

STUDY SESSION

Location:	City Hall	Date:	January 16, 2013
	834 Main Street	Time:	6:30 PM
	Ferndale CA 95536	Posted: 1/10/13	

1. CALL STUDY SESSION TO ORDER – Chairman Jorgen Von Frausing Borch
 Speaker - Troy Nicolini will make a 30-minute presentation on seismic and tsunami hazards and safety in Ferndale. Mr. Nicolini is the Warning Coordination Meteorologist for the National Weather Service in Eureka California and the tsunami program manager for northwestern California. He is also the co- chair of the Redwood Coast Tsunami Work Group, a multi-agency organization that promotes efforts to reduce North Coast earthquake and tsunami 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:	January 16, 2013
	834 Main Street	Time:	7:00pm Regular Meeting
	Ferndale CA 95536	Posted: 1/10/13	

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 –November 15, 2012..... Page 2
- 4.0 Public Comment Page 4
- 5.0 Public Hearing
 - 5.1 580 Main Street Initial Study/Negative Declaration and Design Review Use Permit Page 5
- 6.0 Business
 - 6.1 Building and Planning Applications..... Page 60
 - 6.2 General Plan Safety Element Update Draft Risk Assessment Chapter . Page 61
 - 6.3 General Plan Safety Element Update Risk Assessment Policy Examples Page 72
 - 6.4 Sign Ordinance Committee Section 1004.3, 1004.4, 1004.5, 1004.6, 1005.2. Page 73
- 7.0 Correspondence and Oral Communications None
- 8.0 City Planner’s and Deputy City Clerk’s Staff Reports Page 88
- 9.0 Design Review Minutes..... Page 92
- 10.0 Sign Committee Minutes Page 96
- 11.0 Adjournment – Next regular meeting February 20, 2013

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of November 15, 2012

Study Session: Chair Jorgen Von Frausing-Borch called the study session to order at 6:45. Planner Melanie Rheaume introduced Larry Lancaster, Program Supervisor, Humboldt County Division of Environmental Health Hazardous Materials Unit, who gave a presentation about HazMat risks and regulations. Ms. Rheaume then introduced Captain Ed Laidlaw, Eureka Fire Department's Hazardous Materials Response Team who spoke to the commissioners about Hazardous Materials Response in and around Ferndale.

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:40pm. Commissioners Dan Brown, Uffe Christiansen, Trevor Harper, and Lino Mogni along with staff City Clerk Nancy Kaytis-Slocum and City Planner Melanie Rheaume were present. Those in attendance pledged allegiance to the flag. MOTION: (Brown/Harper). The October 17, 2012 minutes were unanimously approved. There was no public comment.

Public Hearing 1182 Rose Avenue Variance. The Chairman opened the Public Hearing for the variance at 1182 Rose Avenue. City Planner Melanie Rheaume gave the 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. Staff recommends approval with standard conditions. The applicant's agents, Susan and Michael Felse spoke about their desire to have a Second Dwelling Unit on the property, using an existing building, same footprint, same roof line. The Chair closed the public hearing. MOTION: (Harper/Brown) 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. All in favor.

Building and Planning Applications were listed as the first item of business. The Chair thanked staff for the list, which will be a permanent item on the agenda.

Planning Commission Candidate: The Commission spoke with Mr. Dean Nielsen about his qualifications for the Planning Commission. MOTION: (Von Frausing-Borch/Christiansen) Recommend to the City Council that they appoint Dean Nielsen to the Planning Commission when Commissioner Dan Brown is sworn in to the City Council in January. All in favor.

Design Review Committee Candidate: Staff explained that the position that is open on the Design Review Committee is to replace newly appointed City Councilman Michael Sweeney. Commissioners spoke with candidate Mark Giacomini. MOTION: (Brown/Mogni) Recommend to the City Council that they appoint Mark Giacomini to the Design Review Committee. All in favor.

535 Main Street: City Planner Melanie Rheaume gave the 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.

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 applicant's agent Mark Hamor spoke about wanting to secure the building for the winter, and agreed to speak to the owner about using Harditrim® planks as suggested by the manufacturer to provide more visual relief to the proposed 4' x 8' panels. The agent also agreed to the suggestion: 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.

To avoid having to come back before the Design Review committee, the conditions of approval were changed as follows: 6. The applicant ~~shall~~ *may* combine the proposed vertical siding with Harditrim® planks suggested by the manufacturer to provide more visual relief to the proposed 4' x 8' panels.

MOTION: (Harper/Christiansen) 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 and as amended at this meeting, to allow for covering of existing siding with Hardipanel® siding on the back of the building at 535 Main Street. All in favor.

General Plan Safety Element Update: Chapter 7.0 Hazardous Materials: City Planner Melanie Rheaume went over the chapter as presented in the packet. There were no commissioner comments.

General Plan Safety Element Update: Examples of Goals, Policies, and Implementation Programs: City Planner Melanie Rheaume introduced the examples of General Plan Safety Element Policies, showing the wording of a goal, how that related to polices, and what implementation programs might look like. Chair Jorgen Von Frausing-Borch reiterated that goals and policies for the Safety Element Update should consider Ferndale's Sphere of Influence as well as the Planning Area.

There will be no meeting in December. The meeting was adjourned at 8:35pm.

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:	January 16, 2013	Case No.: DR 1223
Applicant:	Sylvia Sterling Trust of 1995, Nancy Trujillo, POA	Agenda Items: 5.1
Property Address:	580 Main Street	APN 031-143-004
Zoning:	Community Commercial Design Control (C2D)	

PROJECT DESCRIPTION: Request for a Design Review Use Permit to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building; prime and paint the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replace the existing signs with spacers rather than embedded in the siding; and reinstall the original striped awnings. The existing signage and stucco siding have been removed from the building for safety. The project site is located in Community Commercial Design Control zone (C-2-D).

ENVIRONMENTAL REVIEW: The proposed project would alter the physical appearance of the building and thus requires a Design Review Use Permit as per Ferndale Zoning Ordinance 02-02 Section 6.05.2. Because issuing the permit constitutes a discretionary action by the City, the project is subject to CEQA. An Initial Study (IS) was prepared to assess environmental factors that could potentially be affected by the project. Based on the IS, staff has determined that the proposed project would not have a potentially significant effect on the environment and therefore has prepared a Negative Declaration (ND). The IS/ND (attached) was posted with the County Clerk and made available for review and public comment at the Ferndale City Hall for a 20 day review period from December 4, 2012 to December 24, 2012.

DESIGN REVIEW COMMITTEE RECOMMENDATION: On December 13, 2012, the Design Review Committee reviewed the application and the IS/ND. The Committee recommended amending the IS/ND to acknowledge a less than significant impact to public services due to the replacement of a fire-resistant materials with a flammable one. The IS/ND has been revised accordingly, as per CEQA Guidelines §15073.5(c). The Design Review Committee passed a motion recommending that the Planning Commission adopt Resolution No. PC 2013 - 01 making the required findings of fact, listed in Attachment A, for adopting the Negative Declaration, as amended, and approving the Design Review Use Permit for Assessor Parcel Number 031-143-004, subject to the conditions of approval listed in Attachment B.

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 Negative Declaration. If the Planning Commission accepts the findings of fact or makes comparable findings, then staff recommends the

Planning Commission adopt the Negative Declaration and approve the Design Review Use Permit, subject to the conditions of approval listed in Attachment B.

Recommended Motion:

“Adopt Resolution No. PC 2013 - 01 making the required findings of fact, listed in Attachment A, for adopting the Negative Declaration and approving the Design Review Use Permit for Assessor Parcel Number 031-143-004, subject to the conditions of approval listed in Attachment B.”

BACKGROUND: The 580 Main Street building, known as the Ferndale Art and Cultural Center, is listed on the National Register of Historic Places and is considered a historical resource per Public Resources Code Section 5024.1, Title 14 CCR (CEQA Guidelines Section 15064.5). The building is zoned Community Commercial and is within the Design Control Combining Zone and the Main Street Historic District. The listing in the National Register describes the building as a “large, single-story, false front commercial building... built as a garage in 1927” with “stucco exterior, concrete floors, large plate glass windows, and fire resisting construction.” The listing goes on to state, “The symmetrical front façade facing Main Street is pierced by a central opening flanked by three, large plate glass windows. Striped fabric awnings delineate these openings. The stucco siding provides a smooth, modern appearance that is devoid of detail except for the design of the stepped and angled parapet. A trim board painted a dark color highlights the parapet.”

Although the building has retained much of its historical character, several changes have occurred since its listing in the Register:

1. The awnings were removed and placed in storage.
2. The original composite shingle roof has been removed and replaced with metal on the gable sections and rolled tar sheets on the top.
3. One of the truck drive-thru openings facing Shaw Street has been closed and converted to two pedestrian side entrances.

In September 2012, the applicant applied for a building permit to remove the stucco from the front façade and requested that the process be expedited due to safety concerns. The applicant forwarded to the City a letter from a registered engineer stating that the stucco at the front of the building posed a significant public safety hazard, especially during a seismic event. The City Building Inspector approved issuing a building permit for the removal of the stucco and structural repairs. This permit does not cover materials replacement. Because of the potential public safety hazard, the permit was issued without the applicant first obtaining a Design Review Use Permit as normally required under Zoning Ordinance Section 6.05.2.

In October 2012, the applicant requested an expedited building permit to remove the stucco from the north side of the building (facing Shaw Street), again due to unsafe

conditions. The applicant's engineer again stated that the stucco posed a public safety hazard, and the City Building Inspector approved issuing a permit for the removal of the stucco and structural repairs on the north side of the building. This permit does not cover materials replacement and due to the potential safety hazard was issued prior to the applicant obtaining a Design Review Use Permit.

Upon issuance of the above mentioned permits, the applicant removed the stucco siding and signage from the building and began structural repairs and temporary weatherproofing.

The applicant's engineer (Terry O'Reilly, Whitchurch Engineering, Inc.) conducted a structural inspection of the building (see attached report). Based on his inspection, the engineer has recommended that, in order to preserve the structural integrity of the building, stucco not be reinstalled, but that a lighter material which is less susceptible to allowing rot of the underlying structure would be better suited for this particular building.

SUMMARY OF PROPOSED PROJECT: The applicant proposes to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building and reinstall the original striped awnings. The wood will be painted to match the original colors of the building, including the contrasting dark colored trim noted in the description of the building in the National Register.

The applicant also proposes changes to the signs on the building. The approximately 120 sq. ft. sign on the front (Main Street side) is a three part painted tin sign over the main entrance. The sign is fitted together and trimmed out for a one piece appearance. According to the applicant, this sign is original to the building. Staff was unable to verify this. The applicant proposes to return the sign to the building, but instead of being embedded in the stucco as before it will be backed with wood for protection of the sign and the building and mounted with 1" spacers and six 4x4 hidden "L" brackets (see attached plans). The spacers will allow for air flow around and behind the sign, and according to the applicant are necessary for preservation of both the siding and the sign.

The applicant proposes to reinstall the approximately 96 sq. ft. Ferndale Kinetic Museum sign facing Shaw Street in the same manner as described above. The approximately 8 sq. ft. Ferndale Art Gallery sign will be placed nearer to the corner of the building due to the placement of the awnings.

APPLICABLE REGULATIONS: The proposed project is subject to comply with Ferndale Zoning Ordinance 02-02 and is located in the 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 **signs** on the building do not conform to the current Zoning Ordinance:

§7.23 a. In any C-1, C-2 or M-L zone, appurtenant to any permitted use, the maximum aggregate area of all signs shall not exceed the following:

ii. On a building with frontage greater than forty (40) feet, sign(s) shall not exceed 0.25 square feet for each foot of frontage, to a maximum of twenty (20) square feet. In the case of a building with frontage on more than one public way, each frontage is considered separately.

iii. A business with a location within the interior of a structure served by an interior mall or other means of ingress and egress shall be limited to one (1) sign at each building entry identifying the building name and a directory that may contain the names of all businesses within the building. Individual businesses within the building shall be limited to one (1) overhanging sign not to exceed three (3) square feet or one (1) flat sign not to exceed six (6) square feet.

In addition to the three signs mentioned above, the subject building has painted signs on the windows. The total square footage of all signs well exceeds the 20 sq. ft. allowed by the current zoning ordinance.

As these signs have in the past been permitted or allowed, they may now be considered non-conforming uses under Zoning Ordinance 02-02 Section 12.01. Article 3 of the current ordinance states that "the word 'building' shall include the word 'structure,'" which is defined in Section 3.70 as "anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground, including, but not limited to: signs... (This section amended by Ordinance 05-02 on 5/7/05)."

The following regulations apply to non-conforming uses:

§12.01 Non-Conforming Uses: The lawful use of lands or buildings existing on the effective date of the application of these regulations to the subject property, although such use does not conform to the regulation applied to such subject property, may be continued, except as provided herein:

12.01.1 No such use or building shall be enlarged, increased or structurally altered, nor be extended to occupy a greater area than that existing on the effective date of the application of these regulations to the subject property.

12.01.2 Any use for which a use permit is required by these regulations shall be considered a non-conforming use until a use permit is obtained.

12.01.3 If any such use or building after the effective date of the application of these regulations to the subject property is destroyed to the extent of 60% or more, then the subject property shall become subject to the regulations applicable to the subject property, and any subsequent use or buildings shall be in accordance with such regulations.

12.01.4 Any interruption of a non-conforming use, or the use of a non-conforming building which continues for 12 months or more, shall be deemed to be an abandonment of such use, and subsequent use of buildings shall be in accordance with the regulations applicable to the subject property.

12.01.5 Ordinary maintenance and repair may be made to any non-conforming use or building, provided that such maintenance and repair does not exceed 25% of the actual value in any one year.

The building at 580 Main Street is not being enlarged or altered and has not been substantially destroyed. The use of the signs has not been interrupted for 12 months. The repair to the building is not expected to exceed 25% of the actual value. Therefore, the non-conforming use of the signs may continue.

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 not eligible for a Categorical Exemption. Appropriate findings could not be made to support the project's eligibility for a Class 31 Historical Resource Restoration/Rehabilitation Categorical Exemption. CEQA guidelines §15331 states that a 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 (attached) references the smooth, modern appearance of the stucco exterior, implying that the stucco is distinctive and characterizes the property. As the applicant has already removed a historic material that characterizes the property, this project is not eligible for a Class 31 Categorical Exemption.

If a project subject to CEQA is not exempt, then the Lead Agency (the City) must conduct an Initial Study (IS). An IS is a preliminary analysis which is prepared to determine the relative environmental impacts associated with a proposed project. It is designed as a measuring mechanism to determine if a project will have a significant adverse effect on the environment, thereby triggering the need to prepare a full Environmental Impact Report (EIR). It also functions as an evidentiary document containing information which supports conclusions that the project will not have a significant environmental impact or that the impacts can be mitigated to a "Less Than Significant" or "No Impact" level. If there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, the Lead Agency shall prepare a Negative Declaration (ND).

An Initial Study (IS) was prepared to assess environmental factors that could potentially be affected by the project. Based on the IS, staff has determined that the proposed project would not have a potentially significant effect on the environment and therefore has prepared a Negative Declaration (ND). The IS/ND (attached) was posted with the County Clerk and made available for review and public comment at the Ferndale City Hall for a 20 day review period from December 4, 2012 to December 24, 2012. The IS/ND was reviewed and recommended to the Planning Commission by the Design Review Committee December 13, 2012. The Committee recommended amending the IS/ND to acknowledge a less than significant impact to public services due to the replacement of a fire-resistant materials with a flammable one. The IS/ND has been revised accordingly, as per CEQA Guidelines §15073.5(c).

ANALYSIS: Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows, roofline, parapet, and the recessed entry.

The replacement of the original stucco with finger jointed, shiplap style redwood material with 11.25" coverage would alter the material finish of the building while introducing horizontal lines, overlap, and more detail. This overlapping horizontal and detailed effect would not be consistent with the existing visual character of the building. There are, however, other buildings in the near vicinity with shiplap wood siding similar to the proposed material.

In 2009, the City of Ferndale adopted a Mitigated Negative Declaration and approved a Design Review Use Permit to replace stucco on a Historical Resource within the Main Street Historic District with “exterior siding of stucco, hand-applied textured cement on a concrete backer board, or other suitable material such as horizontal pine, cedar or redwood siding that is historically appropriate and approved by the city.” The following were the City’s findings leading to this decision:

“The original stucco exterior had a uniform texture and appearance. If the wood siding proposed by the applicants is used, then the appearance of the building will be visually altered with horizontal lines across the entire building. This horizontal effect would not be consistent with the historical character of the building. Except for the proposed change in surface material, the structure’s frame, form, contour, outline, profile and color will remain the same, therefore the proposed project will have a less than significant impact to a historical resource.”

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 replacing a historic material with an appropriate substitute where its 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 have horizontal wood siding similar to what is proposed, 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 will have a less than significant impact under CEQA, the argument was made that the proposed project would not have a substantial adverse effect on aesthetics or historical resources.

Surrounding Land Use, General Plan and Zoning Designations: The land uses around the project site are Community Commercial Design Review (C-2-D). The project site is within the Ferndale Main Street Business area and the Main Street Historic District.

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

ATTACHMENTS:

Attachment A: Findings of Fact

Attachment B: Conditions of Approval

Attachment C: Resolution No. PC 2013-01

Attachment D: Negative Declaration/Initial Study

Attachment E: National Register of Historic Places 580 Main Street Description

Attachment F: Secretary of the Interior's Standards Summary

Attachment G: Application Materials*

*Original paint and siding samples to be provided at meeting.

Attachment

FINDINGS OF FACT

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

1. The Design Review Use Permit for the project is a discretionary action of the City, and is subject to the California Environmental Quality Act (CEQA). An Initial Study (attached) was prepared to assess environmental factors that could potentially be affected by the project. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment. The Negative Declaration reflects the City's independent analysis and judgment.
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 C-2-D Zone (Zoning Ordinance §5.08 and 6.05).
3. The proposed design, materials, and colors are visually harmonious with and conceptually consistent in character and scale with surrounding area.
4. The existing 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;
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones; and
 - 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.

Attachment

CONDITIONS OF APPROVAL

Staff recommends Design Review Use Permit approval 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.

Attachment

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FERNDALE
Resolution Number PC 2013 - 01**

**MAKING THE REQUIRED FINDINGS FOR ADOPTING THE NEGATIVE DECLARATION AND CONDITIONALLY
APPROVING THE DESIGN REVIEW USE PERMIT FOR
ASSESSOR PARCEL NUMBER: 031-143-004**

WHEREAS, Sylvia Sterling Trust of 1995, Nancy Trujillo, POA has submitted an application and evidence in support of approving the Design Review Use Permit; and

WHEREAS, the City determined the project was subject to the California Environmental Quality Act (CEQA) and prepared an Initial Study and Negative Declaration; and

WHEREAS, the Negative Declaration reflects the City’s independent analysis and judgment; and

WHEREAS, the City provided notice of intent to adopt the Negative Declaration to the public and county clerk as per CEQA Guidelines Section 15072 and circulated the Initial Study and Negative Declaration for a twenty day public review period as per CEQA Guidelines Section 15073; and

WHEREAS, the Design Review Committee reviewed the submitted application and environmental review documents and recommended that the Planning Commission adopt the Negative Declaration and approve the Design Review Use Permit; and

WHEREAS, the Planning Commission has considered the proposed Negative Declaration and conducted a public hearing on the proposed project, and found that, on the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment; and

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

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

WHEREAS, the documents and materials on which this decision is based are on file at the office of the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Ferndale adopts the Negative Declaration, makes the findings in Attachment A, and approves the Design Review Use Permit subject to the conditions of approval contained in Attachment B.

PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 16th day of January, 2013 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

DRAFT
CEQA INITIAL STUDY/NEGATIVE DECLARATION

**580 MAIN STREET (DESIGN REVIEW USE PERMIT FOR THE REAPPLICATION OF
SIDING MATERIALS AND REINSTALLATION OF AWNINGS)**

FERNDALE, CALIFORNIA

Prepared for:
City of Ferndale
P.O. Box 1095
Ferndale, CA 95536

Prepared by:
Planwest Partners, Inc.
1125 16th Street, Suite 200
Arcata, CA 95521
(707) 825-8260



NEGATIVE DECLARATION

Project Title: 580 Main Street (Design Review Use Permit for the reapplication of siding materials and reinstallation of awnings). Case No. DR 1223

Project Location: 580 Main Street, Ferndale, California 95536 (APN 031-143-004).

Project Proponent: Nancy Trujillo for the Sylvia Sterling Trust of 1995
P.O. Box 193
Ferndale, CA 95536

Project Description: The applicant proposes to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building; prime and paint the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replace the existing signs with spacers rather than embedded in the siding; and reinstall the original striped awnings. These actions require City of Ferndale design review approval, a discretionary action subject to California Environmental Quality Act (CEQA) review. The existing signage and stucco siding have been removed from the building for safety.

Proposed Finding: It is hereby determined that, based on the information contained in the attached Initial Study (as revised on December 13, 2012), the project would not have a significant adverse effect on the environment.



