

STUDY SESSION

Location:	City Hall	Date:	September 18, 2013
	834 Main Street	Time:	6:00pm
	Ferndale CA 95536	Posted: 09/12/13	

1. CALL STUDY SESSION TO ORDER – Chairman Jorgen Von Frausing Borch
Contract Planner Melanie Rheame will present the Draft Sign Ordinance and solicit input.
2. ADJOURN STUDY SESSION

AGENDA

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

Location:	City Hall	Date:	September 18, 2013
	834 Main Street	Time:	7:00pm Regular Meeting
	Ferndale CA 95536	Posted: 09/12/13	

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	Ceremonial	
3.0	Update Agenda	
3.1	Proposed changes, modifications to agenda items	
3.2	Commissioners comments	
4.0	Approval of previous minutes	
4.1	August 21, 2013	Page 4
5.0	Public Comment	Page 6
6.0	Public Hearing	
6.1	Westfall-Witham Lot Line Adjustment	Page 7
6.2	Westfall Witham Minor Subdivision.....	Page 15
7.0	Business	
7.1	Review draft Sign Ordinance and Make Recommendation to Council.	Page 27
7.2	Design Review Committee Applicants	Page 48
7.3	Noise and Air Quality Element Scope	Page 50
7.4	Design Review Committee Alternate.....	Page 54
7.5	Selection of Planning Commission Secretary.....	Page 55
7.6	Fire Suppression Sprinkler Code Update	Page 56
7.7	Building and Land Use Permits	Page 57
7.8	Design Review Committee Report.....	Page 58
8.0	Correspondence and Oral Communications	Page 59
9.0	City Planner’s and Deputy City Clerk’s Staff Reports	Page 65
10.0	Design Review Minutes.....	Page 69
11.0	Adjournment – Next regular meeting October 16, 2013	

Section 2: CEREMONIAL

Section 3: UPDATE AGENDA

Proposed changes, modifications to agenda items

Commissioner's comments

Section 4: APPROVAL PREVIOUS MINUTES

City of Ferndale, Humboldt County, California USA

Minutes for Planning Commission Meeting of August 21, 2013

[Note: These are Action Minutes; a video of the meeting is available at City Hall M-Th 9-4]

1.0 Open meeting / flag salute / roll call — Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:03pm. Commissioners Uffe Christiansen, and Dean Nielsen along with staff City Clerk Nancy Kaytis-Slocum, Deputy City Clerk Christina Wile and City Planner Melanie Rheaume were present. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial — None.

3.0 Update Agenda

3.1 Proposed changes, modifications to agenda items — City Planner Melanie Rheaume explained that the study session to review the Draft Sign Ordinance originally scheduled for 6 pm prior to this meeting was cancelled due to anticipated low attendance. The study session is tentatively rescheduled to be held prior to the next City Council meeting on September 5th 2013 at 6:00pm.

3.2 Commissioners comments — Chairman Von Frausing-Borch commented that, due to excused long-term absences, the Design Review Committee (DRC) has had to cancel meetings due to lack of quorum. The Commission discussed the necessity of having an alternate Planner Commission member on the DRC to ensure that residents can get applications reviewed in a timely fashion. Chairman Von Frausing-Borch directed staff to place item on next agenda to appoint Commissioner Dean Nielsen as DRC alternate.

4.0 Approval of previous minutes

4.1 June 19, 2013 — **MOTION: (Nielsen/Christiansen)**. The June 19, 2013 minutes were unanimously approved.

5.0 Public Comment — None

6.0 Public Hearing

6.1 925 Bluff Street Use Permit, Vacation Rental — Request for a Use Permit to allow for vacation rental use of an attached granny unit and a detached library unit located at 925 Bluff Street (APN 031-211-002). The project site is zoned Agriculture-Exclusive (AE). Planner Melanie Rheaume gave an overview. Commissioners ask for clarification on the wording of Item 7 under the Conditions of Approval. City Clerk Nancy Kaytis-Slocum suggested changing Item 7 to read: "Each rental shall be rented out for a minimum of 2 nights." **MOTION (Nielsen/Christiansen)** Adopt Resolution No. PC 2013-29 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 (as amended), and allow for vacation rental use of the existing residence located at 925 Bluff Street. All in favor. The Public Hearing was closed at 7:15pm.

7.0 Business

7.1 Building and Land Use Permits — No action

7.2 Design Review Committee Report — Lino Moggi and Marc Daniels were both absent and unable to report. City Clerk Nancy Kaytis-Slocum was thanked by Commissioner Dean Nielsen for including the Design Review minutes in the Planning Commission packet.

7.3 Design Review Committee Applicants — Commissioners reviewed an application from Charles Collum. Chair Jorgen Frausing-Borch advised City Clerk to continue advertising the vacancy and postponed selection until the next meeting.

7.4 Public Facility Land Use Permits and Building — City Planner Melanie Rheaume advised that there is nothing in the Zoning Code that exempts public facilities from having to apply for land use or building permits.

8.0 Correspondence and Oral Communications — Chair Jorgen Von Frausing-Borch stated that he would follow up on the letter sent to Nancy Trujillo. Chair Jorgen Frausing-Borch asked about a new state law requiring fire suppression sprinklers in new residences. The City Clerk suggested speaking to City Building Official Arnie Kemp and adding the topic to next meeting's agenda. Staff directed to place item on next agenda.

9.0 City Planner's and Deputy City Clerk's Staff Reports — No action.

10.0 Design Review Minutes — No action.

11.0 Adjournment – Next regular meeting September 18, 2013 — Meeting adjourned at 7:45pm.

Respectfully submitted,

Christina Wile
Deputy City Clerk

Section 5: 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 6: 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:	September 18, 2013	Case No.: LLA1324
Applicant:	Andrew Westfall	Agenda Item:
Agenda Item Title	Public Hearing – Westfall/Witham Lot Line Adjustment	
Property Address:	1210 & 1234 Rose Avenue Ferndale, CA	APNs 031-241-09 and 031-241-10
Zoning:	Residential Single Family (R-1) & Residential Single Family Special Building Site, 10,000 square foot lots (R-1-B-2)	

PROJECT DESCRIPTION: The proposed Lot Line Adjustment (LLA) located at 1210 and 1234 Rose Avenue covers two adjacent parcels, held under separate ownerships. The Witham Parcel (APN 031-241-10) is approximately 8,700 sq. ft. The Westfall Parcel (APN 031-241-09) is approximately 103,237 sq. ft. The LLA would transfer approximately 6,975 sq. ft. of land from the Westfall Parcel to the Witham Parcel, resulting in two reconfigured parcels that meet the required minimum parcel size for the zones. Both parcels are currently developed with existing residences and garages.

Parcel/APN	Existing Size	Proposed Size	Zoning	Min Parcel Size
Witham/031-241-09	8,900 ft ²	15,675 ft ²	Existing: R-1 Proposed: R-1 & R-1-B-2	R-1: 6,000 ft ² R-1-B-2: 10,000 ft ²
Westfall/031-241-10	103,237 ft ²	96,262 ft ²	Existing: R-1 & R-1-B-2 Proposed: R-1 & R-1-B-2	R-1: 6,000 ft ² R-1-B-2: 10,000 ft ²

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

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

STAFF RECOMMENDATION:

Assuming that there are no changes to the project, and that there are no new issues brought forward before or during the public hearing, City Staff intends to approve the Lot Line Adjustment as proposed, subject to the conditions of approval included in Attachment B.

The City Planner is holding the Public Hearing on behalf of the City Engineer during a Planning Commission meeting prior to project approval. **The Planning Commission does not act on, or approve the Application and is only involved as the first body of appeal.**

APPLICABLE REGULATIONS:

Ferndale's Subdivision Ordinance 99-04 Section 1.7 Lot Line Adjustments states: "Lot lines between two or more adjacent parcels may be adjusted pursuant to the provisions of this Section and the Subdivision Map Act. The Planning Department shall limit its review and approval to the following determinations:

- (1) The proposed Lot Line Adjustment occurs between two or more existing and adjacent parcels, as defined by the Subdivision Map Act.
- (2) No new parcels are created.
- (3) Parcels involved in the Lot Line Adjustment conform to the City's building and zoning ordinances.

The City shall not impose conditions or exactions on its approval of a Lot Line Adjustment except: a) to conform to local building and zoning ordinances, b) to facilitate the relocation of existing utilities, infrastructure or easements, and c) to require the prepayment of real property taxes. No Tentative Map, Parcel Map, or Final Map shall be required as a condition of approval. The Lot Line Adjustment shall be reflected in a Deed and a Record of Survey or Lot Line Adjustment Plot Plan which shall be recorded. When parcels being adjusted are held in common ownership, no new Deeds shall be required. However, a Lot Line Adjustment Plot Plan shall be required. No record of survey shall be required for a Lot Line Adjustment unless required by Section 8762 of the Business and Professional Code."

Ferndale Zoning Ordinance 02-02 Section 5.03 defines the Residential Single-Family (R-1) zone as "intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The following lot regulations shall apply in all R-1 Zones:

- Section 5.03.3
- a. Minimum lot area: 6,000 square feet.
 - b. Minimum lot width: 60 feet.
 - c. Maximum lot depth: 3 times lot width.
 - d. Minimum yards: front, 20 feet; rear, 15 feet; side, 10% of lot width on each side except that no side yard may be less than 5 feet, or need be more than 12 feet.
 - e. Maximum ground coverage: 35%.
 - f. Maximum building height: 35 feet."

Ferndale Zoning Ordinance 02-02 Section 6.03 defines the Special Building Site Combining or -B Zone as "intended to be combined with any principal zone in which

sound and orderly planning indicate that lot area and yard requirements should be modified. The following regulations shall apply in any zone which is combined with a Special Building Site Combining or -B Zone in lieu of the lot area and yard requirements normally applicable in such principal zone:

- B-2 Minimum lot area: 10,000 square feet
Minimum yards: front, 25 feet; rear, 10 feet; side 10 feet"

ANALYSIS:

Surrounding Land Use General Plan and Zoning Designations: The subject property has R-1 General Plan and zoning designation and is located on Rose Avenue, east of McKinley Avenue. The adjacent properties to the north and east adjacent to Rose Avenue, and to the west along McKinley Avenue have R-1 and/or R-1-B-2 General Plan and zoning designations and are developed with single family residential housing. The properties to the south are designated R-1-B-2.

Agency & Department Comments:

The proposed Lot Line Adjustment was referred to Del Oro Water Co., Ferndale Fire Department, PG&E, the Public Works Director, and the Ferndale Wastewater Treatment Facility Operator. None of the consulted agencies replied with comments.

Zoning Ordinance Compliance:

The existing parcel is zoned R-1. The new parcel would have split zoning; the portion of the lot fronting Rose Avenue, to a depth of approximately 150 feet would be zoned R-1 and the remainder of the lot would be zoned R-1-B-2. The existing residence and the proposed lot conforms to all applicable zoning regulations; therefore General Plan and Zoning Amendments are not required.

The proposed LLA has been reviewed for conformance with the City's Zoning Ordinance. Based on the submitted Lot Line Adjustment map and application materials the proposed Lot Line Adjustment results in two conforming parcels meeting applicable Zoning Ordinance standards for the R-1 and R-1-B-2 zones; no new parcels are created and there will only be one APN for each proposed parcel.

Subdivision Ordinance Compliance:

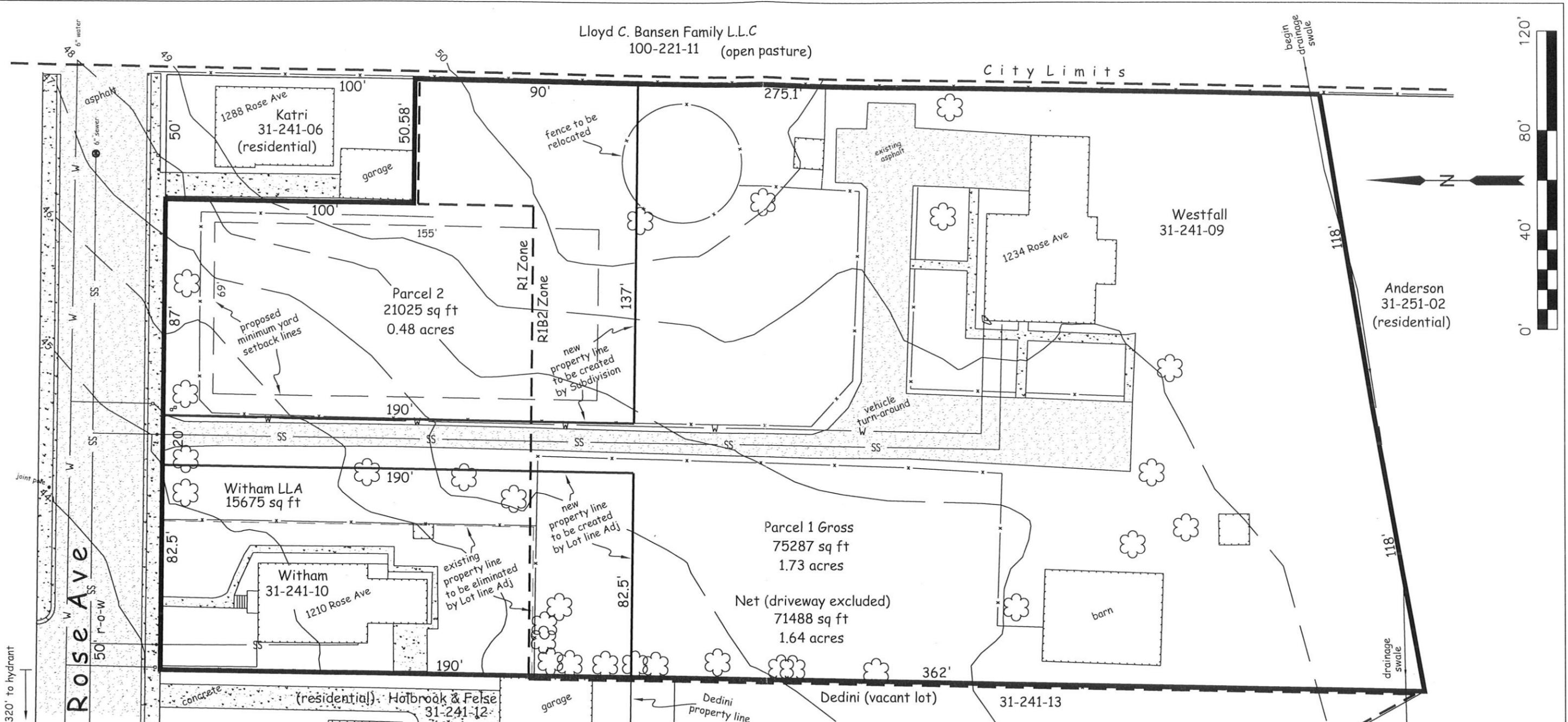
Since each property is owned separately, and more than one ownership involved, the Lot Line Adjustment shall be reflected in a deed or deeds for the areas to establish ownership, and a Record of Survey (if required by §8762 Business & Professions Code) OR the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map will be recorded. If the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map will be recorded, the existing plan will need to be reduced to 8.5" x 11" and should be recorded with Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet (Ferndale Subdivision Ordinance 1.701 & 1.702).

