

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

Location:	City Hall	Date:	March 20, 2013
	834 Main Street	Time:	7:00pm Regular Meeting
	Ferndale CA 95536	Posted: 3/14/13	

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 – February 20, 2012	Page 2
4.0	Public Comment	Page 4
5.0	Public Hearing	
5.1	176 Francis Street – Use Permit for Vacation Rental.....	Page
6.0	Business	
6.1	Building and Planning Applications.....	Page
6.2	Approve various sections of the Sign Ordinance Draft.....	Page
6.3	General Plan Safety Element Update: Goals Policies & Implementation Draft Chapter 10	Page
6.4	Planning Reference Book.....	Page
6.5	Mission Statements: Planning Commission; Design Review Committee; Sign Ordinance Committee. Completion date, Sign Ordinance.....	
6.6	List of all commissioners and term dates	
6.7	Planning Commissioner Applicant Interviews	
7.0	Correspondence and Oral Communications	None
8.0	City Planner’s and Deputy City Clerk’s Staff Reports	Page
9.0	Design Review Minutes.....	Page
10.0	Sign Committee Minutes	Page
11.0	Adjournment – Next regular meeting April 17, 2013	

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of February 20, 2013

Study Session: Chair Jorgen Von Frausing-Borch called the study session to order at 6:30. Commissioner Mogni was absent. Planner Melanie Rheaume introduced Judith Warren, co-author of Living on Shaky Ground: How to Survive Earthquakes and Tsunamis in Northern California and Linda Nellis, Regional Coordinator of the Regional Training Institute for Disaster Preparedness. Ms. Warren spoke with us about community-level response to local emergencies, especially earthquakes and tsunamis.

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:08pm. Commissioners Uffe Christiansen, Lino Mogni and Dean Nielsen 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/Mogni). The January 16, 2013 minutes were unanimously approved. There was no public comment.

Public Hearing 580 Main Street - Lot Line Adjustment on existing APNs 31-251-12 & 31-251-15. The subject parcels are located at 400 McKinley Ave and 1167 Grant Ave. The project site is zoned Residential One Family (R1). Planner Melanie Rheaume presented the project, reminding the Planning Commissioners that she was there to represent the City Engineer, and that the Planning Commission does not act on, or approve the Application and is only involved as the first body of appeal. The applicant asked for a change on the Revised Staff Report, on page 3 of 6, 2nd line down "Currently, there is an existing swale between the two parcels and the easterly fence on Parcel 1 ~~is built on a block retaining wall.~~" The change was agreed upon by the City Planner Melanie Rheaume. Also, on page 6 of 6 of the revised report, the 4th Condition of Approval shall read: 4. A drainage easement shall be required to maintain the existing drainage patterns and for future maintenance as necessary. The easement shall be 10' wide and shall follow along the existing westerly property line of Parcel 2 (see attached) ~~OR shall be relocated to the east property line of the newly created Parcel 1 (see revised plot plan as attached to letter from City Engineer dated February 15, 2013). If the easement is relocated, the applicant shall provide the following: (a) and (b).~~ The City Planner also answered questions regarding drainage. The applicant noted that he has no intention of developing the property, and the Planner relayed that if the property is developed in the future, the developer would be responsible for drainage issues.

Building and Planning Applications: Chairman von Frausing-Borch asked why the Planning Commission had not been informed about the garage at 724 Main Street. City Clerk Kaytis-Slocum explained that the Planning Commission does not review building permits, unless there is a land use permit involved. After some discussion, the Chair asked that the City Clerk provide mission statements of the Planning Commission, Design Review Committee and Sign Ordinance Committee at the next meeting.

Sign Ordinance Draft: The Planning Commission asked that this item be brought back to the Commission along with the entire Sign Ordinance Draft for their perusal. They also asked for the estimated completion date.

General Plan Safety Element Update: Chapter 9.0 Emergency Preparedness: The entire DRAFT Safety Element was provided as requested. Chairman Von Frausing-Borch waived the reading of Chapter 9.0.

Oral Communications: City Clerk Kaytis-Slocum noted that Commissioner Uffe Christiansen's term is up this year. The Chair asked for a list of all the commissioners and their term dates. Commissioner Christiansen asked to be re-appointed.

The next regular meeting will be March 20, 2013 at 7pm. The meeting was adjourned at 8:23 pm.

Respectfully submitted,

Nancy Kaytis-Slocum
City Clerk

DRAFT

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:	March 20, 2013	Case No.: UP-1304
Applicant:	Carlos & Marilyn Benemann	Agenda Item 5.1
Project Address:	176 Francis Street (APN 031-043-016)	
Zoning:	Residential Two-Family Design Review (R-2-D)	

PROJECT DESCRIPTION: Request for a Use Permit to allow for vacation rental use of the existing residence located at 176 Francis Street (APN 031-043-016). The project site is zoned Residential Two-Family Design Review (R-2-D).

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

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

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

Recommended Motion: "Adopt Resolution No. PC 2013-07 making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B, and allow for vacation rental use of the existing residence located at 176 Francis Street."

PROJECT SUMMARY: The applicants own the approximately 1/2 acre lot at 176 Francis Street. The subject property is zoned Residential Two-Family Design Review (R-2-D). There are two off-street parking spaces provided. The applicants propose to use the entire existing residence (approximately 1,250 square feet) as a vacation rental by offering it for overnight transient lodging for compensation.

APPLICABLE REGULATIONS: The following sections are from Zoning Ordinance, 02-02:

§5.04 Residential Two-Family or R2 Zone. The Residential Two-Family or R2 Zone is intended to be applied in areas of the City close to urban centers where all utilities and services are available and where housing demand justifies a density of two families on each building site.

§5.04.2 Uses permitted with a Use Permit:

- a. Guest houses and servants' quarters.
- b. Private institutions.
- c. Bed and breakfast inns.

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

§3.78.2 (This section amended by Ord. 07-01 on 2/12/07) Use, Conditional: A principal or accessory use of land or of structures thereon which may be essential or desirable to the public convenience or welfare in one or more zones, but which may also impair the integrity and character of the zone or adjoining zone, or be detrimental to the public health, morals or welfare unless additional restrictions on the location and extent of use are imposed and enforced. Such use shall become a “principal permitted use” or “accessory permitted use” when all specific additional restrictions are completed and permanently satisfied in conformance with an approved use permit. Should such restrictions be of a continuing nature, the use will remain “conditional” so long as the restrictions are complied with, but shall become an “illegal use” whenever and so long as the restrictions are not complied with. Conditional Use Permits run with the land (End of section amended by Ordinance 07-01 on 2/12/07).

§7.16.2 Parking spaces shall be provided as follows:

- a. Dwellings: one (1) for each dwelling unit.
- b. Hotels, motels, inns, bed and breakfast inns, boarding houses: one (1) for each individual living quarter or dwelling unit.

ANALYSIS:

Zoning and Permit Requirements:

The Ferndale Zoning Ordinance does not directly define or address the proposed type of transient vacation rental use. However, the R2 zone allows for guest houses and bed and breakfast inns with a Use Permit. The proposed use is most similar to a bed and breakfast type use in that they have similar short-term rental that is more transient in nature than typical rental of single family residences or secondary dwelling units. Bed and breakfasts are allowed in all residential and agricultural zones per Zoning Ordinance §7.06.

As stated in Zoning Ordinance §10.01, Use Permits may be granted for any use which, while not specifically enumerated in the regulations, is similar to and compatible with the uses permitted in the zone. Previously the Planning Commission has approved vacation rental Use Permits in the R1 and R2 zones, Community Commercial Design Control zone, and the Agriculture Exclusive zone. In addition to these vacation rentals there have been bed & breakfasts approved in various residential and agriculture zones throughout the City.

Conditional Use Permits, as provided for by Zoning Ordinance §3.78.2, may be granted by the Planning Commission for a use which “which may be essential or desirable to the public convenience or welfare in one or more zones, but which may also impair the integrity and character of the zone or adjoining zone, or be detrimental to the public health, morals or

welfare unless additional restrictions on the location and extent of use are imposed and enforced.” In order to reduce the potential negative effects of a more transient use, the Planning Commission has in the past placed conditions on Vacation Rental Use Permits, including imposing a two night minimum stay and a requirement that the subject property be rented out to only one group at a time. These conditions have been included in the Conditions of Approval (attached).

Surrounding General Plan Land Use and Zoning Designations:

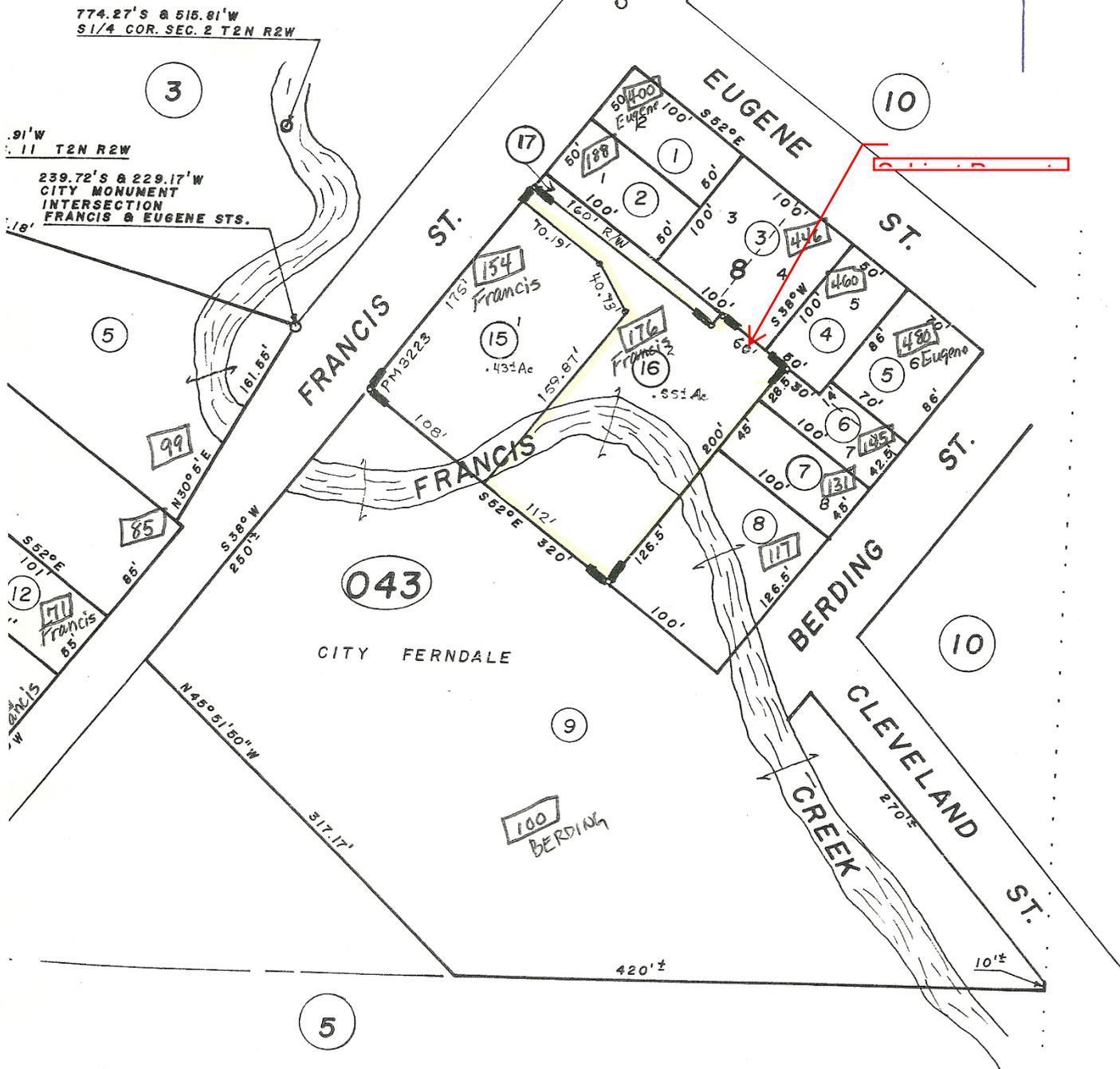
The subject property is set back from Francis Street three lots south from Eugene Street (see attached Assessor’s Map). The adjacent lots to the northwest are similarly zoned Residential Two-Family. The adjacent lots to the northeast are zoned Community Commercial Design Control Qualified Combining (C-2-D-Q). The adjacent lots to the southeast are zoned Residential One-Family Design Control Combining (R-1-D). The adjacent lot to the southeast is zoned Public Facility and holds the Community Center and Fireman's Park.

Aesthetics and Character:

The proposed project will not change the exterior appearance of the house or lot in any way. The vacation rental type use is more transient in nature than typical single family residential uses; however, it is similar to bed and breakfast type use which is allowed in residential zones. Sufficient off-street parking is available (there are currently two parking spaces). Therefore, the proposed use is compatible with and similar to the residential character of the neighborhood.

4 SEC. 11 T2N R2W OF FERNDALE NCIS DIVISION

031-043-016



Assessor's Maps Bk.03
County of Humboldt, Ca

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Attachment A**FINDINGS OF FACT**

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

1. This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA), and qualifies for a Class 1 Categorical Exemption per Section 15301 Categorical Exemption from preparation of environmental documents. This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures.
2. The 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 R-2-D zone.
3. The existing project, as outlined and with conditions,
 - Is similar and compatible to other uses allowed in similar zones,
 - Maintains the integrity and character of the zone (or neighborhood),
 - Is not detrimental to the public health, safety, or welfare,
 - Is compatible with the maintenance of a healthful residential living environment and the predominantly residential character of the area,
 - Does not significantly impact the general peace, safety, comfort, health and welfare of the zone/residential communities, and,
 - Is compatible with and does not detract from the character and aesthetics of the adjacent zones.

Attachment B
CONDITIONS OF APPROVAL

Staff recommends Planning Commission 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 this Use Permit and/or otherwise owed to the City of Ferndale. All applicable or other required fees shall be paid to the satisfaction of the City of Ferndale before the Use Permit is considered final and approved.
2. The proposed use shall be in conformance with the approved permit application and with the information and analysis contained in the associated staff report and conditions of approval on file with the City. Should the proposed site use deviate from that as allowed by this approval, then the applicant may be required to first receive Planning Commission approval for such changes.
3. Should the applicant or any other future owner of the subject property who uses the property as approved under this permit not conform to the requirements of these conditions, then said non-conformance shall constitute a violation of this use permit and shall become null and void, until either the issues have been addressed to the City's satisfaction, or the permit is revoked.
4. All proposed and/or future use 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.
5. Prior to operation, the applicant shall obtain a letter from the Ferndale Fire Chief and the Ferndale Building Inspector verifying that the home meets occupation requirements. Copies of these letters shall be given to Ferndale City Hall.
6. Applicant shall obtain a business license for the Vacation Rental, and pay appropriate Transient Occupancy Taxes to the City.
7. Rental shall be for a minimum of two nights.
8. The residence shall be rented out to one group at a time. Rooms shall not be rented out individually.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF FERNDALE
Resolution Number PC 2013-07**

**MAKING THE REQUIRED FINDINGS FOR CONDITIONALLY APPROVING THE
USE PERMIT TO ALLOW FOR VACATION RENTAL USE
AT 176 FRANCIS STREET,
ASSESSOR PARCEL NUMBER: 031-043-016**

WHEREAS, Carlos and Marilyn Benemann have submitted an application and evidence in support of approving the Use Permit to allow for vacation rental use of the existing residence at 176 Francis; and

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

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

WHEREAS, the staff report includes evidence in support of making all of the required findings for approving the Use Permit; 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 approves the Use Permit to allow for vacation rental use at 176 Francis Street, subject to the conditions contained in Attachment B.

PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 20th day of March, 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

Section 6: BUSINESS

<i>BUSINESS ITEM 6.1</i>		<i>March 20, 2013</i>
535	Main	Replace roof
230	Shaw	Furnace and Tank
683	A Street	Re-roof
117	Berding	Repair bank at north end of foot bridge, correct erosion under bridge
638	Main	Install power for vacuum pump in shed in parking lot
<i>Land Use Permits</i>		
1141	Main	replace redwood siding w/ cement board.
535	Main	replace roof and awning
543	Main	Ferndale Pie Co signage
176	Francis St	Vacation Rental
385	Main St	Ferndale Music Co. signage

Meeting Date:	March 20, 2013	Agenda Item Number	6.2
Agenda Item Title:	Approve various sections of the DRAFT Sign Ordinance.		
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 various sections of the DRAFT Sign Ordinance		

RECOMMENDATION:

- Review sections approved 10/17/12 by the Planning Commission: 1000, 1001 (Revision 1); and 1004.2
- Approve sections, earlier iterations approved by the Planning Commission 10/17/12: 1002 (Revision 1A); 1004.1 (Revision 3)
- Approve sections previously seen in January and February Planning Packets: 1004.3 (Revision 1); 1004.4 (Revision 1); 1004.5 (Revision 3); 1004.6 (Revision 2); 1004.7
- Approve sections 1005.1 (Revision 3); 1005.2; 1005.3; and 1005.4

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.

During the January 16, 2013 and the February 20, 2013 meetings, the Planning Commission asked that these items be brought back to the March meeting for review and possible approval, along with a draft of the Sign Ordinance.