FOR: George Williamson
City Planner, City of Ferndale

Revised on
12/13/2012

Date

CITY OF FERNDALE**Initial Study**

834 Main Street; P.O. Box 1095; Ferndale, CA 95536; Phone 707.786.4224; Fax 707.786.9314

INITIAL STUDY

PROJECT TITLE: 530 MAIN STREET DESIGN REVIEW USE PERMIT			
PROJECT APPLICANT:	NANCY TRUJILLO	CASE No (s):	DR 1223
PROJECT LOCATION:	580 MAIN STREET, FERNDALE, CA (APN 031-143-004)		
ZONING & GENERAL PLAN DESIGNATION		COMMUNITY COMMERCIAL DESIGN REVIEW, C-2-D	

LEAD AGENCY/CONTACT: City of Ferndale, P.O. Box 1095, Ferndale, CA 95536. Melanie Rheame, City Planner; Phone: 707.825.8260; Fax: 707.825.9181; email melanier@planwestpartners.com.

PROJECT DESCRIPTION: The applicant proposes to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building; prime and paint the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replace the existing signs with spacers rather than embedded in the siding; and reinstall the original striped awnings. These actions require City of Ferndale design review approval, a discretionary action subject to California Environmental Quality Act (CEQA) review. The existing signage and stucco siding have been removed from the building for safety.

BACKGROUND: The Ferndale Main Street Historic District was placed on the National Register of Historic Places on January 10, 1994. For the purposes of CEQA, historical resources include, but are not limited to, a resource listed in or determined to be eligible for listing in the California Register of Historical Resources per Public Resources Code Section 5024.1, Title 14 CCR (CEQA Guidelines Section 15064.5), which includes California properties formally determined eligible for, or listed in, the National Register of Historic Places.

The 580 Main Street building, known as the Ferndale Art and Cultural Center, is listed on the National Register of Historic Places and is considered a historical resource. The building is zoned Community Commercial and is within the Design Control Combining Zone and the Main Street Historic District. The listing in the National Register describes the building as a "large, single-story, false front commercial building... built as a garage in 1927" with "stucco exterior, concrete floors, large plate glass windows, and fire resisting construction." The listing goes on to state, "The symmetrical front façade facing Main Street is pierced by a central opening flanked by three, large plate glass windows. Striped fabric awnings delineate these openings. The stucco siding provides a smooth, modern appearance that is devoid of detail except for the design of the stepped and angled parapet. A trim board painted a dark color highlights the parapet."

Although the building has retained much of its historical character, several changes have occurred since its listing in the Register:

1. The awnings were removed and placed in storage.

2. The original composite shingle roof has been removed and replaced with metal on the gable sections and rolled tar sheets on the top.
3. One of the truck drive-thru openings facing Shaw Street has been closed and converted to two pedestrian side entrances.

In September 2012, the applicant applied for a building permit to remove the stucco from the front façade and requested that the process be expedited due to safety concerns. The applicant forwarded to the City a letter from a registered engineer stating that the stucco at the front of the building posed a significant public safety hazard, especially during a seismic event. The City Building Inspector approved issuing a building permit for the removal of the stucco and structural repairs. This permit does not cover materials replacement. Because of the potential public safety hazard, the permit was issued without the applicant first obtaining a Design Review Use Permit as normally required under Zoning Ordinance Section 6.05.2.

In October 2012, the applicant requested an expedited building permit to remove the stucco from the north side of the building (facing Shaw Street), again due to unsafe conditions. The applicant's engineer again stated that the stucco posed a public safety hazard, and the City Building Inspector approved issuing a permit for the removal of the stucco and structural repairs on the north side of the building. This permit does not cover materials replacement and due to the potential safety hazard was issued prior to the applicant obtaining a Design Review Use Permit.

Upon issuance of the above mentioned permits, the applicant removed the stucco siding and signage from the building and began structural repairs and temporary weatherproofing. The applicant proposes to replace the stucco with finger jointed primed redwood material of 11.25" coverage and to reinstall the original striped awnings on the front and north side of the building. The wood will be painted to match the original colors of the building, including the contrasting dark colored trim noted in the description of the building in the National Register.

The applicant also proposes changes to the signs on the building. The approximately 120 sq. ft. sign on the front (Main Street side) is a three part painted tin sign over the main entrance. The sign is fitted together and trimmed out for a one piece appearance. According to the applicant, this sign is original to the building. Staff was unable to verify this. The applicant proposes to return the sign to the building, but instead of being embedded in the stucco as before it will be backed with wood for protection of the sign and the building and mounted with 1" spacers and six 4X4 hidden "L" brackets (see attached plans). The spacers will allow for air flow around and behind the sign, and according to the applicant are necessary for preservation of the both the siding and the sign.

The applicant proposes to reinstall the approximately 96 sq. ft. Ferndale Kinetic Museum sign facing Shaw Street in the same manner as described above. The approximately 8 sq. ft. Ferndale Art Gallery sign will be placed nearer to the corner of the building due to the placement of the awnings.

Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows and the recessed entry. The replacement of the original stucco with finger jointed redwood would alter the smooth texture of the building while introducing horizontal lines and more detail. The structure's frame, form, contour, outline, profile and color will remain the same.

The proposed replacement of stucco on two sides of this building would alter its physical appearance and thus requires a Design Review Use Permit as per Ferndale Zoning Ordinance 02-02 Section 6.05.2. Because issuing the permit constitutes a discretionary action by the City, the project is subject to CEQA.

Staff has determined that the project is not eligible for a Categorical Exemption. Appropriate findings could not be made to support the project's eligibility for a Class 31 Historical Resource Restoration/Rehabilitation Categorical Exemption. CEQA guidelines §15331 states that a 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."

SURROUNDING LAND USES AND SETTING: The land uses around the project site are Community Commercial Design Review (C-2-D), within the Ferndale Main Street Business area and the Main Street Historic District. The proposed project is consistent with City plans, ordinances, and regulations. In 2009, the City of Ferndale adopted a Mitigated Negative Declaration and approved a Design Review Use Permit to replace stucco on a Historical Resource with "exterior siding of stucco, hand-applied textured cement on a concrete backer board, or other suitable material such as horizontal pine, cedar or redwood siding that is historically appropriate and approved by the city." The following were the City's findings leading to this decision:

"The original stucco exterior had a uniform texture and appearance. If the wood siding proposed by the applicants is used, then the appearance of the building will be visually altered with horizontal lines across the entire building. This horizontal effect would not be consistent with the historical character of the building. Except for the proposed change in surface material, the structure's frame, form, contour, outline, profile and color will remain the same, therefore the proposed project will have a less than significant impact to a historical resource."

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning
<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing
<input checked="" type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	

DETERMINATION: On the basis of this initial evaluation:

- I find that the proposed project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **may** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

For 
 George Williamson
 City Planner, City of Ferndale

Revised on
12/13/2012

 Date

CHECKLIST AND EVALUATION OF ENVIRONMENTAL IMPACTS: An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the **CHECKLIST** the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the project.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

DISCUSSION: The replacement of the original stucco finger jointed, shiplap style redwood material with 11.25" coverage would alter the material finish of the building while introducing horizontal lines, overlap, and more detail. This overlapping horizontal and detailed effect would not be consistent with the existing visual character of the building. There are, however, other buildings in the near vicinity with shiplap wood siding similar to the proposed material.

Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows, roofline, parapet, and the recessed entry.

Except for the proposed change in surface material and reinstallation of the awnings, the structure's frame, form, contour, outline, profile and color will remain the same, therefore the proposed project will have a less than significant impact to aesthetics.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
DISCUSSION: No farmland is involved in or near this project. No impact.				

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
DISCUSSION: Applicant has obtained a North Coast Unified Regional Air Quality Management District permit and will conform to all applicable plans, regulations, and standards.				

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
DISCUSSION: This is a developed area. Project plans involve replacement, repair, or reinstallation of existing features. No Impact.				

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
<p>DISCUSSION: The California Environmental Quality Act Title 14; Chapter 3; Article 5; Section 15064.5 states that a resource listed in the California Register of Historical Resources is considered a historical resource. The California Register includes California properties formally determined eligible for, or listed in, the National Register of Historic Places. The subject building was built in 1927 and is located in the Ferndale Main Street Historic District which was placed on the National Register of Historic Places January 10, 1994. Therefore, the subject building is a historical resource as defined in '15064.5.</p> <p>The replacement of the original stucco finger jointed, shiplap style redwood material with 11.25” coverage would alter the material finish of the building while introducing horizontal lines, overlap, and more detail. This overlapping horizontal and detailed effect would not be consistent with the existing visual character of the building. There are, however, other buildings in the near vicinity with shiplap wood siding similar to the proposed material.</p> <p>Several characterizing features of this building would be reinstated under this proposal, including the original awnings, contrasting trim, gooseneck light, and the distinctive signage. Features to be retained include the clerestory windows, roofline, parapet, and the recessed entry.</p> <p>Except for the proposed change in surface material and reinstallation of the awnings, the structure’s frame, form, contour, outline, profile and color will remain the same. The project would not have a substantial adverse effect on a historical resource; therefore, the proposed project will have a less than significant impact to cultural resources.</p>				

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
DISCUSSION: This is an existing building with no use changes and a more seismic resistant siding. People will be safer because of this project. No soil is being disturbed and the municipal sanitary sewer system is utilized. No Impact.				

VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands?				X
DISCUSSION: Demolition, disposal, and construction will conform to the Construction Code of the City of Ferndale as well as NCUAQMD standards and regulations. The project does not involve a change in use of the building. No Impact.				

VIII. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of levee or dam failure?				X
j) Result in inundation by seiche, tsunami, or mudflow?				X
DISCUSSION: This project does not alter any drainage patterns, flows, currents or increase runoff, does not involve housing and is not subject to seiche, tsunami, or mudflow. No Impact.				

IX. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
DISCUSSION: This is an existing building that is not being expanded. Its current use conforms to local zoning and there are no conservation plans. All existing uses to remain the same. No Impact.				

X. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
DISCUSSION: The project is an existing structure that is not situated near current or proposed mining activities. No Impact.				

XI. NOISE. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Expose persons to or generate excessive ground borne vibration or ground borne noise levels?				X
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
DISCUSSION: There will be elevated noise levels as demo and reconstruction work occurs. These noise levels will not exceed local ordinance levels and will be temporary in duration. Less than significant impact.				

XII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
DISCUSSION: No houses or people will be displaced by this project. No Impact.				

XIII. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?				X

c) Schools?				X
d) Parks?				X
e) Other public facilities?				X
DISCUSSION: The project involves replacing a fire-resistant material (stucco) with a flammable material (redwood). The City and project site are served by the Ferndale Volunteer Fire Department. The increase in flammable materials will not result in unacceptable service ratios or response times, and would not necessitate expansion of the fire department's equipment, staffing, or facilities. The project will not change the needs, use, or demands on police, schools, parks or public utilities. Less than significant impact.				

XIV. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
DISCUSSION: The project will not change the use of parks or require the expansion of existing parks. No Impact.				

XV. TRANSPORTATION/TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
DISCUSSION: The project will not alter the volume, speed, or patterns of auto or air traffic. Existing emergency access and parking will remain the same and do not conflict with alternative transportation plans or policies. The applicant has obtained Caltrans permit. No Impact.				

XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed)?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Violate any federal, state, and local statutes and regulations related to solid waste?				X
DISCUSSION: The project does not change the demand on water supply, waste water treatment, storm water volumes, flows or capacities, and will not change landfill demands. No Impact.				

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).				X
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X
DISCUSSION: The project does not have the potential to degrade the environment, harm wildlife, have cumulative impacts or cause substantial adverse effects on humans. No Impact.				

Attachment E

NPS Form 10-900-a
(9-88)

OMB Approval No. 1024-0018

United States Department of the Interior
National Park ServiceNational Register of Historic Places
Continuation SheetRECEIVED
OCT 15 2012

BY:.....

Section number 7 Page 52.Ferndale "Main Street" Historic District
Humboldt County, CA

Description (continued)

54.) 580 Main Street (C) 1927
 Historical Name: S & E Garage and Ford Dealership
 Other Name: Ray L. Albert & Sons Ford Dealership
 A.P. Number: 31-143-04

This large, single-story, false front commercial building was built as a garage in 1927. The new building had a stucco exterior, concrete floors, large plate glass windows, and "fire resisting construction". The huge building resembles a warehouse and when it was completed it was one of the largest garages in the county.

This corner structure anchors the northern end of the commercial district with its impressive size and architectural integrity. The symmetrical front facade facing Main Street is pierced by a central opening flanked by three, large plate glass windows. Striped fabric awnings delineate these openings. The stucco siding provides a smooth, modern appearance that is devoid of detail except for the design of the stepped and angled parapet. A trim board painted a dark color highlights the parapet.

The north side facade facing Shaw Avenue is pierced by large storefront windows that turn the corner from the front. Small, single lite sash windows and large, multi-lite industrial windows pierce the facade. Two large garage door openings with gooseneck light fixtures allow access into the building for large vehicles. The gable roof is covered in composition shingles.

Mr. and Mrs. C.H. Wetherbee had this garage constructed in 1927 by contractor, William Flowers. Eight hundred yards of dirt fill were brought to the site before construction began in 1927 and the concrete floor was laid. This building housed the local ford dealership run by Sutherland and Escola and then by Ray L. Albert and Son in 1937.

Sutherland and Escola's Garage better known as S. & E. Garage had occupied this site prior to the new construction. They were housed in the old Ferndale Livery Stable that was constructed in 1887 for Charles A. Doe.

Attachment

SECRETARY OF INTERIOR'S STANDARDS SUMMARY:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. 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.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Attachment

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:

10/29/12 Reverse @city req.

<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 type="checkbox"/>	Use Permit
<input type="checkbox"/>	Lot Line Adjustment	<input checked="" 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:

Phone:

Address:

PO Box:

Dulio's Study Trust of 1995
707.502.8007
PO Box 193 510 Main Street

3.

Name of Applicant (if different):

Address:

Phone:

4.

Property Location:

Accessor Parcel Number(s):

Description:

Lot Area:

5.

Present Use of Property:

Present Zoning:

6.

Description of Proposed Project:

replace stucco w/wood. Paint new
color. Sample provided removal of base &
awning

Filing Fee: A filing fee of \$200 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.

ATnyillo POA PL

10/29/12

Signature of Applicant or Agent

Date

Authorization of Agent: I hereby authorize Dulio's Trust

NO Agent

to act as my representative

and bind me in all matters concerning this application.

(Form 100208)

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

Sylvia Sterling Trust of 1995
P O Box 1044
Ferndale, CA 95536

~~10-08-12~~
10-29-12 Revised



City of Ferndale
P O Box 1095
Ferndale, CA 95536

BY:.....

Re: Design Review Application – 580 Main Street aka Ferndale Art and Cultural Building

Dear Staff and Committee Members:

This application is requesting the replacement of Stucco with Finger Jointed Primed Redwood material of 11.25” coverage. A sample has been turned into the city. This material is special order and not stock with Valley Lumber. We had to have this sample milled for your review at a cost of \$165.00 for the 4’ board. So we have not cut it, hoping to be able to reuse the board when façade instillation begins if we are approved.

We have provided several additional items for your review that we hope will help in this process. The State historical designation page for this building is included in our packet. As well as the historical district map. Underlined, in the description of the building, you will see several changes to this building that have occurred, since it was designated contributing to the Historic District. The building does not have its own historical designation and the Trust has no desire to attain one, even if it could qualify.

1. The awnings were removed when the sign was repainted and never replaced. They have been in storage and it is part of our application to return the awnings to the building. 2. The roof was composition shingle. The roof has been re roofed and it is now metal on the gable sections and rolled tar sheets on the top. 3. One of the truck drive-thru openings on Shaw has been closed in and now has two pedestrian side entrances (Probably necessary for fire codes).

We have also underlined the fact that the trim was of a contrasting dark color. It is our intension to match the trim and body colors as closely as our paint purveyor can match it.

Awnings:

Enclose you will find a picture of the building when blue awnings were on it; when the sign still read that it was the Kinetic Sculpture Race Building. The awnings that were noted on the historical description were green stripped. These awnings have been in storage and will be installed after the wood is installed. Unfortunately there is no picture of these awnings that was filed with the application and the museum was unable to locate one either. But the Kinetic picture should give you the idea of the placement of the three separate sections.

Signs:

The *Main Street* sign is original to the building. It is a three part painted tin metal sign which when put together appears to be one piece. We plan on returning the sign to the building, backed with wood for protection of the sign and the building and mounted with spacers of 1" from the building and six 4X4 hidden "L" brackets. This method is noted on our plans in the side general notes section. The spacers are necessary for preservation of the siding and the sign, enabling circulation around and behind the sign.

The Ferndale Art Gallery Sign was omitted from the original plans for the front of the building. But you will see that it will be placed nearer to the corner of the building due to the placement of the awnings. It is represented on the plans for both sides of the building.

The Shaw Street Side Kinetic Sign replaced an older sign on that side of the building. The contractor has indicated this sign will also be hung using the 4X4 bracket installation referenced above.

Drawings:

Submitted previously to Jay Parrish but for your review: (To be supplied to you by Jay Parrish)

1. One drawing showing the existing building with stucco and if replacement stucco was to be put back on with the mandated metal spacers now required by building code. (Not our desire)
2. One drawing showing the existing building with stucco and if replacement stucco board (which is a cement board product) were to be used in lieu of stucco. (Not our desire)
3. One drawing showing the existing building with stucco and smaller, narrower boards similar in nature to the size that is on the Tipple's garage in lieu of stucco (Not our desire – way too busy)

Submitted with this application:

1. Two sets of drawings
 - A. Drawing showing original stucco building and proposed 11.25 horizontal board application w/ awnings reinstalled *on Shaw Street*. Gooseneck lights will be reinstalled under middle awning *and above the side entrance on Shaw where it now stands.*
 - B. Plot plan as requested by city.

Photos:

1. Kinetic Building
2. Older picture from Ferndale Museum
3. Current picture before demolition of stucco

Thank you for your consideration:


Nancy Trujillo POA for
The Sylvia Sterling Trust of 1995

Ck # 5664 dtd 10.8.12 \$200.00 appl. fee



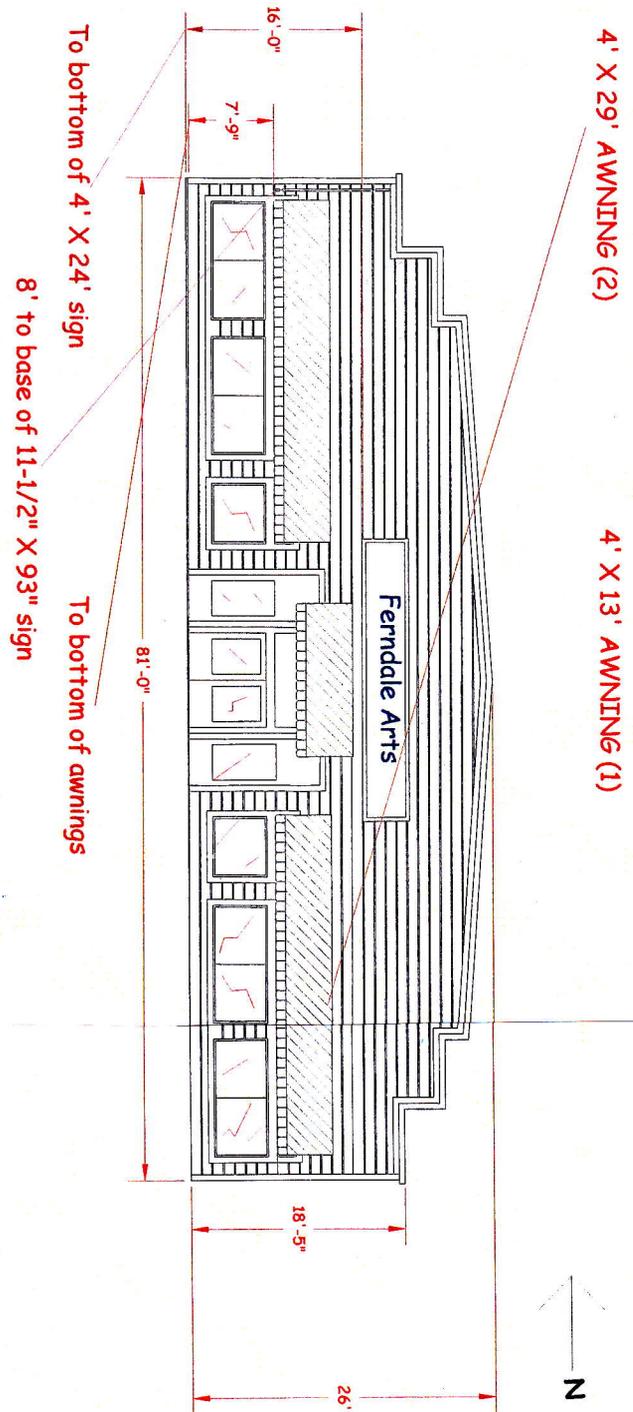
Revised
10.23.12

DRAWN BY: TOM MORRIN

PROJECT NAME: The Sylvia Sterling trust of 1995

CONTRACTOR: MCI TRC CONSULTANTS

SCALE: 1/8"=1'



4' X 29' AWNING (2)

4' X 13' AWNING (1)

Ferndale Arts



RECEIVED
OCT 30 2012
BY:

GENERAL NOTES:

AS FOLLOWS:

580 Main St.
Ferndale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

Kinetic Sign shall be spaced 1" from building using six 4" X 4" hidden "L" brackets.