Drainage Ordinance Compliance:

The Ferndale Drainage Ordinance 94-01, Section 2.108 states that “Necessary easements to construct and maintain drainage facilities shall be required.” Currently, there is an existing drainage swale located at the southern end of the Westfall Parcel (APN 031-241-09). The swale begins in the field to the east and conveys runoff toward the west.

See attached January 15, 2013 Memo from the City Engineer which contains additional analysis and recommended conditions of approval, which are also included in Attachment B.

Note: The following Tentative Map shows the location of proposed new property line and the existing property line to be removed. The full size Lot Line Adjustment Tentative Map is available for review at City Hall and will be available at the September 18th public hearing.



PROPERTY ADDRESS
1234 Rose Avenue Ferndale, CA
APN 31-241-09

OWNER & SUBDIVIDER
Andrew K. & Sandralin V. Westfall
PO Box 1234 Ferndale, CA 95536

Con-current **LOT LINE ADJ**
Carey E. & Tammy J. Witham
22590 Murietta Rd
Salinas, CA 93908

MAP prepared by:
David F Yarrington PLS No. 5996
PO Box 125 Ferndale, CA 95536
(707) 786-4930

LEGAL DESCRIPTION
Parcel 2 of Parcel Map No. 2653 recorded in Book 24 of Parcel Maps, page 17, Humboldt County Records.

USAGE & AREA
Current Parcel: Residential, 1 unit, 2.37 ac
Proposed Usage: 2 Parcels
Parcel 1: 75,287 sq. ft. Res. 1 unit
Parcel 2: 21,025 sq. ft. Res. vacant lot
Witham LLA: 15,675 sq. ft.

Date of Survey: April 23, 2013
Contour Interval: 1 foot
Bench Mark: Q 1468
Metal Rod located on East side of 5th Street and 300' North of Arlington Ave
Elevation = 30.42' NAVD88

NOTES

- Two easements for the right to lay and maintain a pipeline (18 D 510 & 41 D 25) are not locatable per record and thus, are not shown hereon.
- There are no wells or septic tanks.
- The are no visable Historical Buildings or any known Archeological / Paleontological resources or apparent sensitive habitat areas.
- The site is located outside the 500 year flood boundary as defined by the Federal Emergency Management. There are no apparent hazardous areas.
- All easements of record are shown on this tentative map and will appear on the recorded subdivision map (see note 1. for exceptions).

SECRETARY OF THE PLANNING COMMISSION STATEMENT

This Tentative Map was approved by a vote of the Planning Commission, at which a quorum was present, on: _____

By: _____

City Clerk Statement

This Tentative Map was approved by a vote of the City Council, at which a quorum was present, on: _____

By: _____

Westfall Minor Subdivision and Lot Line Adjustment Tentative Map

Drawn by DFY	Date: 7-29-2013	David F. Yarrington PLS PO Box 125 Ferndale, CA 95536 (707) 786-4930
Scale: 1" = 40'	Project No. WEST01	
Site location or APN 31-241-09 & 10		Sheet 1 of 1

Attachment A**FINDINGS OF FACT**

City Staff makes the following findings:

1. This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA), and qualifies for a Class 5 Categorical Exemption per Section 15305 of CEQA Guidelines. Class 5 exempts “minor alterations to land use limitations, such as Lot Line Adjustments, variances, and encroachment permits on land with a slope of less than 20% that do not result in changes in land use or density.”
2. The Lot Line Adjustment is between two adjoining parcels and will not result in the creation of a greater number of parcels than originally existed prior to the Lot Line Adjustment.
3. The proposed project as revised and conditioned is consistent with Ferndale General Plan and Ferndale Zoning Ordinance requirements associated with the Residential Single Family zone and Special Building Site Combining zone (§5.03 and §6.03 of the Zoning Ordinance).
4. The existing project, as outlined, and with conditions,
 - Is similar and compatible to other uses allowed in similar zones,
 - Does not impair 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**

Assuming that there are no changes to the project, and that there are no new issues brought forward before or during the public hearing, City Staff intends to approve the Lot Line Adjustment as proposed, subject to the following conditions:

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with the processing and finalizing of the lot line adjustment, 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 prior to the Notice of Lot Line Adjustment being submitted to the County Recorder for filing.
2. The applicant shall be required to make current (or show proof of payment) the Property Taxes for both parcels. *Note: According to the Title Search, both installments for the 2012-2013 taxes have been paid.*
3. Since each property is owned separately, and more than one ownership involved, the Lot Line Adjustment shall be reflected in a deed or deeds for the areas to establish ownership, and a Record of Survey (if required by §8762 Business & Professions Code) OR the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map will be recorded. If the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map will be recorded, the existing plan will need to be reduced to 8.5" x 11" and should be recorded with Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet (Ferndale Subdivision Ordinance 1.701 & 1.702).
4. A 15' wide drainage easement shall be required along the existing southerly property line of Westfall Parcel (APN 031-241-09) to maintain the existing drainage patterns and for future maintenance as necessary (see attached Tentative Map).

Section 6: Public Hearing

3. 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

4. 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:	September 18, 2013	Case No.: SD1323
Applicant:	Andrew Westfall	Agenda Item:
Agenda Item Title	Resolution PC 2013-36 Making the Required Findings for Conditionally Approving the Tentative Parcel Map for Minor Subdivision of Assessor Parcel Number 031-241-09	
Property Address:	1234 Rose Avenue Ferndale, CA	APN 031-241-09
Zoning:	Residential Single Family (R-1) & Residential Single Family Special Building Site, 10,000 square foot lots (R-1-B-2)	

PROJECT DESCRIPTION: The proposed minor subdivision of an approximately 2.37 acre (103,237 square foot) parcel, APN 031-241-09, into two lots resulting in one approximately 82,262 square foot lot (Parcel 1) and one approximately 20,975 square foot lot (Parcel 2). The subject site is located at 1234 Rose Avenue; the General Plan and zoning are Residential Single Family (R-1) and Residential Single Family Special Building Site, 10,000 square foot lots (R-1-B-2). Proposed Parcel 1 is developed with an existing residence and garage. Proposed Parcel 2 is vacant.

ENVIRONMENTAL REVIEW: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA). This project is exempt from the provisions of CEQA per Section 15315 of Article 19 "Categorical Exemptions," Chapter 3, Division 6, Title 14 of the California Code of Regulations. The referenced section allows for exemptions from CEQA for minor land divisions in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, provided no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

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

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

Recommended Motion: Adopt Resolution No. PC 2013-36 making the required findings of fact listed in Attachment A, to approve the Tentative Parcel Map as requested, subject to the conditions of approval listed in Attachment B, to subdivide one parcel located at 1234 Rose Avenue into two lots, Parcels 1 and 2.

APPLICABLE REGULATIONS: The proposed subdivision is subject to comply with the Ferndale Zoning Ordinance 02-02 and Subdivision Ordinance 99-04.

Ferndale Zoning Ordinance, Section 5.03 defines the Residential Single-Family (R-1) zone as intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The following lot regulations shall apply in all R-1 Zones:

- Section 5.03.3
- a. Minimum lot area: 6,000 square feet.
 - b. Minimum lot width: 60 feet.
 - c. Maximum lot depth: 3 times lot width.
 - d. Minimum yards: front, 20 feet; rear, 15 feet; side, 10% of lot width on each side except that no side yard may be less than 5 feet, or need be more than 12 feet.
 - e. Maximum ground coverage: 35%.
 - f. Maximum building height: 35 feet.

Section 6.03 Special Building Site Combining or -B Zone. The Special Building Site Combining or -B Zone and sub-zones there under are intended to be combined with any principal zone in which sound and orderly planning indicate that lot area and yard requirements should be modified. The following regulations shall apply in any zone which is combined with a Special Building Site Combining or -B Zone in lieu of the lot area and yard requirements normally applicable in such principal zone:

- B-2 Minimum lot area: 10,000 square feet
Minimum yards: front, 25 feet; rear, 10 feet; side 10 feet

Subdivisions of four or fewer parcels shall be subject to the regulations in the Ferndale Subdivision Ordinance 99-04 including but not limited to the following regulations:

Section 1.601.9 allows the following as conditions of approval:

- (a) Frontage Improvements
- (b) On-site Improvements
- (c) Off-site improvements
- (d) Dedications
- (e) Applicable Fees
- (f) A soils and/or Engineering Geology Report
- (g) A grading and/or drainage Plan
- (h) A hydrology and hydraulic Report
- (i) A sewer Flow Study

Section 1.902.4 requires that each unit or lot within the subdivision shall be served by an approved sanitary sewer system.

Section 1.902.6 requires that each unit or lot within the subdivision shall be served by an approved domestic water source.

Section 1.902.7 requires that each unit or lot within the subdivision shall be served with gas (if required), electric, telephone, and cable television facilities. All utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by the Public Utilities Commission regulations. For subdivisions of four or less parcels, undergrounding requirements may be waived or modified by the City Engineer upon finding: (a) the subdivision is in an area where existing utilities have not been undergrounded and (b) overhead utilities will have no significant visual impact. If the undergrounding requirement is waived as allowed by (a) and (b) above, the in-lieu fee as established by the City Engineer shall be paid.

ANALYSIS:

Surrounding Land Use General Plan and Zoning Designations: The subject property has R-1 and R-1-B-2 General Plan and zoning designations and is located on Rose Avenue, east of McKinley Avenue. The easterly property line runs along the City boundary. The adjacent properties to the north and east adjacent to Rose Avenue, and to the west along McKinley Avenue have R-1 and/or R-1-B-2 General Plan and zoning designations and are developed with single family residential housing. The properties to the south are designated R-1-B-2.

Agency & Department Comments:

The proposed subdivision was referred to Del Oro Water Co., Ferndale Fire Department, PG&E, the Public Works Director, and the Ferndale Wastewater Treatment Facility Operator. Del Oro Water Co. provided the only response as follows: "A new water service be installed for the existing residence (Parcel 1) that would be located within the 20 foot strip that leads to Rose Ave. In addition a new service be installed to the newly created Parcel 2. The installation of two new services would leave the existing service unused. We would like for that to be disconnected from the water main and abandoned in place."

Zoning Ordinance Compliance:

The new parcel would have split zoning; the portion of the lot fronting Rose Avenue, to a depth of approximately 150 feet would be zoned R-1 and the remainder of the lot would be zoned R-1-B-2. The existing residence and the proposed lot conforms to all applicable zoning regulations; therefore General Plan and Zoning Amendments are not required.

The proposed LLA has been reviewed for conformance with the City's Zoning Ordinance. Based on the submitted Lot Line Adjustment map and application materials the proposed Lot Line Adjustment results in two conforming parcels meeting applicable Zoning Ordinance standards for the R-1 and R-1-B-2 zones; no new parcels are created and there will only be one APN for each proposed parcel.

The following table shows the proposed project as compared to the requirements for R-1 and R-1-B-2 zoning, as applicable, per Sections 5.03 and 6.03 of the Ferndale Zoning Ordinance.