Section	Title	Revision	Approved
1000	Table of Contents	2	10/17/12
1001	Background, Purpose and Scope	1	10/17/12
1002	Sign Definitions	1A	
1003	Zoning Requirements		Not presented
1004.1	Sign Standards, Maintenance and Design Criteria	3	
1004.2	Miscellaneous Business Signs	1A	10/17/12
1004.3	Prohibited or Illegal Sign Characteristics, Locations, Types, and Messages	1	
1004.4	Nonconforming Signs	1	
1004.5	Unregulated or Exempt Signs and Exceptions	3	
1004.6	Illumination and Reflecting Signs	2	
1004.7	Movement and Wind-driven Signs	0	
1005.1	Temporary Signs	3	
1005.2	Public Message Signs	0	
1005.3	Situational Signs	0	
1005.4	Identification Signs	1	
1006	Use Permits		Not presented
1007	Administration		Not presented

SIGN ORDINANCE OUTLINE – Draft Rev. 2

1000 Table of Contents

1001 Background, Purpose and Scope

1001.1 Background Information.

1001.2 Purpose and Intent.

1001.3 Scope.

1002 Sign Definitions

1002.1 Definitions.

1002.2 Sign Categories and Matrix.

1002.3 Zone Names and Definitions.

1003 Zoning Requirements –

1004 General Sign Regulations, Requirements & Restrictions

1004.1 Sign Standards, Maintenance and Design Criteria –

1004.1.1 Design and Construction –

1004.1.2 Materials and Structure –

1004.1.3 Maintenance –

1004.1.4 Color –

1004.1.5 Copy Design and Typeface Guidelines –

1004.1.6 Lighting –

1004.1.7 Sign Height Measurement –

1004.1.8 Number of Signs –

1004.1.9 Placement –

1004.1.10 Area –

[1004.1.11 Commercial Message Signs –](#)

1004.1.12 Exceptions –

1004.2 Miscellaneous Business Signs

1004.2.1 Directional (On & Off Site) –

1004.2.2 Double Faced & V-Type –

1004.2.3 Exterior and Interior –

1004.2.4 Ground, Freestanding and Monument –

1004.2.5 Multifaced –

1004.2.6 Pole, Pylon, Post & Panel, or Column Signs –

1004.2.7 Wall or Fascia –

1004.2.8 Wall Murals and Graphic Designs –

1004.2.9 Window and Door –

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

1004.3.1 Generally Prohibited Signs –

1004.3.2 Specifically Prohibited Signs –

1. Animated or Moving Message Signs –

2. Billboard or Poster-board Signs –

3. Derelict Signs –

4. Flashing Signs –

SIGN ORDINANCE OUTLINE – Draft Rev. 2

- 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 –
- 1004.4 Nonconforming Signs –
 - 1004.4.1 Intent –
 - 1004.4.2 Change of Status –
 - 1004.4.3 Modifications –
 - 1004.4.4 Duration of Nonconforming Signs –
 - 1. Nonconforming Signs –
 - 2. Grandfathered Signs –
 - 3. Historically Significant Signs –
 - 1004.4.5 Mailing of Notices –
 - 1004.4.6 Removal of Unlawful and Abandoned Signs –
- 1004.5 Unregulated or Exempt Signs and Exceptions –
 - 1004.5.1 Accessory and Affiliation –
 - 1004.5.2 Building/Site Address or House Numbers (Street Address) –
 - 1004.5.3 Directional On-site Sign –
 - 1004.5.4 Flags bearing an official design –
 - 1004.5.5 Garage and Yard Sale Signs –
 - 1004.5.6 Government and Gasoline Price Signs –
 - 1004.5.7 Historic Significance, Marker or Historic Plaque –
 - 1004.5.8 Informational signs such as restrooms, telephone location or direction of door opening. –
 - 1004.5.9 Interior Business Signs > 5' from exterior surface of building. –
 - 1004.5.10 Nameplate or Memorial Signs or Tablets –
 - 1004.5.11 Parking Information Signs –
 - 1004.5.12 Political, Social Issue, Special Event, and Seasonal or Public Interest Event Signs –
 - 1004.5.13 Public Message –
 - 1004.5.14 Real Estate [and Open House Signs](#) –
 - 1004.5.15 Seasonal Signs and Decorations –
 - 1004.5.16 Traffic Signs or Signals –
 - 1004.5.17 Window Signs –
- 1004.6 Illumination & Reflecting Signs –
 - [1004.6.1 Animated or Moving Message Signs](#) –
 - [1004.6.2 Awning, Canopy or Marquee Signs](#) –
 - 1004.6.3 Flashing Signs –
 - 1004.6.4 Neon Signs –
 - [1004.6.5 Product Signs](#) –
 - 1004.6.6 Reader-board, Multiple [or Electronic Variable](#) Message, or Copy-change Signs –
 - 1004.6.7 Revolving and Rotating Signs –

SIGN ORDINANCE OUTLINE – Draft Rev. 2

- 1004.6.8 Time and Temperature Signs –
- 1004.7 Movement & Wind-driven Signs –
 - 1004.7.1 Animated or moving message signs –
 - 1004.7.2 Banner, Flag or Pennant –
 - 1004.7.3 Flags bearing an official design –
 - 1004.7.4 Inflatable Signs –
 - 1004.7.5 Pendent String or Ground-wiggler –
 - 1004.7.6 Reader-board, Multiple Message or Copy-change Signs –
 - 1004.7.7 Revolving or Rotating Signs –
 - 1004.7.8 Projecting, Swinging Overhanging or vertical Signs –
- 1005 Other Sign Regulations –
 - 1005.1 Temporary Signs –
 - 1005.1.1 Construction, [Development Project, or Contractor](#) Signs –
 - 1005.1.2 Event-specific Signs –
 - 1005.1.3 Garage Sale Signs –
 - 1005.1.4 Open House Signs –
 - 1005.1.5 Opinion Signs –
 - 1005.1.6 Political Signs –
 - 1005.1.7 Portable, Trailer or Mobile Signs –
 - 1005.1.8 Real Estate Signs –
 - 1005.1.9 Sandwich-board or Sidewalk Signs –
 - 1005.1.10 Snipe Signs –
 - 1005.1.11 Special Seasonal or Public Event Signs –
 - 1005.1.12 Special Purpose Signs –
 - 1005.1.13 Subdivision Signs –
 - 1005.2 Public Message Signs –
 - 1005.2.1 Public Interest or Protective Signs –
 - 1005.2.2 Public Notice or Bulletin Board Signs –
 - 1005.2.3 Public Purpose, Traffic or Public Information Signs –
 - 1005.2.4 Public Street Signs –
 - 1005.2.5 Warning Signs –
 - 1005.3 Situational Signs –
 - 1005.3.1 Construction, [Development Project, or Contractor](#) Signs –
 - ~~1005.3.2 Contractor Signs –~~
 - 1005.3.2 Event Specific Signs –
 - 1005.3.3 Fence Signs –
 - 1005.3.4 Gasoline Price Signs –
 - 1005.3.5 Gateway or Residential Gateway Signs –
 - 1005.3.6 Menu-board Signs –
 - 1005.3.7 Public Notice or Bulletin Board –
 - 1005.3.8 Reader-board, Multiple Message or Copy-Change Signs –
 - 1005.3.9 Warning Signs –
 - 1005.4 Identification Signs –
 - 1005.4.1 Affiliation Sign –
 - 1005.4.2 Building Marker Signs –

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- 1005.4.3 Building Sign –
- ~~1005.4.4 Business Sign (On & Off Site)–~~
- 1005.4.4 Church Sign –
- 1005.4.5 Historic Significance or Plaque –
- 1005.4.6 Home Occupation Sign –
- 1005.4.7 Nameplate, Memorial or Commemorative Plaque, or Tablet Signs –
- 1005.4.8 Professional Sign –
- 1005.4.9 Tenant Directory or Multi-unit Signs –
- ~~1005.5 Suspended or Shingle Signs–~~
- ~~1005.5.1 Awning, canopy or marquee Signs –~~
- ~~1005.5.2 Banner, Flag or Pennant Signs –~~
- ~~1005.5.4 Projecting, Swinging, Overhanging or Vertical–~~
- ~~1005.5.4 Swinging Signs–~~

- 1006 Use Permits
 - 1006.1 Application Process
 - 1006.2 Review of Applications and Criteria
 - 1006.3 Special Use Permits
 - 1006.4 Conditional Use Permits
 - 1006.5 Appeals

- 1007 Administration
 - 1007.1 Existing or Grandfathered Signs
 - 1007.2 Maintenance
 - 1007.3 Relocation
 - 1007.4 Abandoned, Dilapidated, or Obsolete Signs
 - 1007.5 Violations and Cancellation
 - 1007.6 Scope of Provisions and Conflicting Provisions
 - 1007.7 Violations, Abatement, Penalty and Removal
 - 1007.8 Indemnity and Insurance

1001 Background, Purpose & Scope – Draft Rev. 1

1001 Background, Purpose and Scope

1001.1 Background Information. The Victorian Village of Ferndale is known for a wealth of historic residential and commercial buildings representing a variety of architectural styles popular during the middle and late 19th century (1860-1900). More modern styles are equally represented including Neo-classical, Craftsman, and Mission. Collectively, the City of Ferndale was designated as a *State Historic Landmark* in 1975 by the California State Parks, Office of Historic Preservation. In 1994, the City's Main Street was designated as a *Historic District* by the National Park Service and placed on the National Register of Historic Places.

Residents and visitors alike are attracted to Ferndale to enjoy the opportunity to “step back in time” and enjoy the town's many architectural flavors. To this end the City has determined that commercial and non-commercial signs should be respectful of the major stylistic components of the individual historic buildings and overall character of the City of Ferndale's historic “streetscape.” Accordingly, this sign ordinance is envisioned to address the placement, color, design and architectural character of commercial and non-commercial signs in order to maintain the overall visual quality of all areas of the City, while clearly communicating the intended information.

1001.2 Purpose and Intent. Signs have an obvious impact on the character and quality of life in this town, and the attractiveness and appearance of Ferndale's Historic District. As a prominent part of the scenery, they help attract or repel the viewing public and may affect the safety of vehicular or pedestrian traffic. Their suitability or appropriateness helps set the tone of the whole City.

Because signs strongly influence the perception of the establishment, building, street view, and the aesthetics of the historic district, there is a public interest in ensuring that signs are well designed, carefully placed and properly maintained in accordance with the overall desired character of Ferndale.

The purpose of these limitations and requirements are to create a legal framework for a comprehensive and balanced system to manage signage in a manner which will;

- 1. Protect** the interests of all sectors of the business community by providing a properly managed opportunity for effective advertising, identification and commercial communications through signage to match services with the needs of the public.
- 2. Maintain, protect and enhance** the historical aspects, aesthetics, property values; the City's unique character, its natural setting, its architecture, and the economic viability of the City's commercial corridor by promoting the use of aesthetically pleasing materials, colors, and types of signs and by implementing design review.
- 3. Delineate** the design, type, number, placement, location, illumination, aesthetic quality and physical dimensions of signs according to standards consistent with the types of establishments in each zoning district and those that contribute to the overall environment of the buildings, streets, and districts of Ferndale.

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4. **Protect** residential districts adjoining non-residential districts from adverse impacts of excessive illumination and numbers or sizes of signs.
5. **Provide** for signs as an effective and pleasant channel of communication, while ensuring that signs are aesthetically proportioned to the structures to which they are associated with.
6. **Encourage** both renovation and proper maintenance of signs; through equal treatment, accurate record keeping and public information programs.
7. **Safeguard** motorists, bicyclists, and pedestrians and enhance the public health, and general welfare by requiring safe and effective signage while avoiding traffic safety hazards caused by visual clutter, distractions and obstructions.
8. **Enable** noncommercial signs such as real estate “for sale” signs and political signs that address advocacy on debatable issues.
9. **Defend and preserve** the rights of freedom of association, speech and expression in all matters pertaining to signage.

Further, it is the intent of the City that its commercial and industrial development remains in harmony with the residential community and the historical nature of Ferndale.

1001.3 Scope. The provisions of this Sign Ordinance provide for the installation, construction, alteration, repair, maintenance, enforcement and display of signage in all areas of the town of Ferndale with a major emphasis on the Historic District, the Design Control Combining Zone (-D-zone), and other residential, commercial, and public facility areas within the City. All signage regulated by this ordinance is under the direct control of the Planning Commission, while signage residing within the Ferndale Historic District and the -D-zone will require a use permit approved by the Design Review Committee, a subcommittee of the Planning Commission.

The term “signage” shall include all types of commercial, noncommercial, residential, governmental, public purpose and building address signs in public view from public or private byways. Any signage that can be displayed under the provisions of this ordinance may contain a noncommercial message. This ordinance shall not manage public purpose signs posted by state or local government agencies other than permitting their use.

When reading and using this document, the INTENT of each section should carry more weight in decision making than the specific wording of each section. An attempt is made to state the intent at the beginning of each section. This statement of intent should be used as a guide to interpretation of any specific paragraph, article or provision.

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SECTION 1002 SIGN DEFINITIONS

1002.1 Definitions. The following words and terms shall, for the purposes of this section, and as used elsewhere in this ordinance, have the meanings shown herein. It must be understood that a sign type defined herein does not imply consent to use that sign type.

ABANDONED OR OBSOLETE SIGN: Any sign which no longer applies to the business or property, due to the lack of a business licenses or a change in business name or for any other reasons, rendering the sign not applicable to the premises involved. This condition must exist for a period of more than ninety (90) days, at which time it becomes a nonconforming sign. Any sign which is a conforming sign, not in use, but which may be intended to be re-used in conjunction with the ownership or operation of a new business on said property shall not fall under the definition of abandoned.

ACCESSORY SIGN: Any sign which is designed to facilitate the announcement of trading stamps, credit cards, special services being offered or other similar messages. Such signs shall not announce or advertise products, goods or services directly related to the business being conducted on the premises.

AFFILIATION SIGN: Any identification sign with a message identifying membership in an association of businesses, such as credit card companies or civic organizations.

ANIMATED OR MOVING MESSAGE SIGN: Any sign, with or without electrical energy, that uses movement, blinking, flashing, change or fluctuation of lighting intensity, color, motion [or sense of motion](#), or sound to depict action or creates a special effect or scene including programmable displays and message boards, swinging and rotating signs.

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

ARCHITECTURAL PROJECTION: Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, but that does not include signs as defined herein. (See also "Awning" and "Canopy.")

AWNING, CANOPY OR MARQUEE SIGN: Any suspended or hanging sign that is mounted on, painted onto or attached to an awning, canopy or marquee. An awning is a metal and cloth structure. A canopy is solid structure; a marquee is a structure that typically has a covering with changeable advertising, such as the theatre marquee. An awning becomes a sign when it contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of the awning.

BANNER, FLAG OR PENNANT: Any suspended sign made of a flexible material such as canvas, sailcloth, plastic or waterproof paper on which copy or graphics is displayed and displayed for a business purpose or public event.

BILLBOARD OR POSTER BOARD: Any freestanding off-site outdoor advertising sign and or panel typically designed on a free standing framework independent of a building to attract the interest of passing motorists. (Also see off-site signs.)

BUILDING ADDRESS: A building address is any series of numbers and/or letters, presented in a mostly fixed format, used for describing the location of a building, apartment, or other structure or a plot of land on a street.

BUILDING MARKER: A building marker is any permanent Identification Sign indicating a building's name, date and incidental information about its construction. Such a sign typically is cut into a masonry surface or made of bronze or other permanent material.

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BUILDING SIGN: Any Identification Sign affixed to the front or side of a building that identifies the building name, businesses or activities residing within the building. (See Directory or Multi-unit signs)

BUSINESS SIGN: Any sign that identifies the existence of a profit-making, nonprofit, or governmental organization involved in the provision of goods or services.

ON-SITE SIGN: A sign located on the same parcel of land from which the product, service or activity described by the sign is made available.

OFF-SITE SIGN: A sign not located on the same parcel of land from which the product, service or activity described by the sign is made available.

CHURCH SIGN: Any sign that identifies the existence of a religious building that provides for member prayer, services or assembly.

COMMERCIAL MESSAGE SIGN: Any sign, wording, logo or other representation, except for the actual name of the business, that directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

CONSTRUCTION AND DEVELOPMENT PROJECT SIGNS: A sign advertising or identifying the persons or firms associated with a construction project and typically attached to building(s), fence, or freestanding.

CONTRACTOR SIGN: A sign identifying a contractor's name, company, address or contact information associated with a construction project.

DERELICT SIGN: Any sign that is dilapidated or in such condition as to create a hazard or nuisance, or to be unsafe or fail to comply with the Building or Electrical Codes applicable in the jurisdiction.

DIRECTIONAL SIGN: A sign containing directional information, including governmental signs, with a message that provides only directions to pedestrian or vehicular users to locations deemed to be in the interest of the traveling public. Directional signs do not include real estate signs.

DIRECTIONAL, ON-SITE: A sign, the sole purpose of which is to direct the flow of traffic, indicate entrances or exits, transmit parking information or convey similar information.

DIRECTIONAL, OFF- SITE: A sign, located on one (1) parcel, advertising and/or directing traffic to a government building or agency, business, event, or point of interest located on a different parcel within the City.

DIRECTIONAL, OFF - SITE TEMPORARY: An off-site sign authorized by permit to be placed in a specified location for a defined period of time. (Also see Portable or Mobil signs)

DOUBLE FACED & V-TYPE SIGNS: Any sign that has two (2) sign faces provided the planes are not more than two (2) feet apart. A V-Type or A-Frame sign has two faces connected at one end, but facing away from each other at angles that impart a "V" shape to the sign. For purposes of computing surface area, such signs are two separate signs if the angle between the two outer surfaces is greater than 60 degrees; otherwise the panels/wings shall be considered one double-faced sign

EVENT SPECIFIC SIGN: Any temporary sign to be used to announce an event such as a festival, dance, business opening, sale, meeting, fund-raiser, parade and information about political candidates and other events which have a short term conclusion

EXTERIOR SIGN: A sign which is located on the outside of a building or business premises, located on a vacant property or painted on or attached to either the inside or outside of a door, fence or window as long as the sign is viewable from the sidewalk or street.

FENCE SIGN: Any exterior sign affixed to or painted on a fence that faces a public road or walkway.

FLASHING SIGN: Any sign that contains an intermittent or flashing, scintillating, blinking or traveling light source. This includes signs that give the illusion of intermittent or flashing lights by means of animation, or an externally mounted intermittent light source.

FREESTANDING SIGN: A ground sign supported by one (1) or more upright poles, columns, or braces. Included are pole, post & panel, pylon, monolith, monument and masonry wall-type signs. A free standing sign structure is considered to be one sign even though it may be Double Faced, V-Type or Multifaced.

GARAGE AND YARD SALE SIGNS: A sign with a message advertising the resale of personal property that has been used by the resident.

GASOLINE PRICE SIGN: A sign that announces the price of any fuel to the public passing by on a sidewalk or street.

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GATEWAY OR RESIDENTIAL GATEWAY SIGN: A sign installed along a street or frontage and specifically intended to identify the name of a neighborhood, residential planned development, residential subdivision, residential districts, subdivision, apartment, condominium, apartment complex consisting of five or more units or office complex.

GOVERNMENT SIGN: Any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

GRANDFATHERED SIGN: A grandfathered sign is a nonconforming sign which legally existed prior to the adoption of this ordinance and is allowed to remain for a defined period, due to some special circumstance, even though it may not meet the terms of this ordinance.

GROUND SIGN: A sign that is permanently attached to the ground directly or supported by a pole, column, foundation or braces placed in or on the ground and not attached to any building, fence or structure. Ground Signs include Freestanding and Monument Signs.

HISTORIC SIGNIFICANCE OR HISTORIC PLAQUE: An business sign, identification sign or marker announcing the location of any feature, place or building found to be historically significant and authorized or erected by the City Council, or a federal, or state authority.

HOME OCCUPATION SIGN: A sign that identifies a permitted business located in a residence.

IDENTIFICATION SIGN: A sign, the sole purpose of which is to identify the site or the building, use, significance of, or persons occupying the site on which the sign is located.

ILLEGAL USE OR UNLAWFUL SIGN: A sign that served a permitted use that was modified by the property owner without permit or is otherwise in violation of any section of this ordinance, and which has not received "nonconforming status" or that nonconforming use has expired. An Illegal Use Sign is by definition unlawful and subject to abatement. (See Section 1004.3 and Article 3.78.2 & 7.22.1)

ILLUMINATED OR REFLECTING SIGN: A sign illuminated by electricity, gas or other artificial light either from the interior or exterior of the sign and which may include reflective glass and/or phosphorescent surfaces.

ILLUMINATION: This term refers to the type and location of the light source for the sign.

ILLUMINATION, ALL TYPES: Means any form of illumination including indirect, internal, exposed bulb (where the sign is made up of a matrix of bulbs or light sources that individually light up to form images) and neon or other tubes of light.

ILLUMINATION, HALO: Means a form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo.

ILLUMINATION, INDIRECT: means illumination which is cast on a sign from exterior, non - exposed light sources aimed at the sign face or otherwise diffused to result in illumination which complies with Section 1004.1.6 – Lighting of this ordinance.

INFLATABLE SIGN: Any sign that is or can be filled with three (3) cubic feet or more of air, liquid or gas.

INFORMATION SIGN: A very legibly printed and very noticeable placard that informs people of the purpose of an object, history of a building or structure, or gives them instructions on the use of something.