Contact:

707-786-9935

REVISION NUMBER: 1 OF 1

PAGE NUMBER: 1 OF 2

DATE: Sept. 19 2012

GENERAL NOTES:

AS FOLLOWS:

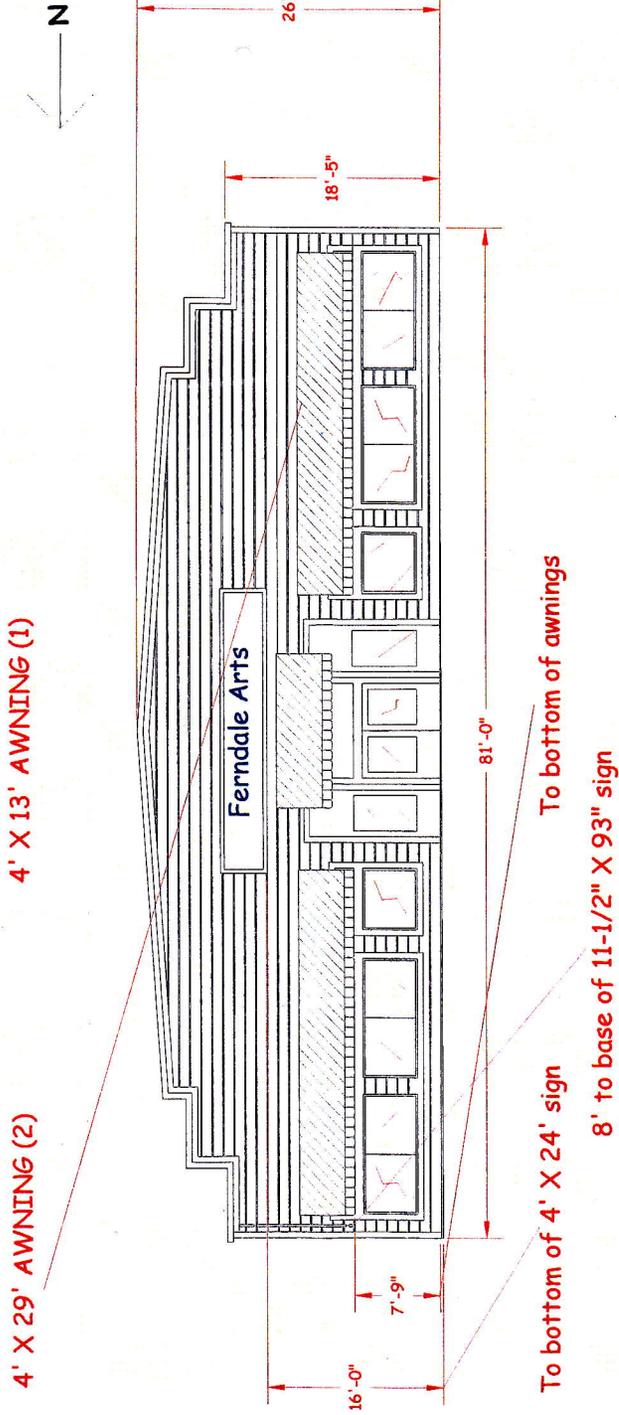
580 Main St.
Ferndale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

Kinetic Sign shall be spaced 1" from building using six 4" X 4" hidden "L" brackets.

contract:	707-786-9935
REVISION NUMBER:	1 OF 1
PAGE NUMBER:	1 OF 2
DATE:	Sept. 19 2012
SCALE:	1/8"=1'

RECEIVED
OCT 30 2012
BY:



Approved

DRAWN BY: **TOM MORRIN** PROJECT NAME: **The Sylvia Sterling trust of 1995** CONTRACTOR: **PEI TTC CONSTRUCTION**

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GENERAL NOTES:

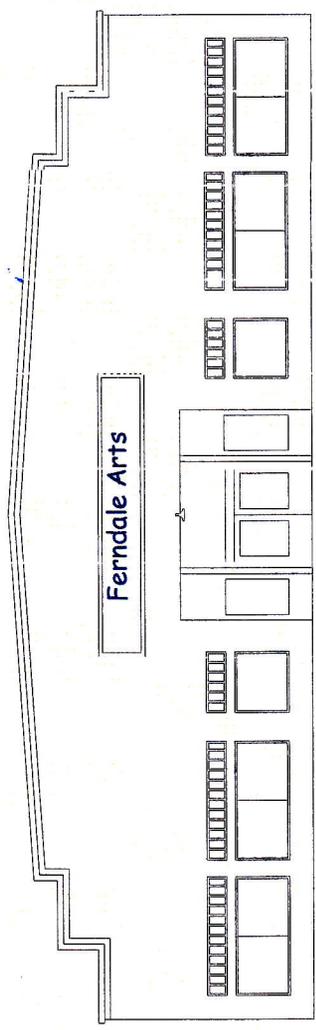
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Ferndale, CA 95536
APN#
031 143 004 000

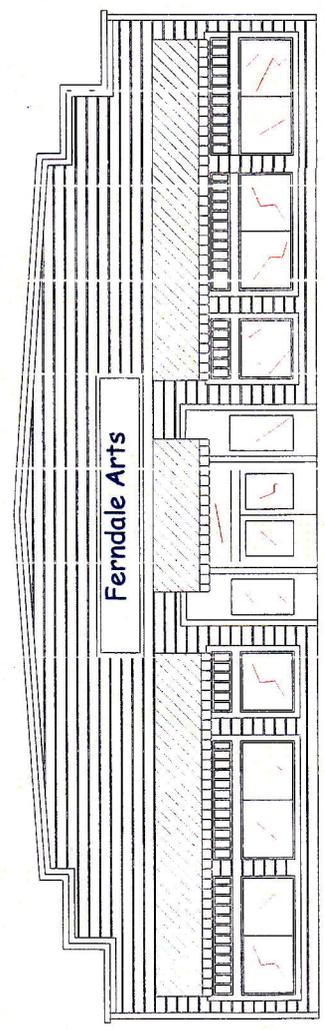
Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

Kinetic Sign shall be spaced 1" from building using six 4" X 4" hidden "L" brackets.

contact:
707-786-9935
REVISION NUMBER:
1 OF 1
PAGE NUMBER:
1 OF 2
DATE:
Sept. 19 2012
SCALE:
1/8"=1'



Original Stucco Finish



Horizontal wood siding (11-1/4" coverage)

CONTRACTOR:
PEI TTC CONSTRUCTION

PROJECT NAME:
The Sylvia Sterling trust of 1995

DRAWN BY:
TOM MORRIN

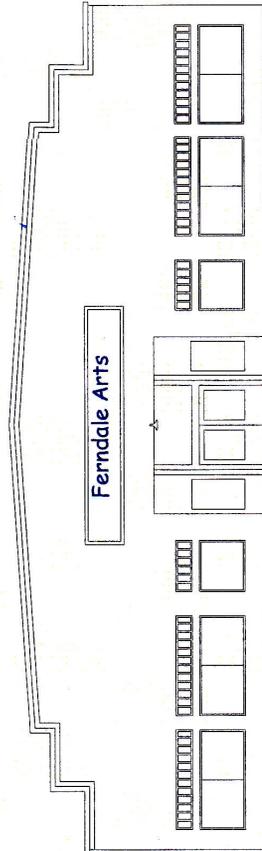
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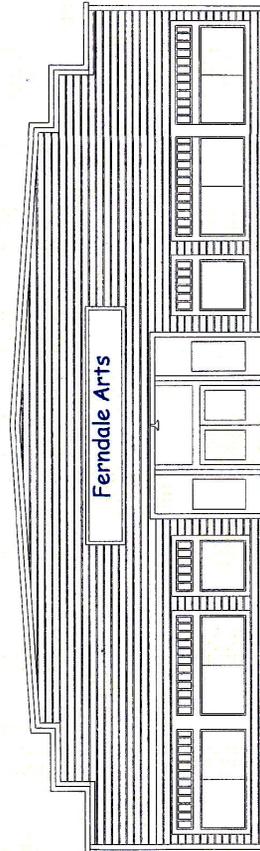
580 Main St.
Ferndale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

*Narrow Siding!
As on Apple*



Original Stucco Finish



Horizontal wood siding

Contact: **707-786-9935**
 REVISION NUMBER: **1 OF 1**
 PAGE NUMBER: **1 OF 3**
 DATE: **Aug 28 2012**
 SCALE: **1/8"=1'-0"**

CONTRACTOR: CFI TTC CONSTRUCTION

PROJECT NAME: The Sylvia Sterling Trust of 1995

DRAWN BY: TOM MORRIN

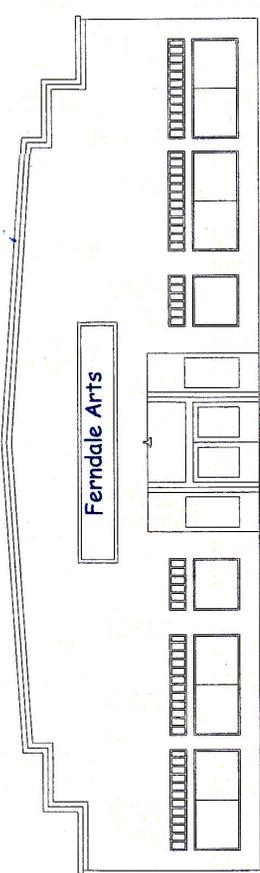
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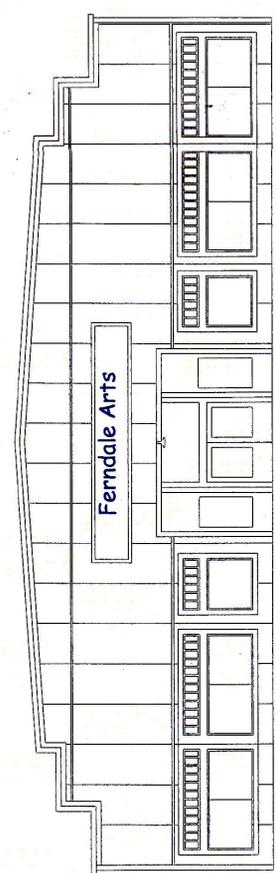
580 Main St.
Ferndale, CA 95536
APN#
031 143 044 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

CONTRACT: 707-786-9935
REVISION NUMBER: 1 OF 1
PAGE NUMBER: 2 of 3
DATE: Aug 28 2012
SCALE: 1/8"=1'



Original Stucco Finish



Stucco Panel Siding

CONTRACTOR: CEI TTC CONSTRUCTION

PROJECT NAME: The Sylvia Sterling Trust of 1995

DRAWN BY: TOM MORRIN

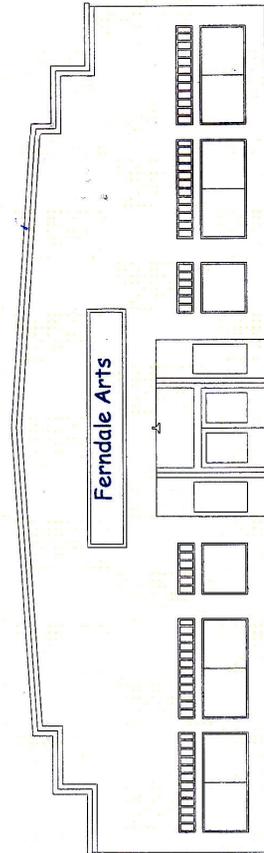
GENERAL NOTES:

AS FOLLOWS:

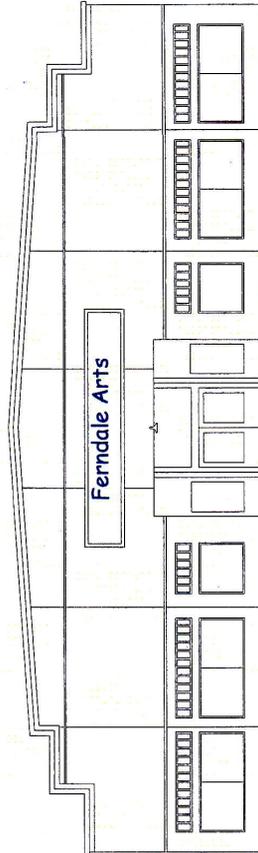
580 Main St.
Ferdale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferdale, CA
95536-0193
707-502-8005

Contract: 707-786-9935
REVISION NUMBER: 1 OF 1
PAGE NUMBER: 3 of 3
DATE: Aug 28 2012
SCALE: 1/8"=1'



Original Stucco Finish



Replacement stucco siding

Expansion joints
not to exceed 18'
in length. Stucco
sections not to
exceed 144sq.ft.
(Areas shown
120sq.ft.)

CONTRACTOR:
FELT'S CONSTRUCTION

PROJECT NAME:
The Sylvia Sterling Trust of 1995

DRAWN BY:
TOM MORRIN

GENERAL NOTES:

AS FOLLOWS:

580 Main St.
Ferndale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

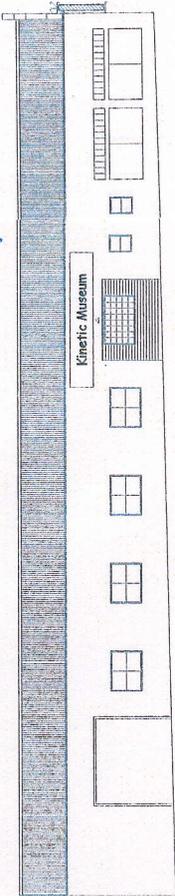
Kinetic Sign shall be spaced 1" from building using six 4" X 4" hidden "L" brackets.

North Elevation

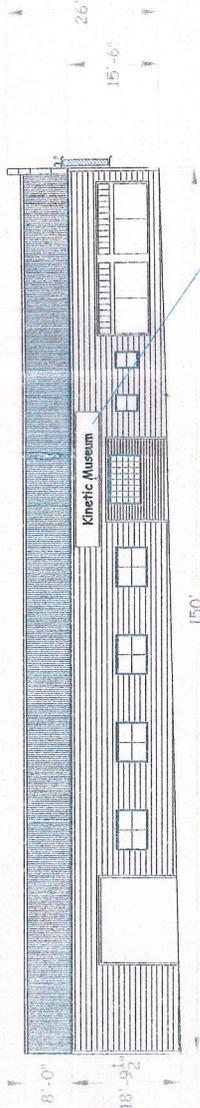
contact:	707-786-9935
REVISION NUMBER:	1 OF 1
PAGE NUMBER:	1 OF 3
DATE:	Oct. 12 2012
SCALE:	1/16"=1'

RECEIVED
OCT 30 2012

BY:.....



Existing Stucco Finish



Proposed 11-1/4" Exposure Siding

23' X 4' sign to be hung @ existing height of 11'-6" to bottom Existing light to be reinstalled at a height of 12'-8" to stem.

CONTRACTOR:
MEI TTC CONSTRUCTION

PROJECT NAME:
Sylvia Sterling Trust of 1995

DRAWN BY:
TOM MORRIN

*215201
Tom*

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GENERAL NOTES:

AS FOLLOWS:

580 Main St.
Ferndale, CA 95536
APN#
031 143 004 000

Contact Info:
Nancy Trujillo
P.O. Box 193
Ferndale, CA
95536-0193
707-502-8005

Plot Plan

pg 46

contact:

707-786-9935
REVISION NUMBER:

1 OF 1
PAGE NUMBER:

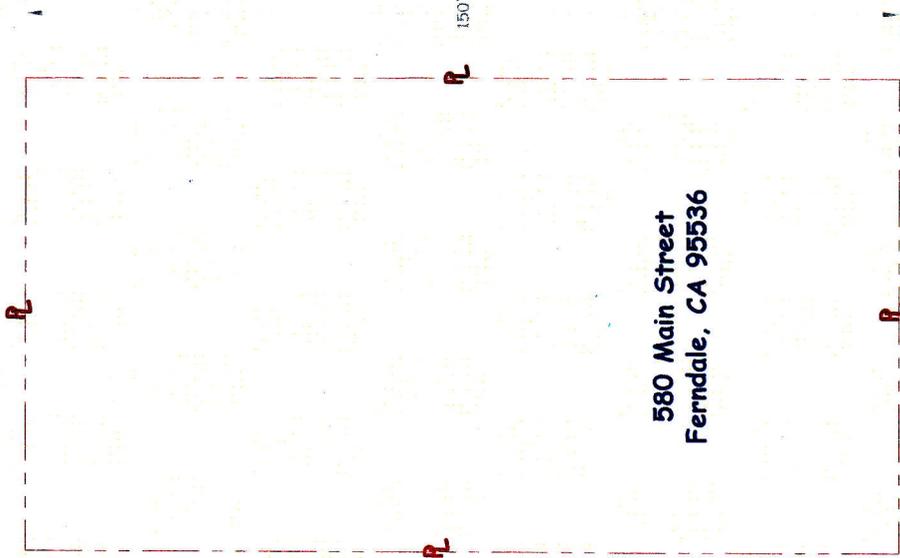
1 OF 2
DATE:

Sept. 19 2012

SCALE:

1/16"=1'

Gravel alley



Shaw Avenue

580 Main Street
Ferndale, CA 95536

Main Street

The Sylvia Sterling trust of 1995

PROJECT NAME:

TOM MORRIN

DRAWN BY:

CONTRACTOR:

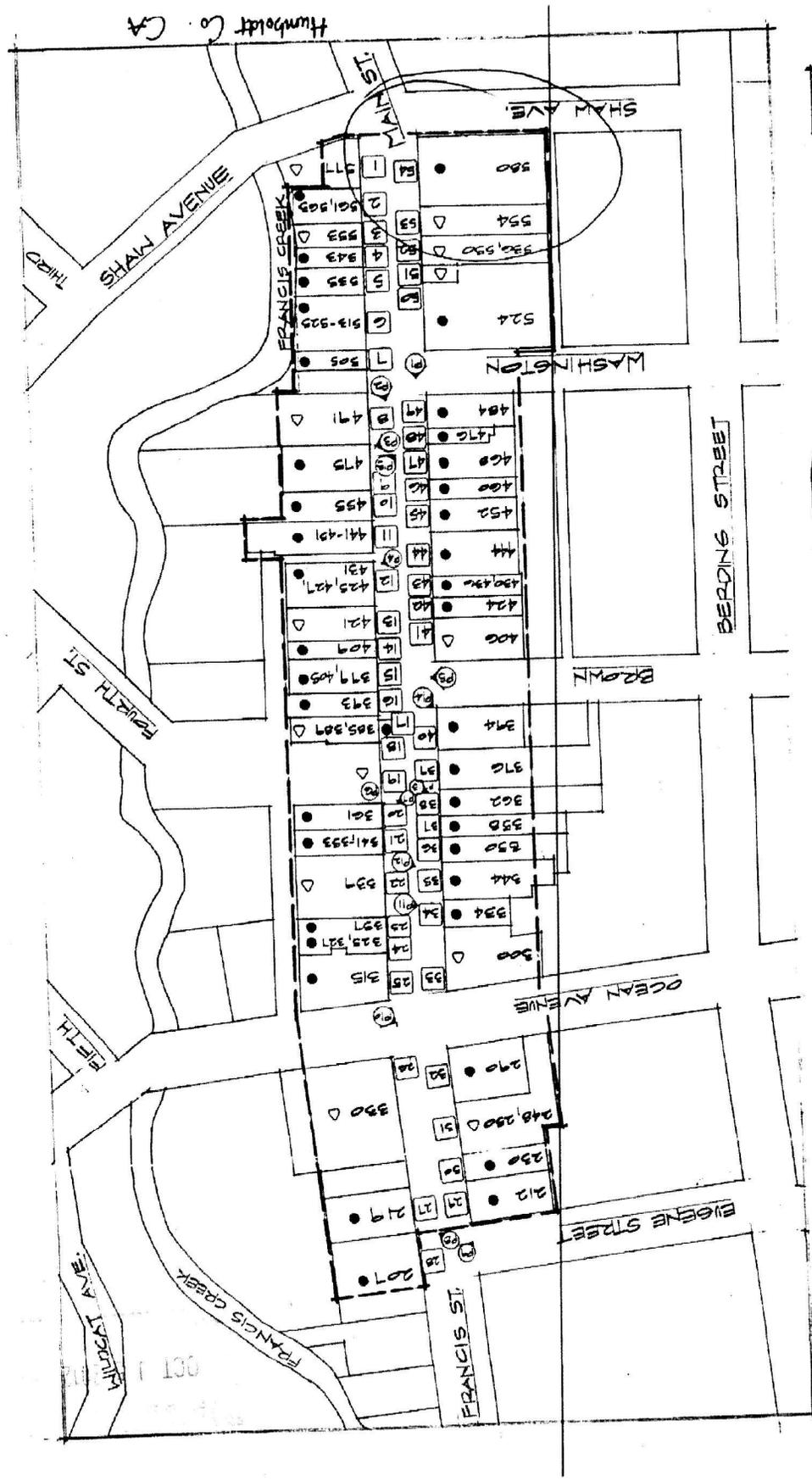
CFL TIC CONSTRUCTION

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January 16, 2013

14 of 25

580 Main Street - Attachment G



SKETCH MAP FOR FERDALE MAIN STREET COMMERCIAL HISTORIC DISTRICT

SCALE: 1" = 100'