Ferndale Zoning Standard	Requirements for R-1 / R-1-B-2 Zone	Existing Conditions	Proposed Project
Minimum Lot Area	R-1: 6,000 sq. ft. R-1-B-2:10,000 sq. ft.	103,237 ft.	Parcel 1:20,975 sq. ft. Parcel 2:82,262 sq. ft.
Minimum Lot Widths	60 feet	>60 feet	Parcel 1: >60 feet Parcel 2: >60 feet
Maximum Lot Depth	3 times lot width	< 3 times lot width	Parcels 1 & 2: < 3 times lot width
Yard Requirements Front Rear Side	R-1 R-1-B-2 20 feet 25 feet 15 feet 10 feet 10% of lot width (not less than 5 feet (10 Feet for R-1-B-2) or need be more than 12 feet)	Per site plan: >20 feet > 15 feet Approx. 12 feet	Parcels 1 & 2: >20 feet > 15 feet > 10 feet
Max. Ground Coverage	35%	< 35%	Parcel 1: < 35% Parcel 2: vacant
Density	R-1: 0-7 dwelling units per acre R-1-B-2: 0-4 dwelling units per acre	Approx. 0.8 dwelling units/acre	Parcel 1: Approx. .36 dwelling units/acre Parcel 2: 0 dwelling units/acre
Principally Permitted Uses	Single Family dwellings	Single Family dwelling	Parcel 1: Single Family dwelling Parcel 2: Vacant

Subdivision Ordinance Compliance:

As required by Ferndale Subdivision Ordinance 99-04, Section 1.601, a Tentative Map prepared by a licensed land surveyor was submitted to the City Planner's office for the Westfall/Witham Minor Subdivision. The form and content of the Tentative Map were prepared in a manner acceptable to the City Engineer's Office (Ferndale Subdivision Ordinance 1.502.1).

In accordance with Ferndale Subdivision Ordinance 1.502.3, the applicant provided a preliminary title report, prepared within sixty (60) days prior to the filing of the Tentative Map. The City Engineer's office waived the requirements for an Engineering Geology Report and Environmental Assessment/Impact Study, Utility Certification and Hydrology and Hydraulic Report due to the small scale of the subdivision. The Soils Report, however, remains a Conditional of Approval for this project. The applicant shall submit, to the City Engineer's Office, a Soils Report at the time the Map is recorded. The proposed subdivision, together with its provisions for its 'design' and 'improvements' is consistent with the General Plan of the City of Ferndale and Subdivision Ordinance 99-04 (Ferndale Subdivision Ordinance 1.103).

Each property is owned by a separate trust, and so, conveyance of property “changing hands” will need to be conducted by grant deed or quitclaim document. In addition, the Minor Subdivision must be reflected in a deed or deeds for the areas to establish ownership, and a Record of Survey (if required by §8762 Business & Professions Code) OR the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map must be recorded. If the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map will be recorded, the existing plan will need to be reduced to 8.5” x 11” and should be recorded with Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet (Ferndale Subdivision Ordinance 1.701 & 1.702).

Drainage Ordinance Compliance:

The Ferndale Drainage Ordinance 94-01, Section 2.108 states that “Necessary easements to construct and maintain drainage facilities shall be required.” Currently, there is an existing drainage swale located at the southern end of the Westfall Parcel (APN 031-241-09). The swale begins in the field to the east and conveys runoff toward the west.

General Plan Goals/ Policies:

The proposed project meets the R-1 and R-1-B-2 General Plan Land Use Designation and corresponding Zoning Ordinance sections; and is consistent with the following General Plan Housing Element Goals and Policies:

- The proposed project will not interfere with the preservation and maintenance of agriculturally zoned lands (Goal 2510 (2)).
- The property will have public services adequately available and will continue to be served by the City wastewater system (Policy 2520 (2)).
- The infilling and completion of residential neighborhoods should be encouraged to achieve the efficient use of public services (Policy 2520 (1)).

Attachment A
FINDINGS OF FACT

The Planning Commission can make the following findings to allow approval of the proposed subdivision:

1. This project is exempt from the provisions of CEQA per Section 15315 of Article 19 “Categorical Exemptions,” Chapter 3, Division 6, Title 14 of the California Code of Regulations. The referenced section allows for exemptions from CEQA for minor land divisions in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, provided no variances or exceptions are required and all services and access to the proposed parcels to local standards are available.
2. The proposed project as revised and conditioned is consistent with Ferndale General Plan and Ferndale Zoning Ordinance requirements associated with the Residential Single Family zone and Special Building Site Combining zone (§5.03 and §6.03 of the Zoning Ordinance).
3. The existing project, as outlined, and with conditions,
 - Is similar and compatible to other uses allowed in similar zones,
 - Does not impair 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

Note: The following requirements and standards are applicable to this Tentative Map and are to be complied with as stated below. If condition compliance results in a substantial change in the project, an amended Tentative Parcel Map must be submitted to the City of Ferndale.

1. The applicant shall be responsible to pay all applicable fees, deposits or charges associated with the processing and finalizing of the subdivision, 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 prior to the Parcel Map being submitted to the County Recorder for filing.
2. The applicant shall be required to make current (or show proof of payment) the Property Taxes for both parcels. *Note: According to the Title Search, both installments for the 2012-2013 taxes have been paid.*
3. Since each property is owned separately, and more than one ownership involved, the Minor Subdivision shall be reflected in a deed or deeds for the areas to establish ownership, and a Record of Survey (if required by §8762 Business & Professions Code) OR the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map will be recorded. If the Westfall/Witham Minor Subdivision and Lot Line Adjustment Tentative Map will be recorded, the existing plan will need to be reduced to 8.5" x 11" and should be recorded with Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet (Ferndale Subdivision Ordinance 1.701 & 1.702).
4. The Applicant shall submit a Soils Report to the attention of the City Engineer's Office at the time the Map is recorded.
5. A 15' wide drainage easement shall be required along the existing southerly property line of Westfall Parcel (APN 031-241-09) to maintain the existing drainage patterns and for future maintenance as necessary (see attached).
6. The final Parcel Map shall clearly describe the 15' easement along the southern boundary of the parent parcel and any proposed setbacks from there. Setbacks shall meet the requirements specified in the City's development codes to the satisfaction of the City Planner and Engineer.
7. Prior to the issuance of any permit for any structure on or earthwork activity within Parcel 2, the permit applicant shall demonstrate compliance with the City of Ferndale Drainage Ordinance No. 94-01 to the satisfaction of the City Engineer. Additionally, all on-site surface drainage from Parcel 2 shall be collected within the parcel and conveyed to the public right-of-way of Rose Avenue within the parcel boundaries. The intent of this provision is to minimize increased or concentrated runoff into parcels to the west

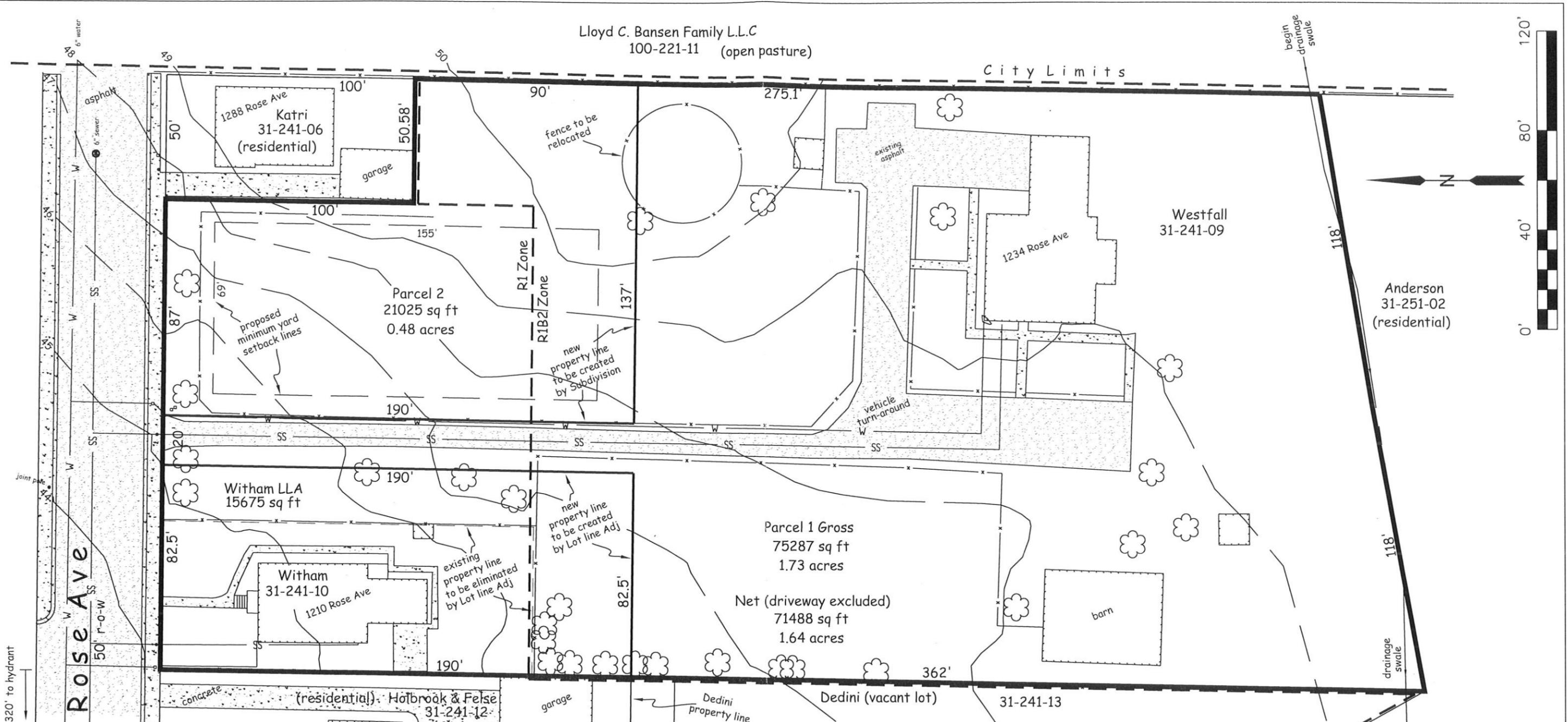
due to the development of the parcel; this condition does not preclude the use of on-site stormwater detention/retention to achieve the same result.

8. The final Parcel Map shall include all proposed easements, including those required for public utilities and drainage, to the satisfaction of the City Engineer.
9. The final Parcel Map shall include the proposed location of the sanitary sewer and water services for each parcel. The existing water service for Parcel 1 should be disconnected and abandoned in place. A new water service for each parcel shall be installed within the public right-of-way directly in front of the parcel it serves.

NOTE: The existing service is undersized for the new residential fire flow requirement that any dwelling built on Parcel Two would be subjected to the new residential fire flow requirement.

10. The applicant shall submit construction documents for all required public improvements and shall provide all City required securities. Public improvements may include, but are not limited to: Utility work, sidewalk improvements, reconstructed driveways to meet ADA, etc. along the Rose Avenue frontage of Parcels 1 and 2, as deemed necessary by the City Engineer. All public improvements shall be designed and constructed in accordance with the City's Improvement Standards prior to the recordation of the final Parcel Map.

NOTE: The construction of public improvements fronting Parcel 2, may be deferred until which time an application is submitted for any structure or earthwork activity within Parcel 2. Prior to finalizing the building permit, all public improvements shall be completed.



PROPERTY ADDRESS
1234 Rose Avenue Ferndale, CA
APN 31-241-09

OWNER & SUBDIVIDER
Andrew K. & Sandralin V. Westfall
PO Box 1234 Ferndale, CA 95536

Con-current **LOT LINE ADJ**
Carey E. & Tammy J. Witham
22590 Murietta Rd
Salinas, CA 93908

MAP prepared by:
David F Yarrington PLS No. 5996
PO Box 125 Ferndale, CA 95536
(707) 786-4930

LEGAL DESCRIPTION
Parcel 2 of Parcel Map No. 2653 recorded in Book 24 of Parcel Maps, page 17, Humboldt County Records.

USAGE & AREA
Current Parcel: Residential, 1 unit, 2.37 ac
Proposed Usage: 2 Parcels
Parcel 1: 75,287 sq. ft. Res. 1 unit
Parcel 2: 21,025 sq. ft. Res. vacant lot
Witham LLA: 15,675 sq. ft.

Date of Survey: April 23, 2013
Contour Interval: 1 foot
Bench Mark: Q 1468
Metal Rod located on East side of 5th Street and 300' North of Arlington Ave
Elevation = 30.42' NAVD88

NOTES

- Two easements for the right to lay and maintain a pipeline (18 D 510 & 41 D 25) are not locatable per record and thus, are not shown hereon.
- There are no wells or septic tanks.
- The are no visable Historical Buildings or any known Archeological / Paleontological resources or apparent sensitive habitat areas.
- The site is located outside the 500 year flood boundary as defined by the Federal Emergency Management. There are no apparent hazardous areas.
- All easements of record are shown on this tentative map and will appear on the recorded subdivision map (see note 1. for exceptions).

SECRETARY OF THE PLANNING COMMISSION STATEMENT

This Tentative Map was approved by a vote of the Planning Commission, at which a quorum was present, on: _____

By: _____

City Clerk Statement

This Tentative Map was approved by a vote of the City Council, at which a quorum was present, on: _____

By: _____

Westfall Minor Subdivision and Lot Line Adjustment Tentative Map		
Drawn by DFY	Date: 7-29-2013	David F. Yarrington PLS PO Box 125 Ferndale, CA 95536 (707) 786-4930
Scale: 1" = 40'	Project No. WEST01	
Site location or APN 31-241-09 & 10		Sheet 1 of 1

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FERNDALE
Resolution Number PC 2013-36**

**MAKING THE REQUIRED FINDINGS FOR CONDITIONALLY APPROVING
THE TENTATIVE PARCEL MAP FOR MINOR SUBDIVISION OF
ASSESSOR PARCEL NUMBER: 031-241-09**

WHEREAS, Andrew Westfall has submitted an application and evidence in support of approving the application for a parcel map (minor) subdivision; and

WHEREAS, the project is exempt from the California Environmental Quality Act per Section 15315 of Article 19 "Categorical Exemptions;" and

WHEREAS, the City has referred the application and evidence to involved reviewing agencies for comments and recommendations; and

WHEREAS, the City has reviewed the submitted application and evidence for conformance with General Plan policy, goals and regulations and applicable zoning and the City Subdivision Ordinance as required to allow for the proposed minor subdivision; and

WHEREAS, the staff report includes the required findings for approving the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Ferndale approves the proposed minor subdivision, subject to the conditions contained in Attachment B.