INTERIOR SIGN: A sign which is located on the interior of a building or structure. Business signs within the first five (5) feet of the exterior surface of a building or structure's street facing window, excluding signs which are primarily designed for the information of persons within a building are defined as Window Signs. Interior signs that are greater than five (>5) feet from a street facing window are Unregulated or Exempt Signs. Such signs could also include, but are not limited to, scoreboard signs, signs on the inside of ball field fences, signs within a stadium, and signs located within the site of a special event such as a festival or carnival.

MENU-BOARD: A permanently mounted structure displaying the changeable bill of fare of a restaurant. This definition could be mounted on the exterior of a restaurant or a drive-through sign associated with menu and pricing for food services and may include an audible speaker and microphone integral to the sign.

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MISLEADING OR MISDIRECTING SIGN: A sign that directs pedestrians or motorists to proceed in the wrong direction, perform an illegal action, or to be endangered by following the intent of the sign.

MONUMENT SIGN: A permanent freestanding ground sign mounted on a base or support where the entire bottom is affixed to the ground.

MULTIFACED SIGN: A sign that has three (3) or more sign faces with each adjacent face oriented at less than 150 degrees from the other.

NAMEPLATE, MEMORIAL OR COMMEMORATIVE PLAQUE OR TABLET: means an identification sign, made of appropriate material. The sign can designate a statement or remembrance of an event, or a name, address, phone number and/or occupational designation of the present or past occupant.

NEON SIGN: A sign containing any outline tubing which is located inside or outside a building, and which is displayed in such a manner as to be seen from outside the building.

NON-COMMERCIAL SPEECH: Any sign that does not have a commercial intent or message.

Examples of Non-commercial speech signs are Public Message, Political, Opinion and Wall Murals & Graphic Design Signs.

NONCONFORMING USE SIGN: A sign that was lawfully constructed or installed prior to the adoption or amendment of this ordinance and was in compliance with all of the provisions of this ordinance then in effect, but which does not presently comply with this ordinance. (See Article 3.78.3, 7.23.4 & 12.01) Nonconforming Use usually has a defined amortization period after which its status changes under Nonconforming to Abandoned or Obsolete, Grandfathered, Historically Significant, or it transfers from Nonconforming to Illegal Use or Unlawful status and becomes subject to abatement.

OPEN HOUSE SIGN: An off-site portable sign directing prospective purchasers to the location of a property being offered for sale and open for visitation by the public at the time the sign is displayed.

OPINION SIGN: A temporary sign that expresses a personal or political opinion or position.

PENDENT-STRING OR GROUND-WIGGLER: Any wind-driven sign with continuous pennants, advertisements attached to a rope or pennants attached to a single pole (Ground Wigglers).

PERMANENT SIGN: Any sign for which a sign permit is issued with no time limit in accordance with the provisions of this ordinance. Any mention of signs in this ordinance shall be considered to mean permanent signs unless this ordinance specifies a time limit or references "temporary signs."

PERMITTED USE WITH USE PERMIT SIGN: Any sign that requires a use permit in order to be displayed. They are specifically permitted by list in the sign ordinance, and can also be special or conditional uses.

POLE, PYLON, POST & PANEL OR COLUMN SIGN: A freestanding ground sign, with one or more panels that are mounted on or between freestanding pole(s), column or other supports permanently anchored in the ground so that the bottom edge of the sign face is six feet (6') or more above grade.

POLITICAL SIGN: A temporary sign that directly relates to a candidate for public office or to a ballot issue, proposition, or a party in an election conducted by a governmental entity or a sign expressing political, religious, or other ideological sentiments that does not advertise a product or service.

PORTABLE, TRAILER OR MOBILE SIGN: Any sign located on or off a business premises which is intended to be moved or capable of being moved, whether or not on a motor vehicle, wheels or other special supports, including, but not limited to, "A-frame" type signs, placards and banners.

PRINCIPAL PERMITTED USE SIGN: Any sign or nameplate that does not normally require a use permit in order to be displayed, but could still require a design review if displayed in the Design Control Combining Zone. (See Article 3.78.4 & 10.01)

PRODUCT SIGN: [Any sign that uses logos, icons, shapes or symbols, uniquely suited to a particular product that is not the actual product, and informs the public that a particular product, or brand of products, is sold at that location.](#)

PROFESSIONAL SIGN: Any sign which identifies the location of a person(s) engaged in a professional service such as lawyers, doctors, and other professional(s), engaging in a given activity as a source of livelihood or as a career such as a professional writer, or a professional repair job.

PROHIBITED USE SIGN: Any sign, that is specifically listed, in this ordinance as "prohibited," and/or is defined by feature, attributes, or location in this ordinance as "prohibited" is a prohibited use sign. That sign is illegal by definition and subject to abatement.

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PROJECTION, SWINGING, OVERHANGING OR VERTICAL: A sign erected upon a building wall, canopy, or awning, and which projects more than twelve (12) inches outward or perpendicular from the plane of the business façade awning or doorway. Any sign under a marquee, porch, walkway covering or similar structure and generally perpendicular to the wall of the adjoining building shall be deemed to be a projecting, overhanging or vertical sign. A Swinging Sign is a projecting overhanging wind-driven sign, other than an animated sign as defined by this Section, where the sign copy area is attached to a sign structure in a way that can be set in motion with pressure, and where the sign structure is attached to a building at a height above normal eye level. This term does not include any freestanding signs.

PUBLIC MENACE OR PERIL SIGN: A sign which creates a safety hazard, pitfall, or danger by obstruction of the clear view or safe movement of vehicular or pedestrian traffic. This definition includes signs which may impair or cause confusion of vehicular or pedestrian traffic by their design, color, placement or display characteristics. This definition also includes signs that present a physical hazard due to design or disrepair.

PUBLIC MESSAGE SIGN: A sign which contain only non-commercial messages, posted in public view, with words or drawings on it that give people information, instructions, warn them not to do something, etc. for some public purpose such as designation of restrooms, telephone locations or parking signs.

PUBLIC INTEREST OR PROTECTIVE SIGN: A sign designed and intended to convey information pertinent to the safety, regulations, restrictions, or legal responsibilities of the general public such as "WARNING" and "NO TRESPASSING." This sign can also be associated with safeguarding the permitted uses of the occupancy and provide needed guidance to the general public. Examples include "BAD DOG", and "NO SOLICITORS."

PUBLIC NOTICE OR BULLETIN BOARD: Any permanent sign with posted messages that relay public information.

PUBLIC PURPOSE, TRAFFIC, UTILITY OR PUBLIC INFORMATION SIGN: Any sign erected and maintained by public officials or public agencies, or approved for use by state or local government authorities or required or authorized by any law, statute or ordinance and which meets the regulations in said law, statute or ordinance. This includes traffic sign, legal notices or other messages posted by a governmental officer in the scope of his or her duties, and signs indicating the location of buried utilities.

PUBLIC STREET SIGN: A type of traffic sign used to identify named public roads, generally those that do not qualify as expressways or highways.

READER-BOARD, MULTIPLE OR ELECTRONIC VARIABLE MESSAGE, OR COPY-CHANGE SIGN: A sign constructed to display a visual message that may be periodically changed by the manipulation of letters, panels or numbers on its face(s), either manually or electronically. For purposes of this Ordinance, an Electronic Variable Message Sign is an illuminated sign, while Reader-board, multiple Message, or Copy Change Signs may or may not be illuminated.

REAL ESTATE SIGN: A temporary sign announcing the offer to build on, sell, lease or rent the real property, or any portion thereof, upon which the sign is located and the identification of the person handling such sale, lease or rental.

REVOLVING OR ROTATING SIGN: A sign that revolves three hundred sixty (360) degrees about an axis. (Also see animated signs.)

ROOF SIGN: A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof.

SANDWICH-BOARD OR SIDEWALK SIGN: A temporary portable freestanding A-Frame sign designed to be placed outside a business or on the sidewalk.

SEASONAL SIGNS AND DECORATIONS: Noncommercial Temporary Signs such as "Merry Christmas, Seasons Greeting, Happy 4th" and other signs or decorations that portray the appropriate season.

SIGN: Any medium for visual communication, including its supporting structure, which is used or intended to be used to attract attention to a location. It includes any writing, pictorial representation, object, structure, lettering, symbol, display, banner, streamer, or other thing of visual appearance

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primarily used for, or having the effect of, identifying, announcing, directing or attracting attention or to advertise, or which is used to decorate or illuminate for commercial purposes, or attract attention to any privately owned property or premises from the street, sidewalk or other outside public arena for advertising or identification purposes with the intent to inform the public of sales, rentals, leases or other activities, or is provided by a public agency for a public purpose required or specifically authorized by law, statute or ordinance, or for the protection of the public health, safety or welfare.. A sign shall not mean displays of merchandise or products for sale on the premises, or ornamentation, designs, non-commercial flags, flags bearing an official design, pictures, paintings or other such art forms unless the attraction, because of location, size, use or nature thereof, has the substantial effect of attracting attention for advertising or identification purposes or stating personal or political viewpoints when viewed from an outside area.

SIGN ALTERATION: Any change of copy, color, size, shape, illumination, position, location, construction or supporting structure of an existing sign.

SIGN AREA: The two dimensional area of the smallest square, rectangle or parallelogram drawn to include all characters, lettering, illustrations, designs, ornamentations, frame, and structural components which are part of the sign, but excluding any supports, uprights, posts or structures by which any sign is supported unless such supports, uprights, posts or structures are designed in such a manner as to form an integral background of the sign. In computing the area of a double face sign, only one (1) face of the sign shall be included; provided, that the two (2) faces shall be approximately the same size and approximately parallel to each other and not more than two feet (2') apart at any point. The area of all other multifaced signs shall be computed as the sum of the areas of each face. The area of a sphere shall be computed as the area of a circle encompassing the sphere.

SIGN BORDER: Any molding, edge or line constituting the perimeter of a sign.

SIGN HEIGHT: The vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The ground level shall be either the natural grade or finished grade, whichever is lowest.

SITUATIONAL SIGN: A sign that advertises a temporary or changing business condition or a situation or a price that will last for a period of time.

SNIPED SIGN: A temporary sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which the sign is located.

SPECIAL, SEASONAL OR PUBLIC EVENT SIGN: A temporary sign or banner pertaining to community wide events of civic, community, government, philanthropic, educational or other organizations, which are not conducted in connection with the operation of a commercial enterprise.

SPECIAL PURPOSE SIGN: A temporary sign to announce sales, new products, openings or close outs and other special events.

SPECIAL USE PERMIT SIGN: A sign permitted to be used in connection with a conditional use for sites which have been granted a use permit.

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

SUSPENDED OR SHINGLE SIGN: A sign that is suspended entirely from the underside of a horizontal plane surface such as a covered porch, covered walkway, or an awning and supported by such surface.

~~**SWINGING SIGN:** A sign, other than an animated sign as defined by this Section, where the sign copy area is attached to a sign structure in a way that can be set in motion with pressure, and where the sign structure is attached to a building at a height above normal eye level. This term does not include any freestanding signs.~~

TEMPORARY SIGN: Any sign constructed of paper, metal, plastic or other material that does not require a permit and that can be removed quickly and simply without tools.

TENANT DIRECTORY OR MULTI-UNIT SIGN: A ground or building sign identifying or listing the business names of business' located in a mall, building with business offices, multi-tenant office, mixed use building or clusters of store fronts, which may include directional indicators or location designations.

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TIME AND/OR TEMPERATURE SIGN: Any sign or portion of a sign which displays only the current time, temperature, and/or news of current events that carries no other copy. A time and temperature sign is a Public Information Sign shall not be considered a Flashing, Electronic Variable Message or Animated sign.

UNREGULATED OR EXEMPT SIGN: A sign that is defined by this ordinance that would not normally require the issuance of a use permit or fees, provided that the sign does not violate any other part of this ordinance and adhere to general construction and safety standards and other conditions specifically imposed by all other regulations. Signs otherwise exempt, may nonetheless require review by the Design Review Committee if located in –D Combining Zone.

USE PERMIT: A use permit offers a process for considering and approving signs and other zoning restriction, subject to special conditions particular to the character of the use in a particular zone. (See Article 10)

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

WALL MURALS AND GRAPHIC DESIGNS: A wall graphic that is purely decorative in nature and content, applied directly to a wall, and does not include advertising by picture or verbal message.

WARNING SIGN: A [Warning Sign is a public message](#) sign that announces a danger or caution.

WIND-DRIVEN SIGN: Any flag, banner, balloon, pennant, streamer or similar device that moves freely in the wind. All wind-driven devices are considered to be signs and are regulated and classified as attached or detached by the same regulations as other signs.

WINDOW OR DOOR SIGN: A sign that is applied or attached to the exterior or interior of a window or door, or located in such a manner within a building that it can be seen from the exterior of the structure through a window or door.

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1002.2 Sign Categories and Matrix. There are a significant number of sign definitions that require regulation. The signs types have been separated into one or more categories in a matrix in Table 1002.2.2 and the sign categories have been abbreviated in Table 1002.2.1 to facilitate their use in the tables.

Table 1002.2.1 – SIGN CATEGORY CODE TABLE

General Categories	Code	Other Categories	Code
Miscellaneous Business	MBus	Temporary	Temp
Prohibited or Illegal	P/IL	Public Message	PMsg
Nonconforming	NC	Situational	Sit
Unregulated or Exempt	U/Ex	Identification	Id
Illuminated & Reflecting	I/R	Suspended or Shingle	Susp
Movement & Wind-driven	M/WD		

TABLE 1002.2.2 - SIGN CATEGORIES MATRIX

SIGN TYPES	SIGN CATEGORIES – 100X.X.X.X									
	GENERAL SIGNS – 1004.X						OTHER SIGNS – 1005.X			
	MBUS	P/IL	NC	U/EX	I/R	M/WD	TEMP	PMSG	SIT	ID
SUBSECTION 100X.X.	4.2	4.3	4.4	4.5	4.6	4.7	5.1	5.2	5.3	5.4
Abandoned or Obsolete			.1.1							
Accessory				.1						
Affiliation				.1						.1
Animated or Moving Message		.2.1			.1	.1				
Awning, Canopy or Marquee					.2					
Banner, Flag or Pennant						.2				
Billboard or Poster-board		.2.2								
Building Address or House Number				.2						
Building Marker										.2
Building Sign										.3
Business (On & Off Site)	4.2									
Church										.4
Commercial Message	4.1.11									
Construction & Development Project							.1		.1	
Contractor							.1		.1	
Derelict		.2.3								
Directional	.1			.3						
Double Faced & V-Type	.4									
Event Specific	.1.3						.2		.2	
Exterior	.2									
Fence	4.1.9								.3	
Flags bearing an official design				.4		.3				
Flashing		.2.4			.3					

SIGN DEFINITIONS – Draft Rev. 1A

TABLE 1002.2.2 - SIGN CATEGORIES MATRIX										
SIGN TYPES	SIGN CATEGORIES – 100X.X.X.X									
	GENERAL SIGNS – 1004.X						OTHER SIGNS – 1005.X			
	MBUS	P/IL	NC	U/EX	I/R	M/WD	TEMP	PMSG	SIT	ID
SUBSECTION 100X.X.	4.2	4.3	4.4	4.5	4.6	4.7	5.1	5.2	5.3	5.4
Garage and Yard Sale	.1.3			.5			.3			
Gasoline Price				.6					.4	
Gateway or Residential Gateway									.5	
Government				.6						
Grandfathered			.1.2							
Ground, Freestanding and Monument	.3									
Historic Significance or Historic Plaque				.7						.5
Home Occupation				.10						.6
Inflatable		.2.5				.4				
Information				.8						
Interior	.2			.9						
Menu-board									.6	
Misleading or Misdirecting		.2.6								
Multifaced	.4									
Nameplate, Memorial or Commemorative Plaque, or Tablet				.10						.7
Neon		X			.4					
Open House				.14			.4			
Opinion							.5			
Parking Information				.11						
Pendent String or Ground-wiggler		X				.5				
Pole, Pylon, Post & Panel or Column	.5									
Political				.12			.6			
Portable, Trailer or Mobile	.1.3						.7			
Professional										.8
Product Sign					.5					
Projecting, Swinging Overhanging or Vertical						.6				
Public Interest or Protective				.13				.1		
Public Menace or Peril		.2.7								
Public Notice or Bulletin Board				.13				.2	.7	
Public Purpose, Traffic, Utility or Public Information				.13				.3		
Public Street				.13				.4		
Reader-board, Multiple or Electronic Variable Message, or Copy-change					.6	.7			.8	
Real Estate				.14			.8			

SIGN DEFINITIONS – Draft Rev. 1A

TABLE 1002.2.2 - SIGN CATEGORIES MATRIX										
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	GENERAL SIGNS – 1004.X						OTHER SIGNS – 1005.X			
	MBUS	P/IL	NC	U/EX	I/R	M/WD	TEMP	PMSG	SIT	ID
SUBSECTION 100X.X.	4.2	4.3	4.4	4.5	4.6	4.7	5.1	5.2	5.3	5.4
Revolving or Rotating		.2.8			.7	.8				
Roof		.2.9								
Sandwich-board or Sidewalk	.1.3						.9			
Seasonal Signs & Decorations				.15						
Snipe		X					.10			
Special, Seasonal or Public Event	.1.3			.12			.11			
Special Purpose				.12			.12			
Subdivision	.1.3						.13			
Tenant Directory or Multi-unit										.9
Time & Temperature					.8					
Traffic Signs or Signals				.16						
Wall or Fascia	.6									
Wall Murals & Graphic Designs	.7									
Warning								.5	.9	
Window and Door	.8			.17						

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SIGN DEFINITIONS – Draft Rev. 1A

1002.3 Zone Names and Definitions. Zones are established and designated in Article 4 of the Zoning Ordinance as principal and combining zones. A zoning map is also established in Article 4 to determine the zone boundaries. Table 1002.2 outlines the zone names and regulations established in Zoning Ordinance Articles 5 & 6 and is provided here to clarify sign regulations established in Section 1003 thru 1005.

TABLE 1002.3 ZONE NAMES AND DEFINITIONS			
Article V	Zone	Principal Zone Names	Definitions
§ 5.02	R-S	Residential-Suburban	Large lot development of single-family homes.
§ 5.03	R-1	Residential One-Family	Single-family home development.
§ 5.04	R-2	Residential Two-Family	Two families on each building site.
§ 5.05	R-3	Residential Multiple Family	Low-density Apartment developments.
§ 5.06	R-4	Apartment-Professional	Professional & business offices and institutional uses.
§ 5.07	C-1	Neighborhood Commercial	Convenient sales and service facilities to residential areas.
§ 5.08	C-2	Community Commercial	More complete commercial facilities for community convenience.
§ 5.09	C-AG	Agricultural Services Commercial	Service and selling of goods directly related to farming, dairying, & ranching.
§ 5.10	C-H	Highway Service Commercial	Services for traveling public along main roads and highway frontages.
§ 5.11	M-L	Limited Industrial	Used predominant for light manufacturing heavy commercial and large administrative facilities.
§ 5.12	M-H	Heavy Industrial	Used to control congestion and protect surrounding zones.
§ 5.13	F-W	Floodway	Controls lands which lie within stream or tidal channels and to adjacent areas.
§ 5.14	F-P	Flood Plain	Areas which have been inundated by overflow flood waters in the past.
§ 5.15	P-D	Planned Development	Suitable parcels of undeveloped land.
§ 5.16	A-E	Agriculture-Exclusive	Agriculture areas protected from encroachment.
§ 5.17	P-F	Public Facility	Lands owned by public agencies or the location of public facilities.
Article VI	Zone	Combining Zone Names	Definitions
§ 6.02	-A	Agricultural Combining	Combined with principal R Zones for large lots for agriculture and livestock.
§ 6.03	-B	Special Building Site Combining	Area where lot area and yard requirements should be modified.
§ 6.04	-X	Recreation Combining	Addition of recreational uses.
§ 6.05	-D	Design Control Combining	Structures form a substantial contribution to the use of the zone.
§ 6.06	-Q	Qualified Combining	Combined with any principal commercial zone in which predominantly residential.