LEGEND: (●) PHOTOGRAPH, (△) TEXT NUMBER, (◻) NON-CONTRIBUTING, (○) CONTRIBUTING, JEANNA JAHIEL ARCHITECT

pg 48

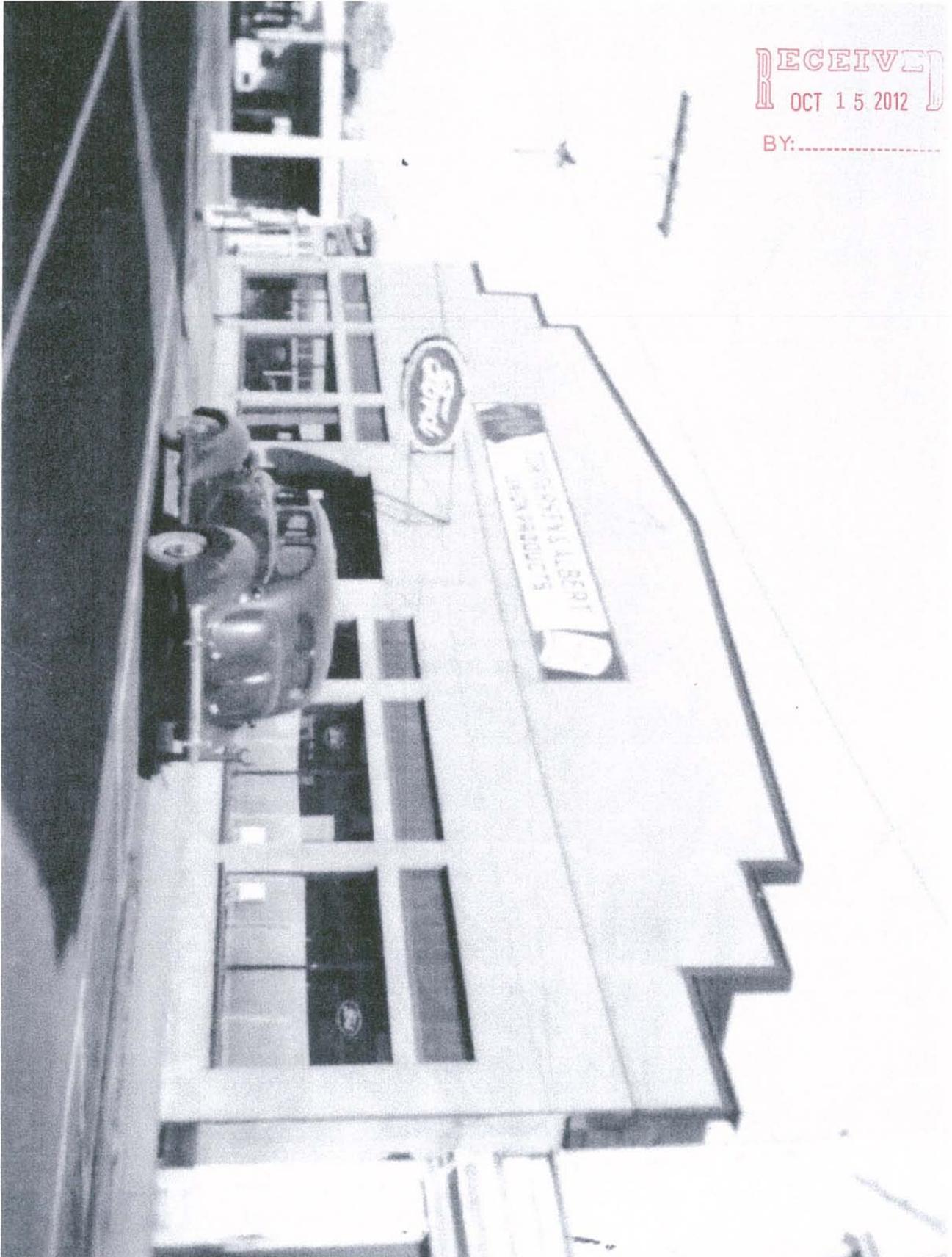


RECEIVED
OCT 15 2012
BY:.....

Kinetic Sculpture Race Museum



582 Main Street
Ferndale



RECEIVED
OCT 15 2012
BY:.....

WHITCHURCH ENGINEERING, INC.

610 9th Street
Fortuna, CA 95540

Phone: (707) 725-6926

Fax: (707) 725-2959

October 24, 2012

Sylvia Sterling
c/o Nancy Trujillo
P.O. Box 193
Ferndale, CA 95536

RE: Structural Inspection
North Wall (Shaw Avenue)
580 Main Street
Ferndale, CA
APN 031-143-004

JN: STG1201

Dear Ms. Trujillo,

Per your request on October 22, 2012, I visited the above referenced building in order to review the left (north) side of the building on Shaw Avenue. Recently, workers have removed a lower part of the stucco siding and 3/4" siding boards on this building, exposing the mudsill and the bottom approximately 12" of wall studs. I observed that the mudsill was nearly completely rotted away, and the bottom 6"-12" of the existing studs (which consist of 2"x5 1/2" redwood #2 at 24" on center) had been rotted away also. In order to repair this rot, I recommend that the studs be cut horizontally at a location high enough above the mudsill where the studs are not rotted. A short 2"x5 1/2" stud section can be then installed to replace this cut out section; this new section will sit on a newly installed pressure treated hem fir mudsill. A "sister" stud can then be nailed alongside the assembly which also would bear on the mudsill. I can provide a sketch of this construction detail once the investigation phase of this part of the project is complete.

Because of the length of this side of the building I recommend that in order to minimize the amount of time that the repair area is exposed to weather, that the repair be done in sections; I estimate that these sections could each compose approximately 1/3 the length of the building.

It appears that the rot that has taken place in this portion of the structure occurred because water leaked through the cracked stucco, and migrated down to the mudsill where the majority of the rot took place. Because of the height of this wall (15ft) the calculated deflection of this wall assembly with stucco siding would exceed the allowable limits in regards to preserving the integrity of the stucco siding. In other words because this wall is so tall, in a severe earthquake or wind storm, the wall would deflect enough to cause cracking of the stucco; in that case, water from

Whitchurch Engineering, Inc.
STG1201-580 Main St., Ferndale
Building North Wall Structural Review
October 24, 2012

rain would be allowed to leak into the building (similar to the current situation) potentially causing future rot of the structural members (studs, mudsill). In my opinion it is likely that this rot could take place and go unnoticed; in that situation the outside of the building might appear to be structurally sound, however the studs and mudsill may end up being rotted and severely structurally deficient (as is currently the case). With the structural members in that state of degradation, a significant earthquake could cause sudden failure of the wall because of excessive displacement/movement, and ultimately cause failure of even properly applied stucco away from the building.

Therefore in my opinion, I recommend that stucco not be installed on the building; a lighter material, such as Hardi-plank or wood siding which is less susceptible to allowing rot of the underlying materials (therefore making the building safer, especially during an earthquake or very strong windstorm) would be better suited for installation on this building.

If you have any questions or comments regarding this structural review of the building face on Shaw Avenue, feel free to contact me at your convenience.

Sincerely,



Terry O'Reilly, P.E.
RCE#49506

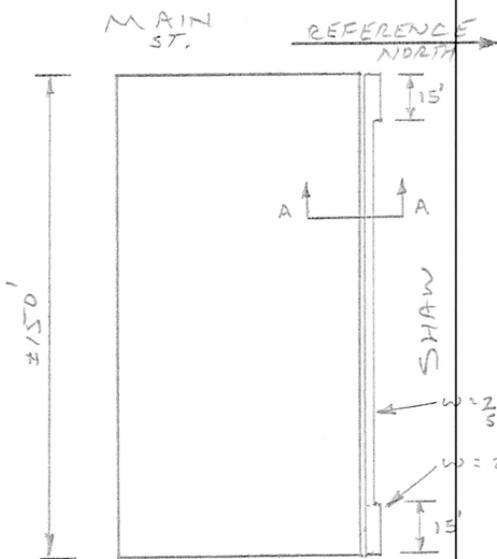
TOR/af
enc.



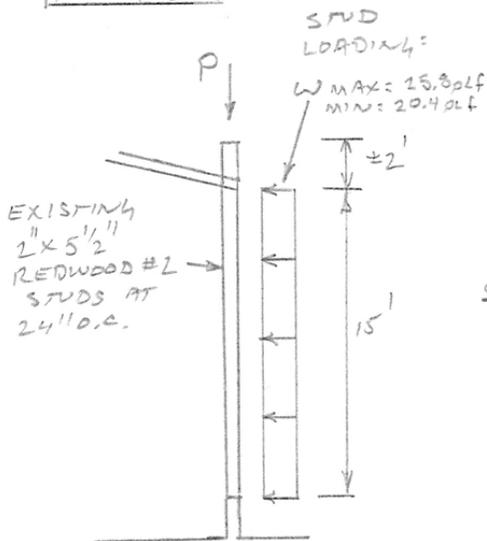
WHITCHURCH ENGINEERING
 Building Design
 Civil & Structural Engineering
 610 9th STREET
 FORTUNA, CALIFORNIA 95540
 (707) 725-6926 FAX (707) 725-2959

JOB STERLING 580 MAIN FERRDALE
 ELEMENT NORTH WALL
 SHEET NO. 1 OF 6
 CALCULATED BY TOR DATE 10-23-12
 CHECKED BY TLW JN STG1201

STUD WALL STRUCTURAL REVIEW



BLDG PLAN 1"=50'



SEC A-A NTS

Terry J. O'Connell
 10.25.12
 REGISTERED PROFESSIONAL ENGINEER
 TERRY J. O'CONNELL
 NO. 49506
 CIVIL
 STATE OF CALIFORNIA

MATERIAL WEIGHTS / LOADING

WALL DEAD LOAD

1" STUCCO	10 PSF
3/4" BOARD	2
2x5 1/2" @ 24" O.C.	1.5
MISC	1.5
	<u>15 PSF</u>

1) SEISMIC LOADING

ASCE 7-05:

12.11 STRUCTURAL WALLS AND THEIR ANCHORAGE

12.11.1 Design for Out-of-Plane Forces. Structural walls and their anchorage shall be designed for a force normal to the surface equal to $0.4 S_{DS} I$ times the weight of the structural wall with a minimum force of 10 percent of the weight of the structural wall.

OUT OF PLANE FORCE = $0.4 S_{DS} I$

= $0.4 \times 1.032 \times 1.0 W$ = $0.41 W$

BASIC LOAD COMBO: $0.7 \times 0.41 W$ = $0.29 W$

$W_{SEISMIC}$ = $0.29 \times 15 \text{ psf} \times 2' \text{ WIDE}$ = 8.7 plf

AXIAL LOAD P = $(15/2 + 2)' \times 15 \text{ psf}$ = 285 LB

WHITCHURCH ENGINEERING
 Building Design
 Civil & Structural Engineering
 610 9th STREET
 FORTUNA, CALIFORNIA 95540
 (707) 725-6926 FAX (707) 725-2959

JOB STERLING 580 MAIN FERRISDALE
 ELEMENT NORTH WALL
 SHEET NO. 2 OF 6
 CALCULATED BY TOR DATE 10-23-12
 CHECKED BY TLW JN STG1201

2) WIND DESIGN

PER 6.4 ASCE 7-05: DESIGN MWFRS
 AS SIMPLIFIED METHOD:

$$P_s = \lambda K_{zt} I P_{s30}$$

WIND EXPOSURE CATEGORY: B

$$\lambda = 1.0$$

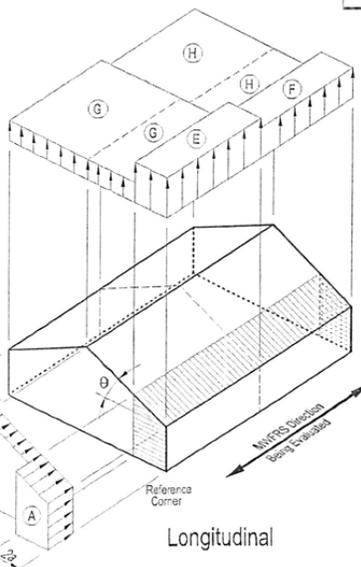
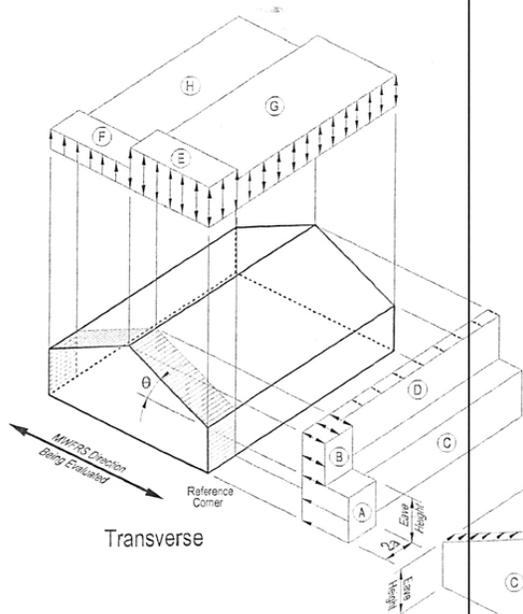
$$K_{zt} = 1.0$$

$$I = 1.0$$

	<u>P_{s30}</u>
A:	<u>12.9 psf</u>
B:	<u>8.8</u>
C:	<u>10.2</u>
D:	<u>7.0</u>

ANALYZE MWFRS PER FIG 6.2:

Mean roof height (ft)	Adjustment Factor for Building Height and Exposure, λ		
	B	C	D
15	1.00	1.21	1.47
20	1.00	1.29	1.55
25	1.00	1.35	1.61
30	1.00	1.40	1.66
35	1.05	1.45	1.70
40	1.09	1.49	1.74
45	1.12	1.53	1.78
50	1.16	1.56	1.81
55	1.19	1.59	1.84
60	1.22	1.62	1.87



$h = \text{MEAN ROOF HT} = 28$

a:

10% OF LEAST HORIZ. DIM: $.1 \times 75 = 7.5$ \rightarrow SMALLEST = 7.5
 OR $0.4h = .4 \times 11.2$
 NOT LESS THAN 40% LEAST HORIZ. DIM: $.04 \times 75 = 3$ OR 3' MIN

$a = 7.5'$
 $2a = 15'$

WHITCHURCH ENGINEERING
 Building Design
 Civil & Structural Engineering
 610 9th STREET
 FORTUNA, CALIFORNIA 95540
 (707) 725-6926 FAX (707) 725-2959

JOB STERLING 580 MAIN FUNDABLE
 ELEMENT NORTH WALL
 SHEET NO. 3 OF 6
 CALCULATED BY JDR DATE 10-23-12
 CHECKED BY TLW JUN STG/201

WIND LOADING CONT...

ROOF SLOPE: $7.2 = 12$
 $\tan^{-1} \frac{7.2}{12} = 31$

6.4.2.1.1 Minimum Pressures. The load effects of the design wind pressures from Section 6.4.2.1 shall not be less than the minimum load case from Section 6.1.4.1 assuming the pressures, p_s , for zones A, B, C, and D all equal to +10 psf, while assuming zones E, F, G, and H all equal to 0 psf.

TABLE 1604.3
 DEFLECTION LIMITS^{a, b, c, h, i}

CONSTRUCTION	L	S or W ^f	D+L ^{d, g}
Roof members: ^c			
Supporting plaster ceiling	l/360	l/360	l/240
Supporting nonplaster ceiling	l/240	l/240	l/180
Not supporting ceiling	l/180	l/180	l/120
Floor members	l/360	—	l/240
Exterior walls and interior partitions:			
*With brittle finishes	—	l/240	—
With flexible finishes	—	l/120	—
Farm buildings	—	—	l/180
Greenhouses	—	—	l/120

Main Wind Force Resisting System – Method 1		h ≤ 60 ft.										
Figure 6-2 (cont'd)	Design Wind Pressures	Walls & Roofs										
Enclosed Buildings												
Simplified Design Wind Pressure, P_{s30} (psf) (Exposure B at h = 30 ft., $K_{zt} = 1.0$, with l = 1.0)												
Basic Wind Speed (mph)	Roof Angle (degrees)	Load Case	Zones									
			Horizontal Pressures				Vertical Pressures				Overhangs	
			A	B	C	D	E	F	G	H	ECH	GCH
85	0 to 5°	1	11.5	-5.9	7.6	-3.5	-13.8	-7.8	-9.6	-6.1	-19.3	-15.1
	10°	1	12.9	-5.4	8.6	-3.1	-13.8	-8.4	-9.6	-6.5	-19.3	-15.1
	15°	1	14.4	-4.8	9.6	-2.7	-13.8	-9.0	-9.6	-6.9	-19.3	-15.1
	20°	1	15.9	-4.2	10.6	-2.3	-13.8	-9.6	-9.6	-7.3	-19.3	-15.1
	25°	1	14.4	2.3	10.4	2.4	-6.4	-8.7	-4.6	-7.0	-11.9	-10.1
		2	-----	-----	-----	-----	-2.4	-4.7	-0.7	-3.0	-----	-----
	30 to 45	1	12.9	8.8	10.2	7.0	1.0	-7.8	0.3	-6.7	-4.5	-5.2
	2	12.9	8.8	10.2	7.0	5.0	-3.9	4.3	-2.8	-4.5	-5.2	

OUT OF PLANE WIND LOADING:

W WIND: $2' \times 12.9 \text{ psf} = 25.8 \text{ plf}$ MAXIMUM WORST CASE
 $2' \times 10.2 \text{ psf} = 20.4 \text{ plf}$ MINIMUM BEST CASE

WIND LOADING GOVERNS OVER SEISMIC

EXISTING STUDS INADEQUATE IN DEFLECTION FOR STUCCO (BRITTLE) FINISH. EXISTING STUDS ADEQUATE WITH FLEXIBLE FINISH

4/6

Column 2007 California Building Code (05 NDS) Ver: 7.01.14			
By: Terry O'Reilly, P.E., Whitchurch Engineering on: 10-23-2012 : 10:08:22 AM			
Project: STG1201 - Location: north wall at Shaw ave			
Summary:			
2.0 IN x 5.5 IN x 15.5 FT / #2 - Redwood - Dry Use			
Section Adequate By: 41.8%			
Vertical Reactions:			
Live:	Vert-LL-Rxn=	0	LB
Dead:	Vert-DL-Rxn=	318	LB
Total:	Vert-TL-Rxn=	318	LB
Horizontal Reactions:			
Total Reaction at Top of Column:	TL-Rxn-Top=	200	LB
Total Reaction at Bottom of Column:	TL-Rxn-Bottom=	200	LB
Horizontal Deflection:			
Deflection due to lateral loads only:	Defl=	1.01	IN = L/185
Axial Loads:			
Live Loads:	PL=	0	LB
Dead Loads:	PD=	285	LB
Column Self Weight:	CSW=	33	LB
Total Loads:	PT=	318	LB
Eccentricity (X-X Axis):	ex=	0.00	IN
Eccentricity (Y-Y Axis):	ey=	0.00	IN
Axial Duration Factor:	Cd-Axial=	1.25	
Lateral Loads:			
Loads applied to:			
Uniform Lateral Load:	wL-lat=	26	PLF
Lateral Duration Factor:	Cd-lat=	1.60	
Column Data:			
Length:	L=	15.5	FT
Maximum Unbraced Length (X-X Axis):	Lx=	15.5	FT
Maximum Unbraced Length (Y-Y Axis):	Ly=	0.5	FT
Column End Condition:	Ke=	1.0	
Calculated Properties:			
Column Section (X-X Axis):	dx=	5.50	IN
Column Section (Y-Y Axis):	dy=	2.00	IN
Area:	A=	11.00	IN2
Section Modulus (X-X Axis):	Sx=	10.08	IN3
Section Modulus (Y-Y Axis):	Sy=	3.67	IN3
Slenderness Ratio:	L _{ex} /dx=	33.82	
	L _{ey} /dy=	3.0	
Properties For: #2- Redwood			
Compressive Stress:	F _c =	950	PSI
Bending Stress (X-X Axis):	F _{bx} =	925	PSI
Bending Stress (Y-Y Axis):	F _{by} =	925	PSI
Modulus of Elasticity:	E=	1200000	PSI
Adjusted Modulus of Elasticity:	E-Min=	440000	PSI
Adjusted Properties:			
F _{bx} ':	F _{bx} '=	1771	PSI
Adjustment Factors: Cd=1.60 CF=1.20 Cl=1.00			
F _{by} ':	F _{by} '=	2042	PSI
Adjustment Factors: Cd=1.60 CF=1.20 Cf=1.15 Cl=1.00			
F _c ':	F _c '=	302	PSI
Adjustment Factors: Cd=1.60 Cf=1.05 Cp=0.19			
Column Calculations (Controlling Case Only):			
Controlling Load Case: Axial/Dead Load and Lateral loads (D + W or E)			
Compressive Stress:	f _c =	29	PSI
Allowable Compressive Stress:	F _c '=	302	PSI
Eccentricity Moment (X-X Axis):	M _{x-ex} =	0	FT-LB
Eccentricity Moment (Y-Y Axis):	M _{y-ey} =	0	FT-LB
Moment Due to Lateral Loads (X-X Axis):	M _x =	775	FT-LB
Bending Stress Lateral Loads Only (X-X Axis):	f _{bx} =	922	PSI
Allowable Bending Stress (X-X Axis):	F _{bx} '=	1771	PSI
Bending Stress Lateral Loads Only (Y-Y Axis):	f _{by} =	0	PSI
Allowable Bending Stress (Y-Y Axis):	F _{by} '=	2042	PSI
Combined Stress Factor:	CSF=	0.58	