The above action is final unless an appeal is filed pursuant to the Ferndale Subdivision Ordinance §1.502.7; within ten (10) calendar days following Planning Commission action.

PASSED AND ADOPTED by the Planning Commission of the City of Ferndale this 21st day of August, 2013 by the following vote:

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

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

City Clerk / Deputy City Clerk

Jorgen Von Frausing-Borch

Section 7: BUSINESS

PC Meeting Date:	September 18, 2013	Agenda Item Number	7.1
Agenda Item Title:	Draft Sign Ordinance Review and Recommendation		
Presented By:	Contract City Planners		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Review Draft Sign Ordinance, provide input, and recommend to City Council.		

RECOMMENDATION:

Review the attached Draft Sign Ordinance, provide input, and recommend that the draft ordinance be forwarded to the City Council.

DISCUSSION:

In 2011, the current Sign Ordinance Committee (SOC) was formed to undertake a comprehensive sign ordinance update. The Committee began drafting a stand-alone Sign Ordinance and had completed all sections except for those concerning zoning, administration and permitting before two members of the five-member Committee resigned.

In completing the select sections of the Draft Sign Ordinance, the SOC had lain the groundwork for a comprehensive ordinance that addresses signs common to Ferndale as well as signs that may be proposed in the future. In order to complete the remaining sections for a concise, consistent Sign Ordinance, the City Council directed Planning staff to review the completed sections, reorganize select sections, revise as needed for consistency and clarity, consolidate wherever possible, and prepare the missing sections.

Drawing on the SOC's draft language and intentions, Planning staff completed an Initial Draft Sign Ordinance and forwarded it to the SOC for review and input. The Sign Ordinance Committee then held a public meeting on September 10, 2013 to review the revised draft, provide input, and make a recommendation to the Planning Commission. After providing further input, the Committee unanimously passed a motion to recommend the draft to the Planning Commission.

The attached Draft Sign Ordinance reflects the input from the Sign Ordinance Committee review.

NEXT STEPS:

Staff will conduct a study session prior to the City Council meeting.

ORDINANCE NO XX-XX

AN ORDINANCE OF THE CITY OF FERNDALE STATE OF CALIFORNIA REGULATING THE USE, LOCATIONS, DIMENSIONS, TYPE, AND CONTENT OF SIGNS; SPECIFYING MAXIMUM DIMENSIONS AND TYPES OF SIGNS FOR VARIOUS LAND USES AND ZONES; DEFINING WORDS AND TERMS; PROVIDING FOR THE ISSUANCE OF USE PERMITS AND FOR RELATED STANDARDS AND CONDITIONS; SPECIFYING PROCEDURES FOR THE ADMINISTRATION AND AMENDMENT OF, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF, ANY OF THESE PROVISIONS; AND REPEALING ORDINANCE 02-02 §3.66 AND §7.23.

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THE CITY COUNCIL OF THE CITY OF FERNDALE DOES ORDAIN AS FOLLOWS:

Article 1 ADOPTION, SHORT TITLE AND PURPOSE

- §1.1 **Adoption:** There is hereby adopted a Sign Ordinance for the City of Ferndale, State of California, pursuant to California Government Code §65000 et seq., §65850(b), §38774, §38775, Business and Professions Code §5200 et seq. and §5490 et seq., Civil Code §713, and other applicable State laws. This Ordinance constitutes a precise plan for the regulation of signs and sign structures in conformity with the General Plan and General Plan Standards. The provisions of this Ordinance shall apply to all lands and all landowners within the incorporated areas of the City of Ferndale.
- §1.2 **Short Title:** This Ordinance shall be known and cited as the “Sign Ordinance.” In any administrative action taken by any public official under the Authority set forth in the Ordinance, the use of the term “Sign Ordinance,” unless further modified, shall also refer to and mean this Ordinance.
- §1.3 **Purpose:** This Ordinance is adopted to protect community safety and values through the

regulation of signs and sign structures. The regulations established by this Ordinance are intended to appropriately limit the placement, type, size, and number of signs allowed within the City, and to require proper sign maintenance. The purposes of these limitations and requirements are to:

- 1.3.1 Promote historic preservation of contributing structures and downtown Ferndale;
- 1.3.2 Ensure that Ferndale signage conforms to the purposes and objectives of the Design Review Combining Zone as per Zoning Ordinance 02-02;
- 1.3.3 Promote the community's aesthetic and economic values by providing for signs that do not impair the attractiveness of the City as a place to live, work, shop, and visit;
- 1.3.4 Provide for signs as an effective channel of communication, while ensuring that signs are designed in a manner consistent with Ferndale's historical styles and aesthetically proportioned to the structures to which they are associated;
- 1.3.5 Safeguard and protect the public health, safety and general welfare by allowing safe and effective signage while avoiding visual clutter, distractions and obstructions; and
- 1.3.6 Defend and preserve the rights of freedom of association, speech and expression in all matters pertaining to signage.

Article 2 STATUTORY AUTHORITY / ENFORCEMENT AUTHORITY

- §2.1 The statutory authority for this Ordinance is California Government Code §65000 et seq., §65850(b), §38774, §38775, Business and Professions Code § 5200 et seq. and §5490 et seq., Civil Code §713, and other applicable State laws.
- §2.2 All departments, officers and public employees vested with the duty or authority to issue permits shall issue no sign permit within the City in conflict with these regulations, and any such permit issued in conflict with these regulations shall be null and void.
- §2.3 Any person whether principal, agent, employee or otherwise, violating or causing or permitting the violation of any one of the provisions of these regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500.00 per violation or by imprisonment for not more than 6 months or by both such fine and imprisonment.
- §2.4 Any sign installed or maintained contrary to the provisions of these regulations shall be a public nuisance subject to injunction and abatement.
- §2.5 The remedies provided herein shall be cumulative and not exclusive.
- §2.6 The City Manager (or in his/her absence the Mayor), or his/her designee shall be responsible for the enforcement of the provisions of these regulations.
- §2.7 In the event that any fee or charge is not paid within the time period specified by the City, the City shall retain the right to seek enforcement and/or collection in court, at the expense of the responsible party. Expenses shall be recoverable by the City whether by assessment by the City Council following a hearing at a regularly scheduled City Council meeting or by a court of competent jurisdiction and shall further include the actual costs of collection such as staff time, administrative costs, court costs, attorneys' fees and penalties.

Article 3 **APPLICABILITY**

- §3.1 **Signs Regulated.** Any alteration to the structure, area, height, or placement of an existing regulated sign, shall require that the existing sign be modified to comply with all applicable provisions of this Ordinance. The requirements of this Ordinance shall apply to all new signs and all changes to existing signs in all zones except the following:
- 3.1.1 **Art and Decorations.** A display designed and intended as a decorative or ornamental feature that does not contain advertising text or identifying symbols such as numbers, address, registered trademarks, or registered logos.
 - 3.1.2 **Government and Required Signs.** Signs required and/or installed by a Federal or State governmental agency, the City, County, or local agency, including but not limited to the following. Such signs shall not require a Design Review Use Permit.
 - 3.1.2.1 Emergency and warning signs necessary for public safety or homeland security;
 - 3.1.2.2 Traffic control, directional, and street name signs erected and maintained by an authorized public agency;
 - 3.1.2.3 Signs showing the location of public facilities (e.g., civic buildings and facilities, public telephones, restrooms, and underground utilities);
 - 3.1.2.4 Any sign, posting, public notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect public health, safety, and general welfare;
 - 3.1.2.5 Notices, licenses, permits, and other signs required by law; and
 - 3.1.2.6 Service station fuel price signs no larger than required by State law.
 - 3.1.3 **Historical Signs.** An existing sign found to be of historical significance by the Planning Commission is exempt from the provisions of this Ordinance after the Commission has adopted findings indicating that the sign has specific historic value. The application for this exemption shall incur a fee to cover the costs of staff time and materials. Changes to such signs, not including nonstructural modifications and nonstructural maintenance (e.g., painting, rust removal), shall nullify this exemption.
 - 3.1.4 **Sign Content.** The provisions of this Ordinance do not regulate the message content of signs (sign copy), regardless of whether the message content is commercial or noncommercial. Nothing contained in this Ordinance is intended to favor commercial speech over noncommercial speech. Notwithstanding anything else contained in this Ordinance, protected noncommercial speech shall be permitted on any sign on which commercial speech is allowed under this Ordinance and any sign containing protected noncommercial speech shall be deemed to be an on-site sign.
 - 3.1.5 **Sign Location.** Signs located on the interior of buildings or structures are not regulated by this Ordinance, unless such signs are located within five feet of a street facing window and oriented towards the window and not primarily designed for the information of persons within the structure or building. This exemption includes scoreboard signs, signs on the inside of ball field fences and signs located within the site of a special event such as a fair, festival or carnival.

Article 4 DEFINITIONS

Unless defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

- §4.1 **ABANDONED OR OBSOLETE SIGN:** A sign that no longer advertises a business, lessor, owner, product, service or activity on the premises where the sign is displayed.
- §4.2 **AFFILIATION SIGN:** A sign identifying membership in an association or network.
- §4.3 **ANIMATED SIGN:** A sign which uses movement, blinking, flashing, change or fluctuation of lighting intensity, color, motion or sense of motion, or sound to depict action or create a special effect, including programmable displays and rotating signs.
- §4.4 **AWNING, CANOPY OR MARQUEE SIGN:** A sign displayed on or attached flat against the surface or surfaces of an awning, canopy, or marquee.
- §4.5 **BANNER, FLAG OR PENNANT:** Cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to a structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the State of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.
- §4.6 **BILLBOARD:** Any freestanding off-site outdoor advertising sign and or panel independent of a building to attract the attention of those passing by.
- §4.7 **BULLETIN BOARD:** A permanent sign with posted messages that relay community information.
- §4.8 **CONSTRUCTION SIGN:** A sign advertising or identifying the persons or firms associated with a construction or development project.
- §4.9 **COPY:** The graphic content of a sign surface in either permanent or removable letters, images, symbols, figures or message format.
- §4.10 **DERELICT SIGN:** A 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 applicable Building or Electrical Codes.
- §4.11 **DIRECTIONAL SIGN:** A sign designed and erected solely for the purpose of directing those passing by.
- §4.12 **FLASHING SIGN:** A sign having a conspicuous and intermittent variation in lighting; a sign incorporating intermittent electrical impulses from a source of light or a light revolving in a manner which creates the illusion of flashing.
- §4.13 **FREESTANDING SIGN:** A sign permanently attached to the ground which is supported by one or more uprights, braces, poles or other similar structural components that is not attached to a building or buildings, nor has a building as its primary structural support. This includes ground signs, pole signs and monument signs.
- §4.14 **GARAGE AND YARD SALE SIGNS:** A sign with a message advertising the resale of personal property.
- §4.15 **GASOLINE PRICE SIGN:** A sign that announces the price of fuel to those passing by.

- §4.16 **HISTORIC SIGNIFICANCE PLAQUE:** A sign announcing the location of a feature, place or building found to be historically significant and authorized or erected by a state or nationally recognized historical preservation society, the City Council, or a federal or state authority.
- §4.17 **ILLUMINATED SIGN:** A sign with an artificial light source for the purpose of lighting the sign.
- 4.17.1 **INDIRECTLY ILLUMINATED SIGN:** A sign whose light source is exterior to the sign and which casts light onto the sign from some distance.
- 4.17.2 **INTERNALLY ILLUMINATED SIGN:** A sign that houses an internal lighting system.
- §4.18 **INCIDENTAL SIGN:** a small sign, emblem, or decal providing only information to those passing by regarding aspects of service available on the premises, such as credit cards accepted or open hours.
- §4.19 **INFLATABLE SIGN:** Any sign that is or can be enlarged with three cubic feet or more of air, liquid or gas.
- §4.20 **LOGO:** An established identifying trademark or symbol of an organization, business or business entity.
- §4.21 **MOVING SIGN:** Any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement, including wind-driven signs but not including banners, flags, or pennants.
- §4.22 **MULTI-FACED SIGN:** A sign that has two or more sign faces.
- §4.23 **MURAL:** A display painted directly on a wall which is designed and intended as a decorative or ornamental feature. Murals do not contain advertising text, numbers, address, registered trademarks, or registered logos. A mural is generally not considered a sign.
- §4.24 **NAMEPLATE:** An on-site wall sign which gives only the name, contact information, address and/or occupation of an occupant or group of occupants.
- §4.25 **OFF-SITE SIGN:** A sign which directs attention to a business, product, service, industry or other activity not sold, offered or conducted on the premises upon which the sign is located.
- §4.26 **ON-SITE SIGN:** A sign which directs attention to a business, product, service, industry or other activity sold, offered or conducted on the premises upon which the sign is located.
- §4.27 **OPINION 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, social, religious, or other ideological sentiments that does not advertise a product or service.
- §4.28 **PORTABLE SIGN:** A 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.
- §4.29 **PRODUCT SIGN:** A sign using logos, icons, shapes, or symbols to inform the public that a particular product or brand is sold at that location.
- §4.30 **PROJECTING SIGN:** A sign other than a wall sign that is suspended from, attached to, or projects

- more than 12 inches from a building face or wall or from a structure whose primary purpose is other than the support of the sign.
- §4.31 **REAL ESTATE SIGN:** A temporary sign announcing the offer to build on, sell, lease or rent real property and identifying the entity handling such sale, lease or rental. Includes signs announcing an open house for the property.
- §4.32 **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 .
- §4.33 **SANDWICH BOARD SIGN:** A temporary portable A-Frame sign placed outside a business.
- §4.34 **SEASONAL SIGNS AND DECORATIONS:** Temporary seasonal, holiday and cultural observance decorations which do not include commercial advertising messages.
- §4.35 **SIGN:** Any device, structure, fixture, or placard displaying graphics, symbols, and/or written copy for the primary purpose of communicating with the public, when such image is visible from any public right-of-way, except the following:
- 4.35.1 Personal appearance. Items or devices of personal apparel, decoration or appearance, including tattoos, makeup, wigs, costumes, masks, etc.;
 - 4.35.2 Manufacturers' marks. Marks on tangible products, which identify the maker, seller, provider or product, and which customarily remain attached to the product even after sale;
 - 4.35.3 Mass transit graphics. Graphic images mounted on duly licensed mass transit vehicles that legally pass through the City;
 - 4.35.4 Vehicle and vessel insignia. On street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel;
 - 4.35.5 Grave stones and grave markers;
 - 4.35.6 News racks and newsstands;
 - 4.35.7 Shopping carts, golf carts, and horse drawn carriages; and
 - 4.35.8 Vending machines which do not display off-site commercial messages or general advertising messages.
- §4.36 **SPECIAL EVENT SIGN:** A temporary sign used to announce community wide events which are not conducted in connection with the operation of a commercial enterprise.
- §4.37 **STREET ADDRESS:** Any series of numbers and/or letters used for describing the location of a building, apartment, or other structure or a plot of land on a street.
- §4.38 **SUBDIVISION SIGN:** A temporary sign advertising a subdivision and providing travel directions to properties therein offered for sale or lease.
- §4.39 **TEMPORARY SIGN:** A sign intended to display either commercial or noncommercial messages of

a transitory or temporary nature.