Combining Example: R2-B-2 = Residential 2 Family with 10,000 sq. ft. building site.

1004.1 Sign Standards, Maintenance and Design Criteria – Draft Rev. 3**SECTION 1004
GENERAL SIGN REGULATIONS,
REQUIREMENTS & RESTRICTIONS**

The intent of this section is to delineate the general and specific requirements for signage while emphasizing that the requirements of Section 1004.1 take precedence over the remainder of this Sign Ordinance. Additionally, signs are generally used to convey messages that alert people to a place, idea, business, event or opinion. For the sake of simplicity those messages are divided into the categories of commercial and noncommercial. One of the primary intents of this ordinance is to ensure that every effort has been made to ensure that all speech is protected as provided for in our U. S. Constitution. However, the display rights of noncommercial speech must and will take precedence over commercial speech in all cases and may be displayed in any legal sign surface at any time. In addition, private noncommercial speech can and will be regulated, to some extent, on city land and traditional public forums.

1004.1 Sign Standards, Maintenance and Design Criteria: The most important consideration in this section is that the sign and its design, placement, and color are respectful to the major stylistic components of the individual building, the overall character of the district, and that proper sign maintenance has been considered in every phase of the design cycle.

The following design criteria shall be used in reviewing the design of individual signs. Substantial conformance with each of the following design criteria shall be required before a sign permit can be approved.

1004.1.1 Design and Construction – The best results are usually achieved when a proposed permanent sign is designed by a professional (e.g., architect, building designer, landscape architect, interior designer, or one whose principal business is the design, manufacture, or sale of signs), or others who are capable of producing professional results. However, all designs will be reviewed on an equal footing.

After a certain point, the size and/or weight of a sign or its mounting location can present a potential hazard if improperly designed or installed. Such signs should be mechanically designed and constructed by a person whose principal business is building construction or a related trade including sign manufacturing and installation, or others capable of producing professional results. The intent is to ensure public safety, achieve signs of careful construction, neat and readable copy, and durability, to reduce maintenance costs and to prevent dilapidation. Public safety is a significant issue and the liability for injuries involving signs is usually assigned to the building owner. In any case, hanging and free-standing signs (including mounting structures) that could potentially create a public hazard will require plans signed by an engineer during the permitting process and the installation will be inspected by the city building inspector prior to final approval by the Planning Commission.

1004.1.2 Materials and Structure – Materials for permanent signs shall be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance.

The size of the structural members (e.g. columns, crossbeams, and braces) should be proportional to the sign panel they are supporting. In general, fewer larger

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supporting members are preferable to many smaller supports. Corrosion resistant material and hardware should always be specified and used.

1004.1.3 Maintenance – Signs must be maintained in order to achieve business goals and ensure public safety. Poorly maintained signs reflect poorly on any business and on the town in general. The following guidance on sign maintenance is hereby provided.

1. Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times. Ease of maintenance should be considered as well as public safety in the final design and installation of the sign.

2. Any repair to a sign shall be of equal or better quality of materials and design as the original sign. All historic signage, structures and workmanship shall at least conform to the recommendations of the National Park Service, Preservation Brief # 25 – The Preservation of Historic Signs.

<http://www.nps.gov/history/hps/tps/briefs/brief25.htm>

3. A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance if, after ninety (90) days written notice to the permit holder and building owner, the permit holder has failed or refused to maintain the sign. Upon such declaration, the sign may be abated in compliance with the Municipal Code.

4. When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed, and unpainted areas shall be painted to match the adjacent portion of the structure or the sign support structure.

1004.1.4 Color – Colors on signs and structural members should be harmonious with one another and relate to the dominant colors of the other structures on the site. Contrasting colors may be used if the overall effect of the sign is still compatible with the structure colors and prevailing colors in the surrounding neighborhood (where a theme can be identified).

1004.1.5 Copy Design and Typeface Guidelines – The City does not regulate the message content (copy) of signs; however, the basic principles of copy design and layout can enhance the readability and attractiveness of signs. These principles are provided in a separate sign brochure provided by the Ferndale Design Review Committee.

1004.1.6 Lighting – The plastic feel of internally illuminated signs is inappropriate in a historic district or Design Control Combining Zone (-D). Light pollution should be viewed as an annoyance in residential areas and a hindrance to the safe flow of street and pedestrian traffic. The lighting of signs should not normally take place during daylight hours and should be undertaken when absolutely required to assist potential customers in identifying that a business remains open or that a particular service is currently available. Businesses with lighted windows and visible internal lighting to indicate that they are open should not require a sign to repeat that message unless there is some extenuating circumstance. Illuminated “Closed” signs are prohibited from display. Specific

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[lighting restrictions are located in Section 1004.6 – Illumination & Reflective Signs.](#)

1004.1.7 Sign Height Measurement – Sign Height shall not exceed thirty-five (35) feet or as specified elsewhere in this ordinance. Hanging and Freestanding signs must have an eight (8) foot clearance, including sign structure, above any pedestrian way or as specified elsewhere in this ordinance. The height of a sign shall be computed as the vertical distance from the lowest point of the base of the sign at normal grade, to the top of the highest attached component of the sign (see Figure 1004.1.7 and supporting text below).

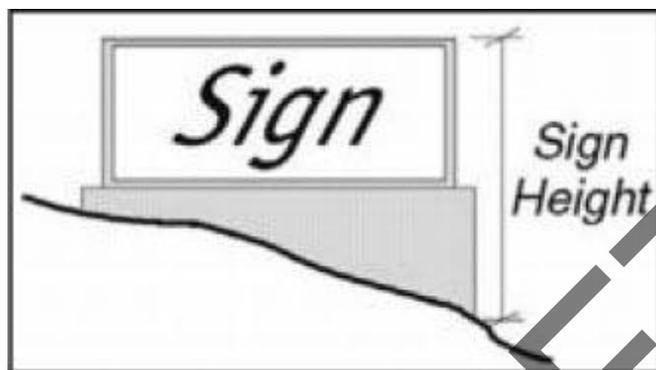


Figure 1004.1.7

1. Normal grade shall be construed to be the lower of either the existing grade before construction or the newly established grade after construction (exclusive of any berming, filling, mounding, or excavating) solely for the purpose of locating the sign.
2. If normal grade cannot reasonably be determined, sign height shall be computed on the assumptions that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the street curb, or where there is no curb, the crown of a public street, whichever is lower.

1004.1.8 Number of Signs – As with other design elements, the number of signs on a building should respect the architectural integrity of the structure. Special care must be taken when a building has multiple occupants or multiple uses. Too many signs are often as ineffective as no signage at all. A minimum number of carefully designed, well-placed signs should be the goal for each property.

The number of signs allowed per commercial building is a total of three (3). These include wall signs, projecting signs, and overhanging signs. Exceptions may be made in the case of multiple tenant upper floor office spaces and multiple businesses or mall type environments. The number of signs can also be specified in the zoning restrictions or regulations for the individual sign type.

1004.1.9 Placement – The placement of the sign on the building facade is a very important consideration of sign design. Acceptable placements include: painted signs on the glass of a building's storefront except transoms, signs applied to the entrance door, signs on the storefront cornice, and piers. The guiding principle should be to integrate the sign into the architecture of the building without

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covering important architectural details. The sign should compliment the building and appear to have been a thoughtfully considered design element.

The traditional purpose of catching the attention of the pedestrian is still the most legitimate and most important purpose fulfilled by the sign. The sign function of announcing the business should be balanced with need for a sensitive and integrated overall composition.

A minimum ground clearance of eight feet shall be required for any sign, or architectural sign feature, projecting over a pedestrian walkway. No Signs – public, temporary, directional, or otherwise shall be affixed in any way to plants, landscape or trees. No portion of a freestanding sign shall be located less than five (5) feet from any boundary property line or in a special setback area. [All fencing will be free of signs of all types other than Public Message, or Warning Signs as specified in Section 1005.3.3.](#)

1004.1.10 Area – The surface area of a sign shall be computed as including the entire area within a regular, geometric form, or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area. Sign area shall not include embellishments such as pole covers, decorative roofing, foundation or supports, provided there are no words, symbols or logos on such embellishments

1004.1.10.1. Calculation methodology of surface area shall be accomplished by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines. (See Figure 1004.1.10.1)

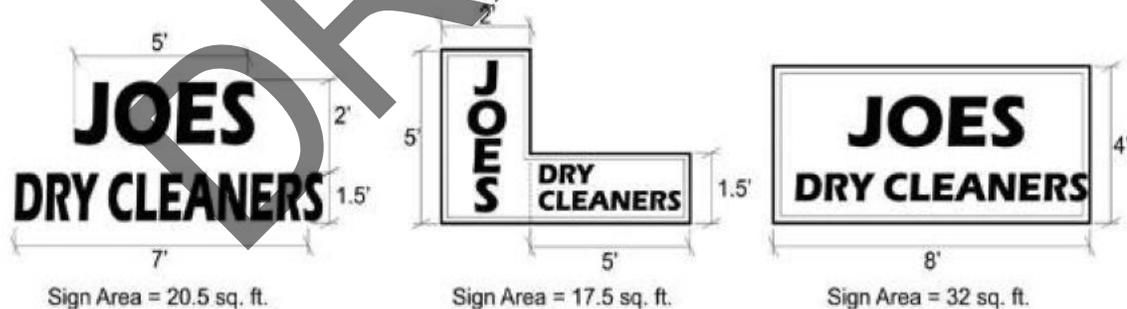


Figure 1004.1.10.1 – Sign Area Measurement

1004.1.10.2. Free-standing or attached sign area shall be considered to include all lettering, wording, and accompanying design and symbols, together with the background, whether open or enclosed, (with or without trim), on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. The sign area of a free-standing sign shall be computed the same as a double-faced sign in Section 1004.1.10.6.

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Measuring sign area on a monument sign

1004.1.10.3. For signs painted upon or applied to a building, the area shall be considered to include all lettering, wording, and accompanying designs or symbols together with any background of a different color than the natural color of the building

1004.1.10.4. The area of signs consisting of individual letters or symbols attached to or painted upon a surface, building, canopy, wall or window shall be considered to be the total of the smallest rectangles or other geometric shapes which encompasses each of the letters or symbols.



Measuring sign area for an attached sign

1004.1.10.5. The area of a projecting sign shall be calculated as the area of a rectangle which encompasses the extreme limits of each individual sign face, including all background visible from any direction at one time. The area of a projecting sign shall be calculated the same as a multifaced, double-faced or V-Type sign.

1004.1.10.6. The area of double-faced and V-Type signs shall include only the largest side of a two-sided sign, regardless of the presence of sign copy on both sides.

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1004.1.10.7. The area of multifaced signs with more than two faces shall be computed by adding together the largest area of all sign faces visible from any one point.

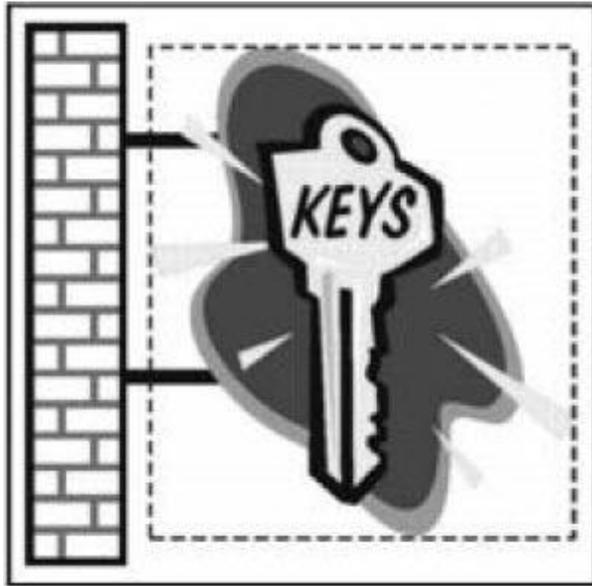


Figure 1004.1.10.8 –
3-D Sign Measurement

1004.1.10.8. The area of signs consisting of one or more three-dimensional objects, such as spheres, cubes, and clusters of objects, sculptures, statue-like trademarks, or other geometric shapes area shall be measured as their maximum projection upon a vertical plane. (See Figure 1004.1.10.8 below)

1004.1.10.9. Sign Area shall not exceed thirty (32) square feet for a single sign or ninety (90) square feet in the aggregate for the number of signs as specified in Section 1004.1.8 Number of Signs – above. Building owners shall calculate their maximum allowed single sign area as follows;

1. Business signs attached to or mounted on buildings shall not exceed 0.25 square feet for each foot of frontage on a public way, plus 0.125 square feet for each foot of building façade height. In the case of a building with frontage on more than one public way, each frontage is considered separately.
2. 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 not to exceed one (1) square foot for each business listed within the building. Individual businesses within the building shall be limited to one (1) suspended sign not to exceed three (3) square feet or one (1) flat business sign not to exceed six (6) square feet.
3. Signs found to be of historic significance by the City Council on the recommendation of the Planning Commission may be exempt from the above requirements.

1004.1.10.10. Sign Outermost Edge must be located at a safe setback from vehicular traffic or as specified elsewhere in this ordinance.

1004.1.11 Commercial Message or Speech Signs – Although this is listed as a sign type, it is also a message type. As such, subject to the land owner's consent, a noncommercial message of any type may be substituted, in whole or in part, for any commercial message or any other noncommercial message provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Ordinance. The physical and time restrictions of commercial messages are regulated under other types of signs.

1004.1 Sign Standards, Maintenance and Design Criteria – Draft Rev. 3

1004.1.12 Exceptions – In order to prevent undue hardship or inequitable application of this ~~chapter~~ [ordinance](#), the Planning Commission may grant an exception from any maximum standard of this ~~chapter~~ [ordinance](#) for a particular application. The intent of such exception is not to grant special privilege to any property owner, but rather to assure fair and equitable treatment of properties that have unusual location, configuration and graphic communication problems.

Where practical difficulties, unique site or building design, or other physical restrictions on the land or buildings not generally shared by other properties result from the strict application of the requirements of this Section, exceptions from such requirements may be granted by the Planning Commission pursuant to Section 1006.3 Special Permits; provided, however, that such exceptions from the provision is prohibited elsewhere in this Ordinance.

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1004.2 Miscellaneous Business Signs – Draft Rev. 1A

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

1004.2 Miscellaneous Business Signs. Business signs are generally associated with the downtown business district, but can have a wide application in various zones throughout the city. Generic Business Signs fall into the basic categories of On-Site and Off-Site and are regulated under various sign types and zoning restrictions. This section will provide guidance for determining the size, scope, uses and number of signs allowed. 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.

1004.2.1 Directional (On & Off-Site) – Directional signs may contain a business name or logo comprising no more than twenty (20) percent of the total sign area, but no advertising copy. Directional signs may not exceed six (6) square feet in area and forty-six (46) inches in height. Such signs may be freestanding. If more than two (2) such signs are proposed they must be approved by the Planning Commission. No directional sign may be located so as to block or impede a sidewalk or visibility of pedestrians, general traffic, street-side parking, or traffic in the sight visibility triangle as outlined in Zoning Ordinance 02-02, Article 7.08.1 so as not to present a public hazard.

1004.2.1.1. – On-site directional signs cannot be used for off-site commercial advertising or advertising for hire. No more than two (2) signs per public road entrance and the signs shall be legible from the adjacent public road. Businesses that are required to share an access are allowed to have one (1) directional sign along the access road. For individual uses, one (1) directional sign is permitted for each one-way driveway.

1004.2.1.2. – Off-site directional signs are limited to the following uses: churches, schools, hospitals, parks, libraries, scenic areas, historic areas or other areas of visitor interest. No more than one (1) sign is allowed at any street intersection.

1004.2.1.3. – Off-site temporary directional signs (e.g., Event Specific, Garage/Yard Sale, Portable/Trailer/Mobile, Special/Seasonal/Public Event, Sandwich-board/Sidewalk, [and Subdivision](#) signs) are all regulated under Temporary Signs, but this specific sub-type is covered in this section since it is utilized for the specific purpose of providing directions to a specific site or event over a specific period of time. A sign of this type would normally have a directional arrow, event name, or other directions to indicate the direction to the location. Some of these sign types are Unregulated (i.e., Garage/Yard Sale or Special/Seasonal/Public Interest Event) and are only brought to the attention of the city through a complaint. Off-site Temporary Directional Signs shall be allowed in all zones subject to the restrictions and requirements in Section 1004.2.1 above and the following additional restrictions;

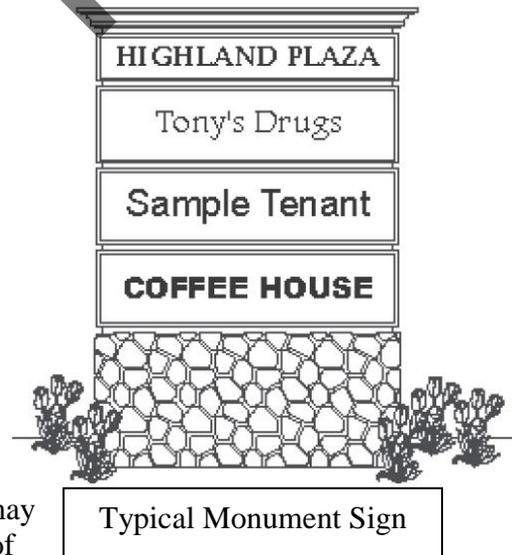
1004.2 Miscellaneous Business Signs – Draft Rev. 1A

1. Signs must be for directing traffic to a temporary, special community event, [that falls under the definition of event-specific signs, or to a subdivision](#);
2. A maximum of four (4) signs are allowed per event;
3. Only one sign may be placed at a street intersection in a manner that will not restrict or interfere with pedestrian or automobile traffic;
4. No sign may be erected in the right of way without obtaining a special use permit;
5. Such signs shall not be erected more than ten (10) calendar days prior to the date of the advertised event and shall be removed within forty-eight (48) hours of the end of the advertised event;
6. No sign shall be located more than one (1) mile from the location of the advertised event.