EXISTING STUDS - WORST CASE WIND LOADING
 (WHICH GOVERNS OVER SEISMIC) WITH A
 FLEXIBLE FINISH

5/6

Column 2007 California Building Code (05 NDS) Ver: 7.01.14 By: Terry O'Reilly, P.E., Whitchurch Engineering on: 10-23-2012 : 10:05:57 AM			
Project: STG1201 - Location: north wall at Shaw ave			
Summary: 2.0 IN x 5.5 IN x 15.5 FT / #2 - Redwood - Dry Use			
Section Inadequate By: 23.0% (Deflection Controls)			
Vertical Reactions:			
Live:	Vert-LL-Rxn=	0	LB
Dead:	Vert-DL-Rxn=	318	LB
Total:	Vert-TL-Rxn=	318	LB
Horizontal Reactions:			
Total Reaction at Top of Column:	TL-Rxn-Top=	200	LB
Total Reaction at Bottom of Column:	TL-Rxn-Bottom=	200	LB
Horizontal Deflection:			
Deflection due to lateral loads only:	FAILED Defl=	1.01	IN = L/185
Axial Loads:			
Live Loads:	PL=	0	LB
Dead Loads:	PD=	285	LB
Column Self Weight:	CSW=	33	LB
Total Loads:	PT=	318	LB
Eccentricity (X-X Axis):	ex=	0.00	IN
Eccentricity (Y-Y Axis):	ey=	0.00	IN
Axial Duration Factor:	Cd-Axial=	1.25	
Lateral Loads:			
Loads applied to:			
Uniform Lateral Load:	wL-lat=	26	PLF
Lateral Duration Factor:	Cd-lat=	1.60	
Column Data:			
Length:	L=	15.5	FT
Maximum Unbraced Length (X-X Axis):	Lx=	15.5	FT
Maximum Unbraced Length (Y-Y Axis):	Ly=	0.5	FT
Column End Condition:	Ke=	1.0	
Calculated Properties:			
Column Section (X-X Axis):	dx=	5.50	IN
Column Section (Y-Y Axis):	dy=	2.00	IN
Area:	A=	11.00	IN2
Section Modulus (X-X Axis):	Sx=	10.08	IN3
Section Modulus (Y-Y Axis):	Sy=	3.67	IN3
Slenderness Ratio:	L _{ex} /dx=	33.82	
	L _{ey} /dy=	3.0	
Properties For: #2- Redwood			
Compressive Stress:	F _c =	950	PSI
Bending Stress (X-X Axis):	F _{bx} =	925	PSI
Bending Stress (Y-Y Axis):	F _{by} =	925	PSI
Modulus of Elasticity:	E=	1200000	PSI
Adjusted Modulus of Elasticity:	E-Min=	440000	PSI
Adjusted Properties:			
F _{bx} ':	F _{bx} '=	1771	PSI
Adjustment Factors: Cd=1.60 CF=1.20 CI=1.00			
F _{by} ':	F _{by} '=	2042	PSI
Adjustment Factors: Cd=1.60 CF=1.20 Cf=1.15 CI=1.00			
F _c ':	F _c '=	302	PSI
Adjustment Factors: Cd=1.60 Cf=1.05 Cp=0.19			
Column Calculations (Controlling Case Only):			
Controlling Load Case: Axial and Lateral loads (D + W or E)			
Compressive Stress:	f _c =	29	PSI
Allowable Compressive Stress:	F _c '=	302	PSI
Eccentricity Moment (X-X Axis):	M _{x-ex} =	0	FT-LB
Eccentricity Moment (Y-Y Axis):	M _{y-ey} =	0	FT-LB
Moment Due to Lateral Loads (X-X Axis):	M _x =	775	FT-LB
Bending Stress Lateral Loads Only (X-X Axis):	f _{bx} '=	922	PSI
Allowable Bending Stress (X-X Axis):	F _{bx} '=	1771	PSI
Bending Stress Lateral Loads Only (Y-Y Axis):	f _{by} '=	0	PSI
Allowable Bending Stress (Y-Y Axis):	F _{by} '=	2042	PSI
Combined Stress Factor:	CSF=	0.58	

EXISTING STUDS - WORST CASE WIND LOADING
 (WHICH GOVERNS OVER SEISMIC) WITH STUCCO
 (BRITTLE) FINISH

6/6

Column [2007 California Building Code (05 NDS)] Ver: 7.01.14			
By: Terry O'Reilly, P.E. Whitchurch Engineering on: 10-23-2012 : 10:05:26 AM			
Project: STG1201 - Location: north wall at Shaw ave			
Summary:			
2.0 IN x 5.5 IN x 15.5 FT / #2 - Redwood - Dry Use			
Section Inadequate By: 2.7% (Deflection Controls)			
Vertical Reactions:			
Live:	Vert-LL-Rxn=	0	LB
Dead:	Vert-DL-Rxn=	318	LB
Total:	Vert-TL-Rxn=	318	LB
Horizontal Reactions:			
Total Reaction at Top of Column:	TL-Rxn-Top=	158	LB
Total Reaction at Bottom of Column:	TL-Rxn-Bottom=	158	LB
Horizontal Deflection:			
Deflection due to lateral loads only:	FAILED Defl=	0.80	IN = L/234
Axial Loads:			
Live Loads:	PL=	0	LB
Dead Loads:	PD=	285	LB
Column Self Weight:	CSW=	33	LB
Total Loads:	PT=	318	LB
Eccentricity (X-X Axis):	ex=	0.00	IN
Eccentricity (Y-Y Axis):	ey=	0.00	IN
Axial Duration Factor:	Cd-Axial=	1.25	
Lateral Loads:			
Loads applied to:			
Uniform Lateral Load:	wL-lat=	20	PLF
Lateral Duration Factor:	Cd-lat=	1.60	
Column Data:			
Length:	L=	15.5	FT
Maximum Unbraced Length (X-X Axis):	Lx=	15.5	FT
Maximum Unbraced Length (Y-Y Axis):	Ly=	0.5	FT
Column End Condition:	Ke=	1.0	
Calculated Properties:			
Column Section (X-X Axis):	dx=	5.50	IN
Column Section (Y-Y Axis):	dy=	2.00	IN
Area:	A=	11.00	IN ²
Section Modulus (X-X Axis):	Sx=	10.08	IN ³
Section Modulus (Y-Y Axis):	Sy=	3.67	IN ³
Slenderness Ratio:	L _{ex} /dx=	33.82	
	L _{ey} /dy=	3.0	
Properties For: #2- Redwood			
Compressive Stress:	F _c =	950	PSI
Bending Stress (X-X Axis):	F _{bx} =	925	PSI
Bending Stress (Y-Y Axis):	F _{by} =	925	PSI
Modulus of Elasticity:	E=	1200000	PSI
Adjusted Modulus of Elasticity:	E-Min=	440000	PSI
Adjusted Properties:			
F _{bx} ':	F _{bx} '=	1771	PSI
Adjustment Factors: Cd=1.60 CF=1.20 Cl=1.00			
F _{by} ':	F _{by} '=	2042	PSI
Adjustment Factors: Cd=1.60 CF=1.20 Cf=1.15 Cl=1.00			
F _c ':	F _c '=	302	PSI
Adjustment Factors: Cd=1.60 Cf=1.05 Cp=0.19			
Column Calculations (Controlling Case Only):			
Controlling Load Case: Axial and Lateral loads (D + W or E)			
Compressive Stress:	f _c =	29	PSI
Allowable Compressive Stress:	F _c '=	302	PSI
Eccentricity Moment (X-X Axis):	M _{x-ex} =	0	FT-LB
Eccentricity Moment (Y-Y Axis):	M _{y-ey} =	0	FT-LB
Moment Due to Lateral Loads (X-X Axis):	M _x =	613	FT-LB
Bending Stress Lateral Loads Only (X-X Axis):	f _{bx} =	729	PSI
Allowable Bending Stress (X-X Axis):	F _{bx} '=	1771	PSI
Bending Stress Lateral Loads Only (Y-Y Axis):	f _{by} =	0	PSI
Allowable Bending Stress (Y-Y Axis):	F _{by} '=	2042	PSI
Combined Stress Factor:	CSF=	0.46	

EXISTING STUDS - BEST CASE WIND
LOADING (WHICH GOVERNS OVER SEISMIC)
WITH STUCCO (BRITTLE) FINISH

Section 6: BUSINESS

<i>BUSINESS ITEM 6.1</i>		<i>January 16, 2013</i>
<i>Building Permits</i>		
1385	Lincoln	re-roof
580	Main	structural repairs
161	Francis	Replace post and pier foundation
1182	Rose	Reroof Garage and addition
515	Fifth Street	reroof
1182	Rose	Bldg Inspection - Consultation
375A	Main	woodshop
161	Francis	back deck
1182	Rose	siding and windows on SDU
410	Arlington	reroof
535	Main	reroof
591	Arlington	new garage
580	Main	demo Shaw St side stucco
580	Main	Encroachment Permit s/w parking
580	Main	Shaw Street side structural repair
504	Fern	Reroof
515	Fifth Street	Propane Tank and lines
450	Berding	Gas Furnaces
989	Milton Shop	Electric Meter
515	5th Street	new heater
<i>Land Use Permits</i>		
989	Milton	Design Review - replace metal/wood siding and doors to match 3 story building
361	Berding	Design Review - Add deck and board walk to back of house and patio
724	Main	2 story attached gar. New wrap around covered porch
400	McKinley	LLA
484	Main	Sign

Meeting Date:	January 16, 2013	Agenda Item Number	6.2
Agenda Item Title:	General Plan Safety Element Update: Chapter 8.0 Acceptable Risk		
Presented By:	Melanie Rheaume, Contract City Planner		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Review and file		

RECOMMENDATION: Review the attached draft Acceptable Risk chapter of the General Plan Safety Element Update and provide input.

BACKGROUND: On June 7, 2012 the City Council approved the General Plan Safety Element Update Scope of Work. Since August 2012, the Planning Commission has reviewed and provided input on the following Safety Element draft chapters:

- 1.0 Introduction
- 2.0 Definitions
- 3.0 Setting and Context
- 4.0 Geologic & Seismic Hazards
- 5.0 Flooding & Drainage Hazards
- 6.0 Fire Hazards
- 7.0 Hazardous Materials

The Commission has heard the following study session presentations:

- Flooding Hazards by Sherry Constancio, Department of Water Resources Division of Flood Management, and Reginald Kennedy, National Weather Service.
- 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.
- Hazardous Materials by Larry Lancaster, Program Supervisor, Humboldt County Division of Environmental Health Hazardous Materials Unit, and Captain Ed Laidlaw, Eureka Fire Department's Hazardous Materials Response Team.

DISCUSSION: The Safety Element establishes mechanisms to reduce the risk of bodily harm and property damage from natural and human-caused hazards. Hazards are an unavoidable aspect of life, and the Safety Element does not eliminate risk. Instead, the Element contains policies to minimize the effects of hazardous events and acknowledge an acceptable risk level.

This section defines '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. Using this definition, various structures and land uses were 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 was established for each facility type. This information was used to identify optimal locations for the various land uses in relation to Ferndale's hazard areas. Regulating land use and development accordingly will enable the City to avoid or mitigate the effects of natural hazards in order to protect lives and property.

NEXT STEPS: The initial draft of the Emergency Preparedness chapter will be prepared for the February 20, 2013 Planning Commission meeting. Judith Warren will discuss Community Emergency Response Teams during the study session.

8.0 Acceptable Risk

The General Plan Safety Element establishes mechanisms to reduce the risk of bodily harm and property damage from natural and human-caused hazards. Hazards are an unavoidable aspect of life, and the Safety Element does not eliminate risk. Instead, the Element contains policies to minimize the effects of hazards and hazardous events and acknowledge an acceptable risk level.

The Element takes a two-tiered approach to minimizing risk associated with natural and man-made hazards. On one level, the Element examines ways in which the community can prepare for and respond to the effects of hazardous events. For example, citizens may utilize sandbags during a 100-year storm event to prevent flooding damage to an existing building. Community-level response to hazardous events will be covered in Chapter 9.0 Emergency Preparedness.

On another level, the Element establishes land use and development policies to prevent or minimize the effects of hazards. For instance, the City may regulate what type of land use is allowed in a 100-year floodplain, prohibiting such uses as power plants or hazardous material storage. The City may also require mitigation for development that is allowed in the floodplain. The following are typical policies for flooding hazards:

Review all proposed development to ensure that structures designed for human occupancy are accessible in the event of a 100-year storm and are protected from the 100-year storm by setting lowest habitable floor elevations one foot above the floodplain.

Request a drainage study of proposed development in the 100-year floodplain to ensure adequate protection and that implementation of the development will not create new downstream flood hazards.

Using information on the potential for man-made or natural hazards from chapters 4.0-7.0 of this Element, the City may establish policies such as these to prevent or mitigate damage from hazardous events before those events occur. High-level hazards that present the greatest risk to life and property are generally addressed by City policies. Lower-level hazards, with less risk of causing catastrophic damage, are generally addressed at the neighborhood and individual levels. In order to develop effective policies, an acceptable level of risk above which City action is required to provide protection to life and property must be established.

This section defines 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. Using this definition, various structures and land uses were 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 was established for each facility type. This information was used to identify optimal locations for the various land uses in relation to Ferndale’s hazard areas. Regulating land use and development accordingly will enable the City to avoid or mitigate the effects of natural hazards in order to protect lives and property.

Risk Determination

The idea of risk evaluation is the central concept in planning for safety. The concept can be applied to all kinds of hazards, both natural and man-made. Although a hazard-free environment will never exist, an important initial step is to determine a level of acceptable risk. This involves determining the degree of risk, deciding how much risk is acceptable, and implementing measures to reduce the negative effects to a lower level.

The criteria for determination of risk are based on:

- Reduction or prevention of bodily harm
- Reduction or prevention of property damage
- Reduction or prevention of economic and social dislocations

Based on these criteria a risk may be categorized as acceptable, unacceptable, or avoidable. The determination of acceptable and unacceptable risk requires judgments based on weighing several factors including the nature of the hazard, the frequency or risk of a damaging event associated with the hazard, and the relative number of persons exposed to the risk. The degree or intensity of any specific hazard is a major consideration in public mitigation efforts. Thus, hazards with a high life-loss potential are less acceptable than hazards which primarily affect property, and hazards which could impact the entire community are less acceptable than hazards which may impact relatively few persons. Only minimal risk to critical facilities and functions (including water supply, emergency services, evacuation routes, and medical and mass care facilities) is considered acceptable since these facilities and functions are critical to disaster recovery for entire communities.

The Council on Intergovernmental Relations (CIR) has composed Safety Element guidelines. Central to these guidelines is the concept of acceptable risk. CIR defines acceptable risk as the level of risk below which no specific action by local government is deemed necessary, other than making the risk known and suggesting remedial measures for the public to take if they desire on their own to lessen the risk.

Critical Facilities

The determination of acceptable risk from hazardous events involves differentiating among man-made structures according to their potential effect on the loss of life and their importance in terms of emergency response and continued community functioning. If essential services are not functional after a disaster, the magnitude of the disaster can be much larger.

The term “critical facilities” is used to describe those structures or land uses which are especially important for the preservation of life, the protection of property, and the continuing functioning of society. For the purposes of planning for hazard avoidance or mitigation, structures, occupancies, and land uses in the Ferndale Planning Area are classified as indicated in Figure 10. Classes 1-A through 3-B in this table are considered to be critical facilities.

These critical facilities are vital to the community's ability to respond to a major disaster and to minimize loss of life and property. At minimum, all structures which could have a significant effect on the loss of life should be designed to remain standing in the event of a major disaster,

even if rendered useless. Critical facilities, on the other hand, should not only remain standing, but in the event of a disaster should be able to operate at peak efficiency.

Risk Ratings

Figure 10 lists structures and land uses for the purpose of risk classification. Tolerance levels for risk range from “near zero” for facilities whose failure might be catastrophic, such as nuclear plants and natural gas transmission lines, to “high” for open space lands with no development and low intensity occupancy. Exposure of the critical facilities to frequent or occasional hazard is not tolerable because the possibility of injuries to persons, losses of life and property, or disruption of disaster response capabilities could be so great in the event of damage to any of these facilities. On the other hand, a greater probability of damage to non-critical facilities can be tolerated because exposure to the hazard either affects relatively few people or properties, or causes relatively little personal injury or property damage.

Figure 11 classifies the structures, occupancies, and land uses as described in Figure 10 and establishes general levels of acceptable risk in terms of risks to health and safety, risks to continuity of service, and risks of fire or structural damage. The column in Figure 11 titled “Level of Acceptable Risk” identifies the general levels of risk that are considered appropriate for each category of structure, occupancy, or land use. The basic premise for this table is that the City wishes to avoid all loss of life from foreseeable hazards, and to prevent personal injury and reasonably avoidable property damage.

Acceptable damage to facilities is correlated with risk levels and provides a guide to structural design requirements for all facilities and fire resistant characteristics for buildings in the several risk classes. Figure 12 provides a general guide to siting development with respect to the various hazard areas.

Figure 10 – Risk Classifications of Structures, Occupancies, and Land Uses

CLASS	GENERAL CATEGORY	GENERAL EXAMPLES*	PLANNING AREA EXAMPLES
1-A	Facilities whose failure might be catastrophic	Nuclear reactors, large dams	None
1-B	Facilities whose continuing function is critical	Power plants, power intertie systems	Water/wastewater treatment systems
2-A	Facilities critically needed for services after disaster	Hospitals, fire stations, telephone exchanges	City Hall Fire Hall Telecommunications systems
2-B	Critical transportation links	Regional highways, bridges, rail lines, overpasses, tunnels	State Route 211, Wildcat Road
2-C	Major local utility lines and facilities	Power substations, gas and water mains	Wastewater treatment lines Del Oro Water Co. lines
2-D	Small dams	Small dams	None
3-A	High occupancy structures	High-rise apartments and offices, schools	Ferndale High and Elementary School
3-B	Facilities highly desirable for shelter after disaster	Schools, churches	Schools, County Fairgrounds
3-C	Local roads, utilities, and communication facilities	Local roads, local utility lines	Local roads and bridges, local utility lines, telephone services, roadways that could slide out
4-A	Medium occupancy structures	Most commercial and industrial buildings, apartments	Navy Housing complex
4-B	Low occupancy structures	Single family homes	Single family homes
5-A	Open space lands, high intensity occupancy or development	Recreation areas, orchards, vineyards	Fireman’s Park
5-B	Open space lands with no development, low intensity occupancy	Grazing lands, forest	Ferndale Bottoms

CRITICAL FACILITIES

*Some of the general examples given in this table are for purposes of illustration only, and are not anticipated in the Planning Area

Adapted from Town of Woodside General Plan 2012 Natural Hazards and Safety Element

Figure 11 – Levels of Acceptable Risk for Structures, Occupancies, and Land Uses

CLASS	GENERAL CATEGORY	POPULATION AFFECTED IN EVENT OF FAILURE	ACCEPTABLE DAMAGE TO FACILITY	TOLERANCE FOR RISK*	
CRITICAL FACILITIES	1-A	Facilities whose failure might be catastrophic	Vast	None which would result in exposing affected population to death or injury	Near Zero
	1-B	Facilities whose continuing function is critical	Vast	None which would impair facility or disrupt function	Extremely Low
	2-A	Facilities critically needed for services after disaster	Substantial	None which would impair facility or disrupt function	Extremely Low
	2-B	Critical transportation links	Substantial	Minor non-structural; facility should remain operational and safe, or be susceptible to quick restoration of service	Low
	2-C	Major local utility lines and facilities	Substantial	Minor non-structural; facility should remain operational and safe, or be susceptible to quick restoration of service	Low
	2-D	Small dams	Moderate	None which would expose "downstream" population to injury	Extremely Low
	3-A	High occupancy structures	Varies	No structural damage; minor nonstructural damage, but structures should remain safe and usable	Low
	3-B	Facilities highly desirable for shelter after disaster	Varies	No structural damage; minor nonstructural damage, but structures should remain safe and usable	Low
	3-C	Local roads, utilities, and communication facilities	Moderate	Damage should be susceptible to reasonably rapid repair (or utility shut-off)	Moderate
	4-A	Medium occupancy structures	Moderate	Structural integrity must be retained; damage should not unduly endanger safety of occupants.	Low
4-B	Low occupancy structures	Few	Structural integrity must be retained; damage should not unduly endanger safety of occupants.	Ordinary	
5-A	Open space lands, high intensity occupancy or development	Varies	Structural integrity must be retained; damage should not unduly endanger safety of occupants.	Moderate	
5-B	Open space lands, no development, low intensity occupancy	Few	Not applicable	High	

*Levels of acceptable risk range from lowest to highest as follows: Near Zero, Extremely Low, Low, Ordinary, Moderate, and High

Adapted from Town of Woodside General Plan 2012 Natural Hazards and Safety Element

Figure 12 – Location of Structures and Land Uses in Relation to Defined Hazard Areas

CLASS	GENERAL CATEGORY	HAZARDS									
		FIRE		FLOOD		EARTH SHAKING		LANDSLIDES			
		HIGH FIRE HAZARD ZONE	LOW FIRE HAZARD ZONE	100 YEAR FLOOD ZONE	OCCASIONAL FLOODING	LIQUEFACTION AREA	TSUNAMI EVACUATION AREA	RELATIVELY STABLE	MODERATE INSTABILITY	HIGH INSTABILITY	
CRITICAL FACILITIES	1-A	Facilities whose failure might be catastrophic	OK	OK	X	X	X	X	OK	M	X
	1-B	Facilities whose continuing function is critical	OK	OK	X	X	X	X	OK	M	X
	2-A	Facilities critically needed for services after disaster	OK	OK	X	X	X	X	OK	M	X
	2-B	Critical transportation links	OK	OK	M	M	M	M	OK	M	X
	2-C	Major local utility lines and facilities	OK	OK	M	M	M	M	OK	M	X
	2-D	Small dams	OK	OK	M	M	M	M	OK	M	X
	3-A	High occupancy structures	OK	OK	X	X	M	X	OK	M	X
	3-B	Facilities highly desirable for shelter after disaster	OK	OK	X	X	M	X	OK	M	X
	3-C	Local roads, utilities, and communication facilities	OK	OK	M	M	M	M	OK	M	X
	4-A	Medium occupancy structures	OK	OK	X	X	M	X	OK	M	X
	4-B	Low occupancy structures	OK	OK	M	X	M	M	OK	M	X
	5-A	Open space lands, high intensity occupancy or development	OK	OK	M	M	M	M	OK	M	X
	5-B	Open space lands, no development, low intensity occupancy	OK	OK	OK	OK	OK	OK	OK	OK	OK

OK – Use usually OK without special design or construction measures required

M – Use may be appropriate if mitigating measures are taken adequate to the function of structure or occupancy

X – Use is usually NOT APPROPRIATE in a location with these characteristics

Adapted from Town of Woodside General Plan 2012 Natural Hazards and Safety Element

MINIMIZING RISKS

Regulating land use and development using the risk assessment completed in this Safety Element will enable the City to avoid or mitigate the effects of natural hazards in order to protect lives and property.