§4.40 **TIME AND/OR TEMPERATURE SIGN:** Any sign or portion of a sign which displays only the current time and/or temperature that carries no other copy.

§4.41 **WALL SIGN:** A sign which is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

§4.42 **WIND-DRIVEN SIGN:** A sign that moves freely in the wind.

§4.43 **WINDOW SIGN:** A sign which is attached to or painted on a window or door.

§4.44 **ZONE:** A distinct and separate district within which certain uniform regulations and requirements or combinations thereof apply under the provisions of Ordinance 02-02.

Article 5 SIGN PERMITS

§5.1 **Sign Permit Required:** No sign shall be constructed, installed, or modified, unless a sign permit is first obtained in compliance with this Section, or the sign is allowed without a sign permit by §1006 (Exemptions from Sign Permit Requirements).

5.1.1 **Criteria for Approval:** No sign permit shall be approved for an existing or proposed sign unless the sign is in compliance with all applicable requirements of this Ordinance.

5.1.2 **Effect of Approval:** An approved sign shall be installed and maintained only in compliance with its sign permit.

5.1.3 **Design Review Use Permit:** A proposed sign may require a Design Review Use Permit in addition to a sign permit.

5.1.4 **Building Permit:** A proposed sign may require a Building Permit in addition to a sign permit.

§5.2 **Review Authority.**

5.2.1 **City Staff:** City Staff, as directed by the City Manager, shall review and decide sign permit applications in compliance with the findings required by §100X(Findings for approval), except as provided by §100X. City Staff may also refer any sign permit application to the Design Review Committee for review and decision.

5.2.2 **Design Review:** In addition to signs within the Design Control Combining Zone, a Design Review Use Permit as provided for by Ordinance 02-02 shall be required for:

5.2.2.1 Sign permit applications in any zone proposing signs over 20 square feet in area, or proposing a sign that will increase the total sign area on a site to over 20 square feet; and

5.2.2.2 All signs for nonresidential uses in residential zones unless exempt from sign permit requirements per §1006.

5.2.3 **Conditions of Approval:** The review authority may require conditions of approval that it determines are necessary to achieve the purpose, intent, and objectives of this Ordinance.

§5.3 **Sign Permit Procedures.**

- 5.3.1 **Application Requirements:** Each application shall include all of the following:
- 5.3.1.1 A site plan and building elevations, drawn to scale, accurately showing the proposed location of each sign in relation to other signs on the site and building, including each present and planned sign of any type, whether or not requiring a permit;
 - 5.3.1.2 Plans for the sign, drawn to scale, accurately detailing the design and proposed appearance of the sign, including mounting and lighting details;
 - 5.3.1.3 A complete color scheme for the sign;
 - 5.3.1.4 Sufficient other details of the proposed sign to show that it complies with the provisions of this Ordinance;
 - 5.3.1.5 Written permission from the property owner for the placement of the proposed sign on the site;
 - 5.3.1.6 Computation of the total sign area, the area of each individual sign, the height of each sign, and the total number of existing and proposed signs on the parcel; and
 - 5.3.1.7 Other information as required by the review authority.
- §5.4 **Findings for Approval.** The approval of a sign permit shall require that the review authority make the following findings, as applicable:
- 5.4.1 The proposed sign complies with the standards of §100X-100X and is in substantial conformance with the design criteria in §100X of this Ordinance.
- §5.5 **Expiration and Extension of Sign Permit or Approval.**
- 5.5.1 Sign permit and sign plan approval shall expire 12 months from the date of approval unless the sign has been erected or a different expiration date is stipulated at the time of approval. Before the expiration of a sign permit, the applicant may apply for an extension of an additional 12 months from the original date of expiration. The review authority may make minor modifications, or may deny further extensions of the approved sign at the time of extension.
 - 5.5.2 The expiration date of the sign permit shall be automatically extended to concur with the expiration date of the companion Building Permit or other applicable permits.
- §5.6 **Administrative Appeals.**
- 5.6.1 Administrative decisions, including determinations relative to application completeness, may be appealed to the City Council within 10 calendar days of staff's determination, as set forth in Zoning Ordinance 02-02 Article XI.

Article 6 EXEMPTIONS FROM SIGN PERMIT REQUIREMENTS

Unless otherwise specified in this Ordinance, the following signs and modifications are allowed in all zones without sign permit approval, provided they comply with §1008 (General Requirements for All Signs), and any required Building Permit is obtained. No sign is allowed on a site if that sign, together with all other signs on the site, exceeds the maximum allowable sign area as specified in §100X.

- §6.1 **Nonstructural Modifications and Maintenance.** Nonstructural modifications and maintenance of

conforming signs, including modifications to sign copy or changes to the face or copy of changeable copy signs;

§6.2 **Permanents Signs.**

6.2.1 **Historic Significance Plaque and Nameplate.** Nameplates, building cornerstones when cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure, and historic plaques erected and maintained by non-profit organizations, provided:

6.2.1.1 Each building or structure shall bear only one such sign;

6.2.1.2 Nameplates shall not exceed two square feet in area;

6.2.1.3 Historic Significance Plaques shall not exceed four square feet in area;

6.2.1.4 Signs shall be constructed of historically significant and durable materials; and

6.2.1.5 The sign shall not be illuminated.

6.2.2 **Incidental and Affiliation.** Incidental and Affiliation signs are allowed without a sign permit provided that the signs do not exceed one square foot each in area and are attached to a window pane, transom or door. These signs shall not be illuminated and are exempt from design review.

6.2.3 **Official Flags.** Flags of national, State, or local governments, fraternal, or public service agencies, provided:

6.2.3.1 Only one flag pole is permitted per parcel;

6.2.3.2 A maximum of three flags shall be flown on one pole;

6.2.3.3 The length of the flag shall not exceed one-third the height of the flag pole;

6.2.3.4 The height to width ratio of the flag shall not exceed 1:1;

6.2.3.5 The height of the flag pole shall not exceed 15 feet within a residential zone, and 30 feet within a nonresidential zone; and

6.2.3.6 No private flag pole shall be located within a public right-of-way or required setback.

6.2.4 **Parking Information Signs.** 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:

6.2.4.1 Such signs shall not be illuminated.

6.2.4.2 A maximum of four signs shall be permitted per parcel;

6.2.4.3 Each sign shall pertain to parking space(s) located on private property; and

6.2.4.4 No such sign shall exceed two square feet in area.

6.2.4.5 Such signs shall be exempt from Design Review.

6.2.5 **"No Trespassing"** or similar signs regulating the use of property, provided the signs do not exceed two square feet or a total aggregate area of four square feet.

6.2.6 **Street Address.** As required by the California Building Code, all buildings must have

street address numbers, building numbers or building identification placed in a position that is plainly legible and visible from the street or road fronting the property on buildings. Street address signs shall meet the following requirements:

- 6.2.6.1 The address sign shall meet the requirements of the adopted California Building Code.
 - 6.2.6.2 The address numbers shall:
 - 6.2.6.2.1 Contrast with their background;
 - 6.2.6.2.2 Be Arabic numbers and/or alphabetical letters;
 - 6.2.6.2.3 Not exceed 12 inches in height; and
 - 6.2.6.2.4 Shall not be smaller than four inches in height nor have a stroke of less than one-half inch.
 - 6.2.6.3 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.
 - 6.2.7 **Time and Temperature Signs and Barber Poles** not exceeding 10 square feet in area.
 - 6.2.8 **Window Signs.** In all zones except residential zones, (R- zones), window signs in compliance with §1000X of this Ordinance are allowed without a sign permit and are exempt from design review provided the signs do not exceed two square feet per sign and do not exceed the aggregate signage allowed for the window.
- §6.3 **Temporary Signs.** The following do not require a sign permit or Design Review:
- 6.3.1 **Banners and Pennants.** Banners or pennants may be used for a period not to exceed 30 days per year after submitting a signed and dated notice to City Hall including dates of use, business name and address, and applicant name and contact information. The banner or pennants shall have a maximum height of 4 feet and a maximum length of 50 feet. See §1000X for banners and pennants exceeding 30 days per year.
 - 6.3.2 **Construction Signs.** Construction signs, provided that the signs:
 - 6.3.2.1 Are erected no sooner than the date of Building Permit issuance and are removed within 30 days of Building Permit finalization;
 - 6.3.2.2 Shall not exceed a total aggregate area of ten square feet for individual lots or 32 square feet for a subdivision frontage. Sign height shall not exceed six feet for a single lot or eight feet for a subdivision;
 - 6.3.2.3 Shall be placed at minimum ten feet from any public right-of-way or 15 feet of any intersection;
 - 6.3.2.4 One such sign shall be allowed per public entrance to the site or subdivision;
 - 6.3.2.5 Shall not advertise for employment or other services;
 - 6.3.2.6 Shall not be illuminated.
 - 6.3.3 **Garage and Yard Sale Signs.** Garage and yard sale signs, provided that the signs:
 - 6.3.3.1 Shall not exceed five square feet in area and 48 inches in height

- 6.3.3.2 Shall not be illuminated;
 - 6.3.3.3 Shall not be placed on public property;
 - 6.3.3.4 No more than four off-site and one on-site sign shall be posted; and
 - 6.3.3.5 Garage and yard sale signs shall be allowed for up to 48 hours before and after the sale.
- 6.3.4 **Opinion and Special Event Signs.** Opinion or special event signs shall not be prohibited by development restrictions (i.e., CC&R's), provided that the signs:
- 6.3.4.1 Shall not be illuminated;
 - 6.3.4.2 Shall be placed on private property with the property owner's consent;
 - 6.3.4.3 Shall not exceed a total aggregate area of 12 square feet on a site within a residential zone, and 32 square feet within a nonresidential zone;
 - 6.3.4.4 Shall not be placed within 15 feet of a fire hydrant, street sign, or traffic signal, or interfere with, confuse, obstruct, or mislead traffic;
 - 6.3.4.5 Shall be placed no more than 60 days prior to the event or upon official announcement of candidacy for a public office and are removed within 48 hours after the conclusion of the political campaign or event to which they relate. A sign that is not removed may be removed by the City at the expense of the political candidate or organization involved. Opinion or social issue signs not related to an election or event that are intended to be posted for more than 60 days, will be regulated as permanent signs, require a sign permit, and are subject to design review.
- 6.3.5 **Real Estate Signs.** Real estate signs in compliance with California Civil Code §713, subject to the following requirements:
- 6.3.5.1 **All Zones.** Real estate signs shall not be illuminated and shall be removed upon sale or rental of the property and/or close of escrow.
 - 6.3.5.2 **Commercial Zones.** A site within a commercial zone (C- zone) shall be allowed one on-site freestanding real estate sign and one off-site freestanding real estate sign for each parcel frontage. Signs shall not exceed 32 square feet, with a maximum height of six feet.
 - 6.3.5.3 **Residential Zones.** A site within a residential zone (R- zone) shall be allowed one on-site freestanding real estate sign and one off-site freestanding real estate sign for each parcel frontage. Signs shall not exceed six square feet, with a maximum height of five feet.
- 6.3.6 **Seasonal Signs and Decorations,** provided the signs are erected no sooner than 45 calendar days prior to the holiday and removed within 10 days following the holiday.