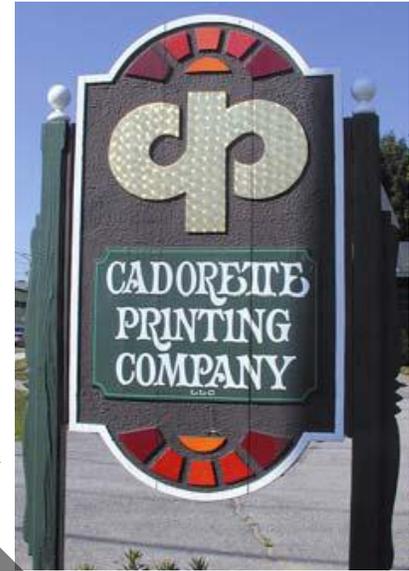
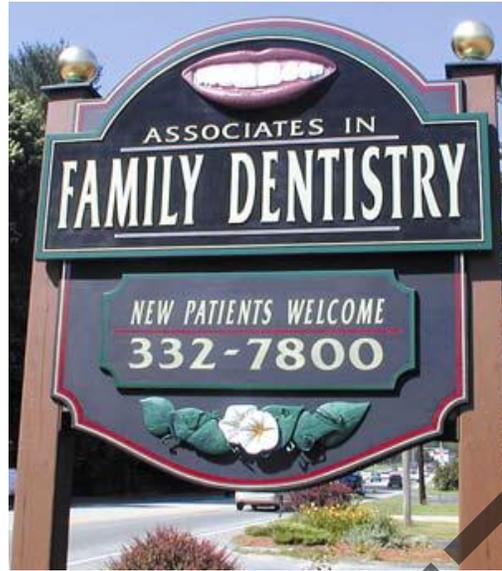
1004.2.2. Exterior and Interior – The total area of all sign types on the exterior surface (including windows) of a building shall not exceed twenty-five percent (25%) of the front surface of the first floor of the building, so long as the figure does not exceed the total aggregate amount of sign area permitted within the zoning district where the sign or signs are to be located or as specified elsewhere in this ordinance. Signs within five (5) feet of a window surface are considered to be exterior signs and will be included in the total area calculation. Signs greater than five (5) feet from a window surface are not regulated and are addressed in Section 1004.5.7.

1004.2.3 Ground, Freestanding, and Monument Signs – These signs shall extend no more than eight (8) feet above the ground, and their bottom edge is either directly attached to the ground or no

more than three (3) feet above the ground level and may be mounted on a solid base that extends a minimum of one (1) foot above ground and at least seventy-five (75) percent of the length and width of the sign. . Sign area shall not exceed twenty-four (24) square feet, including the trim, with a base structure area not exceeding three-quarters (3/4) of the sign area. Freestanding signs should be supported by two wood, metal, or granite posts that generally, are square in cross section. Alternatively, like the Governor’s Inn sign, below, the sign may be hung from a bar cantilevered off one post. Use of round steel poles is not appropriate. Large pylon type signs are not appropriate.



1004.2 Miscellaneous Business Signs – Draft Rev. 1A



1004.2.4 Multifaced, Double Faced & V-Type – Multifaced signs can be free standing or overhanging as in a marquee, awning or canopy with attached or projecting signs. A maximum of one (1) Multifaced sign is allowed for each building frontage on a public way, and must conform to the requirements of Sections 1004.1.10 (Area). Such signs shall be located at a safe setback from vehicular traffic. These signs must be permanently and safely attached to the frontage of the building or to the ground if freestanding, and have a ground clearance of at least eight (8) feet over a sidewalk when not attached to the ground. The allowed area of a multifaced sign is specified by the application.

1004.2.5 Pole, Pylon, Post & Panel, or Column – These are normally considered to be freestanding signs and are regulated under Section 1004.2.4. These signs may not be classified as an outdoor advertising (billboard) sign. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered a pole or banner sign.

1004.2.6 Wall or Fascia – This type of sign is normally painted or mounted on a exterior frontage wall (i.e., Mural, Projecting Sign, Exterior Sign, etc.) of a building and is intended to be the primary identification sign for most uses. A maximum of two (2) wall signs per building are allowed and the allowed aggregate area of a wall signs is not to exceed a combined eighty (80) square feet and individually as limited by Section 1004.1.10.9. There are several options for placement of these signs including the lintel space between floors, the space above the transom in the storefront, or over a display window when properly balanced with the façade. A wall sign cannot protrude more than six (6) inches from the façade. If the building façade or storefront has a lintel strip or signboard, the wall sign should be centered directly on it. The provisions herein do not apply to wall signs fifty (50) years old or older that are historical landmarks of the city's past and are attached to a building that is maintained and preserved as an architectural landmark.

1004.2 Miscellaneous Business Signs – Draft Rev. 1A

1004.2.7 Wall Murals and Graphic Designs – Murals, large graphic designs and statuary shall be allowed in any commercial or industrial zoning district, including the Design Control Combining Zone, subject to review and approval by the Planning Commission for the sole purpose of insuring that construction of such displays will not pose a hazard to public health, safety or welfare. A mural without text, visible from a public right-of-way, may be approved in addition to (not counted as part of) the sign area allowed by Section 1004.1.10; a mural with text shall comply with the sign area limitations applicable to the site. The approval of a mural shall require that the review authority first find that the size, colors, and placement of the mural are visually compatible with the structure architecture, and that the mural will serve to enhance the aesthetics of the City. All applications for an exterior mural or graphic design must include a defined maintenance schedule for a specified period not to exceed five (5) years. These applications must be resubmitted for renewal at the end of the defined maintenance period or the mural or design must be removed at the owner's expense in compliance with Section 1004.1.3.

1004.2.8 Window and Door – The total area of window and door signs is aggregated under exterior and interior signs, but no single sign may exceed twenty-four (24) square feet. Window Signs are further subjected to the following limitations:

- 1. The aggregate area of all such signs** shall not exceed twenty five (25) percent of the window area on which such signs are displayed. Window panels separated by muntins or mullions shall be considered as one continuous window area. Miscellaneous signs (addresses, closed/open signs, hours of operation, Accessory/Affiliation Signs, real estate signs, now hiring signs, and storefront displays of merchandise sold) will not be counted in the aggregate signage limit and are exempt from permit requirements, but may be subject to size restrictions in other sections of this ordinance.
- 2. The sign area permitted for Window Signs** shall not be assessed against other sign types.
- 3. The number of Second Floor Window Signs** may not exceed 50% of the upstairs windows per exposed side of the building. (i.e., A building with six (6) windows on a side may have three (3) of those windows with a sign for three (3) separate occupants.) The signs will only contain letters no more than six (6) inches high, no logos or art work, as the signs are to serve as identification only. The sign color, size, and style will be consistent for each building and must be located similarly in each window (i.e., all in the upper sash). No sign shall occupy more than 10% of an individual window area. (i.e., A 3' x 4' window may have a sign occupying up to 1.2 square feet.)

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.

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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

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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.

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1004.4 Nonconforming Signs Rev 1 – 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 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.

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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.

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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, 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.

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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 direct people to a business location. Signs meeting these specifications do not require a permit in any zoning 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.

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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 fl own 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 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.
5. The height of the flag pole shall not exceed thirty-five (35) feet within a any 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 1004.2.1.3 (Off-site temporary directional 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.

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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 Tablets.

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 temporary signs are primarily regulated in Section 1005.1 and 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 can be 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. (Moved to Section 1005.1 Temporary Signs)~~
2. 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 thirty (30) days prior and must be removed within forty eight (48) hours after the conclusion of the event to which they relate. A sign that is not removed will be removed by the City at the expense of the candidate, organization or person responsible for posting the sign. (Moved to Section 1005.1 Temporary Signs)~~

1004.5.13 Public Message – These signs are mostly official public information provided by a government organization or a business. Specific rules associated with these signs are listed in Section 1005.2.

1004.5.14 Real Estate and Open House Signs – These signs are often combines or used interchangeably and are 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

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(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.

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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.

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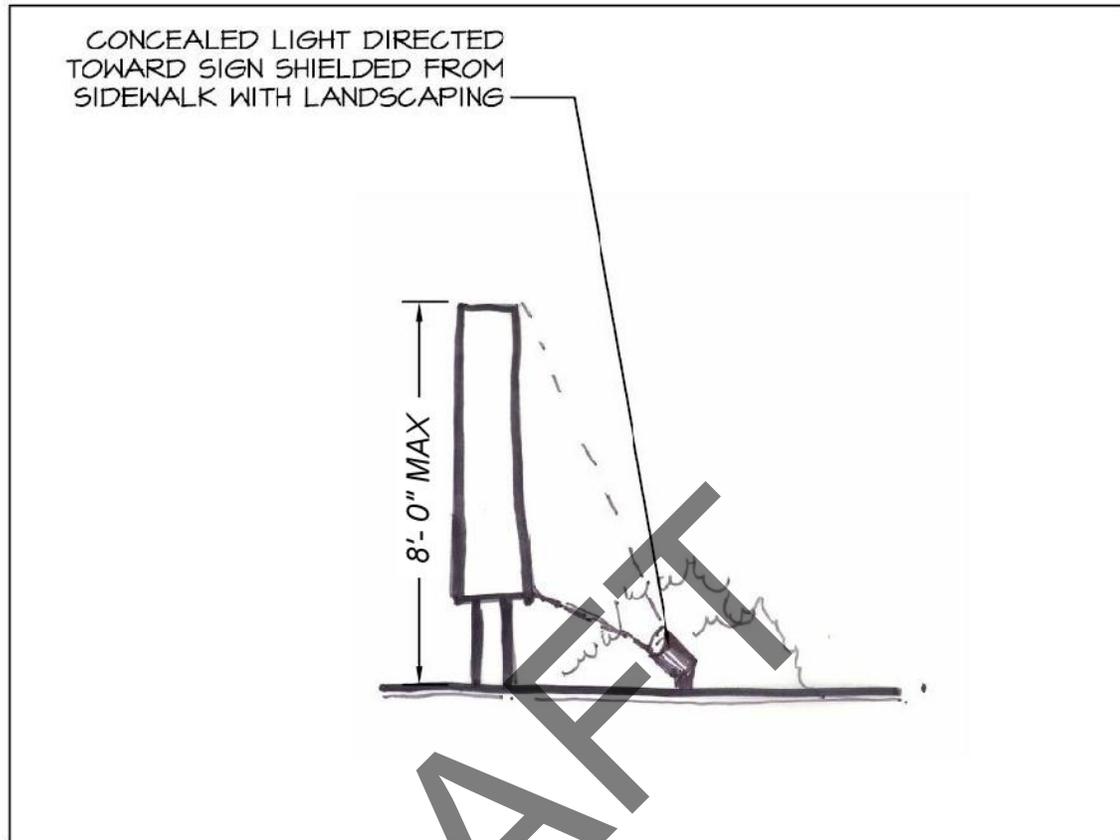


Figure 1004.1.6 - Indirect Exterior Illumination

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

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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

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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.

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1004.7 Movement and Wind-driven Signs Rev 0 – Draft Rev. 0

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

1004.7 Movement & Wind-driven 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 any restrictions on signs that exhibit physical movement by wind or mechanical means, rather than apparent movement by electronic means such as flashing changeable copy signs. Many of the signs that exhibit movement below are restricted or prohibited, but the ones that are allowed are generally used during special events and are restricted as to size and duration of posting.

Attention getting devices such as streamers, banners, balloons, flares, flags, pennants, wigglers, and twirlers are prohibited except for the following situations;

1. One (1) commercial or corporate flag upon a flagpole.
2. Holiday decorations, in season.
3. Grand opening and special event displays, which comply with the regulations of this Ordinance as temporary signs.

1004.7.1 Animated or moving message signs – These signs are prohibited from display (See Section 4004.2.1 and 4004.6.1).

1004.7.2 Banner, Flag or Pennant – These signs require a use permit and are hereby restricted to four (4) feet in height and fifty (50) feet in length. They must provide at least fifteen (15) feet of clearance above the street surface, if strung over the street, eight (8) feet clearance above any pedestrian right-of-way, and cannot be displayed for more than thirty (30) consecutive days prior to the event and must be removed not later than five (5) days following the event, or displayed more than ninety (90) days in any twelve (12) month period starting with the first permit. Temporary flagpoles and additional flags shall be permitted on national holidays or on a model home site following the flag restrictions imposed in Section 4004.5.4. All banners, flags or pennants must be kept in good repair at all times. No words, logos, icons, copywrited symbols or trademarks are permitted.

1004.7.3 Flags bearing an official design – Restrictions on these are outlined in Section 4004.5.4.

1004.7.4 Inflatable Signs – These signs are prohibited from display (See Section 4004.2.5).

1004.7.5 Pendent String or Ground-wiggler – These signs are prohibited from display.

1004.7.6 Projecting, Swinging, Overhanging or Vertical Signs – Projecting signs are permissible, but may be restricted if other alternatives (wall, window, door, and awning) signs are also present or proposed. If a projected sign is authorized, it shall meet the specifications of this section as listed below;

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Figure 1004.7.6 - Projecting Sign

1. Projecting signs are typically placed near the entry door.
2. Projecting signs shall project perpendicularly from the building.
3. Projecting signs shall be secured in place with a frame mount assembly.
4. Projecting signs do not necessarily have to be entirely stationary; they may be suspended from an awning or similar type structure or be affixed to a bracket-mount to the building or structure in a manner where the sign face sways; such motion shall not make a Swinging Sign a prohibited animated sign, but a Movement or Wind-driven Sign. (See Figure 1004.7.6)

5. Any sign that is suspended from the underside of a canopy (including awnings), shall be located perpendicular to the wall surface of the building.
6. All projecting signs shall have a ground clearance of no less than eight (8) feet above the lowest ground elevation, project no more than forty-eight (48) inches from the building face nor closer than twelve (12) inches to the vertical plane of the street curb line, and shall not exceed an area of nine (9) square feet per sign face..
7. The top of a projecting sign shall not exceed the lesser of fourteen (14) feet, eave height, parapet height, or sill height of a second floor window. No portion of the sign shall project above the eave line of a sloped roof or the top of the parapet on a flat roof.

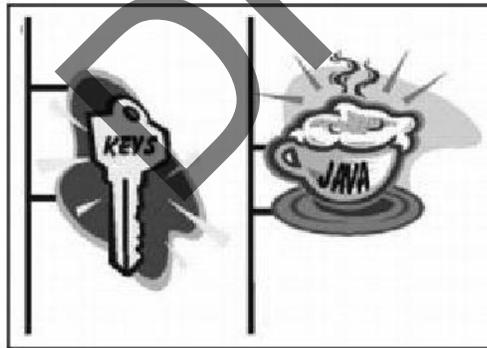


Figure 1004.7.6, 2 - Signs Using Icons

8. Signs using icons, shapes, symbols uniquely suited to the business, creative shapes or three-dimensional signs are encouraged.

9. Projecting signs shall be limited to one (1) per business or establishment façade and shall not be illuminated, but the aggregate area of all Projecting Signs on a building shall not exceed eighteen (18) square feet. A Projecting Sign

cannot be installed on the same frontage as a Freestanding Sign.

1004.7.7 Reader-board, Multiple or Electronic Variable Message, or Copy-change Signs – These signs are highly restricted in Section 4004.6.6.

1004.7.8 Revolving or Rotating Signs – These signs are prohibited from display (See Section 4004.2.8).

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SECTION 1005 OTHER SIGN REGULATIONS

The intent of this section is to delineate the sign types that may fall outside of the normal business sign categories, separate the sign types into various categories, and identify any special requirements for their permitting. Many of the sign types listed in this section are also listed in prior sections and are shown here only to establish that they fall into additional categories. Some of these sign types will also list additional restrictions pertinent to this particular category. This has been done in order to be thorough and allow for future expansion if the need arises.

1005.1 Temporary 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 temporary sign types and specify conditions for their placement. These signs are generally allowed without permit and some general requirements for all Temporary Sign are specified in Section 1004.5.12 with some additional requirements hereby listed below:

1. Signs are not allowed on public rights-of-way. (Right-of-way is defined as occupied or intended to be occupied by a street, crosswalk, or other special use.)

2. Signs less than eight (8) square feet do not require a sign permit and may be located on private property with the consent of the property owner. Signs eight (8) square feet or larger require a temporary sign permit. When a permit is required, a written statement of consent must be submitted from property owner granting permission to use property for such purpose.

~~3. Signs eight (8) square feet or larger require a temporary sign permit.~~

3. 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. (Moved from Section 1004.5.12)

~~4. When a permit is required, a written statement of consent must be submitted from property owner granting permission to use property for such purpose.~~

4. If the signs are related to an event that has a specific date or period they cannot be posted more than thirty (30) days prior and must be removed within forty-eight (48) hours after the conclusion of the event or period to which they relate. A sign that is not removed will be removed by the City at the expense of the candidate, business, organization or person responsible for posting the sign. (Moved from Section 1004.5.12)

Additional restrictions or allowances for Temporary Signs are provided in the sections below.

1005.1.1 Construction, Development Project, or Contractor Signs –

Construction identification signs may be allowed in all zoning districts without permit from the date of Building Permit issuance to thirty (30) days after the later

1005.1 Temporary Signs – Draft Rev. 3

of Building Permit Final Inspection, Project Completion or Building Occupancy, and in compliance with the following exceptions and additional requirements:

1. Total sign area of all construction signs shall not exceed ten Sq. Ft. (10 ft²) for a single lot frontage or thirty-two Sq. Ft. (32 ft²) for a subdivision frontage, and Sign height shall not exceed six (6) feet for a single lot or eight (8) feet for a subdivision;
2. Signs shall be placed no closer than ten (10) feet from any street right-of-way or within fifteen (15) feet of any intersection, and no more than one (1) sign per public entrance to the site or subdivision;
3. Construction Signs shall include all information pertaining to the project such as, but not limited to, project name, owner, developer, financing entity, engineers, architects, general contractor and subcontractors.
4. Signs shall not be an advertisement for employment or other services.

1005.1.2 Event-specific Signs – These signs shall be allowed in all zones subject to the following exceptions or additional requirements;

1. The event being advertised must fall under the definition of event-specific signs.
2. The requirements specified in Section 1004.2.1.3 for Off-site temporary directional signs also apply to Event Specific Signs.
3. Signs may be posted in the right-of-way, but they are further restricted to six (6) square feet in area and no more than five (5) feet in height, while banner restrictions are specified in Section 1004.7.2 and shall apply here.

1005.1.3 Garage Sale Signs – These signs shall be allowed in all residential zones subject to the provisions listed in Section 1004.5.5.

1005.1.4 Open House Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1004.5.14.

1005.1.5 Opinion Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1005.1.6 below.

1005.1.6 Political Signs – The City Manager will attempt to identify candidates for upcoming elections and notify them in writing of the political sign criteria. If time does not allow for this procedure, the City Manager will contact campaign headquarters verbally and inform them of regulations. General Political Sign Criteria are provided in Sections 1005.1 above and specifically in Section 1004.5.12. Some exceptions for Political and Opinion Signs are listed below;

1. Political signs are allowed on public rights of way, where no hazard is created to vehicle or pedestrian traffic. (Right-of-way is defined as occupied or intended to be occupied by a street, crosswalk, or other special use.)
2. Signs may be placed on vehicles, and left, as long as the vehicle is mobile, and complies with City Parking Ordinances.
3. Political signs may be erected upon official announcement of candidacy ~~for no more than sixty (60) days~~ and shall be removed within ten (10) days after the related event or will be subject to removal and fines by the city. Political

1005.1 Temporary Signs – Draft Rev. 3

or Opinion Signs not related to an election or event will be regulated as permanent signs and require a permit, and not be except from design review.

1005.1.7 Portable, Trailer or Mobile Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1004.2.1.3 for Temporary Directional Signs or Section 1005.1.9 below for A-Frame type signs. Portable Signs are also subject to the following exceptions and requirements;

1. A portable sign must stand alone on its own support and not be affixed to a building, structure or the ground.
2. Signs supported by wheels as well as other Portable Signs are prohibited except for Traffic Control, Real Estate, Open House, Political, Special Event and specifically permitted signs in the commercial and mixed-use districts.