Designating and constructing development on lands in such a manner that levels of acceptable risk defined in Figure 11 are not exceeded will enable the City to avoid or mitigate unacceptable damage to lives and property. Development in hazardous areas should, in general, be limited to structures and improvements which would not threaten human life or cause substantial financial loss in the event of damage. Where hazards are identified, mitigating measures should be taken at the time of development. Mitigation measures could include providing adequate fire egress from the development and ensuring that there are no lengthy, one-way streets. Development should provide adequate water supplies, roads which are suitable for the safe passage of emergency vehicles, and legible street name signs and house numbers.

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.

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Meeting Date:	January 16, 2013	Agenda Item Number	6.3
Agenda Item Title:	General Plan Safety Element Update: Policy Examples		
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 examples of General Plan Safety Element Policies.

BACKGROUND: At the September 19 Planning Commission meeting, the Commission requested Safety Element policy examples.

DISCUSSION: The following is a list of sample General Plan policies for the Risk Assessment chapter of the General Plan Safety Element Update.

Goal: Plan land use and development to avoid hazards and protect lives and property.

Policies:

1. The City shall plan land use and development to avoid or mitigate the effects of natural hazards in order to protect lives and property.
2. Land divisions and development on lands shall be designed and constructed within levels of "acceptable risk" as defined in Figure 11.
3. The City shall map known areas and sources of risk and make this information available to the public.
4. The City shall direct expansion of existing development and construction of new development, especially essential facilities, in areas where they would not be exposed to hazards unless the hazards can be mitigated to the satisfaction of responsible agencies.
5. The City shall scale the type of development proportionally to the amount of hazard present and to the level of risk which is considered acceptable for that development.
6. The City shall implement measures that reduce risk, including development guidelines, building occupancy limitations, renovation, and demolition.

Meeting Date:	January 16, 2013	Agenda Item Number	6.4
Agenda Item Title:	Sign Ordinance: Approve sections as listed: <ul style="list-style-type: none"> • 1004.3 Prohibited or Illegal Sign Characteristics, Locations, Types, and Messages • 1004.4 Nonconforming Signs • 1004.5 Unregulated or Exempt Signs and Exceptions • 1004.6 Illumination and Reflecting Signs • 1005.2 Public Message Signs 		
Presented By:	Michael Bailey, Chair of the Sign Ordinance Committee		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve sections 1004.3; 1004.4; 1004.5; 1004.6; and 1005.2		

RECOMMENDATION:

Approve sections 1004.3; 1004.4; 1004.5; 1004.6; and 1005.2

BACKGROUND:

The Sign Committee continues to work on the Sign Ordinance; during their October 18 and November 8 meetings they voted to send the attached to the Planning Commission for their consideration and input. This document represents everything that has been updated and approved to date.

1004.3 Prohibited or Illegal Use Signs – Draft Rev. 1

1004 General Sign Regulations, Requirements & Restrictions – (Continued)

1004.3 Prohibited or Illegal Use Sign Characteristics, Locations, Types, and Messages.

Be aware that the general sign rules outlined in Section 1004.1 will apply where no specific rule is shown in this section and specific rules in this section will override general sign rules. Also be aware that specific sign types listed in this section may also be listed and regulated in other sections of this ordinance ([See Table 1002.2.2 – Sign Categories Matrix](#)), and the most restrictive requirement shall apply.

The intent of this section is to identify prohibited or illegal use sign types and conditions that would prohibit the placement of a sign or cause a sign to be removed. Any prohibited or illegal use sign is by definition illegal.

The City completely prohibits the construction, erection or use of any of the signs listed below and the City will take immediate enforcement or abatement action against any of these listed signs constructed or maintained in violation of this policy

1004.3.1 Generally Prohibited Signs – Some general sign features, characteristics, locations, types or messages that may not be attached to a specific sign type as defined in Section 1002 Definitions are hereby prohibited and listed as follows:

1. Signs which emit odor, noise, smoke, flame or visible matter other than light.
2. Signs or portions of signs that move except flags, banners, streamers or pennants. This includes sign walkers.
3. No sign shall use a beacon, strobe light or exposed light bulb which exceeds seventy five (75) watts.
4. No sign shall be erected in such a manner that any portion of the sign or its support is attached to, or will interfere with, the free use of any fire escape, entrance, exit, stairway, door ventilator, window or standpipe. This includes any sign that obstructs any opening intended to provide light, air or ingress and egress for any building.
5. No sign shall be erected or placed within 15 feet of a fire hydrant, on utility poles, traffic control signs or in the public right-of-way, except as specifically authorized by this ordinance or by government authority.
6. Signs burned into, cut, or otherwise marked on or affixed to a rock, tree, or other natural feature of the landscape.
7. Portable signs are considered temporary or special purpose signs, which because of their manner of construction, design and use create unique problems of safety, regulation and enforcement. Due to the aforementioned conditions, the use of portable signs is prohibited except for those specific cases permitted elsewhere in this ordinance.
8. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
9. Signs indicating a home occupation, including child care.
10. Abandoned signs or any sign structure or frame no longer containing a sign and classified as abandoned.

11. Any sign erected without a permit that is required to have a permit is an illegal sign. Upon notice a use permit for said sign shall be submitted to City Hall staff for determination if a permit may be issued.

12. Any sign not lawfully existing prior to the enactment of this ordinance shall not become a legal sign by the enactment of this ordinance and remains an illegal sign and subject to abatement.

13. No sign shall contain statements, words, pictures, or other representations which are in reference to obscene matter which violate the Cal. Penal Code §§ 311 et seq.

14. A sign supported in whole or in part by cables or guy wires, or that has cables or guy wires extending to or from it cannot legally be erected.

15. Any sign that meets the definition of Illegal Use contained in this ordinance, has had a nonconforming Change Of Status to Illegal Use issued, or any other sign not expressly permitted by this Sign Ordinance.

1004.3.2 Specifically Prohibited Signs – The signs listed below are defined in Section 1002 Definitions and are specifically prohibited from being erected or maintained within the city limits.

- 1. Animated or Moving Message Signs** –
- 2. Billboard or Poster-board Signs** – .
- 3. Derelict Signs** –
- 4. Flashing Signs** –.
- 5. Inflatable Sign** –
- 6. Misleading or Misdirecting Signs** –
- 7. Public Menace or Peril Signs** –
- 8. Revolving or Rotating Signs** –
- 9. Roof Signs** –

1004.3.3 Illegally Erected Signs – Any sign that is erected, constructed or otherwise displayed, without an existing nonconforming status, which the Administrative Official determines to be in direct violation of this ordinance, may be removed by City personnel after due process. The permit holder, owner of the sign or owner of the site on which the sign is located shall be charged a sign recovery fee in accordance with the City fee schedule to recover such signs from the City. Any such sign removed by City personnel may be held for a period of seventy-two (72) hours and upon expiration of such time may be disposed of by an appropriate method. The City is not required to notify the permit holder or owner of the sign that it has been picked up or that disposal of the sign is imminent. For permanent signs, the sign must be removed by the permit holder, owner of the sign, or owner of the site on which the sign is located within a reasonable time period as determined by the Administrative Official. Upon failure to comply with such notice or to file an appeal of the decision in accordance with this ordinance, the Administrative Official is authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the permit holder, owner of the sign or owner of the site on which the sign is located.

1004.4 Nonconforming Signs – Draft Rev. 1

1004 General Sign Regulations, Requirements & Restrictions – (Continued)

1004.4 Nonconforming Signs. Be aware that the general sign rules outlined in Section 1004.1 will apply where no specific rule is shown in this section and specific rules in this section will override general sign rules. Also be aware that specific sign types listed in this section may also be listed and regulated in other sections of this ordinance ([See Table 1002.2.2 – Sign Categories Matrix](#)), and the most restrictive requirement shall apply.

1004.4.1 Intent – The intent of this section is to encourage the eventual elimination of signs that, as a result of the adoption of this ordinance, become nonconforming, and to identify Nonconforming Sign types and conditions that would cause a sign to be declared abandoned, and to regulate the use and removal of Nonconforming, unlawful and abandoned signs. Any Nonconforming sign is by definition an “Illegal Use Sign” once it has exceeded its authorized amortization period. The following sign types were defined in Section 1002.1 as Nonconforming Signs;

1. Abandoned or Obsolete Signs
2. Grandfathered Signs
3. Historically Significant Signs [that do not comply with the current requirements of this ordinance.](#)
4. Any sign lawfully existing with permit prior to the effective date of this ordinance, which does not comply with the current requirements of this ordinance.

1004.4.2 Change of Status – A Change of Status (COS) will be issued by the City Manager for any Nonconforming Sign when one or more of the following occurs:

1. A change in ownership of the business or property, or a different business name will result in a COS to abandon or obsolete.
2. The sign is damaged, destroyed, expanded, relocated, replaced, structurally altered, deteriorated by any means or has face changes where the cost of the work/repair exceeds fifty (50) percent of the replacement cost of the sign, as determined by the City Building Inspector, and/or result in a greater degree of nonconformity, will result in a COS to Illegal Use.
3. If a sign or sign structure is removed for maintenance for more than sixty (60) days it ~~will~~ [may](#) result in a COS to Abandoned [if the city is not notified in writing, by the sign or property owner, of an extenuating circumstance.](#)
4. When the use of the premises or individual tenant space, upon which the sign is located or based, changes it will result in a COS to abandoned.
5. The modification, use or maintenance of Nonconforming Signs without obtaining a use permit from the City, or failure to properly maintain the sign will result in a COS to Illegal Use.
6. When the sign’s amortization period has expired it will result in a COS to Illegal Use.
7. [Any sign lawfully existing with permit prior to the effective date of this ordinance, which does not comply with the current requirements of this ordinance, once](#)

identified by a city official, will result in a COS to Nonconforming Use being issued by the City Manager.

8. Any property or business owner affected by a COS may apply for an exemption to the Planning Commission based upon the claim that the subject sign meets the definition of a Grandfathered or Historically Significant Sign listed in Section 1002.1 within 30 days of notification. If the exception is granted, a new COS will be issued by the City Manager for the appropriate nonconforming status.

1004.4.3 Modifications – Changes in sign copy, area reduction, and height reduction to Nonconforming Signs are allowed, with use permit, as long as the intended purpose is to reduce the extent to which the sign does not comply, and eventually bring the sign into compliance with the existing sign ordinance or does not trigger a COS. The City will take immediate enforcement or abatement action against any violation of this policy. . No modification of a Nonconforming Sign shall have any effect on the length of the amortization period for the sign.

1004.4.4 Duration of Nonconforming Signs – The duration of a Nonconforming Sign shall be known as an amortization period. The amortization period will end when a COS is triggered or as specified below, at which time the sign will be declared unlawful and removed.

1. Nonconforming Signs – A legally conforming sign that becomes nonconforming shall be a nonconforming sign for five years as long as its condition does not trigger a COS. Once nonconforming signs are removed completely, or they have been repaired substantially, as outlined in Section 1004.4.2 above, any right to the continuation of the nonconformity terminates.

2. Grandfathered Signs – A Nonconforming Sign can be grandfathered by the Planning Commission upon submission of a Use Permit stating a financial hardship or an architectural or aesthetic benefit to the cityscape. Once declared grandfathered, the sign shall be a nonconforming sign for 15 years as long as its condition does not trigger a COS.

3. Historically Significant Signs – A nonconforming sign that has been declared, by the Planning Commission or City Council, to have historical significance will remain nonconforming indefinitely as long as its condition does not trigger a COS.

1004.4.5 Mailing of Notices – The City Manager or designee shall mail a notice by certified return receipt mail or email to the occupant business, if known, and to the owner (as shown on the last equalized assessment roll) of the land where each nonconforming sign is located. The notice shall contain:

1. A description of the land where the sign is located and a description of the sign, both in terms reasonably sufficient for the owner to identify the sign.
2. A statement that the sign is or has become a nonconforming sign along with its amortization period and maturity date.
3. Within six months of the date when a sign becomes a nonconforming sign, the City Manager or designee shall add the sign to the master list of nonconforming signs and mail notices in the manner specified above and such notices shall have the same effects as the notices provided for other nonconforming signs.

4. Information concerning more than one sign and information concerning separate amortization dates for different characteristics of one or more single signs, separately stated, may be included in a single notice.

5. If the City Manager or designee subsequently learns that for any reason notice has not been given in a timely manner, or that notice given is defective in any way, the City Manager or designee shall promptly mail a proper notice to the occupant and owner, even if the regular time for notification has expired.

6. Notice mailed as provided above is deemed to be notice to the owners of nonconforming signs and to all persons having any right, title, or interest therein. The mailing of notices is intended as a convenience to sign owners. However, ~~no~~ any failure to give notice shall not invalidate any proceeding to enforce this section to abate any sign, or to punish any sign violation.

1004.4.6 Removal of Unlawful and Abandoned Signs – Any sign erected or maintained contrary to the provision of this Section or any other ordinance of the City including unlawfully erected signs, and formerly nonconforming signs whose nonconforming status has terminated, is in its entirety an unlawful sign and must be removed by the owner or City Personnel (See Section 1004.3).

The owner must have all copy removed from an abandoned sign and the sign shall remain blank until a new entity has occupied the premises. Further, if any sign has been abandoned for a period of one hundred and eighty (180) days or more the owner shall remove the sign and any appurtenant structures.

1004.5 Unregulated or Exempt Signs – Draft Rev. 1

1004 General Sign Regulations, Requirements & Restrictions – (Continued)

1004.5 Unregulated or Exempt Signs. Be aware that the general sign rules outlined in Section 1004.1 will apply where no specific rule is shown in this section and specific rules in this section will override general sign rules. Also be aware that specific sign types listed in this section may also be listed and regulated in other sections of this ordinance ([See Table 1002.2.2 – Sign Categories Matrix](#)), and the most restrictive requirement shall apply.

The intent of this section is to specify unregulated or exempt signs and any restraints on their size, area, location, number or duration. In the event that a sign fails to meet any criteria, condition or qualification established below for exemption, the sign shall be subject to and governed by all of the requirements of this Ordinance.

Except as specifically provided otherwise in this Section, no sign shall be constructed or maintained on a site if that sign, together with all other signs on the site (including all freestanding and building signs), exceeds the maximum allowable sign area as specified in Section 1004.1.

Generally exempt signs are identified as follows: signs not visible beyond the boundaries of the lot or parcel of land upon which they are situated or from any public thoroughfare or right-of-way; “No Trespassing” or similar signs regulating the use of property, if no more than four (4) square feet (ft²) in area; Signs attached to or lettered on a vehicle used to conduct commercial business and not used primarily to advertise that business. Signs meeting these specifications do not require a permit in any zone district.

In addition to any sign that is specifically exempted by the Planning Commission, the following sign types and definitions are hereby exempt from application and permit requirements of this ordinance in any zoning district, but are subject to other applicable portions of this Ordinance and the City Code, including design review, and may require building and electrical permits:

1004.5.1 Accessory and Affiliation – These signs can be permanent or temporary, but are limited to one (1) square foot each in size and must be attached to the glass surface of a window, transom or door. These signs are exempt from design review.

1004.5.2 Building/Site Address or House Numbers (Street Address) – Site address numbers, building numbers or approved building identification are required to be posted in a position that is plainly legible and visible from the street or road fronting the property on all parcels within the city limits as a means of identifying the physical location of a building for the purpose of fire protection and as a benefit to the general public. They are also required by California law in California Residential Code of Regulations Title 24, Part 2.5. Specific address number requirements are listed below;

1. Address numbers must contrast with their background, and shall be Arabic numbers and/or alphabetical letters.
2. Address numbers shall not exceed twelve (12) inches in height ~~located in non-residentially zoned parcels, and not exceeding six (6) inches in height for residentially zoned parcels.~~
3. Address numbers shall not be smaller than four (4) inches in height nor have a stroke width of less than one-half (1/2) inch..

4. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

1004.5.3 Directional On-site Sign – Specific rules for size and location of Directional Signs are located in Section 1004.2.1.

1004.5.4 Flags bearing an official design – This exemption does not apply to corporate or commercial flags or pennants bearing emblems, logos or copy unless flown on the same staff as a sign displaying a non-commercial image. Flags are subject to the following restrictions;

1. Only one flag pole is permitted per individual use or building complex.
2. A maximum of three flags can be flown on one pole.
3. Flags not within this exemption are deemed freestanding signs.
4. The length of a flag shall not exceed one-third (1/3) the length of the flag pole. Flags with an aspect ratio (hoist to fly, or height to width) greater than 1:1 are not permitted.
5. The height of the flag pole shall not exceed ~~twenty five (25)~~ thirty-five (35) feet within a residential any zoning district, and ~~thirty five (35) feet within a nonresidential zoning district.~~
6. No private flag pole shall be located within a public right-of-way or required setback.

1004.5.5 Garage and Yard Sale Signs – These signs are exempt from application and permit requirements, including design review, provided, that such garage/yard sale signs shall comply with the following regulations;

1. Signs must first comply with requirements of Section 1004.2.1 (Directional On & Off-Site signs).
2. No directional sign shall be placed on a vehicle of any kind.
3. No directional sign shall be placed in the public right-of-way or on public property.
4. No more than four (4) off-site and one (1) on-site sign may be posted for more than forty-eight (48) hours before or after the sale.

1004.5.6 Government and Gasoline Price Signs – : Signs required by federal, state, or city law on private property, or signs owned and maintained by federal or state agencies or the City of Ferndale on public property as long as they are no larger than the minimum required by law are also exempt from design review.

1004.5.7 Historic Significance, Marker or Historic Plaque – Historic Plaques and Markers erected and maintained by non-profit organizations, building cornerstones, and date-constructed stones and plaques, provided that none of these exceed four (4) square feet or six (6) feet in height.

1004.5.8 Informational signs such as restrooms, telephone location or direction of door opening. – These signs are also exempt from design review.

1004.5.9 Interior Business Signs > 5' from exterior surface of building. – These signs are also exempt from design review.

1004.5.10 Nameplate, Memorial or Commemorative Plaque or Tablets – One sign, not illuminated, bearing no advertising message or logo, appurtenant to any permitted use, not exceeding two (2) square feet for Nameplates or four (4) square feet for Memorial or Commemorative Plaques or Tables..

1004.5.11 Parking Information Signs – Incidental informational signs identifying accessible parking spaces, tenant parking, customer parking only, etc., and/or noting that unauthorized vehicles may be towed or any other parking restriction, provided that each sign does not exceed two (2) square feet in area. This includes all parking signs required or authorized by city ordinance or by law.

