating lighting is presented under Section 1004.6 Illumination & Reflective Signs. The goal in both sections is to prevent light from becoming obnoxious to motorists, pedestrians, and neighbors. Table 1004.6 establishes the maximum intensity allowed in foot-candle (fc).

Considerable discussion ensued on “product signs” typically associated with bars, restaurants, and stores which sell beverages. In general, such product signs are not consistent with the historic character of Main Street buildings and establishments. Both Committee members Pingitore and Ostler emphasized the value of such “product signs” and that they are “business-specific.” In Ferndale, the establishments that currently have “product signs” in their windows include J & W Liquors, Restaurant Matias, Ivanhoe, The Palace, and the Red Front Store. Chairman Bailey pointed out that

“business logos” (which are essentially what product signs are) are currently classified as signs in this draft ordinance. Committee member Pingitore emphasized that she utilizes products (such as a dress or jacket) in window displays but this use is not considered as a sign. Committee member Harper suggested that we count the total number of product signs currently existing in the downtown Historic District and that this aggregate number would become the total number of product signs allowed. Furthermore, each product sign would need to be permitted individually. Only neon lighted signs would be allowed. No LED signs or fiber optic signs that mimic neon. The Committee generally felt that this approach would allow existing businesses to retain their product signs but control the spread of additional product signs within the Historic District.

Committee Member Ostler initiated discussion on Section 1004.6, #8 – additional requirements for Indirect Lighting. Ostler felt that quartz halogen offered a good source of light as long as it was properly shielded from direct view. Further discussion lead to an agreement that halogen would not be prohibited in the lighting options.

Chairman Bailey will bring back these sections with corrections for review and approval at the next meeting.

CORRESPONDENCE

No correspondence was received by the Committee.

The next make up meeting will be November 8, 2012 at 2:30 pm. The meeting was adjourned at 4:33 pm.

Respectfully submitted by:

Michael Sweeney

Section 11: Adjourn