1005.1.8 Real Estate Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1004.5.14.

1005.1.9 Sandwich-board, A-Frame or Sidewalk Signs – These signs are designed to specifically direct someone to a retail business from an off-site location due to the business having a hidden or off-the-beat frontage, and are not covered by the restrictions in Section 1004.2.1.3. These signs are highly discouraged, but shall be allowed in all zones subject to the following exceptions or additional requirements:

1. Signs are not permitted within rights-of-way or on sidewalks, but may be placed on private property with written permission of the property owner;
2. These signs are to be approved on annual bases for a specific location and must be removed daily at the close of normal business hours. A renewal application for these signs must be submitted annually with the business license renewal by July 1 (fiscal year);
3. There shall be no more than one (1) sign approved for placement in any single corner or for any single business;
4. These signs may not exceed six (6) square feet in area and forty-six (46) inches in height and must not interfere with Americans with Disabilities (ADA) restrictions for access;
5. Sandwich-board signs must be designed in the same manner, materials, maintenance considerations and attention to detail as any permanent business sign; and
6. The sign must be moveable without the use of tools and cannot be attached to a vehicle.

1005.1.10 Snipe Signs – These types of signs are prohibited.

1005.1.11 Special Seasonal or Public Event Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1004.5.12.

1005.1.12 Special Purpose Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1004.5.12.

1005.1.13 Subdivision Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1004.2.1.3 for Off-site Temporary Signs and Section 1005.1 above for Temporary Signs, 1005.1.1 for Construction Signs, and the following exceptions or additional requirements;

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1. The signs will require sign permit approval.
2. Signs must be removed within thirty (30) calendar days of the closing date of the sale of the final lot, parcel, or tract in the subdivision by the developer.

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1005.2 Public Message Signs – Draft Rev. 0

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.

1005.3 Situational Signs – Draft Rev. 0

1005 Other Sign Regulations – (Continued)

1005.3 Situational 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 Situational signs and any restraints on their size, area, location, number or duration. Several of these signs are previously identified and regulated in various sections of this ordinance and will be referenced to identify those sections as appropriate. Situational Signs are generally temporary in nature so they will have some of the same general requirements as Temporary Signs and are listed below. can take many forms however and must also adhere to the following additional requirements.

1. Signs are not allowed on public rights-of-way. (Right-of-way is defined as occupied or intended to be occupied by a street, crosswalk, or other special use.)
2. Signs less than eight (8) square feet do not require a sign permit and may be located on private property with the consent of the property owner.
3. Signs eight (8) square feet or larger require a temporary sign permit.
4. When a permit is required, a written statement of consent must be submitted from the property owner granting permission to use property for such purpose.

Additional restrictions or allowances for Situational Signs are provided in the sections below.

1005.3.1 Construction, Development Project, or Contractor Signs – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1005.1.1.

1005.3.2 Event Specific Signs – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1005.1.2.

1005.3.3 Fence Signs – Signs are generally not allowed to be posted on fences, but exceptions are made as per Section 1004.1.9 further identifying Section 1005.2 – Public Message Signs, where they are generally unregulated, and Section 1005.3.9 – Warning Signs below as permissible to be posted. No other signs are allowed to be posted on fences.

1005.3.4 Gasoline Price Signs – These signs shall be allowed in commercial zoning districts subject to the provisions listed in Section 1004.5.6, in that they may be affected by state law. Gasoline prices change frequently and therefore need to be treated differently from a typical sign. To that end, Gasoline Price Signs are subject to the following restrictions;

1. A use permit will be required to establish a permanent freestanding commercial sign structure, and a temporary and/or portable sign may be used to advertise gasoline prices at or near a pumping station without permit.
2. The sign shall advertise not more than the major grades of motor vehicle fuel offered for sale at that business location.

1005.3 Situational Signs – Draft Rev. 0

3. The area of all Gasoline Price Signs shall not exceed fifteen square feet (15 ft²) and cannot be located on a sidewalk or in the public right-of-way.
4. Reader Board and/or illuminated signs are not allowed.

1005.3.5 Gateway or Residential Gateway Signs – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1005.1.1.

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. This puts the signs into situational and temporary, even though the frames or structures may be permanent in nature. Menu-board Signs are subject to the following restrictions;

1. These signs are restricted to the restaurant property and cannot be placed in the public right-of-way or on a sidewalk.
2. These signs can be any permitted type, but only one sign face is allowed per sign and it may not be internally illuminated.
3. There will be no more than two (2) such signs per site located at the front, side or rear of the building, and be a minimum of eighteen feet (18 ft.) apart.
4. These signs are limited to four square feet (4 ft.²) and six feet (6 ft.) in height.

1005.3.7 Public Notice or Bulletin Board Signs – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1005.2.

1005.3.8 Reader-board, Multiple Message or Copy-Change Signs – These signs are highly restricted in Section 4004.6.6.

1005.3.9 Warning Signs – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1005.2.

1005.4 Identification Signs – Draft Rev. 1

1005 Other Sign Regulations – (Continued)

1005.4 Identification 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 Identification signs and any restraints on their size, area, location, number or duration. Several of these signs are previously identified and regulated in various sections of this ordinance and will be referenced to identify those sections as appropriate. Some general regulations for Identification Signs are hereby listed below;

1. They are allowed in all zoning districts.
2. They shall not exceed four square feet (4 ft.²) in size.
3. They are not counted in permitted signage areas.

Additional restrictions or allowances for Situational Signs are provided in the sections below.

1005.4.1 Affiliation Sign – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1004.5.1.

1005.4.2 Building Marker Signs – These signs shall be allowed in all zones subject to the provisions listed in Section 1005.4 above and the following exceptions or additional requirements;

1. No more than one (1) of this type of sign will be permitted per building.

1005.4.3 Building Sign – These signs shall be allowed in all zones subject to the provisions listed in Section 1005.4 above and the following exceptions or additional requirements;

1. No more than one (1) of this type of sign will be permitted per building.

1005.4.4 Church Sign – These signs are exempt from the provisions listed in Section 1005.4 above and shall be allowed in all zones subject to the following exceptions or additional requirements;

1. No more than one (1) Identification Sign will be permitted per each building or to identify the property.
2. Church Name or Identification Signs may be no larger than sixteen square feet (16 ft.²) in area.
3. No more than one (1) Public Message Sign, for the purpose of announcing church related events, and not to exceed twenty-five square feet (25 ft.²), will be permitted on the property.

1005.4.5 Historic Significance or Plaque – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1004.5.7.

1005.4.6 Home Occupation Sign – These signs shall be allowed in all zones for nameplate purposes only and are subject to the provisions listed in Sections

1005.4 Identification Signs – Draft Rev. 1

1005.4 above and 1004.5.10 and the following exceptions or additional requirements;

1. No more than one (1) of this type of sign will be permitted per building frontage at or near the entrance, and they are limited to one (1) square foot each in size and must be attached to the inside glass surface of a window, transom or door.
2. No other evidence of the existence of a home occupation in the external appearance of the dwelling or lot is allowed as per Zoning Ordinance 02-02, § 7.11.2.
3. These signs are exempt from design review.

1005.4.7 Nameplate, Memorial or Commemorative Plaque, or Tablet Signs – These signs shall be allowed in all zoning districts subject to the provisions listed in Section 1004.5.10. These signs are subject to design review requirements.

1005.4.8 Professional Sign – A Professional's Sign would be generally referred to as a Nameplate and shall be allowed in all zoning districts subject to the provisions listed in Section 1004.5.10. These signs are exempt from design review.

1005.4.9 Tenant Directory or Multi-unit Signs – These signs are primarily Identification (ID) Signs for a place of business and subject to the provisions listed in Section 1004.1.10 and the following exceptions or additional requirements;

1. These signs are restricted to the building property and cannot be placed in the public right-of-way or on a sidewalk.
2. Each place of business may be permitted a maximum of one ID Sign for each business façade and one (1) secondary ID Sign may be permitted on any secondary business façade.
3. Primary ID Signs may be a freestanding, projection, or wall sign, while secondary ID Signs are restricted to a projecting or wall sign only.
4. Where a business or use is located in a multiple-tenant office building, or mixed use building with more than one story, and/or where such business or use has no primary business façade, or located on a floor above or below the ground floor level, identification shall be limited to a listing on a tenant directory sign mounted at the building entry and a tenant listing on the business center sign or a sign on the individual business facade.

Meeting Date:	March 20, 2013	Agenda Item Number	6.3
Agenda Item Title:	General Plan Safety Element Update: Initial Draft Chapter 10.0 Goals, Policies, and Implementation Programs		
Presented By:	Melanie Rheume, Contract City Planner		
Type of Item:	Action	x	Discussion
			x
			Information
Action Required:	Review and file		

RECOMMENDATION: Review and discuss the attached Initial Draft General Plan Safety Element Chapter 10.0 Goals, Policies, and Implementation Programs. Set the matter for a public hearing on April 17, 2013 to receive public input and assess the draft element's completeness.

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 (see attached):

- | | |
|---------------------------------|----------------------------|
| 1.0 Introduction | 6.0 Fire Hazards |
| 2.0 Definitions | 7.0 Hazardous Materials |
| 3.0 Setting and Context | 8.0 Acceptable Risk |
| 4.0 Geologic & Seismic Hazards | 9.0 Emergency Preparedness |
| 5.0 Flooding & Drainage Hazards | |

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.
- Seismic and Tsunami Hazards by Troy Nicolini, Warning Coordination Meteorologist for the National Weather Service in Eureka California and the tsunami program manager for northwestern California.
- Community Emergency Preparedness by Judith Warren, co-author of *Living on Shaky Ground: How to Survive Earthquakes and Tsunamis in Northern California* and Regional Coordinator of the Regional Training Institute for Disaster Preparedness.

At the Planning Commission's request, planning staff has provided examples of General Plan Safety Element policies corresponding to the Safety Element Update draft chapter under consideration. Based on these examples and the input provided by the Commission, planning staff drafted goals, policies, and implementation programs for Safety Element chapters 4.0-6.0 and presented the draft at the February 20, 2013 Planning Commission meeting.

DISCUSSION: Goals, policies, and implementation programs 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 attached Initial Draft Chapter 10.0 Goals, Policies, and Implementation Programs reflects the information presented in the initial nine draft chapters of the Safety Element as well as the input provided by the Planning Commission. The policies and programs are integrated with Ferndale's portion of the Humboldt Operational Area Multi-Agency Multi-Hazard Mitigation Plan Update. The draft was routed to the City Clerk, City Engineer, and the Public Works Department for review.

NEXT STEPS: Staff will incorporate Planning Commission input and revisions into the Draft Safety Element Update. Should the Commission so choose, staff will set the matter for a public hearing on April 17, 2013. The Commission may then receive public input and assess the draft element's completeness and readiness for environmental review.

10.0 Goals, Policies and Implementation Programs

Safety Element goals and policies 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. Policies address the intensity of development in hazardous areas, define the scope of hazard mitigation measures by type of land use, requirements for geotechnical and geologic investigations to mitigate geologic hazards and clear procedures for geotechnical and geologic report review. The contract planner and City staff worked with the Planning Commission, City Council, and agency representatives 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.

Goals are general statements of community values or aspirations. They define the ends toward which the City will address its efforts.

Policies are more precise expressions of the community's position on particular issues, or how particular goals can be reached. Policies may include guidelines, standards, objectives, maps, diagrams, or a combination of these components.

Implementing **Programs** present specific actions that the City or other identified entity will undertake to address policy issues and move closer to the community's goals. These might include ongoing programs sponsored by the City (e.g., a Community Emergency Response Team program), discrete time-specific actions (e.g., adopt an ordinance), or further planning action (e.g., develop a specific plan).

GOAL 1 - Geologic and Seismic Hazards

Minimize the risk to public health and safety and loss of social, economic, and environmental welfare resulting from seismic and geologic activities.

Policies

- Policy 1.1 Update City zoning regulations for seismic setbacks, structural requirements, and hillside development standards.
- Policy 1.2 Require geotechnical evaluation for development projects with the potential for geological hazards, such as slope failures or soil subsidence.
- Policy 1.3 In areas with identified geologic hazards, development shall conform to geotechnical report mitigation measures and/or project and site modifications to respond to site-specific hazards and conditions.
- Policy 1.4 Improve drainage, plant soil-stabilizing vegetation, and provide structural reinforcements in landslide-prone areas.
- Policy 1.5 Collect and maintain current geologic data to identify hazardous areas.
- Policy 1.6 Ensure that public facilities are structurally sound and able to withstand seismic shaking and the effects of seismically-induced ground failure.

Implementation Programs

- Program 1.a Require development applications for projects on slopes of 30% or more to submit a geologic investigation and report by a qualified engineering geologist. The report shall address potential for slope failure, soil subsidence and related geologic events, and recommend measures to minimize hazards.
- Program 1.b Prohibit development on excessively steep hillsides where slope stability mitigations are not deemed feasible by the City Engineer and where a significant hazard to Ferndale residents may result.
- Program 1.c Where known landslide areas exist, require mitigation actions for slope stability. This can include, with affected property owner support, landslide repair extending beyond the boundaries of a proposed development project site. Encourage planting of vegetation on unstable slopes to protect structures at lower elevations. Native plants may be required for landscaping in areas with landslide potential to eliminate the need for supplemental watering and to reduce the risk of landslide.
- Program 1.d Enforce California Building Code requirements, including seismic design provisions, as part of building permit issuance and inspection.
- Program 1.e Review existing critical and emergency structures identified in Figure 10 for any significant siting, design, or construction problems that would make them vulnerable in an earthquake, and incorporate findings of the review into the City's Emergency Operations Plan and long-term programs for upgrading or relocating vulnerable facilities.
- Program 1.f Monitor new building materials used for earthquake stability and incorporate such materials into plan checks when applicable.
- Program 1.g Adopt the Uniform Code for the Abatement of Dangerous Buildings.

GOAL 2 - Flood Protection

Reduce the risk to life and minimize physical injury, property damage, and public health hazards from the effects of flooding.

Policies

- Policy 2.1 Participate with a national flood insurance program.
- Policy 2.2 Work with the County and the United States Army Corps of Engineers to receive and implement updated flood control measures and information.
- Policy 2.3 Assess and keep apprised of the potential risks to persons and property from flooding within the City, including updated floodplain mapping.
- Policy 2.4 Periodically update the City of Ferndale Drainage Master Plan.
- Policy 2.5 Implement a public outreach program to increase public awareness of stormwater management issues and techniques for stormwater management.
- Policy 2.6 Inform citizens of potential risks associated with flooding within the City and provide preparation and response guidance.

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- Policy 2.7 Require development in areas subject to flooding to minimize or eliminate flooding hazards.
- Policy 2.8 Encourage development to balance or enhance the natural landscape features of a site to reduce impervious surfaces.
- Policy 2.9 Utilize flood control methods that are consistent with Regional Water Quality Control Board Policies and Best Management Practices.

Implementation Programs

- Program 2.a In conjunction with the FEMA mandated updates to the Humboldt Operational Area Multi-Agency Multi-Hazard Mitigation Plan (HMP), identify funding sources for and facilitate mapping of the City's flood zones.
- Program 2.b Complete and implement provisions of the HMP, consistent with FEMA requirements.
- Program 2.c Coordinate with FEMA and other agencies in the evaluation and mitigation of future flooding hazards that may occur as a result of sea level rise.
- Program 2.d Ensure that local regulations comply with FEMA standards.
- Program 2.e Coordinate flood hazard mitigation efforts with the County to seek compliance with the Disaster Management Act 2000 to ensure eligibility for funding through FEMA grant programs.
- Program 2.f Request that the County refer development projects located within the City's watersheds to the City for comment. Continue to comment on County projects with the potential to increase runoff and flood hazards within the City. Standardize mitigation requirements to offset cumulative impacts of individual projects with potential to increase runoff and flood hazards within the City.
- Program 2.g Evaluate the compatibility of critical, essential, high occupancy, and normal to low risk uses in areas within the 100-year floodplain during the review of all discretionary and ministerial actions.
- Program 2.h Pursue sources of funding to ensure ongoing maintenance of the City's storm drains.
- Program 2.i Construct levees surrounding at-risk facilities.
- Program 2.j Perform preventative maintenance to maintain flow capacity of Francis Creek.
- Program 2.k Identify areas subject to flooding, steps to reduce potential property damage, and flooding emergency evacuation procedures on the City's website.
- Program 2.l Review development plans of existing sites to ensure necessary upgrades are provided to the City's storm drainage system.
- Program 2.m Review development proposals to ensure that structures designed for human occupancy are accessible during and protected from a 100-year storm by elevating lowest habitable floor one foot above the floodplain.

- Program 2.n Request a drainage study for development in the 100-year floodplain to ensure adequate protection and no net increase in downstream flood hazards.
- Program 2.o Require that development comply with Regional Water Quality Control Board discharge permit requirements.

GOAL 3 - Wildland and Urban Fires

Prevent the loss of lives, injuries, and property damage due to wildland and urban fires.

Policies

- Policy 3.1 Coordinate with the Ferndale Volunteer Fire District to maintain adequate fire protection staffing levels, equipment and facilities to reduce risks to persons and property within the City from urban and wildland fires. Mitigate impacts of new development on the city's ability to maintain adequate service levels.
- Policy 3.2 Ensure adequate water supplies for fire suppression within the City.
- Policy 3.3 Require fire safe construction practices, through site design, landscaping and building materials, clear and legible street and address signs, and sprinklers.
- Policy 3.4 Reduce fire hazard risks in existing developments by promoting defensible space standards.
- Policy 3.5 Provide fire safety information to residents, business owners, and the construction, insurance, real estate, landscaping and building supply industries. This could include information about non-combustible roofing, fire safe construction, adequate emergency water supplies, visible address and road identification/signage, road clearances, and emergency evacuation procedures.
- Policy 3.6 Disseminate fire prevention education programs to neighborhoods, businesses, and schools. Foster a proactive fire prevention approach, emphasizing the relationship between fire prevention/hazard reduction and forestry and ecological restoration.
- Policy 3.7 Promote CAL FIRE and Humboldt Fire Safe Council goals and objectives.
- Policy 3.8 Promote smoke detector and fire extinguisher installation and maintenance in all habitable structures.

Implementation Programs

- Program 3.a Request annual fire hydrant flow pressure and volume tests, especially in high fire hazard areas, by local water providers. System deficiencies shall be addressed as soon as possible.
- Program 3.b Study potential backup water supplies for emergency fire flow needs.
- Program 3.c Require access for emergency vehicles and firefighting equipment on all development projects.
- Program 3.d Monitor new building materials used for fire resistance and incorporate such materials into plan checks when applicable.

- Program 3.e Provide information on fire safe practices through the City's website, including fuel reduction and non-flammable landscaping.
- Program 3.f Refer development proposals to the Ferndale Volunteer Fire Department for comment on measures necessary to mitigate or reduce fire hazards.
- Program 3.g Update and implement the City's weed abatement regulations.
- Program 3.h Participate in the planning efforts of and work cooperatively with the Humboldt Fire Safe Council.
- Program 3.i Require street signs and clear and legible addresses with Design Review and building permits.
- Program 3.j Require smoke detectors and fire extinguishers as a condition for building permits.