Article 7 PROHIBITED SIGNS

All signs not expressly allowed by this Ordinance shall be prohibited, including the following:

- §7.1 Abandoned or derelict signs, sign structures or empty frames;
- §7.2 Animated and moving signs, including electronic message display signs, and variable intensity,

- blinking, or flashing signs, exposed illumination exceeding 15 watts, the use of flame as illumination or as a design feature, or signs that emit a varying intensity of light or color;
- §7.3 Signs that emit odor, noise, smoke, flame or visible matter other than light;
- §7.4 A sign attached to or suspended from a boat, vehicle, or other movable object that is parked within a public right-of-way, or located on private property but visible from a public right-of-way; except a sign painted directly upon, magnetically affixed to, or permanently affixed to the body or other integral part of a vehicle;
- §7.5 Signs containing obscene matter in violation of California Penal Code §311 et seq.;
- §7.6 Signs supported in whole or in part by cables or guy wires;
- §7.7 Billboards;
- §7.8 Inflatable signs;
- §7.9 Roof Signs;
- §7.10 Internally illuminated signs except product signs;
- §7.11 Signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that interferes with, misleads, or confuses pedestrian or vehicular traffic, or creates a safety hazard;
- §7.12 Any sign not established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation; and
- §7.13 Temporary and portable signs, except as specifically allowed elsewhere in this Ordinance.

Article 8 GENERAL REQUIREMENTS FOR ALL SIGNS

- §8.1 **Sign Height Measurement.** 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.
- 8.1.1 **Grade.** Normal grade shall be construed to be the lower of either the:
- 8.1.1.1 Existing grade before construction; or
- 8.1.1.2 Newly established grade after construction, exclusive of any berming, filling, mounding, or excavating solely for the purpose of locating the sign.
- 8.1.2 **Where Normal Grade Cannot be Determined.** 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 a public street, whichever is lower.
- §8.2 **Sign Height Limits.** Sign height shall not exceed the limit established for the applicable zone by §100X (Sign Standards by Zone), or as required for a specific sign type by §100x (Standards for Specific Sign Types). Where maximum height is not specified, the height of a sign shall not exceed 20 feet.
- §8.3 **Sign Area Measurement.** The measurement of sign area to determine compliance with the sign

area limitations of this Ordinance shall occur as follows.

- 8.3.1 **Surface Area.** The surface area of a sign shall be calculated 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.
 - 8.3.2 **Sign Structure.** Supporting bracing or framework that is clearly incidental to the display itself shall not be computed as sign area.
 - 8.3.3 **Multi-faced Signs.** The sign area for a sign with more than one face shall include only the area of the largest side.
 - 8.3.4 **Three-dimensional Objects.** Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane.
- §8.4 **Sign Area and Quantity Limits.** Sign area and quantity shall not exceed the limit established for the applicable zone by §100X (Sign Standards by Zone), or as required for a specific sign type by §100x (Standards for Specific Sign Types). Where maximum area is not specified, the area of a sign shall not exceed 32 square feet for a single sign, and aggregate sign area per building frontage shall not exceed the lesser of the following: 90 square feet or 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.
- 8.4.1 **Frontage.** In the case of a building with frontage on more than one public way, each frontage shall be considered separately. For aggregate sign area, the total allowed per frontage may be distributed between the frontages (a building may use its combined area allowance on one side only, or may use some percentage on one side and the remainder on the other). Quantity limits pertain to each frontage (the total number of signs allowed cannot be combined and distributed between frontages).
 - 8.4.2 Unless otherwise specified in this Ordinance, signs exempt from permit requirements per §1006 of this Ordinance shall not be counted toward the aggregate area and quantity limit.
 - 8.4.3 Except as specified in §10010.8, window signs shall not be counted toward aggregate area and quantity limits.
 - 8.4.4 A maximum of three permanent signs, one of which may be multi-faced, shall be allowed per business.
 - 8.4.5 A building with multiple businesses served by an interior mall shall be limited to one sign at each building entry identifying the building name and a directory not to exceed one square foot per business listed within the building. Individual businesses within the building shall be limited to one projecting sign not to exceed three square feet or one wall sign not to exceed six square feet.
 - 8.4.6 On any single parcel, temporary signs shall not exceed an aggregate area of 12 square feet within a residential zone 32 square feet within a nonresidential zone.
- §8.5 **Location Requirements.** Each sign location shall meet the following requirements, and all other applicable provisions of this Ordinance.
- 8.5.1 Each sign shall be located on the same site as the subject of the sign, except as otherwise allowed in this Ordinance.

- 8.5.2 Each sign location shall comply with setback requirements of the applicable zone, except where a different requirement is established in this Ordinance.
- 8.5.3 All signs shall comply with Americans with Disabilities Act restrictions for access.
- 8.5.4 No sign shall be placed so as to interfere with the operation of or obscure a door, fire escape, stairway, standpipe, window, or building design element including a cornice or other decorative detail.
- 8.5.5 Signs placed on private property shall have written permission from the property owner;
- 8.5.6 No sign shall be marked on or affixed to a rock, tree, or other natural landscape feature;
- 8.5.7 No sign shall be placed within 15 feet of a fire hydrant, on utility poles, traffic control signs or in the public right-of-way, except as allowed by this ordinance or government authority; and
- 8.5.8 No sign shall be placed where it will interfere with visibility or safety.

§8.6 Signs Placed Within the Public Right-of-Way.

- 8.6.1 No sign shall be allowed in the public right-of-way except for:
 - 8.6.1.1 Signs on structures located within the right-of-way which by tradition or designation are used for the purpose of communication by the general public. Such structures shall include kiosks, bulletin boards, benches upon which advertisement is authorized, and newspaper racks, provided that such structures shall have either been placed in the right-of-way by the City or have an encroachment permit from the appropriate agency;
 - 8.6.1.2 Public signs erected by or on behalf of a governmental agency to convey public information, identify public property, post legal notices, or direct or regulate pedestrian or vehicular traffic;
 - 8.6.1.3 Bus stop signs installed by a public transit company;
 - 8.6.1.4 Informational signs of a public utility regarding lines, pipes, poles, or other facilities; or
 - 8.6.1.5 Emergency warning signs installed by a governmental agency, public utility company, or contractor doing authorized work within the public right-of-way.
- 8.6.2 Any sign installed or placed within the public right-of-way other than in compliance with this Section shall be forfeited to the public and be subject to confiscation.
- 8.6.3 In addition to other remedies identified in §10013 (Abatement and Removal), the City shall have the right to recover from the owner, or person placing the sign, the full costs related to the removal and disposal of any sign not complying with this section.

§8.7 Design Criteria. 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.

8.7.1 Design and Construction.

- 8.7.1.1 A proposed permanent sign should be 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. The intent is to ensure public safety, to achieve signs of careful construction, neat and readable copy, and durability, to reduce maintenance costs and to prevent dilapidation.

- 8.7.1.2 Signs that could potentially create a public hazard shall require plans signed by an engineer prior to permit approval, and may require inspection by the City Building Inspector.

8.7.2 **Materials and Structure.**

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

- 8.7.2.2 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 supporting members are preferable to many smaller supports.

- 8.7.2.3 Materials for signs within the Design Control Combining Zone should be consistent in appearance to materials of surrounding historic structures.

- 8.7.3 **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 prevailing colors on the structure and in the surrounding neighborhood.

§8.8 **Copy 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. Copy design and layout consistent with these principles is encouraged, but not required.

- 8.8.1 For business signs, copy should relate only to the name and/or nature of the business or commercial center.

- 8.8.2 Permanent signs that advertise continuous sales, special prices, make claims, or include phone numbers, etc. should be avoided.

- 8.8.3 Information should be conveyed briefly or by logo, symbol, or other graphic manner. The intent should be to increase the readability of the sign and thereby enhance the identity of the business.

§8.9 **Lighting.** Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties. Illuminated signs are allowed provided they comply with all other provisions of this Ordinance, including the following:

- 8.9.1 External light sources shall be directed and shielded so that they do not produce glare on any object other than the sign. A maximum of 15 watts is allowed;

- 8.9.2 Lighting shall not be of an intensity or brightness that will interfere with the reasonable enjoyment of residential properties;

- 8.9.3 Lighting shall not blink, flash, flutter, or change intensity, brightness, or color;

- 8.9.4 The use of mirrors or highly reflective surfaces that direct or reflect natural or artificial light onto a public right-of-way or adjoining property shall be prohibited;

8.9.5 Neither the direct nor reflected light from primary light sources shall create hazards for pedestrians or operators of motor vehicles; and

8.9.6 Indirect light sources shall utilize hard-wired fluorescent, LED, or compact fluorescent lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent, xenon, metal halide, mercury vapor, and sodium vapor lamps shall be prohibited. Timers and photoelectric cells are encouraged.

§8.10 Sign Maintenance.

8.10.1 Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.

8.10.2 Any repair to a sign shall be of equal or better in the quality of materials and design as the original sign.

8.10.3 A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the Nuisance Ordinance.

8.10.4 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.

Article 9 SIGN STANDARDS BY ZONE

Each sign shall comply with the sign type, area, height, and other restrictions provided by the following table except as otherwise expressly provided in this Ordinance. Signs exempt from permit requirements per §100X and Temporary signs per §100X are not listed in this table, as they are generally allowed in all zones. For the purposes of the following table, the term “affixed” shall include all signs attached to or painted on a building, including but not limited to wall, awning, projecting, and window signs.

Zone	Use	Allowed Sign Types	Maximum Sign Height	Maximum Aggregate Sign Area
R-S, R-1, R-2	Uses permitted with a Use Permit	One freestanding or one wall sign.	Wall: Below Eave Freestanding: 4 ft.	8 sq. ft./parcel
R-3	Permitted non-residential uses	One freestanding or one wall sign.	Wall: Below Eave Freestanding: 5 ft.	8 sq. ft./parcel
R-4	Permitted non-residential uses	One window sign and one freestanding or affixed sign.	Wall: Below Eave Freestanding: 5 ft.	8 sq. ft./parcel
C-1, C-2, C-AG, C-H, M-L, M-H, F-W, F-P, P-D, A-E, P-F	Permitted non-residential uses	Affixed, Freestanding, Sandwich Board	Affixed: Below Eave Freestanding: 8 ft.	See §8.4

Article 10 STANDARDS FOR SPECIFIC SIGN TYPES

Proposed signs shall comply with the following standards applicable to the specific sign type. Each sign type listed in this Section shall be subject to the zone location requirements and included in the calculation of the total sign area allowed on a parcel by §1009 (Sign Standards by Zone), unless this Section explicitly provides otherwise. Each sign shall also comply with the sign area, height, and other requirements of §100X, and all other applicable provisions of this Ordinance.

- §10.1 **Awning, Canopy or Marquee Signs.** These signs are limited to first or second story and shall not project beyond the face of the awning, canopy, or marquee.
- §10.2 **Bulletin Board Signs.** One bulletin board may be permitted on the site of an institution, subject to the following;
- 10.2.1 Sign shall not exceed 20 square feet and not more than ten feet in height; and
- 10.2.2 Sign content must relate to an activity conducted at or sponsored by the institution.
- §10.3 **Directional Signs.** Directional signs shall not be used for off-site advertising or advertising for hire and shall comply with all the following requirements:
- 10.3.1 **Content.** Directional signs shall not contain advertising copy. Business name or logo shall not exceed 20 percent of the total sign area.
- 10.3.2 **Sign Area.** Directional signs may not exceed an area of six square feet or height of 48 inches.
- 10.3.3 **Off-site Directional Signs.** An off-site directional sign may be approved only for sites where the review authority determines that a property owner has considered all permanent signs allowed by this Ordinance, and site visibility still remains impaired.
- 10.3.3.1 A maximum of two off-site directional signs, limited one per street, shall be allowed per use.
- 10.3.3.2 Such signs shall be placed only on private non-residential property.
- 10.3.3.3 Sign content shall be limited to name and directional arrow.
- 10.3.4 **On-site Directional Signs.** No more than two shall be permitted per public road entrance. Entities sharing an access may be permitted one on-site directional sign each along the access road.
- §10.4 **Freestanding Signs.**
- 10.4.1 **Location Requirements.** A freestanding sign may be located within a required front or street side setback provided that it complies with the vision clearance area requirements of Ordinance 02-02 §7.08.1.
- 10.4.2 **Height Limit.** A freestanding sign shall not exceed a height of eight feet.
- 10.4.3 **Sign Area.** Sign area shall not exceed 24 square feet, with base structure area not exceeding $\frac{3}{4}$ of the sign area.
- 10.4.4 **Other Requirements.**
- 10.4.4.1 The bottom edge of a freestanding sign shall be no more than three feet above ground level.
- 10.4.4.2 Freestanding signs without a solid base shall be either hung from a bar cantilevered off one post or supported by two wood, metal, or granite posts that are generally square in cross section.
- §10.5 **Product Signs.** Businesses may be permitted a maximum of three Product signs, with a maximum of two per window, provided the signs:
- 10.5.1 Shall be located in the building interior but not on doors or second story windows;

- 10.5.2 Shall not exceed four square feet; and
- 10.5.3 May be illuminated only during business hours.

§10.6 Projecting Signs.

- 10.6.1 Shall project perpendicularly from the building to which they are mounted;
- 10.6.2 Shall have a ground clearance of no less than eight feet from the bottom of the sign to the finished grade below;
- 10.6.3 Shall project no more than 48 inches from the building face nor closer than 12 inches to the vertical plane of the street curb line;
- 10.6.4 Shall not exceed an area of nine square feet individually or 18 square feet per building in aggregate;
- 10.6.5 Shall require an Encroachment Permit if projecting over a public right-of-way;
- 10.6.6 Shall not extend higher than the lesser of 14 feet, eave height, parapet height, or sill height of a second floor window;
- 10.6.7 Shall not be permitted on the same frontage as a freestanding sign; and
- 10.6.8 Creative shapes, three-dimensional signs, and signs using icons, shapes, symbols uniquely suited to the business are encouraged.