1004.5.12 Political, Social Issue, Special Event, and Seasonal or Public Interest Event Signs – These non-illuminated signs are allowed without a sign permit, are also exempt from design review, and shall not be prohibited by any other development restrictions (i.e., CC&R's), provided that the signs meet the following requirements;

1. They are placed on private property with the property owner's consent or are placed on public property used for traditional public forums. They cannot be placed on city property such as the Police Station or City Hall without permission of a city official.
2. They shall not exceed a total aggregate area of twelve (12) square feet on a single site within a residential zoning district, and thirty-two (32) square feet within a nonresidential zoning district.
3. Are not placed within fifteen (15) feet of a fire hydrant, street sign, telephone pole, or traffic signal, or interfere with, confuse, obstruct, or mislead traffic.
4. If the signs are related to an event that has a specific date or period they cannot be posted more than 30 days prior and must be removed within 48 hours after the conclusion of the event to which they relate. A sign that is not removed with be removed by the City at the expense of the candidate, organization or person responsible for posting the sign.

1004.5.13 Public Message – These signs are also exempt from design review and must not exceed two (2) square feet in size or six (6) feet in height or the minimum size required by the government entity that erected the sign.

1004.5.14 Real estate Signs – These signs are exempt and are also exempt from design review provided, however, that such Real estate signs shall comply with the following regulations;

1. Individual homes or a vacant lot for an individual home is permitted one (1) on-site freestanding or wall real estate sign and one (1) off-site freestanding real estate sign, not to exceed six (6) square feet in area and six (6) feet in height per sign, with the consent of the off-site real property owner..
2. All other property either developed or vacant is permitted one (1) on-site freestanding real estate sign and one (1) off-site freestanding real estate sign, for every 1000 lineal feet of street frontage or portion thereof, not to exceed thirty-two (32) square feet in area and six (6) feet in height per sign with the consent of the off-site real property owner.

3. All signs must be removed upon sale or rental of the property and/or close of escrow.

1004.5.15 Seasonal Signs and Decorations – Seasonal signs, lights and displays not advertising a product or sale are also exempt from design review when erected no sooner than 60 calendar days before the holiday and removed within 14 calendar days following the holiday, [provided that such decorations may not be used for advertising purposes.](#)

1004.5.16 Traffic Signs or Signals – Signs lawfully erected in the public right-of-way are also exempt from design review when erected in accordance with applicable state and local laws and regulations, including public utility signs, traffic signs and traffic control devices.

1004.5.17 Window Signs – Miscellaneous window signs are also exempt from design review when not greater than two (2) square feet per sign and do not exceed the aggregate signage allowed for the window.

1004.6 Illumination and Reflecting Signs Rev 2 – Draft Rev. 2

1004 General Sign Regulations, Requirements & Restrictions – (Continued)

1004.6 Illumination & Reflective Signs. Be aware that the general sign rules outlined in Section 1004.1 will apply where no specific rule is shown in this section and specific rules in this section will override general sign rules. Also be aware that specific sign types listed in this section may also be listed and regulated in other sections of this ordinance (See Table 1002.2.2 – Sign Categories Matrix), and the most restrictive requirement shall apply.

The intent of this section is to specify illuminated and reflective signs and any restraints on their size, area, location, number or duration. In the event that a sign fails to meet any criteria, condition or qualification established below for exemption, the sign shall be subject to and governed by all of the requirements of this Ordinance.

Except as specifically provided otherwise in this Section, no sign shall be constructed or maintained on a site if that sign, together with all other signs on the site (including all freestanding and building signs), exceeds the maximum allowable sign area as specified in Section 1004.1.

General guidelines for illumination of signs are specifically located in Section 1004.1.6 – Lighting. Any indirect exterior illuminated sign shall substantially comply with the average light levels listed in Table 1004.6 below.

TABLE 1004.6 – AVERAGE LIGHT LEVELS RECOMMENDED BY IESNA ^a		
Color/Hue	Surroundings	Intensity in fc or lm/ft ²
Light	Dark	20 ^b
Dark	Dark	50 ^b
Light	Bright	50 ^b
Dark	Bright	100 ^b

NOTES: a. Engineering Society of North America (IESNA)

b. fc = Foot-candles, lm/ft² = lumens per square foot = fc

Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties while adhering to the following additional requirements.

1. Projected Signs and internally illuminated external signs are prohibited except where required for government use. Internally illuminated signs inside a store-front facing a frontage window are considered to be external signs if they are within five (5) feet of the window, and are therefore prohibited.
2. Indirect exterior illumination shall be permitted for any sign provided the light source is entirely shielded from view. External light sources shall be directed so that they do not produce glare on any object other than the sign, and/or off the site of the sign. Reflective-type bulbs that exceed 15 watts shall not be used so as to expose the face of the bulb or lamp to a public right-of-way or adjacent property.

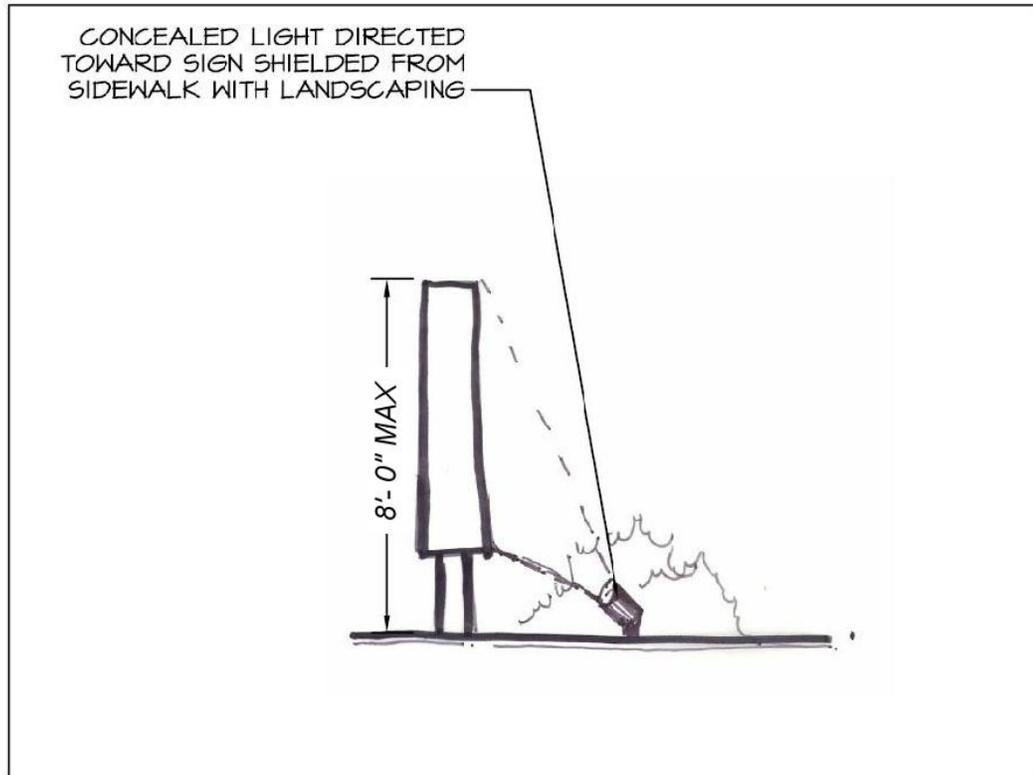
1004.6 Illumination and Reflecting Signs Rev 2 – Draft Rev. 2

Figure 1004.1.6 - Indirect Exterior Illumination

3. The light illuminating a sign shall not be of an intensity or brightness that will interfere with the reasonable enjoyment of residential properties, or create annoying or hazardous glare, or an annoying halo effect. Illumination of a sign that either directly or indirectly from reflection causes illumination on residential properties in excess of a measurement of one half (0.5) lumen per square foot (lm/ft^2) is considered too bright when measured at the property line.
4. Sign illumination shall be maintained constant in intensity and not blink, flash, flutter, move or use illumination to create the optical illusion of motion, rotate, strobe or pulsate, or change brightness, or color, or changing of copy shall not be permitted where illumination exceeds 10 lumens per square foot (lm/ft^2).
5. Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
6. No sign shall employ the use of mirrors or any other highly reflective surfaces so as to direct or reflect any natural or artificial light onto any public right-of-way or adjoining property.
7. Neither the direct nor reflected light from primary light sources shall create hazards for pedestrians or operators of motor vehicles.
8. Indirect light sources for signs should utilize hard-wired fluorescent, Light-emitting Diodes (LED's), or Compact Fluorescent Lamps (CFL's), or other lighting technology that is of equal or greater energy efficiency. They should use

1004.6 Illumination and Reflecting Signs Rev 2 – Draft Rev. 2

timers or photo-electric cells for purposes of activation and deactivation. The following types of sign lighting are prohibited: xenon, metal halide, mercury vapor, sodium vapor and all unshielded light sources that emit extremely high light intensity.

9. Permanently installed illuminated panels or strings of lights outlining all or a portion of a structure or architectural feature are permitted and are not considered signs.

10. As a condition of sign permit approval, the Design Review Committee may require and perform a post-installation intensity inspection to occur within sixty (60) days of installation completion, and the Design review Committee may require alteration of the light intensity or the method of illumination if found necessary to implement these illumination limitations.

1004.6.1 Animated or Moving Message Signs – These signs are prohibited from display.

1004.6.2 Awning, Canopy or Marquee Signs – These sign types can be indirectly illuminated if they follow the guidance provided in Section 1004.6 above and in Section 1004.1.6 – Lighting.

1004.6.3 Flashing Signs – These signs are prohibited from display.

1004.6.4 Neon Signs – These signs are considered to be internally illuminated and are therefore highly regulated, or in most cases prohibited. Signs that use Light-emitting Diodes (LED's), fiber optic, or plasma displays are considered equivalent to Neon Signs and therefore are not allowed.

1004.6.5 Product Signs – These signs cannot be indirectly illuminated effectively and are traditionally used by business to identify the availability of specific product to the public. The uncontrolled proliferation of Product Signs would be distracting to the historic character of Ferndale and add to the problem of light pollution in the business district. Product signs must adhere to the general guidelines provided in Section 1004.6.1 above, and the sign area restrictions imposed by Section 1004.2.8, as well as the additional restrictions listed below;

1. No storefront will exhibit more than a total of three (3) Product signs in their windows, no more than two per continuous window area, and none are allowed to be installed on entry doors, the outside of the building or in second floor windows.
2. No Product sign shall be larger than four Sq. Ft. (4 ft.²) or three Cu. Ft. (3 ft.³) in size and this sign area must be included when computing the total aggregate area of permitted window signs.
3. Internal lighting of these signs will be restricted to Neon only (No LED's, fiber optic, or plasma displays that mimic neon).
4. All product signs will require an individual use permit.
5. Product Signs can only be lighted during business hours and must be extinguished when the business is closed.

1004.6.6 Reader-board, Multiple or Electronic Variable Message, or Copy-change Signs – These type signs may employ and be illuminated by the use of

1004.6 Illumination and Reflecting Signs Rev 2 – Draft Rev. 2

internal Light-emitting Diode (LED) back lighting. For purposes of this Ordinance, an electronic variable message sign is an illuminated sign. Electronically controlled changeable text reader boards, which change copy or design in time periods of less than thirty (30) minutes, shall not be permitted. They cannot flash or vary light intensity or be displayed externally to a building if they are internally illuminated.

1004.6.7 Revolving and Rotating Signs – . These signs are prohibited from display.

1004.6.8 Time and Temperature Signs – For purposes of this Ordinance, an electronic Time or Temperature Sign, is an internally illuminated sign. A Time or Temperature Sign with mechanical display and indirect lighting can be permitted, even though the internal movement of the sign may be electronically driven.

1005.2 Public Message Signs

1005 Other Sign Regulations – (Continued)

1005.2 Public Message Signs. Be aware that the general sign rules outlined in Section 1004.1 will apply where no specific rule is shown in this section and specific rules in this section will override general sign rules. Also be aware that specific sign types listed in this section may also be listed and regulated in other sections of this ordinance (See Table 1002.2.2 – Sign Categories Matrix), and the most restrictive requirement shall apply.

The intent of this section is to identify and specify Public Message signs and any restraints on their size, area, location, number or duration. These signs are generally identified in Section 1004.5 as unregulated since many of them are established by government regulation. Public message Signs can take many forms however and must also adhere to the following additional requirements.

1. No commercial messages, logos or symbols are allowed on these signs.
2. Unless specifically regulated below, these signs must not exceed three (3) square feet in size or six (6) feet in height or the minimum size required by the government entity that erected the sign.
3. Public Message Signs are permitted in any zone, but may require a use permit in the Design Control Combining Zone (-D) if they are not a governmental sign required by a valid and applicable federal, state, or local law, regulation, or ordinance..

1005.2.1 Public Interest or Protective Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1005.2 above.

1005.2.2 Public Notice or Bulletin Board Signs – Public Notice signs shall be allowed in all zones subject only to the provisions listed in Section 1005.2 above. Bulletin Board signs, due to their nature, will be subject to the additional restrictions listed below;

1. A permit will be required.
2. Size shall not exceed twenty square feet. (20 ft.²) and not more than ten feet (10 ft.) in height, on the site of a school or other institution,
3. The sign content must relate to an activity conducted at, or sponsored by, the school, subdivision, or institution.
4. The Bulletin Board may be located on a wall, freestanding, ground, or monument sign, but may not be affixed to a fence.
5. Only one such sign is allowed per school, institution, or subdivision.

1005.2.3 Public Purpose, Traffic, Utility or Public Information Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1005.2 above.

1005.2.4 Public Street Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1005.2 above.

1005.2.5 Warning Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1005.2 above, except that they are limited to pole, wall or fence type signs.

Section 8: REPORTS

CITY PLANNER: December

Meetings, Planning & Coordination

- Coordinated with City Manager and 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 Design Review Use Permit application review for external changes at 277 Ocean Ave.
- Attended 10/25 Design Review Committee Meeting. Prepared and presented project report on DR Use Permit application for covering old siding with Hardipanel® siding on the back of a building at 535 Main Street.
- Continued 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.
- Continued review of application for stucco replacement at 580 Main Street. Corresponded with applicant; began conducting Initial Study and project reports; coordinated with City Manager and City Clerk; and initiated coordination with the California Office of Historic Preservation and State Clearinghouse on CEQA document circulation requirements and procedures.
- Continued processing application for Variance and Secondary Dwelling Unit at 1182 Rose Ave. Sent correspondence to applicant; coordinated public hearing noticing with City Clerk; prepared project report and resolution for 11/15 PC meeting; conducted public hearing; and prepared letter notifying applicant of PC action.
- Continued processing application for DR Use Permit to cover old siding with Hardipanel® siding on the back of a building at 535 Main Street. Prepared and presented project report and resolution at 11/15 PC meeting. Prepared letter notifying applicant of PC action.
- Attended 11/15 Planning Commission meeting and study session. Arranged and introduced two study session speakers on hazardous materials regulation and emergency response. Prepared and presented 1182 Rose Ave Variance and Secondary Dwelling Unit project report and resolution; 535 Main Street DR Use Permit project report and resolution; Safety Element Update Draft Chapter 7 Hazardous Materials and staff report; and staff report regarding Safety Element Update sample goals, policies, and implementation programs.
- Coordinated with City Clerk to update City website, including posting final drafts of the DR UP, SDU, and HOP Application Packets as reviewed by the Design Review Committee and Planning Commission and final drafts of the Housing Element and Historical & Cultural Resources Element.
- Coordinated with David Yarrington on Tentative Map for upcoming Lot Line Adjustment application.
- Coordinated with City Clerk to answer questions regarding a zoning change from a prospective purchaser of a Ferndale property at 660 Berding Street.

Projects

- General Plan Update – Prepared Draft General Plan Safety Element Hazardous Materials chapter and presented at 11/15 Planning Commission meeting. Arranged study session presentation by

Captain Ed Laidlaw of the Eureka Fire Department's Hazardous Materials Response Team and Larry Lancaster, Humboldt County Division of Environmental Health Hazardous Materials Unit Program Supervisor. Continued coordination for presentation at January 16 study session. Prepared and presented Safety Element Update goals, policies, and implementation program samples and staff report at 11/15 PC meeting.

CITY PLANNER January:

Meetings, Planning & Coordination

- Coordinated with City Manager and City Clerk on planning and development projects.
- Continued review of Sign Ordinance Update materials and progress.
- Continued coordination on Regional Housing Needs Allocation Process.
- Attended 12/13 Design Review Committee Meeting. Prepared and presented project report and Negative Declaration/Initial Study for DR Use Permit application for replacing stucco with redwood material at 580 Main Street.
- Initiated work on Humboldt Operational Area Multi-Agency Multi-Hazard Mitigation Plan (HMP) Update. Continued coordination and integration of the HMP with the City of Ferndale General Plan Safety Element Update.
- Continued processing application for stucco replacement at 580 Main Street. Corresponded with applicant; coordinated with City Manager and City Clerk; conducted Initial Study; prepared Negative Declaration; coordinated with California Office of Historic Preservation and State Clearinghouse on CEQA document circulation requirements and procedures; prepared project report; prepared Notice of Intent (NOI) and submitted to County Clerk; initiated public review period and posted appropriate notices; and applied for No Effect Determination from Fish and Game.
- Coordinated with City Clerk to answer questions regarding permitting for generator installation at 989 Milton Avenue.
- Aided City Clerk in writing of minutes for 11/15 PC meeting.

Projects

- General Plan Update – Initiated preparation of Draft General Plan Safety Element Risk Assessment chapter and staff report. Coordinated study session presentation by Troy Nicolini of the National Weather Service for January 16 study session. Prepared Safety Element Update goals, policies, and implementation program samples and staff report for 1/16/2013 PC meeting.

CITY CLERK ACTIVITY: December

Meetings

- Daily meetings with City Manager regarding work schedule.
- City Council meeting 11/1/12.
- Planning Commission meeting 11/15/12

Projects

- Counter and phones.

- Pick up mail, copy, distribute and file.
- Filed October report of Building or Zoning Permits issued for new privately-owned housing units.
- Prepared City Council Agenda packet for 11/1/12
- Prepared and posted Special City Council Agenda for 11/23/12
- Printed reminders and first time notifications to staff and members of governing bodies to complete Ethics Training, as required by Assembly Bill 1234.
- Prepared and mailed postcard notices for Public Hearing at the 11/15/12 Planning Commission Meeting for a Variance to size limit and setback requirement for proposed Secondary Dwelling Unit at 1182 Rose Avenue.
- Attended Council meeting as assistant to Deputy City Clerk. Proofed minutes.
- Assisted Deputy City Clerk to Prepare Design Review meeting packet for 11/8/12
- Assisted Deputy City Clerk to Prepare Sign Committee meeting packet for 11/8/12
- Printed business cards for Mayor Farley.
- Prepared letter regarding door on Francis Street.
- Reviewed Building Standards Administration Special Revolving Fund, mandated fees collected by the city on building permits.
- Prepared minutes for the 10/25/12 Design Review Meeting; Filed approved minutes.
- Prepared Planning Commission packet for 11/15/12; prepared minutes
 - Filed approved minutes for 10/17/12
 - Filed Resolution PC2012-35 Making the required findings for conditionally approving a variance from Zoning Ordinance 02-02 §7.21.4F Pertaining to side setbacks, as well as a request for a Secondary Dwelling Unit (SDU) on Assessor Parcel Number 031-241-004.
 - Added Planning Commission appointment to the City Council agenda in December.
 - Added Design Review appointment to the City Council agenda in December.
 - Filed Resolution PC2012-36 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 building on Assessor Parcel Number 031-085-012
- Sent letters to all property owners in Ferndale regarding the Sign Ordinance Committee progress.
- Training Administrative Assistant on business licenses, building permits, dog licenses, encroachment permits.
- Updated the Webpage:
 - Changed standard application form on Permits page
 - Exchanged Use Permit-Design Review and Historic District Design Review applications for updated form, Design Review-Use Permit.
 - Exchanged Home Occupation Permit for updated form.
 - Exchanged Secondary Dwelling Unit Permit for updated form.
 - Corrected population according to 2010 census
 - Updated the News Page to include information re the Safety Element of the General Plan.
 - Updated the "New in Ferndale?" section
 - Updated (as much as possible before election is decided) the City Council page
 - Updated the City Facilities page
 - Updated City of Ferndale contacts
 - Updated Planning Commission page
 - Updated the General Plan page with information supplied by Planwest.