GOAL 4 - Hazardous Materials

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

Policies

- Policy 4.1 Minimize exposure to known and suspected hazardous materials by routine transport, use, disposal, or accidental release.
- Policy 4.2 Work with appropriate agencies to keep current on hazardous materials transport, storage, treatment, and disposal regulations.
- Policy 4.3 Work with property owners and applicable regulatory agencies to identify and eliminate hazardous waste releases.
- Policy 4.4 Inform the public about regulations for hazardous material and waste transport, storage, treatment, and disposal.
- Policy 4.5 Encourage safe hazardous material and waste recycling and disposal.
- Policy 4.6 Ensure adequate fire protection service levels as necessary to reduce risks to persons and property from hazardous materials spills or releases.
- Policy 4.7 Cooperate with other jurisdictions on regional hazardous materials use, transport, treatment and disposal practices.

Implementation Programs

- Program 4.a Require that all land uses that generate, use, handle, store, dispose of, and/or emit hazardous materials or waste be in compliance with applicable laws and regulations.
- Program 4.b Enforce adopted building and fire codes to minimize potential public harm from hazardous material storage.
- Program 4.c Update the Ferndale General Plan Transportation & Public Facilities Element to designate City roadways used for hazardous materials transport. If facilities such as schools, hospitals, child care centers, or other facilities with special evacuation needs are located along these

- routes, post emergency response plans for unauthorized hazardous materials release.
- Program 4.d Require that new facilities that produce, use, store, transport or dispose of hazardous materials locate a safe distance from land uses that may be adversely impacted by such activities. Conversely, do not allow new sensitive facilities, such as schools, child-care centers, and senior centers, to be located near existing sites that use, store or generate hazardous materials.
- Program 4.e Require new industries that store and process hazardous materials to provide a buffer zone at property boundaries sufficient for public safety.
- Program 4.f Coordinate with County, State, and Federal agencies to minimize exposure to hazardous materials.
- Program 4.g Prohibit the siting of new hazardous waste repositories, incinerators, and facilities within the 100-year floodplain.
- Program 4.h Require fire safe design standards, including proper storage and use of hazardous materials, for new development consistent with applicable state and federal regulations.
- Program 4.i Post household hazardous waste drop-off dates and locations on the City's website.
- Program 4.j Support County efforts to sponsor household hazardous waste and e-waste recycling and disposal drop-off days. Allow City property to be used for drop-off and assist in promoting disposal and recycling opportunities.
- Program 4.k Seek Ferndale Volunteer Fire Department input for identifying measures necessary to mitigate hazardous materials use and storage risks.
- Program 4.l Support the Ferndale Volunteer Fire Department's efforts to maintain state-of-the art first responder equipment and trained personnel for hazardous spills and emissions response.
- Program 4.m Cooperate with the County to implement the Hazardous Materials Area Plan and the Integrated Waste Management Plan.

GOAL 5 – Acceptable Risk

Reduce the effects of hazards and hazardous events to below the acceptable risk level.

Policies

- Policy 5.1 Protect life and property through land use and development practices that avoid or mitigate the effects of natural hazards.
- Policy 5.2 Land division and development shall be designed and constructed so that acceptable risk levels as defined in Figure 11 are not exceeded.
- Policy 5.3 Map known areas and sources of risk and make this public information.
- Policy 5.4 Locate development, especially critical facilities, away from hazards as determined in Figure 10 unless the hazards can be mitigated to the satisfaction of responsible agencies.

- Policy 5.5 Scale development proportionally to the level of acceptable risk for that development as determined in Figure 11.
- Policy 5.6 Implement measures that reduce risk, including development guidelines, building occupancy limitations, renovation, and demolition.

Implementation Programs

- Program 5.a Regularly review and update regulations to ensure applicable mitigation measures are clearly defined; requirements for geotechnical and geologic investigations to identify and mitigate geologic hazards are provided; procedures for the review of geotechnical and geologic reports submitted for development are provided; fire safety of building construction is improved; and defensible space is defined and its benefits balanced with City conservation goals.

GOAL 6 – Emergency Preparedness

Ensure that City staff and citizens are adequately prepared to respond to and recover from natural or man-made disasters.

Policies

- Policy 6.1 Establish and maintain an effective emergency response program appropriate for potential events.
- Policy 6.2 Comply with NOAA requirements to maintain Storm Ready and Tsunami Ready certificates.
- Policy 6.3 Provide guidance to citizens for preparing for and responding to emergencies.
- Policy 6.4 Designate, equip, and publicize locations of emergency assembly points throughout the City.
- Policy 6.5 Coordinate with the Ferndale Volunteer Fire Protection District on emergency access requirements and specifications.
- Policy 6.6 Utilize mutual aid agreements that provide public safety personnel in times of emergency.
- Policy 6.7 Designate alternate routes to transport public safety employees from outlying areas when main route is impassable.
- Policy 6.8 Ensure that public safety facilities, apparatus, and equipment are designed and constructed adequately to efficiently operate paramedic, fire, and police services in times of disaster.
- Policy 6.9 Make facilities and equipment needed by residents accessible as soon after a major disaster as possible.

Implementation Programs

- Program 6.a Update and adopt the City of Ferndale Emergency Operations Plan (EOP). Ensure that City departments have coordinated Standard Operating

- Procedures. Update Appendix C: Recovery Operations and include measures to address post-disaster needs of the City's residents and businesses for inspections, debris removal, streamlined permit issuance for rebuilding, and other essential services.
- Program 6.b Upgrade the City's Emergency Operations Center (EOC) and train City staff as needed. Review emergency equipment needs, such as a defibrillator at City Hall, and prioritize acquisition. Incorporate emergency preparedness expenditures into a long-term City Capital Improvement Plan.
- Program 6.c Establish redundant communication capabilities throughout the city.
- Program 6.d Develop and implement consolidated emergency response programs and plans for fire, flooding, seismic and other potential hazard events contained in the City's EOP. Distribute the plans to City departments, emergency response providers and support groups.
- Program 6.e Maintain National Incident Management System and Incident Command System training for City staff.
- Program 6.f Identify opportunities for training Ferndale citizens and staff on community emergency response. Include the Humboldt County Office of Emergency Services (OES) in training exercises.
- Program 6.g Involve the community, neighborhoods, and local businesses in disaster response planning.
- Program 6.h Regularly update and publicize the City's EOP to include evacuation routes, emergency connectors, and emergency shelters in conformance with state guidelines through the City's website, local radio, local newspaper, and other community outreach sources.
- Program 6.i Hold regular (at least one per year) emergency preparedness drills, and include local Community Emergency Response Training (CERT) groups, County OES and related emergency services agencies and groups.
- Program 6.j Promote awareness and caution among residents regarding possible natural hazards, including landslides, earthquakes, flooding, and fire hazards through creating and maintaining current website information.
- Program 6.k Support mutual aid agreements with local agencies and jurisdictions that provide public safety personnel in times of emergency.
- Program 6.l Include a public safety "ingress" component to the City's EOP.
- Program 6.m Conduct performance audits of public safety facilities and identify any needed/corrective measures.
- Program 6.n Identify needed emergency supplies to assist Ferndale residents in the first days following an emergency or major disaster.
- Program 6.o Use Capital Improvement Program or similar funding to establish a readily accessible supply of funds for use by the City in times of an emergency or major disaster.

Meeting Date:	March 20, 2013	Agenda Item Number	6.4
Agenda Item Title:	Planning Reference Book Update		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	Receive and file information		

RECOMMENDATION:

Receive and File

BACKGROUND:

In an effort to have all the Planning Commissioners on the same page, City Manger Jay Parrish has asked that this be a permanent item on the Planning Agenda. The Planning Reference Book was distributed to Jorgen von Frausing-Borch and Lino Mogni on January 21, 2009 (along with the other members of the Planning Commission, who have since moved on).

Staff will update the Reference book section by section as time permits. Attached separately is a re-issued handbook for City Council Appointed Commissioners, Committee Members and Board Members.

Meeting Date:	March 20, 2013	Agenda Item Number	6.5
Agenda Item Title:	Duties of the Planning Commission, Design Review Committee and Sign Ordinance Committee		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	Receive and file information		

RECOMMENDATION:

Receive and File

BACKGROUND:

During the February 20, 2013 meeting, the Chair asked the City Clerk to list the duties of the Planning Commission, Design Review and Sign Ordinance Committees.

The duties of the Planning Commission and the Design Review Committee are listed in the **Planning Reference Book** (See item 6.4 of this agenda packet).

SECTION II

COMMISSIONS, COMMITTEES & BOARDS

Citizen advisory commissions are charged with the following general responsibilities:

- Gather facts and advise the City Council or Planning Commission and City Manager on matters within their area of responsibility, as prescribed by Ordinance.
- Focus attention on specific issues and problems within their scope of responsibility and recommend actions and alternatives for City Council or Planning Commission consideration.
- Act as a channel of communication and information between city government and the general public.
- Facilitate reconciliation of contradictory viewpoints among interested parties and project direction toward achievement of citywide goals.
- Encourage broad citizen participation toward achieving city goals.
- Assist in balancing community desires with municipal responsibility and resources.

Each commission has specific assignments as established by Ordinance or Resolution. A description of each commission, including its area of responsibility, follows.

Planning Commission

The Planning Commission meets once monthly and is concerned with matters related to advanced planning such as general plan review and policy development, as well as current planning issues, such as new development proposal review. The Planning Commission often seeks recommendations from other commissions or committees concerning city matters and new development projects. Duties of the Planning Commission include:

1. Study, develop and make recommendations to the City Council regarding the General Plan and review the City's Capital Improvement Program for consistency with the General Plan,
2. Study, develop and make recommendations to the City Council regarding changes to the City's zoning and subdivision regulations as set forth in the Zoning and Subdivision Ordinances, consistent with the General Plan,
3. Study, approve, deny, or approve with modifications or conditions, development proposals, in accordance with the zoning regulations set forth in the Zoning Ordinance, and
4. Undertake such other duties as may be assigned by the City Council.

The Planning Commission appoints (2) Planning Commissioners to serve on the Design Review Committee, and (1) Planning Commissioner to serve on the Timber Harvest Plan Review Committee.

Design Review Committee

The Design Review Committee meets whenever necessary and consists of (5) members: (3) members-at-large and (2) members of the Planning Commission, appointed by the Planning Commission. The members-at-large are appointed by the City Council and should have design background in planning, architecture, landscape architecture or other similar experience related to the design of physical improvements and buildings. The City Council may also appoint an alternate member-at-large to serve in the absence of a member-at-large.

The Design Review Committee reviews and makes recommendations on development proposals with respect to project design and project compliance with the goals and policies of the City's General Plan Community Design Element, adopted Design Guidelines and other City policies, and undertakes other duties as may be assigned by the City Council.

From **Zoning Ordinance 02-02 re Design Review Committee**

- §6.05 (Begin section changed by Ordinance 09-01 on 8/6/09) Design Control Combining or -D Zone. 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. The following regulations shall apply in any zone with which a Design Control Combining or –D Zone is combined:

- 6.05.1 The procedures and authority for Design Review are established by this section to achieve the following purposes and objectives:
 - a. To ensure that new buildings and structures and/or the modification, alteration and/or enlargement of existing buildings or structures occurs in a manner which is consistent with the policies of the general plan;
 - b. To preserve the natural beauty of the town’s site and setting;
 - c. To ensure that the architectural design of buildings and structures and their materials and colors are visually harmonious with and are conceptually consistent in character and scale with surrounding area;
 - d. To ensure that the design and location of signs and their material and colors are consistent with the character and scale of the buildings to which they are attached or which are located on the same site, and to ensure that signs are visually harmonious with surrounding development.
- 6.05.2 Before any structure or building may be erected, structurally altered, or in any way remodeled or improved so as to change the outward appearance of the structure or building, a Design Review Use Permit shall be obtained.
- 6.05.3 Each application for such Design Review Use Permit shall be accompanied by drawings, plans and such written matter as may be necessary to show the front, side and rear elevations and the colors and materials to be used, and to show any other information that may be required by the Design Review Committee or the Planning Commission in order that it may adequately evaluate the proposed structure or building.
- 6.05.4 Design Review Use Permits for structural or building alterations, remodeling or improvements so as to change the outward appearance of the structure or building, including changes in exterior paint color, shall be subject to the following procedures:
 - a. The Planning Commission shall appoint two of its members as Design Review Committee Members.
 - b. The Planning Commission shall interview and recommend to the City Council appointment of three members from the 95536 zip code, preferably with design background in planning, architecture, landscape architecture, historical restoration, or other similar experience related to the design of physical improvements and buildings in the following manner:
 - i. The City Clerk shall advertise the vacancy(ies) (via notice in newspaper, public posting) and notify Ferndale residents to contact the City Clerk for an application, which can be picked up at City Hall or mailed to the applicant.
 - ii. Applications must be received by the City Clerk by ten (10) calendar days from the date of posting of the vacancy. Applications must be forwarded to the members of the Planning Commission by the next regular or special meeting. The Planning Commission will interview applicants and make appointments at their next regular or special meeting.
 - iii. A priority ranking of the Commission’s recommendations as well as reasons supporting the ranking will be forwarded to the City Council for their next regular or special meeting.

- iv. The first person(s) that receives a majority will be selected to fill the vacancy. If a majority is not obtained, or if there are no applicants, the vacancy will be re-advertised and the clock resets.
 - c. The Design Review Committee is a sub-committee of, and reports to the Planning Commission.
 - d. Design Review Use Permit applications shall be forwarded to and reviewed by the Design Review Committee Members. No discussion between committee members shall take place, unless in a duly noticed meeting of the Committee.
 - i. (Begin section amended by Ord 2011-04 12/31/11) If a majority of the members present approve, the City Clerk shall issue a Design Review Permit.
 - ii. If a majority of the members present deny, the applicant can change the design, or can ask that the application go to the Planning Commission at a fee as set by the Fees and Fines Schedule. (End section amended by Ord 2011-04 12/31/11)
- 6.05.5 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.
- 6.05.6 Upon denial of any proposal, the applicant has the option of appealing the decision to the City Council, at the same fee as quoted in the current Fees and Fines Resolution for Design Review.
- 6.05.7 Upon the approval of any proposal, the Planning Commission shall issue a Design Review Use Permit. Any construction or structural alteration shall be in accordance with such approved proposal.
- 6.05.8 Emergency / minor / routine repairs in Design Control Combining Zone.
 - a. Any of said repairs as defined in Sections 3.29 and 3.48 having value of less than \$1000 requires no Design Review Use Permit; if greater than \$1000, compliance shall be made under the Building Permit Ordinance.
- 6.05.9 Time Limits:
 - a. Applicants for projects that do not require a building permit shall have six months after the date of the last Design Review Committee member's signature to complete their project. The Planning Commission may grant a one-time extension of 6 months upon applicant's request.
 - b. Applicants for projects that do require a building permit shall be subject to the conditions and time limits of the building permit.

Penalties: A fine, of double the original fee as determined by the Fee & Fine Schedule Resolution, and at the discretion of the Planning Department, shall be levied against any contractor or individual or business that routinely does business in Ferndale as evidenced by a business license or has previously gone through Design Review, if that business, contractor or individual begins a change to the outside of

a building, if in a design review zone, without a Design Review Use Permit. (End of section amended by Ordinance 09-01 on 8/6/09)

From the **Planning Commission Ordinance 05-05 re Planning Commission**

ARTICLE 3: ADMINISTRATION

§3.01 The Planning Commission serves in an advisory capacity to the City Council.

ARTICLE 4: POWERS & DUTIES

§4.01 The role of the Planning Commission is to act as advisor to the City Council on matters related to local land use planning and development. The Planning Commission shall conduct open meetings to hear matters relating to the City of Ferndale's General Plan and Zoning Ordinances.

§4.02 The Commission shall elect its Chairman and Vice-Chairman from among the appointed members of the Commission. The Commission shall appoint a Secretary who need not be a member of the Commission.

Re **Sign Ordinance Committee** report to Planning Commission on 2/22/12 (Minutes report: Sign Committee's Background, Purpose and Scope: Chairman from the Sign Committee Michael Bailey gave an update on the progress of the committee's work. MOTION: (Brown/Christiansen) Approve Sign Committee's Background, Purpose and Intent document. Unanimous.

Background Information:

The Victorian Village of Ferndale is known for a wealth of historic residential and commercial buildings representing a variety of architectural styles popular during the middle and late 19th century (1860-1900). More modern styles are equally represented including Neo-classical, Craftsman, and Mission. Collectively, the City of Ferndale was designated as a *State Historic Landmark* in 1975 by the California State Parks, Office of Historic Preservation. In 1994, the City's Main Street was designated as a *Historic District* by the National Park Service and placed on the National Register of Historic Places.

Residents and visitors alike are attracted to Ferndale to enjoy the opportunity to "step back in time" and enjoy the town's many architectural flavors. To this end the City has determined that commercial and non-commercial signs should be respectful of the major stylistic components of the individual historic buildings and overall character of the City of Ferndale's historic "streetscape." Accordingly, this sign ordinance is envisioned to address the placement, color, design and architectural character of commercial and non-commercial signs in order to maintain the overall visual quality of all areas of the City, while clearly communicating the intended information.

Purpose and Intent:

Signs have an obvious impact on the character and quality of life in this town, and the attractiveness and appearance of Ferndale's Historic District. As a prominent part of the scenery, they help attract or repel the viewing public and may affect the safety of vehicular or pedestrian traffic. Their suitability or appropriateness helps set the tone of the whole City.

Because signs strongly influence the perception of the establishment, building, street view, and the aesthetics of the historic district, there is a public interest in ensuring that signs are well designed, carefully placed and properly maintained in accordance with the overall desired character of Ferndale.

The purpose of these limitations and requirements are to create a legal framework for a comprehensive and balanced system to manage signage in a manner which will;

- (A) **Protect** the interests of all sectors of the business community by providing a properly managed opportunity for effective advertising, identification and commercial communications through signage to match services with the needs of the public.
- (B) **Maintain, protect and enhance** the historical aspects, aesthetics, property values; the City's unique character, its natural setting, its architecture, and the economic viability of the City's commercial corridor by promoting the use of aesthetically pleasing materials, colors, and types of signs and by implementing design review.
- (C) **Delineate** the design, type, number, placement, location, illumination, aesthetic quality and physical dimensions of signs according to standards consistent with the types of establishments in each zoning district and those that contribute to the overall environment of the buildings, streets, and districts of Ferndale.
- (D) **Protect** residential districts adjoining non-residential districts from adverse impacts of excessive illumination and numbers or sizes of signs.
- (E) **Provide** for signs as an effective and pleasant channel of communication, while ensuring that signs are aesthetically proportioned to the structures to which they are associated with.
- (F) **Encourage** both renovation and proper maintenance of signs; through equal treatment, accurate record keeping and public information programs.
- (G) **Safeguard** motorists, bicyclists, and pedestrians and enhance the public health, and general welfare by requiring safe and effective signage while avoiding traffic safety hazards caused by visual clutter, distractions and obstructions.
- (H) **Enable** noncommercial signs such as real estate "for sale" signs and political signs that address advocacy on debatable issues.
- (I) **Defend and preserve** the rights of freedom of association, speech and expression in all matters pertaining to signage.

Further, it is the intent of the City that its commercial and industrial development remains in harmony with the residential community and the historical nature of Ferndale.