§10.7 Sandwich Board Signs. These signs may be permitted annually when necessary to direct traffic to a location and are not covered by the restrictions in §10.5 (Permanent directional signs). These signs are highly discouraged, but may be permitted subject to the following requirements:

- 10.7.1 Such signs must be removed daily at the close of normal business hours;
- 10.7.2 A renewal application for these signs shall be submitted annually with the business license renewal;
- 10.7.3 A maximum of one such sign, not to exceed six square feet in area and 48 inches in height, may be allowed per business; and

§10.8 Temporary Signs. Temporary signs are allowed in all zones subject to the following:

- 10.8.1 **Banners and Pennants.** A licensed business may be permitted to use a banner or pennants subject to the following requirements (see also §1006 for exemption):
 - 10.8.1.1 The use of a banner or pennants may be allowed for up to 120 days;
 - 10.8.1.2 The banner or pennants shall have a maximum height of four feet and a maximum length of 50 feet.
 - 10.8.1.3 The application for a sign permit for banners or pennants shall include the dates proposed by the applicant for scheduled use.
- 10.8.2 **Subdivision Signs.** Subdivision signs may be allowed subject to the following:
 - 10.8.2.1 A maximum of two off-site signs per subdivision may be located on private property;
 - 10.8.2.2 One on-site sign per street frontage, with a maximum of two separated by a minimum of 75 feet, may be located within a subdivision;

- 10.8.2.3 The area of each sign shall not exceed 24 square feet for an on-site sign and 12 square feet for an off-site sign;
- 10.8.2.4 The height of each sign shall not exceed six feet;
- 10.8.2.5 The signs shall not be illuminated; and
- 10.8.2.6 The signs may be displayed only 12 months following recordation of the final map, or until all of the units have been sold, whichever occurs first.

§10.9 **Wall Signs.**

- 10.9.1 A maximum of two wall signs per building frontage shall be permitted.
- 10.9.2 Wall signs shall not exceed the lesser of 32 square feet or 0.25 square feet for each foot of frontage plus 0.125 square feet for each foot of building façade height.
- 10.9.3 The aggregate area of all wall signs on a building shall not exceed 80 square feet.
- 10.9.4 Wall signs shall not project more than six inches from the wall.

§10.10 **Window Signs.**

- 10.10.1 **Maximum Sign Area.** Window signs shall not exceed 24 square feet individually or an aggregate area of 25 percent of the total window area. Window panels separated by muntins or mullions shall be considered as one continuous window area.
- 10.10.2 **Sign Location.** Signs shall be allowed only on windows located on the ground level and second story of a structure frontage.
- 10.10.3 **Second Story Window Signs.** The number of second story window signs shall not exceed 50 percent of the number of second story windows fronting on the same street (i.e., a building with six windows on a side may have three of those windows with a sign for three separate occupants). No second story window sign shall occupy more than 10 percent of the individual window area. Second story signs shall consist only of individual letters or symbols applied to, stenciled on or etched into the glass surface not exceeding six inches in height, and shall not contain logos or artwork.

Article 11 EXCEPTIONS

A variance from the strict application of the terms of these regulations, provided that such exceptions are not prohibited elsewhere in this Ordinance, may be granted pursuant to Ordinance 02-02 Article IX.

Article 12 NONCONFORMING SIGNS

A nonconforming sign is any permanent or temporary sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this Ordinance.

§12.1 **General Requirements.** A nonconforming sign shall not be:

- 12.1.1 Changed to another nonconforming sign with a greater degree of nonconformity;
- 12.1.2 Structurally altered;
- 12.1.3 Reestablished after on-premises business operations are discontinued for six months; or
- 12.1.4 Reestablished after damage or destruction to more than 50 percent of the replacement

cost of the sign or components as determined by the Building Official.

§12.2 Maintenance and Changes. Nonstructural modifications and maintenance (e.g., painting, rust removal) of nonconforming signs are allowed without a sign permit. Changes shall not exceed 50 percent of the replacement cost as determined by the Building Official.

Article 13 ABATEMENT AND REMOVAL

If a sign is declared hazardous, dilapidated, derelict, abandoned, or is determined by the City Manager or review authority to be in violation of this ordinance, the sign shall be abated in compliance with Ordinance 06-04 (Nuisance Ordinance), except that, in the case of a hazardous sign, the sign is considered a "structure" with respect to the "Uniform Code for the Abatement of Dangerous Buildings" and shall be abated in compliance with that code.

Article 14 AMENDMENT

This Ordinance may be amended pursuant to Ordinance 02-02 §8.02 et seq.

Article 15 ENACTMENT

§15.1 Severability. If any section, sub-section, paragraph, sentence, or word of this ordinance shall be held to be invalid, either on its face or as applied, the invalidity of such provision shall not affect the other sections, sub-sections, paragraphs, sentences and words of this Ordinance, and the applications thereof; and to that end the sections, sub-sections, paragraphs, sentences and words of this Ordinance shall be deemed to be severable

§15.2 Effective Date. This Ordinance shall become effective 30 days after the date of its enactment.

PASSED AND ADOPTED on this Xth day of XXXX 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

City Clerk / Deputy City Clerk

Stuart Titus, Mayor

First Reading:	Amended:	
Second Reading:		
Enacted:		
Amended:		

Meeting Date:	September 18, 2013	Agenda Item Number	7.2
Agenda Item Title:	Design Review Committee Applicants		
Presented By:	Christina Wile, Deputy City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Interview Design Review Committee applicants and make recommendation to the City Council for appointment		

RECOMMENDATION:

Interview Design Review Committee applicants and make recommendation to the City Council for appointment to the Committee.

BACKGROUND:

With the resignation of Michael Bailey from the Design Review Committee, staff placed an advertisement in the Ferndale Enterprise and placed notices on the bulletin boards at Ferndale City Hall and near the post office, with a deadline of September 16, 2013. Staff will bring applications, if any, to the Planning Commission meeting, where the applicant(s) can be interviewed.

Zoning Ordinance 02-02, (changed by Ordinance 09-01):

Section 6.05 Design Control Combining or –D Zone

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 of 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.

July 11, 2013

RECEIVED
JUL 11 2013

BY:.....

Planning Commission

Gentlemen:

I'm interested in serving on the
design review committee.

Please accept this letter as my
application.

Charles Collins

1319 MAIN ST

PO BOX 208

FELLDALE, CA 95536

208-651-6247

Paul Gregson
P.O. Box 883
Ferndale, CA 95536
(415) 244-0450

September 12, 2013

To whom it may concern:

Ten months ago I moved to Ferndale from Shasta County when I was hired as an engineer by LACO Associates. I have a Bachelors of Science degree in Civil Engineering and a Master of Science degree in Environmental Engineering from U.C. Berkeley, with an emphasis in water and wastewater treatment, as well as environmental chemistry. Since graduating my fields of expertise have been water/wastewater treatment as well as collection and distribution systems. I also have performed flood analysis studies.

Since relocating to the area I have attended Ferndale's City Council Meetings fairly regularly to become better acquainted with the community, and to develop a better understanding of politics and policies in Humboldt County. I have also been attending several water and wastewater District Board meetings in Humboldt to expand my awareness regarding the needs of small utility districts. While attending these meetings I have developed a respect for the people who volunteer their time and energies to serve on District and City Boards, and also come to realize the value they provide to their communities. Therefore, I have elected to donate some of my time to serve my community in some capacity, and serving on the Design Review Committee would appear to be a good place to begin.

Serving on the Design Review Committee appears to be a good fit for me in that it is unlikely to lead to any conflict of interest between my work and my service. Furthermore, I should be able to use some of my engineering background to contribute to the committee, and serving on the Committee will provide me with an opportunity to learn more about Victorian era architecture, local politics, and my community.

I hope you will give my application serious consideration.

Sincerely,

Paul Gregson

Meeting Date:	September 18, 2013	Agenda Item Number	7.3
Agenda Item Title:	General Plan Update - Noise & Air Quality Element Scope of Work		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Review and Make Recommendation to the City Council		

RECOMMENDATION: Review the following Scope of Work for the Ferndale General Plan Noise & Air Quality Element Update, provide input, and make a recommendation to the City Council.

BACKGROUND:

The Ferndale City Council has allocated funds and the Planning Commission has guided a multi-year General Plan Update process. The Housing Element Update and new Historical & Cultural Resources Element are complete and adopted. The Safety Element Update is complete and awaiting environmental review. At their September 5th meeting, City Council concurred with Planning Commission recommendation on the next Element for the General Plan update, Noise & Air Quality. Following is a scope of work including a brief discussion of the Element content.

DISCUSSION:

The existing City of Ferndale General Plan Noise Element is included with the Public Safety and Scenic Highway Elements from 1975. The City currently has no Air Quality Element. The Noise Element is one of the seven mandated general plan elements per the State Office of Planning and Research (OPR) Guidelines. Air Quality is considered an optional element in the OPR Guidelines. For the purposes of this discussion and scope of services, this new element is referred to as the Noise & Air Quality Element. These two topics address quality of life issues for the community. The Noise & Air Quality Element will address ways to improve air quality and reduce noise, especially for sensitive receptors such as: schools, medical facilities, and certain residential uses.

The Noise component of the Element will also define types of noise including, but not limited to, mobile sources (vehicle noise) and stationary sources (commercial and industrial). This task will include preparation of a noise contour map for State Route 211 (Main Street) through Ferndale, using available County and Caltrans trip volume and noise contour data.

The air quality data and analysis will include an Emissions Reduction Plan to reduce greenhouse gas emissions as required for SB 375 and AB 32 compliance. This legislation calls for emission level rollbacks which can be accomplished by reducing both stationary and mobile levels.

During Element preparation, the city will collaborate with agencies, districts, and organizations including but not limited to the North Coast Unified Air Quality Management District, Caltrans and the Redwood Coast Energy Authority. The Element will be reviewed for consistency with other relevant plans such as the North Coast Unified Air Quality Management District's Particulate Matter Attainment Plan and Humboldt County Noise Element Update and Air Quality Element Update. The City will rely on existing studies and available safety data for the Element.

No new technical studies are included in this Scope. The North Coast Unified Air Quality Management District may have funding opportunities for projects identified in this element. The element will make extensive use of web links and internet source references to maximize the utility of the element while keeping the text version as concise as possible.

Public involvement is an integral part of the General Plan update process. City staff will organize and schedule study sessions and public hearings with the Planning Commission and City Council. In addition, General Plan consultation is an important part of element preparation. The City will be contacting Native American governments based on a state maintained list.

Proposed Noise & Air Quality Element Scope:

Introduction

This section will discuss the Noise & Air Quality Element purpose and introduce the organization and content of the entire Element. The introduction will also address how the Noise & Air Quality Element will be internally consistent with other General Plan element, goals, policies and implementation programs. All General Plan Elements are interdependent and related to each other. No single Plan element of should be used in isolation without consideration of all other component elements as an integrated General Plan. The Noise & Air Quality Element directly correlates to the Land Use, Circulation, and Housing Elements.

Definitions

This section will provide definitions of terms used throughout the Element.

Setting & Context

This Element section will include identification and overview of noise and air quality conditions in the Ferndale Planning Area. Conditions in the greater Eel River Valley will also be discussed. Applicable regional air basin, state, and federal standards will be listed for context. For air quality, criteria pollutants (i.e., particulate matter smaller than or equal to 10 microns (PM10)) will be identified. For noise, threshold measurements used by the state (community noise equivalent level (CNEL) and Day Night Average Sound Level (LDN) will also be identified for context and use in setting applicable noise levels in the element. Applicable legislation will be referenced.

Noise Characteristics and Sources

This section will include a noise contour map for State Route 211, identification of major noise sources, analysis of the local noise environment, definition and identification of sensitive receptors, and a discussion of ways to minimize noise exposure.

Air Quality Characteristics

This section will include a description of local and regional air quality conditions, a discussion of the area's current air quality designation, a summary of applicable federal and state standards

and laws, a summary of air pollution sources in the Planning Area, and an emissions inventory. RCEA is developing inventories for a climate change action plan for each city and the county. Applicable inventory benchmarks and sources will be documented as characteristics.

Air Basin Requirements - This section will discuss the North Coast Unified Air Quality Management District's (NCUAQMD) regulations, plans and programs, including the PM-10 attainment plan adopted in 1995 and the most current basin plan. A summary of applicable rules, such as those for Greenhouse Gas Mitigation & Control with appropriate web links, will be provided.

Emissions Reduction Plan - The Emissions Reduction Plan will involve the following tasks:

1. Develop Outline, Review Emissions Inventories & Determine Reduction Target.
2. Identify and Evaluate Emission Reduction Measures.
3. Disclose Costs/Benefits /Challenges of Various Emission Reduction Measures.
4. Refine Emission Reduction Measures.
5. Prioritize Measures and Develop Implementation Timeline.
6. Develop Greenhouse Gas Reduction Monitoring and Verification Recommendations.
7. Prepare Draft Emissions Reduction Plan & Hold Public Hearings.
8. Respond to Comments & Prepare Final Emissions Reduction Plan.
9. Adopt Emissions Reduction Plan.

City staff will work with RCEA and incorporate appropriate climate action plan components.

Goals, Policies and Implementation Programs

The contract planner and City staff will work with the Planning Commission and City Council to craft goals, policies, and implementation programs providing a policy basis for measures Ferndale can take to reduce noise exposure and improve air quality. A broad set of goals will be developed to reduce harmful emissions and noise levels in the community.