CITY CLERK ACTIVITY: January***Meetings***

- Daily meetings with City Manager regarding work schedule.
- City Council meeting 12/6/12.
- Assisted at Design Review meeting.
- Drainage Committee Meeting 12/13/12

Projects

- Counter and phones.
- Gathered information for Public Information Requests on various invoices, checks and back up information.
- Pick up mail, copy, distribute and file.
- Relayed messages regarding flooding and resultant debris and silt buildup in Ferndale
- Prepared City Council Agenda packet for 12/7/12
 - Follow-up included posting meetings to calendar, informing committee members, commission members and council members of meeting dates; send email to Mayor, Attorney and City Manager re meeting on Drainage Assessment District.
- Prepared Drainage Committee Agenda packet for and attended 12/13/12 meeting.
- Received list of APN owners' names. Comparing to list we have to make appropriate changes. Asked Assessor's office to be included in their once a year mailing of changes in the list.
- Prepared and mailed postcard notices for Design Review in December, as well as a Public Hearing at the January Planning Commission Meeting for 580 Main Street.
- Attended Council meeting as assistant to Deputy City Clerk. Proofed minutes.
- Assisted Deputy City Clerk in preparation of Design Review and Sign Ordinance packets
- Continue Training Administrative Assistant on business licenses, building permits, dog licenses, encroachment permits.
- Set up deep cleaning at the Community Center.
- Quotes for heater at City Hall. Set up installation.
- Moved small heaters to Auditorium for various functions at City Hall: Garden Club and Village Club as well as Museum Holiday Celebrations
- Updated the Webpage:
 - Updated City Council member page
 - Updated City Contacts Page
 - Updated Planning Commission Page
 - Updated Design Review Committee members

Section 9: Design Review

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 10/04/12 - 8:30 am meeting

Vice Chairman Dane Cowan opened the meeting at 8:30 a.m. Committee Members Michael Bailey and Lino Mogni were present along with staff City Manager Jay Parrish and City Clerk Nancy Kaytis-Slocum. Dan Brown was absent. There were no modifications to the agenda.

161 Francis Street – Deck: The committee members asked questions of the applicant. MOTION: (Bailey/Mogni) Approve deck on back of house. All in favor.

The committee members explained to staff exactly what they want to see when a project comes before them: what is visual impact, photo documentation of before, a drawing of the project, map showing where project is located along with a North arrow, and other things as listed on the new Design Review Use Permit application. Staff thanked the committee and the City Manager for their direction.

Meeting adjourned at 8:47am Respectfully submitted, Nancy Kaytis-Slocum City Clerk

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 10/11/12 - 8:30am meeting

Chairman Dan Brown opened the meeting at 8:30 a.m. Committee Members Dane Cowan and Lino Mogni were present along with staff City Manager Jay Parrish and City Clerk Nancy Kaytis-Slocum. Michael Bailey was absent. There were no modifications to the agenda.

207 Francis Street – Paint: The applicant confirmed that the house would be all white with black door, and grey trim on foundation trim. MOTION: (Cowan/Mogni) Approve paint colors on house. All in favor.

Meeting adjourned at 8:34am Respectfully submitted, Nancy Kaytis-Slocum City Clerk

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 10/25/12 - 8:30 am meeting

Vice Chairman Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni 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. Dane Cowan introduced Mark Giacomini. There were no modifications to the agenda.

MOTION (Bailey/Mogni) The minutes from the 9/27/12 meeting were unanimously accepted. MOTION (Bailey/Mogni) The minutes from the 10/4/12 meeting were unanimously accepted. MOTION: (Mogni/Cowan) The minutes from the 10/11/12 meeting were unanimously accepted.

535 Main Street: Planner Melanie Rheaume explained the Design Review Use Permit application to cover existing siding with Hardipanel siding on the back of the building at 535 Main Street. She explained that the back of the building is not visible except from Shaw Street. The existing panels are approximately 50 years old. After some discussion, the committee concurred with staff that the old siding does not contribute to the historic character of the property and is not a distinctive historic feature, and therefore a determination can be made that the project is eligible for a Class 31 Categorical Exemption under CEQA guidelines Section 15331. 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 front and sides 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. MOTION: (Bailey/Mogni) Recommend forwarding this to the Planning Commission with the Design Review Committee's recommendation for approval of the project. All in favor.

The date of November 15, 2012 was approved for the next regular Design Review meeting.

Finals: One of the committee members took the Leonardi Francis Street paint colors and deck to final.

Comments: It was noted that since Michael Sweeney had been sworn in to the City Council that his place on the Committee should be advertised. The City Clerk will advertise the vacancy.

Respectfully submitted: Nancy Kaytis-Slocum, City Clerk

<p style="text-align: center;">City of Ferndale, Humboldt County, California USA Special Design Review Minutes for the 11/8/12 - 8:30am meeting</p>
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Chairman Dan Brown opened the meeting at 8:30 a.m. Committee Members Lino Mogni and Michael Sweeney were present along with staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and Deputy City Clerk Lacy Pedrotti. Dane Cowan was absent. There were no modifications to the agenda.

989 Milton – Building. Richard Phillis and Dennis DelBiaggio Owners of Cream City Investments were present to discuss their project to replace metal and wood siding and doors to match existing 3 story building at 1400 Main Street. Mr. Phillis added one new electrical meter to the application.

MOTION: (Mogni/Bailey) Approve siding and add electric meter on building. All in favor.

Meeting adjourned at 8:40am

Respectfully submitted, Lacy Pedrotti Deputy City Clerk

City of Ferndale, Humboldt County, California USA
Special Design Review Minutes for the 11/29/12 - 8:30am meeting

Chairman Dan Brown opened the meeting at 8:30 a.m. Committee Members Lino Mogni and Dane Cowan were present along with staff City Clerk Nancy Kaytis-Slocum and Deputy City Clerk Lacy Pedrotti. Mark Giacomini present as new member. There were no modifications to the agenda.

361 Berding – Building. Richard and Barbara Lindsay owners of 361 Berding were present to discuss their project to add a deck and board walk in the back of the house and existing patio. MOTION: (Cowan/Bailey) Approve redwood deck and board walk to the back of the house. All in favor.

Meeting adjourned at 8:40am Respectfully submitted, Lacy Pedrotti Deputy City Clerk

City of Ferndale, Humboldt County, California USA
Special Design Review Minutes for the 12/06/12 - 8:30am meeting

Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni, Michael Bailey and Mark Giacomini were present along with staff Deputy City Clerk Lacy Pedrotti. Chairman Dan Brown was absent. There were no modifications to the agenda.

724 Main Street – Garage Phase 2. Mike Warner owner of 724 Main and Dennis DelBiaggio contractor (DCI) were present to discuss their project to add a new two story attached garage. MOTION: (Bailey/Mogni) Approve Phase 2 the new two story attached garage. All in favor.

Meeting adjourned at 9:00am. Respectfully submitted, Lacy Pedrotti Deputy City Clerk

City of Ferndale, Humboldt County, California USA
Special Design Review Minutes for the 12/13/12 - 8:30am meeting

Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni, Michael Bailey and Mark Giacomini were present along with staff Deputy City Clerk Lacy Pedrotti, City Clerk Nancy Kaytis-Slocum, City Manager Jay Parrish and City Planner Melanie Rheaume. There were no modifications to the agenda.

484 Main Street. Sign: Jenny Steubing owner of retail business was not present at meeting. Sign square footage allotted is 5.5 sq. ft. and that is what is proposed. MOTION: (Bailey/Mogni) Approve the 5.5sq.ft. sign for Couture. All in favor.

580 Main Street. Planner Melanie Rheaume explained the Design Review Use Permit application to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building; prime and paint the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replace the existing signs with spacers rather than embedded in the siding; and reinstall the original striped awnings. The existing signage and stucco siding have been removed from the building for safety. The project site is located in the Community Commercial Design Control zone (C-2-D). Nancy Trujillo (project manager, Terry O'Reily Construction and Tom from Celtic Construction) were present to discuss this project. MOTION: (Mogni/Bailey) 3/1 Favor Cowan Apposed. Recommend forwarding this to the Planning Commission with the Design Review Committee's recommendation for approval of the project.

277 Ocean Ave. Window: Nancy Trujillo owner was present. Proposed to replace window in the bedroom and replace 16.4'x8.1' of the building siding facing Ocean Ave. to a wider horizontal siding. The replacement window will be horizontal opening vs. the existing window that does not open and has side lights that let in the cold. MOTION: (Mogni/Giacomini) All in favor.

306 Emerson Lane/375 A Main Street. Permanent carport with removable sides. Mark Hamor (applicant) was present to discuss his plans. The Design Review Committee would not make a motion on this project due to packet being incomplete. Mark agreed to be on the agenda for next Design Review Committee meeting and present the completed packet along with building samples

Meeting adjourned at 9:15am. Respectfully submitted, Lacy Pedrotti Deputy City Clerk

City of Ferndale, Humboldt County, California USA
Special Design Review Minutes for the 12/20/12 - 8:30am meeting

Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni, Michael Bailey and Mark Giacomini were present along with staff Deputy City Clerk Lacy Pedrotti. There were no modifications to the agenda.

375 A Main Street. Bruce Keller owner of property and Mark Hamor contractor were not present at the meeting. However the 16'x16'x19.7' structure to be built to house the Victorian doll house restoration project was approved by the Design Review.

MOTION: (Giacomini/Bailey) Approve the 16'x16'x19.7' structure for doll house storage. All in favor.

Meeting adjourned at 8:40am. Respectfully submitted, Lacy Pedrotti Deputy 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

City of Ferndale, Humboldt County, California USA
Sign Ordinance Committee Minutes for the 11/8/12 2:30 pm meeting

Chairman Michael Bailey opened the meeting at 2:31 pm. Committee members Michael Sweeney, Phil Ostler and Karen Pingitore were present. Committee member Trevor Harper was absent. City Manager Jay Parrish and Deputy City Clerk Lacy Pedrotti attended. Guest Caroline Titus representing the Ferndale Enterprise was in attendance.

No modifications to agenda

October 18, 2012 Minutes: MOTION: Approve minutes as edited (City Manger’s last name has two “r’s” as in Parrish; Page 1, Business A. third sentence the word affective should be effective). (Sweeney/ Pingitore). All in favor.

PUBLIC COMMENT: None

BUSINESS

A. Sign Ordinance Publicity

City Manager Parrish talked to Karen Pingitore and Caroline Titus about an article in the Ferndale Enterprise to inform the general public about the status of the Sign Ordinance Committee. A letter has been sent to both business and building owners in the Historic District regarding the Committees progress. Chairman Bailey stated that the Committee was about one month away from reviewing the last section of the draft ordinance according to the table of contents. There will also be a section on Administration that will be reviewed last. Once the Committee has completed the draft ordinance it will be presented to the City Attorney for legal clearance. Upon attorney review, the Committee will address any changes deemed necessary prior to forwarding the final Draft Sign Ordinance to the Planning Commission. At that time it was suggested that the Draft Ordinance also be placed on the City's website for general public review.

B. Review and Approve the following;

[i. 1004.6 Illumination & Reflecting Signs](#)

[ii. 1004.7 Public Message Signs](#)

These sections were reviewed at the October 18, 2012 Committee meeting and have been returned to the Committee with recommended edits for approval and forward to the Planning Commission. City Manager Parrish commented that item 10 under Section 1004.6 Illumination & Reflective Signs raised some important issues. Draft language for item 10 is presented below:

10. As a condition of sign permit approval, the Planning Commission may require and perform a post-installation intensity inspection to occur within sixty (60) days of installation completion, and the Planning Commission may require alteration of the light intensity or the method of illumination if found necessary to implement these illumination limitations.

The City Manager first stated that calling for the Planning Commission to perform inspections was not an appropriate role for the Commission. Secondly, the City does not have access to the type of equipment necessary nor the staff expertise to measure lighting intensity. Chairman Bailey clarified that the draft language did not intend to imply that the use of light measurement equipment was necessary. Rather, he anticipated that the Design Review Committee might have concerns about light intensity as part of a conditionally approved sign and the intent was to have someone inspect the light intensity post installation. This inspection would largely rely upon a subjective value judgment as to intensity being acceptable or not. The discussion concluded by agreeing that the Design Review Committee should perform post-installation review on any lighting intensity issues and that the draft language be changed to reflect the Design Review Committee's role in this matter.

Further discussion focused on draft language for section 1004.6.4 Product Signs (note the numbering system was in error and the correct section number should be 1004.6.5). This draft language reflected discussion from the 10-18-12 meeting on neon signs in the

form of “products” most often associated with beverages and often provided for free to “promote” the product a business sells rather than the business itself. As these product signs often incorporate neon lights they would be highly regulated, or in most cases prohibited by current draft language. However, in past meetings both Karen Pingitore and Phil Ostler attested to the value of these kinds of “signs” and that they tended to be business specific in the form of bars, liquor stores, mini-marts, or restaurants where such products (in the form of beverages) are for sale. In response, the Committee had developed draft language that would allow such signs under certain conditions.

At issue were two aspects of the draft language. First, the draft language would limit the total number of product signs within the business district (historic district) to 20. This number was based on the estimated number of signs currently in use. The idea behind this number was to allow those product signs currently in use to remain but not allow additional product signs above this number. Chairman Bailey acknowledged that this number was based on his recollection of the total number currently in use. The Committee believed that the actual number of existing product signs should be counted and photographed on a specific date and that this number would be used as the total number of signs allowed. Chairman Bailey agreed to count and photograph existing product signs and incorporate the actual number into the draft language.

Second, the draft language limited the exhibit of product signs for any given business to three. Committee members asked what would happen if a business already had more than 3 but was included as part of the soon-to-be counted total number of product signs allowed. Under current language, the business owner would have to remove the signs in excess of 3. It was agreed that this number was arbitrary but for discussion purposes a number had to be selected and could just as easily be 2 or 4 or another number. Further discussion pointed out that a “product sign” would count as part of the overall signage and would be subtracted from the total signage allowed. This fact itself may limit the total number of product signs as once a business owner’s sign size is calculated there may or may not be enough surplus in allowable square footage of signs to allow for additional signage. The Committee believed that once the draft ordinance goes to the Planning Commission public hearings may clarify the optimum total number allowed for each business.

Discussion turned to section 1004.6.6 Reader-board, Multiple or Electronic Variable Message, or Copy-change Signs. For purposes of this Ordinance, an electronic variable message sign is an illuminated sign. Caroline Titus referred to the new “sign” at Demetri DiStefano’s business on Main Street. This “sign” is actually a computer display screen hung in the window that is otherwise covered with brown construction paper. Caroline asked if this “sign” was covered under this section. The answer appeared to be that the hanging computer display screen was not a “sign” as defined in this draft ordinance as it does not include or refer to Demetri’s name or the name of his business so it is more accurately defined as a “display.” The Committee acknowledges that this display may be temporary as Demetri is still in the process of re-organizing his business including any future signage.

There were no issues raised with the remaining language for section 1004.6.7 Revolving and Rotating Signs (note again that these numbers have been adjusted due to the replication of 1004.6.5 in the draft sections).

Similarly, the Committee had no issues with the remaining language for section 1004.7 Movement & Wind-driven Signs.

Revised language for section 1004.6 Illumination & Reflective Signs will be returned for Committee approval at the scheduled 11-15-12 meeting.

The Committee agreed to approve and forward section 1004.7 Movement & Wind-driven Signs to the Planning Commission.

MOTION: Approve forwarding of draft ordinance sections 1004.7 to the Planning Commission (Ostler/Sweeney). All in favor.

C. Review Committee Inputs on the following;

[i. 1005.1 Temporary Signs](#)

[ii. 1005.2 Public Message Signs](#)

The Committee discussed new sections on Temporary and Public Message signs. In reviewing the different types of temporary signs the question was asked “what is a snipe sign?” Referring to the definitions, Chairman Bailey stated that a “snipe” sign is any sign 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. According to section 1005.1.10 these types of signs is prohibited. A distinction was made for Garage Sale Signs per section 1005.1.3 where such signs shall be allowed in all residential zones subject to the provisions listed in Section 1004.5.5.

Further discussion followed on section 1005.1.9 Sandwich-board, A-Frame or Sidewalk Signs. This type of sign has been subject to many discussions by the Committee. These signs are designed to specifically direct someone to a retail business from an offsite location due to the business having a hidden or off-the-beat frontage. As such, they have considerable value for businesses that do not enjoy a Main Street location. The best example is the Ferndale Museum sandwich-board sign that is placed daily on the corner of Shaw and Main to direct traffic one block to the actual Museum’s location. Accordingly, the Committee has sought ways of regulating such signs while still allowing for their use in limited situations. City Manager Parrish pointed out that the public right-of-way on Main Street is regulated by Caltrans as Main Street is also a State highway (211). The City has no authority to allow or not allow anything within the Caltrans right-of-way. In the past issues have come up related to trees, benches, signs, the Ferndale Repts marquee, among others that strictly speaking are not allowed. These are typically not permitted by either the City or Caltrans. It was noticed that the Flower shop sandwich-board located across the street from the Art Coop is placed on private property (with the approval of the property owner). Similarly with the sandwich-board sign on the corner of Main and Ocean that directs the visitor and others to the farm product stand on Centerville Beach Road. This sign is also placed on private property.

Committee member Sweeney suggested that the draft language for item 1 of section 1005.1.9 be amended from the current language which allows such signs "...within rights-of-way with approval of the planning commission;" to revised language that would state "...may be permitted within private property with approval of the planning commission." No vote or statement of approval for this idea was forthcoming but the Committee saw merit in the idea. City Manager Parrish agreed to seek legal opinion on the sandwich-board issue and provide that opinion by the next meeting.

Revised language for section 1004.6 Illumination & Reflective Signs will be returned for Committee approval at the scheduled 11-15-12 meeting. Additional discussion will ensure on Temporary Signs and Public Message Signs at the next meeting.

CORRESPONDENCE

No correspondence was received by the Committee.

The next make up meeting will be November 15, 2012 at 2:30 pm. The meeting was adjourned at 4:17 pm.

Respectfully submitted by:
Michael Sweeney

City of Ferndale, Humboldt County, California USA
Sign Ordinance Committee Minutes for the 12/6/12 2:30 pm meeting

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

No modifications to agenda

November 8, 2012 Minutes: MOTION: Approve minutes. (Ostler/ Pingitore). All in favor.

PUBLIC COMMENT: None

BUSINESS

- A. Review and Approve the following:
- i. 1004.6 Illumination & Reflecting Signs Rev. 2
 - ii. 1005.2 Public Message Signs

The Committee reviewed the changes made in Section 1004.6 in response to discussions at the November 8, 2012 meeting.

Chairman Bailey report to the Committee that a total number of 27 neon product signs were counted and photograph at a recent survey of Main Street. Based on restrictions in current draft (section 1004.6) no more than 21 “product signs” would be allowed. It was noted that buildings on corners, most notably the Redfront Store, Ivanhoe, and VVI qualify as having two storefronts.

After discussion, the Committee decided to edit item 4 under section 1004.6.5 Product Signs as follows:

4. All product signs will require an individual use permit. ~~and the total number of lighted product signs permitted in the business district is limited to twenty (20).~~

The Committee agreed to approve and forward section 1004.6 to the Planning Commission.

MOTION: Approve forwarding of draft ordinance section 1004.6 to the Planning Commission (Pingitore/Ostler). All in favor.

It was noted that the Kitchen Store has recently added flood lights to illuminate their sign. While the sign itself has received a Design Review permit, the lighting will require a permit as well. The Committee suggested sending a letter to the Kitchen Store owners reminding them that the new lights require Design Review approval.

Section 1005.2 was reviewed by the committee without comment at the November meeting. The Committee agreed to approve and forward section 1005.2 to the Planning Commission.

MOTION: Approve forwarding of draft ordinance section 1005.2 to the Planning Commission (Pingitore/Ostler). All in favor.

- B. Review Committee Inputs on the Following;
 - i. 1005.1 Temporary Signs
 - ii. 1005.3 Situational Signs

The Committee reviewed draft language for section 1005, specifically sections 1005.1 and 1005.3. Edits were noted from discussions at the November 8, 2012 meeting for section 1005.1.9 Sandwich-board, A-Frame or Sidewalk Signs as follows:

1. Signs ~~may be~~ are not permitted within rights-of-way with the approval of the Planning Commission or on sidewalks, but may be placed on private property with written permission of the property owner;

A typos was also noted in item 3 as follows:

3. There shall be no more ~~that than~~ one (1) sign approved for placement in any single corner or for any single business;

An edit to language in section 1005.1.10 was noted:

1005.1.10 Snipe Signs – These types of signs is are prohibited

Discussion on section 1005.3 Situational Signs focused on 1005.3.6 Menu-board Signs. These signs are generally used outside of restaurants and drive-through lanes to display a current menu and pricing. Currently, menu board signs are common in front of the Lost Coast Café, Matias, the Kitchen Store, Main Street Café, and Cream City Café among others. Under the current draft regulations, menu-board signs are restricted to the restaurant property and cannot be placed in the public right-of-way or on a sidewalk. As most menu-board signs are placed on the sidewalk in front of the business, they will be required to remove the menu-boards located on the sidewalk and post them in the window or doorway. The Lost Coast Café would be able to post its menu-board on the wrought iron fence. No edits to this section were proposed and it will be an action item for the next meeting.

The Committee will continue to discuss these sections at the December 20, 2013 meeting.

B. Revised Sign Ordinance Committee Schedule

The Committee reviewed the revised schedule for completing the update of the sign ordinance. Essentially, the schedule involves another 4-5 meetings of the Sign Ordinance Committee, followed by a Legal Review by the City Attorney around June 2013 and ultimate submittal of final draft ordinance to the Planning Commission by August 2013.

The Committee approved the revised schedule and voted to forward to the Planning Commission.

MOTION: Approve forwarding of revised schedule to the Planning Commission (Pingitore/Ostler). All in favor.

CORRESPONDENCE

A copy of a letter sent to business and building owners in the Historic District advising them of the progress of the Sign Ordinance Committee was presented.

The next meeting will be December 20, 2012 at 2:30 pm. The meeting was adjourned at 3:55 pm.

Respectfully submitted by:
Michael Sweeney