Scope:

The provisions of this Sign Ordinance provide for the installation, construction, alteration, repair, maintenance, enforcement and display of signage in all areas of the town of Ferndale with a major emphasis on the Historic District, the Design Control Combining Zone (-D-zone), and other residential, commercial, and public facility areas within the City. All signage regulated by this ordinance is under the direct control of the Planning Commission, while signage residing within the Ferndale Historic District

and the –D-zone will require a use permit approved by the Design Review Committee, a subcommittee of the Planning Commission.

The term “signage” shall include all types of commercial, noncommercial, residential, governmental, public purpose and building address signs in public view from public or private byways. Any signage that can be displayed under the provisions of this ordinance may contain a noncommercial message. This ordinance shall not manage public purpose signs posted by state or local government agencies other than permitting their use.

When reading and using this document, the INTENT of each section should carry more weight in decision making than the specific wording of each section. An attempt is made to state the intent at the beginning of each section. This statement of intent should be used as a guide to interpretation of any specific paragraph, article or provision.

ACTION PLAN REVISED SCHEDULE - 11/13/12

NO.	TASK	DURATION	SCHED.	COMP.
1.	Evaluate Existing Ordinance	1 Mtg.	12/11	12/15/11
2.	Background, Purpose & Scope Statement	1 – 2 Mtg.	2/12	1/19/12
3.	Review, Add and Revise Definitions	1 – 2 Mtg.	4/12	2/16/12
4.	General Sign Regulations	7 Mtg.	12/12	
.1-2	Gen. Reg. & Misc. Business Signs			9/20/12
.3-4	Prohibited, and Nonconforming Signs			10/18/12
.5&.7	Unregulated, Movement, Wind-Driven			11/8/12
.6	Illumination & Reflecting Signs		12/6/12	
5.	Other Sign Regulations	3 Mtg.	1/13	
.1-2	Temp. & Public Message Signs		12/6/12	
.3-5	Situational, Ident. & Suspended Signs		12/20/12	
6.	Use Permits	1 – 2 Mtg.	3/13	
7.	Administration	1 – 2 Mtg.	5/13	
8.	Legal Review	2 W – 1 M	6/13	
9.	Final Review	2 – Mtg.	7/13	
10.	Submit Final Draft to PC	1 – Mtg.	8/13	

Meeting Date:	March 20, 2013	Agenda Item Number	6.6
Agenda Item Title:	Planning Commission Terms		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	Receive and file information		

RECOMMENDATION:

Receive and File

BACKGROUND:

During the February 20, 2013 meeting, the Chair requested a list of commissioners and their terms.

Yr	Position 1		Year	Position 2		Year	Position 3		Year	Position 4		Year	Position 5	
1980-84	Harris Connick		1981-85	Reappointed	3/2/1981		*Went 4 Years		1983-87	Richard Farrington		1987-91	Reappointed	3/2/1987
	Resigned	8/4/1984	1985-89	Reappointed	8/5/1985		instead if 2			Appointed	3/8/1983		Resigned	4/19/1988
1984-88	Karl Brungs			Resigned	8/6/1986	1978-82	Reappointed	3/3/1980		Resigned	4/17/1984		Catherine Etter	
	Appointed	9/12/1984		Don Sanborn			Resigned	10/26/1981		Jeff Farley			Appointed	7/5/1988
	Reappointed	3/3/1986		Appointed	8/6/1986		Dick Lindsay			Appointed	7/2/1984	1991-95	Reappointed	5/6/1991
1988-92	Reappointed	5/10/1990	1989-93	Reappointed	4/3/1989		Appointed	1/11/1982	1987-91	Reappointed	3/2/1987		Resigned	9/6/1994
1992-96	Reappointed	4/4/1994		Resigned	4/17/1990	1982-86	Reappointed	4/2/1984	1991-95	Reappointed	5/6/1991		Brian Lewis	
	Resigned	9/6/1994		Lee Tomasini		1986-90	Reappointed		1995-99	Reappointed	2/12/1996		Appointed	10/3/1994
	Ann Burroughs			Appointed	4/17/1990	1990-94	Reappointed	4/6/1992		to 3-1-00			to 3-1-95	
	Appointed	9/6/1994	1993-97	Reappointed	to 3-1-98		Resigned	2/12/1996	1999-2003	J Von Frausing-Borch		1995-99	Frank Costello	
1996-2000	to 3-1-98			**Should have been			J Von Frausing-Borch			moved to this			Appointed	5/1/1995
	Michael Elliott			to 3-1-97		1994-98	Appointed	2/12/1996		position 2-14-00			Resigned	4/22/1999
	Appointed	5/11/1998	1997-2001	Bob Cooper			to 2000 Should have		2003-07	Reappointed	3/10/2003	1999-2003	Mitchell Boers	
	Resigned	12/16/1999		Appointed	3/9/1998		been to 1998		2007-11	Reappointed	3/10/2007		Appointed	5/1/1999
	Ann Burroughs			Resigned	Aug-99	1998-02	Reappointed	2/14/2000					Resigned	2/11/2002
	Appointed	1/14/2000		Marilynn Hofstetter			to 2003 this moves						Martin Lemaster	
2000-04	Reappointed	3/1/2000		Appointed	9/13/1999		him to Position 4						Appointed	4/10/2002
	Released	2/11/2003		*To 3-1-01			H.D. Hively						to 3/1/03	
	Mark Lourenzo		2001-05	Kathleen Moore			Appointed	5/8/2000				2003-07	Cris Kukuk	
	Appointed	3/10/2003		Appointed	3/12/2001	2002-06	Reappointed	2/11/2002					Appointed	3/10/2003
2004-08	Reappointed	3/1/2004	2005-09	Reappointed	3/3/2005		Resigned	5/14/2002				2007-11	Lino Mogni	3/12/2007
2008-12	Resigned	3/20/2008		Resigned	3/1/2008		Kenneth S. Mierzwa							
2008-12	John Maxwell	5/21/2008		Nancy Trujillo	4/14/2008		Appointed	7/8/2002						
2008-12	Resigned	9/2/2010	2009-13	Reappointed			Resigned	2/23/2004						
			2009-13	Resigned	6/15/2011		Alexandra Profant							
							Appointed	5/6/2004						
							Resigned	7/18/2005						
							Daniel Brown							
2008-12	Trevor Harper	10/7/2010					Appointed	10/6/2005						
2012-16	Reappointed	3/10/2012				2006-10	Reappointed	3/2/2006		J Von Frausing-Borch			Lino Mogni	
	Resigned	1/16/2013	2009-13	Uffe Christiansen	5/14/2012	2010-14	Reappointed	3/10/2010	2011-15	Reappointed	3/10/2011	2011-15	Reappointed	3/10/2011
	OPEN						Resigned	12/6/2012						
							Dean Nielsen							
						2010-14	Appointed	12/6/2012						

Meeting Date:	March 20, 2013	Agenda Item Number	6.7
Agenda Item Title:	Planning Commission Applicants		
Presented By:	Nancy Kaytis-Slocum, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Recommend to the council re-appointment of Uffe Christiansen. Continue advertising open position to complete term through 2016.		

RECOMMENDATION:

Recommend to the council re-appointment of Uffe Christiansen. Continue advertising open position to complete term through 2016.

BACKGROUND:

No applications were received for Planning Commission Vacancy to fill the open position when Trevor Harper resigned from the commission on 1/16/13. No applications were received for Planning Commissioner Uffe Christiansen’s term.

The City Clerk has placed another ad in the newspaper, and has posted the Planning Commission vacancy. The Clerk will continue to advertise until the vacancy is filled. (Note 5.04.2 below which limits the time to 10 days from posting.

From the Planning Commission Ordinance 05-05

§5.01 Term of Office: The term of office of the members of the Commission shall be four (4) years except for the first members of the Commission, whose terms shall be staggered so the terms of no more than three fifths (3/5) of the commissioners shall expire during a given year.

§5.02 Appointments

5.04.1 A new commissioner shall be appointed to fill a vacancy within ninety (90) days from the next regularly scheduled City Council meeting. The City Clerk shall advertise the vacancy (via notice in newspaper, public posting) and notify Ferndale residents to contact the City Clerk for an application, which can be picked up at City Hall or mailed to the applicant.

5.04.2 Applications must be received by the City Clerk by ten (10) calendar days from the date of posting of the vacancy. Applications must be forwarded to the remaining members of the Planning Commission the next business day after the closing date of the announcement. The Planning Commission will interview applicants at their next regular or special meeting. A priority ranking of the Commission’s recommendations as well as reasons supporting the ranking will be forwarded the following business day to the City Council via the City Clerk.

5.04.3 The City Clerk shall include the recommendation list and reasons to support the ranking of candidates as an action agenda item for the next regular City Council

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

§5.03 Vacancies - Vacancies shall be filled by appointment for the remaining portion of the term, or for four (4) years, starting March 1st, for expired terms.

Section 7: CORRESPONDENCE

Section 8: Staff Reports

CITY PLANNER:

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 City Manager and HCAOG on Regional Housing Needs Allocation Process.
- Continued coordination on the Humboldt Operational Area Multi-Agency Multi-Hazard Mitigation Plan (HMP) Update. Continued integration of the HMP with the City of Ferndale General Plan Safety Element Update. Prepared Scope of Work for City involvement in HMP update process.
- Continued coordination with City Clerk on Design Review Use Permit application and associated CEQA process for stucco replacement at 580 Main Street. Finalized project report and submitted for agenda, conducted public hearing, filed Notice of Determination with the County Recorder's office, coordinated with Fish & Wildlife to file the No Effect Determination, submitted required filing fees, sent notice of PC action to applicant, and coordinated with City on application fees.
- Continued coordination with City Clerk and City Engineer on Lot Line Adjustment at 400 McKinley Ave. Reviewed staff responsibilities with City Engineer. Prepared and posted public notice for Public Hearing. Corresponded with applicant. Prepared staff report and presented at 2/20 Planning Commission meeting.
- Coordinated with City Clerk on permit process updates.
- Coordinated with City Clerk to determine frontage on a property at 660 Eugene Street.
- Coordinated with City Engineer on Dottie Pierce Grading Permit application CEQA requirements.
- Initiated review of Vacation Rental Use Permit application at 176 Francis Street.
- Initiated review of proposed telecommunications facility installation at 989 Milton Ave.
- Attended 2/20 Planning Commission meeting and study session. Arranged for and introduced study session speaker on community level emergency response. Conducted Public Hearing on behalf of City Engineer for Lot Line Adjustment application at 400 McKinley Ave. Presented Safety Element Update Draft Chapter 9.0 Emergency Preparedness and staff report as well as staff report regarding Safety Element Update sample goals, policies, and implementation programs.

Projects

- General Plan Update – Prepared Draft General Plan Safety Element Emergency Preparedness chapter and presented at 2/20 Planning Commission meeting. Arranged study session presentation by Judith Warren, co-author of *Living on Shaky Ground: How to Survive Earthquakes and Tsunamis in Northern California* and Regional Coordinator of the Regional Training Institute for Disaster Preparedness. Advertised Study Session in the Ferndale Enterprise and by posting flyers. Prepared and presented Safety Element Update goals, policies, and

implementation program examples and staff report at 2/20 PC meeting. Initiated Chapter 10.0 Goals, Policies and Implementation Programs.

CITY CLERK ACTIVITY

Meetings

- Daily meetings with City Manager regarding work schedule.
- City Council meeting 2/7/13.
- Planning Commission meeting 2/20/13.

Projects

- Counter and phones.
- Pick up mail, copy, distribute and file.
- Assisted citizen in getting the Elections Office to change the designation of her voting precinct from county to city.
- Prepared City Council Agenda packet for 2/7/13
- Discussed with City Manager and Project Manager, then wrote procedure for Project Funding – copies for “How To” Book and for file.
- Reviewed procedure for Land Use Permit applications.
- Lot Line Adjustment – 400 McKinley and 1167 Grant
 - Compiled and sent notification to property owners within 300’
 - Posted Public Notice on bulletin boards
- Prepared Planning Commission Agenda packet for 2/20/13.
- Continue to train deputy city clerk on procedures.
- City Council Meeting Follow-up
 - Reviewed Deputy Clerk’s minutes
 - Printed January City Council minutes, filed, posted online
 - Sent City Manager’s letter to Tom Matsen, HC Director of Public Works
 - Prepared letter to HCAOG regarding Unmet Transit Needs, scanned and emailed, mailed original
 - Completed Appointments to Boards, Committees and Commissions – made copy for Statements of Economic Interest file
 - Mailed NOAA re Coastal and Marine Habitat Restoration letter of support.
 - Prepared letter of transmittal to City Attorney with copies of Agreement
 - Filed Resolution 2013-04 Approving closure of Main Street from Brown to Washington on March 21, 2013 from 7-9pm for Fire Training. Copy to CalTrans.
 - Filed Resolution 2013-05 Approve Resolution No. 2013-05 authorizations for Change Order #1, in the amount of \$2,150.50 and payment request #1, in the amount of \$23,120.63, to V&C Construction for the construction costs associated with the Drainage Improvements on 5th Street near Ferndale Housing. Copy to 5th Street Drainage Project file.
- Had Public Works move boxes of records from file hallway to the back of the building for storage. PW also dumped boxes of records that had been approved to be destroyed into bin for Eel River Disposal to shred.
- Wrote PW Staff report using notes on calendar.
- Assisted Deputy Clerk with deposits.

Section 9: Design Review

City of Ferndale, Humboldt County, California USA

Special Design Review Minutes for the 2/14/13 - 8:30am meeting

Chairman Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni and Mark Giacomini were present along with staff Deputy City Clerk Lacy Pedrotti. Michael Bailey was absent. Modifications to the agenda were the word "Special" was not on agenda and noted that the fourth Thursday of the month is the regular meeting. The January 17 and 31, 2013 minutes and 7.A. Committee Member Comments are to be removed and on the regular meeting date.

535 Main Street-Roofing. Willis Hadley owner of 535 Main Street had Mark Hamor (contractor) present to represent the project. Design Review Application states replacing rotten roofing and awning roof with galvanized tin.

MOTION: (Giacomini/Mogni) Not to approve the application for galvanized tin roofing. Chairman Cowan abstained.

Meeting adjourned at 8:45am; Respectfully submitted, Lacy Pedrotti, Dep. City Clerk

City of Ferndale, Humboldt County, California USA

Special Design Review Minutes for the 2/21/13 - 8:30am meeting

Chairman Dane Cowan opened the meeting at 8:35 a.m. Committee Members Lino Mogni, Michael Bailey and Mark Giacomini were present along with staff City Clerk Nancy Kaytis-Slocum. The Planning Commission has yet to appoint another representative from the Planning Commission to the Design Review Committee. There were no modifications to the agenda.

385 Main Street: MOTION: (Bailey/Giacomini) Approve one sign to be placed in window to the left of the front door and other sign on window facing parking lot. All in favor.

Comments: Neither the City Clerk nor the Deputy City Clerk will not be available for next week's regular Design Review meeting. Committee member Mark Giacomini volunteered to take minutes.

Meeting adjourned at 8:45am

Respectfully submitted, Nancy Kaytis Slocum, City Clerk

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 2/28/13 - 8:30am meeting

Chairman Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni and Mark Giacomini were present along with City Manager Jay Parrish. Michael Bailey was absent. The Planning Commission has yet to appoint another representative from the Planning Commission to the Design Review Committee. There were no modifications to the agenda.

MOTION: (Giacomini/Mogni) Accept the minutes from the January 17, January 31, February 14 and February 21, 2013 meetings as presented. All in favor.

Public Comment: Mark Hamor asked that item 5c: 535 Main Street, be pulled from the agenda.

832 Herbert Street: **MOTION:** (Giacomini/Mogni) Approve demolition of porch, rebuild without enclosure, repaint blue with white trim. All in favor.

724 Main Street: **MOTION:** (Giacomini/Mogni) Approve addition for stairway from house to second floor of garage, enclose rear porch for mud room, relocate existing steps. All in favor.

Comments: Item 7A, "Change Design Review Regular Meeting Date" will be carried over to the next regular meeting. Committee Member Mark Giacomini believes that 724 Main Street should have been brought to the Planning Commission. Are there any ordinance changes that might have allowed public input?

Meeting adjourned at 8:26am

Respectfully submitted,

Mark Giacominni, Acting Secretary
Design Review Committee Member

Section 10: Sign Committee

City of Ferndale, Humboldt County, California USA

Sign Ordinance Committee Minutes for the 2/21/13 2:30 pm meeting

Chairman Michael Bailey opened the meeting at 2:45 pm. Committee members Michael Sweeney and Karen Pingitore were present.

No modifications to agenda

January 17, 2012 Minutes: MOTION: Approve minutes. (Sweeney/Pingitore). All in favor.

PUBLIC COMMENT: None

BUSINESS

- A. Review and Approve the following;
 - i. 1005.4 Identification Signs

The Committee reviewed and discussed language pertaining to Section 1005.4 Identification Signs. Committee member Sweeney asked why the Home Occupation Signs were exempt from design review. Under current draft language in Section 1005.4.6, Home Occupation Signs are limited to no more than one sign per building frontage and no more than one square foot in size. Additionally, Home Occupation Signs must be attached to the inside glass surface of a window, transom or door. Language elsewhere in the draft ordinance does not allow illumination for such signs. Chairman Bailey clarified that such signs are so inconsequential as to not encumber either the applicant or the Design Review Committee with unnecessary paperwork.

At the January 17, 2013 meeting, the Committee postponed approval of this section and subsequent forward to the Planning Commission at the next meeting to wait on the legal opinion.

The Committee reviewed an email from Russell Gans, City Attorney to City Manager Jay Parrish. All the sections of the draft ordinance up to section 1005.4 have been reviewed by Mr. Gans. In the email, Mr. Gans stated that he had reviewed the sign ordinance provisions, and although the majority of the provisions appear to create constitutionally acceptable time, place and manner restrictions, the time limitation on section 1005.1.6 Political Signs (yard signs, etc.) appears unconstitutional.

Draft language in section 1005.1.6 (3) states:

Political signs may be erected for no more than sixty (60) days and shall be removed within ten (10) days after the related event or will be subject to removal and fines by the city.

Again in his email, Mr. Gans quotes case law that found 60 and 90 day rules to be unconstitutional in that they violated the First Amendment and/or the equal protection clause of the Fourteenth Amendment. Chairman Bailey clarified that Mr. Gans findings assumed political signs as independent or separate from other “temporary signs” and the time limit of 60 days being found to treat political signs differently than other types of signs where no time limit applies. Additionally, Chairman Bailey pointed out that in draft language, political signs are considered within the context of temporary signs and treated accordingly. As a temporary sign, political signs can be regulated as to location, size, duration, etc. Chairman Bailey advised the committee that he would review effected sections of 1004.5 and 1005.1 and present any changes that would satisfy possible legal constraints over political signs. He will present his recommendations at the next sign committee meeting on March 21, 2013.

MOTION: Approve forwarding of draft ordinance section 1005.4 to the Planning Commission. (Pingitore/Sweeney). All in favor.

The next section to be reviewed by the Committee will be the rules and regulations associated with enforcement. This review would include sections 1006 Use Permits and 1007 Administration. Chairman Bailey will be putting together draft language from our existing zoning and nuisance ordinances along with language from the 2012 International Zoning Code for review at the next meeting.

CORRESPONDENCE

There was no correspondence.

The next meeting will be March 21, 2013 at 2:30 pm. The meeting was adjourned at 3:08 pm.

Respectfully submitted by:

Michael Sweeney

Section 11: Adjourn