Noise policy topics proposed for the element will include:

- Overall noise reduction – mobile and stationary sources
- Land Use
- Design review & construction
- Transportation
- Monitoring

Air quality policy topics proposed for the element will include:

- Overall emissions reduction – area and stationary sources
- Land Use
- Energy conservation
- Transportation and circulation
- Hazardous materials
- Temporary measures - construction
- Monitoring

Implementation programs will be developed for each policy topic, consistent with the format used in other elements.

Study Sessions and Public Hearings

Public involvement is an integral part of the General Plan update process. City staff will work with the Planning Commission to organize and schedule study sessions and public hearings to gather public input for integration into the Element.

Environmental Compliance

An Environmental Impact Report (EIR) was prepared in 1986 for the Ferndale General Plan. At minimum, this document must be supplemented to comply with the California Environmental Quality Act (CEQA). Environmental review for the Element update may be coordinated with other General Plan Element Updates, including the Safety Element Update and/or other related discretionary actions of the City.

Meeting Date:	September 18, 2013	Agenda Item Number	7.4
Agenda Item Title:	Design Review Committee Alternate		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Appoint a member of the Planning Commission as an alternate for the Design Review Committee		

RECOMMENDATION: Appoint a member of the Planning Commission as an alternate for the Design Review Committee.

BACKGROUND: Zoning Ordinance 02-02 requires that two Planning Commissioners act as Design Review Members. The other three members of the 5-member committee are residents not sitting on any the Commission or City Council.

DISCUSSION: To take action on any Design Review application, a quorum of three Committee members must be present. In the event that a quorum is not reached, the meeting is cancelled and the applicant must wait at least a week before a decision is reached on the project. To help prevent cancelled meetings due to a lack of quorum, the Planning Commission may appoint an alternate to the Design Review Committee.

Meeting Date:	September 18, 2013	Agenda Item Number	7.5
Agenda Item Title:	Planning Commission Secretary Appointment		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Appoint a Secretary of the Planning Commission		

RECOMMENDATION: Appoint Deputy City Clerk Christina Wile as Secretary of the Planning Commission.

BACKGROUND: Former City Clerk City Clerk Nancy Kaytis-Slocum also served as the Planning Commission Secretary. Following her resignation, the Commission must appoint a new Secretary.

DISCUSSION: The Planning Commission Ordinance 05-05, Article 4, Powers and Duties, Section 4.02 reads: "The Commission shall appoint a Secretary who need not be a member of the Commission."

Meeting Date:	September 18, 2013	Agenda Item Number	7.6
Agenda Item Title:	Residential Fire Sprinklers		
Presented By:	Christina Wile, Deputy 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 the new requirements for residential fire suppression sprinklers.

BACKGROUND:

The City of Ferndale adopted the 2010 California Building Code by Ordinance No. 2011-01. The 2010 California Building Code was published on July 1, 2010, with an effective date of January 1, 2011.

A key component in the 2010 code adoption is the additional requirement that residential fire sprinklers be installed in all new one-and two-family dwellings and townhouses constructed statewide. For many years, installation of fire sprinkler systems has only been required in office buildings and multi-family dwellings (i.e. apartments). These sprinkler systems are proven to save lives and extinguish fires. Prior to the adoption of the 2010 California Building Code, more than 150 jurisdictions in California had a local residential fire sprinkler ordinance (source: CALFIRE).

Ferndale Ordinance No. 2011-01 also adopted the International Residential Code for One and Two Family Dwellings §R309.5, which states that "Private garages shall be protected by fire sprinklers."

DISCUSSION:

City Building Official Arnie Kemp confirmed that fire sprinklers are required in garages attached to new one and two family dwellings. Mother-in-law or second dwelling units are also required to have fire sprinklers. Remodeled rooms, or additions to older houses are not required to have fire sprinklers.

Business Item 7.7 Building and Land Use Permits

<i>BUSINESS ITEM</i>		<i>August 21, 2013 – September 12, 2013</i>
<i>Building Permits</i>		
632	Main	Convert old dog grooming space into hair salon (Ferndale Wildcuts)
950	Grant	Build horse barn
475	Main	Two new hot water heaters
305	Lincoln	Replace 100 amp main panel with 200 amp main panel
1009	Rose	Re-roof
<i>Land Use Permits</i>		
925	Bluff	Vacation Rental

NOTE: Staff will bring the Building Permit Book to the Planning Commission meetings so that any of the commissioners, or public, can view any permits that have been issued.

Meeting Date:	September 18, 2013	Agenda Item Number	7.8
Agenda Item Title:	Design Review Committee Report – Lino Mogni, Marc Daniels		
Presented By:	Chairman Jorgen Von Frausing-Borch		
Type of Item:	Action	x	Discussion
			x
			Information
Action Required:	Receive and file information		

RECOMMENDATION:

Receive and File

BACKGROUND:

Lino Mogni and Marc Daniels are Planning Commission members who are also members of the Design Review Committee. Either or both will report on items of interest from the Design Review Committee meetings.

Section 8: CORRESPONDENCE

City of Ferndale INCORPORATED 1893

August 21, 2013

Nancy Trujillo
Gable Properties
P.O. Box 1044
Ferndale, CA 95536

Re: Building Permit Requirement and Tyvek® Replacement at 580 Main Street, Ferndale, CA.

Dear Ms. Trujillo,

It has come to the City's attention that the DuPont™ Tyvek® on the building at 580 Main Street has been exposed longer than the manufacturer's specifications allow. It is the duty of the City Building Inspector to administer and enforce the Building Standards and Regulations of the City of Ferndale, insure that appropriate materials are utilized, and that construction occurs in a manner compliant with applicable Building Codes. Please note, your failure to complete this project in a timely manner is compromising the integrity of the Tyvek®, and thus jeopardizes the City's approval of the work.

The Design Review Use Permit for 580 Main Street was approved more than seven months ago. It is time for you to apply for a Building Permit.

Please feel free to call if you have questions or need clarification.

Sincerely,

Arnie Kemp
City Building Official

File: 580 Main Street - Correspondence
Cc: City Clerk
City Manager
City Planner

Aug 19 13 10:35a Arnie Kemp
08/15/2013 0:17PM FAX 10/12/04

707-764-5043

p. 3

Technical Specifications

DuPont™ Tyvek® water-resistive barriers used in construction products is made from 100% flash spunbonded high density polyethylene fibers which have been bonded together by heat and pressure, without binders or fillers, into a tough, durable sheet structure. Additives have been incorporated into the polyethylene to provide ultraviolet light resistance. DuPont requires that DuPont™ Tyvek® water-resistive barriers be covered within four months (120 days) of installation.

DuPont™ Flashing Systems products are made from a synthetic rubber adhesive and a laminate of polyethylene film, elastic fiber, synthetic rubber adhesive, polyurethane adhesive, and a top sheet of flash spunbonded high density polyethylene fibers. Additives have been incorporated into these materials to provide ultraviolet light resistance. DuPont requires that DuPont™ Flashing Systems products be covered within four months (120 days) of installation.

Warning

DuPont™ Tyvek® water-resistive barriers are slippery and should not be used in any application where it will be walked on. In addition, because it is slippery, DuPont recommends using kickjacks or scaffolding for exterior work above the first floor. If ladders must be used, extra caution must be taken to use them safely by following the requirements set forth in ANSI Standards 14.1, 14.2 and 14.5 for ladders made of wood, aluminum, and fiberglass, respectively. DuPont™ Tyvek® is combustible and should be protected from a flame and other high heat sources. DuPont™ Tyvek® will melt at 275°F (135°C) and if the temperature of DuPont™ Tyvek® reaches 750°F (400°C), it will burn and the fire may spread and fall away from the point of ignition. For more information, call 1-800-44-Tyvek.

DuPont™ Flashing Systems products and their release paper are slippery and should not be walked on. Remove release paper from work area immediately. DuPont™ Flashing Systems products will melt at temperatures greater than 250°F (121°C). DuPont™ Flashing Systems products are combustible and should be protected from flame and other high heat sources. DuPont™ Flashing Systems products will not support combustion if the heat source is removed. However, if burning occurs, ignited droplets may fall away from the point of ignition. For more information, call 1-800-44-Tyvek.

Note

When installed in conjunction with other building materials, DuPont™ Flashing Systems products must be properly shingled with these materials, such that water is diverted to the exterior of the wall system. DuPont™ Tyvek® products are water-resistive barriers not the primary water barrier (the outer facade is the primary barrier). Contamination of any DuPont™ Tyvek® water-resistive barriers and building papers with building site chemicals which increase their wettability (e.g., surfactants) will adversely affect their water resistance and therefore, their contribution to the overall water resistance of the wall system. DuPont™ Tyvek® Weatherization Systems products are to be used as outlined in this installation guideline. DuPont™ Flashing Systems products are not suggested for use on roof windows. For superior protection against bulk water penetration DuPont suggests a system combining a quality exterior facade, a good secondary water-resistive barrier and an exterior sheathing, appropriate flashing materials and details; and high quality windows and doors with particular attention to proper installation of each component. In a system where no exterior sheathing is used and DuPont™ Tyvek® is installed directly over the wall studs, exterior facade materials should be selected to ensure maximum protection against water intrusion. Careful workmanship and proper installation of each component is very important.

DuPont believes this information to be reliable and accurate. The information may be subject to revision as additional experience and knowledge is gained. It is the user's responsibility to determine the proper construction materials needed.

For complete warranty information please see the full Warranty at www.Construction.Tyvek.com. To submit a warranty claim, please contact DuPont at www.Construction.Tyvek.com or call 1-800-44-Tyvek. Warranty coverage requires submission of proof of purchase of the DuPont™ Tyvek® at issue.

This information is not intended to be used by others for advertising, promotion or other publication for commercial purposes.

re 580 Main Tyvek

Jay

For more information about DuPont™ Tyvek® Weatherization System products, please call 1-800-44-Tyvek or visit us at www.Construction.Tyvek.com



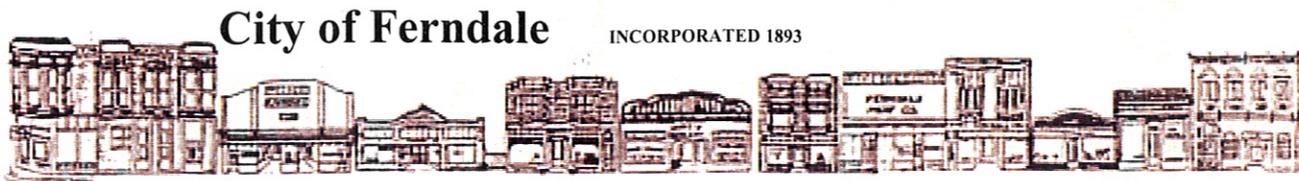
The miracles of science™

DuPont™

Flashing Systems

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CM
580 MAIN
DR, PC, CC



August 26, 2013

Sharon Tubb
2575 Drake Hill Road
Fortuna, CA 95540

Re: Vacation Rental Use Permit application at 925 Bluff Street; APN 031-211-002.

Dear Mrs. Tubb,

On August 21, 2013 the Planning Commission of the City of Ferndale conducted a Public Hearing and adopted Resolution No. PC 2013 - 29 making the required findings of fact for approving the Use Permit for Assessor Parcel Number 031-211-002, subject to the attached Conditions of Approval, to allow for vacation rental use of an attached granny unit and detached library unit located at 925 Bluff Street.

If there are no appeals filed by you or any other interested party within 10 days of the Planning Commission's action and provided that you, or any other future owner or operator complies with, and continues to comply with, the Conditions of Approval as attached here, the Use Permit is hereby issued. Please refer to the attached Conditions of Approval for steps that must be taken prior to renting the units, including obtaining a business license and letters from the Building Inspector and Fire Chief verifying that the home meets occupancy requirements.

If you have any questions or concerns, please do not hesitate to call me at (707) 825-8260.

Sincerely,

A handwritten signature in blue ink, appearing to read "Melanie Rheaume", with a long horizontal flourish extending to the right.

Melanie Rheaume
Contract City Planner

File: 925 Bluff Street
Correspondence
Cc: City Clerk
Enclosed: Conditions of Approval

Section 9: Staff Reports

CITY PLANNER:

Task 1 – General Planning

- Responded to inquiries regarding signage allowances in the C-2-D zone, permit requirements for converting a Secondary Dwelling Unit to an AirBnB rental, and visibility requirements for fencing in the R-1-D zone.
- Corresponded with City Manager regarding application of more economical materials on backs and sides of buildings. Composed and sent memo explaining City's related determinations and actions.
- Read and responded to correspondence from applicant for siding at 580 Main Street. Reiterated that Design Review permit was issued and City is waiting to receive building permit application materials.
- Coordinated with City Engineer regarding off-street parking requirements at Berding and Rose.

Task 2 – Reimbursable Fee Planning

- Hadley Merger 2: Coordinated with City Engineer's office on application for merger of seven parcels at the south end of Francis Street. Initiated application review. Application incomplete. Applicant notified.
- Westfall/Witham Minor Subdivision and Lot Line Adjustment: Coordinated with City Engineer's office on application for Lot Line Adjustment and Minor Subdivision at 1210 and 1234 Rose Ave. Received supplemental application materials. Initiated application review. Routed materials to City Engineer.
- 1289 Madison Building Permit: Reviewed Building Permit application. Coordinated with City Clerk and City Manager on setback requirements.
- 925 Bluff Vacation Rental Use Permit: Initiated application review and project report. Sent application complete letter to applicant. Prepared and sent notice of public hearing to applicant, newspaper, and City Clerk. Prepared project report and resolution for 8/21 public hearing.

Task 3 – Special Projects

- Sign Ordinance Update
 - Continued revision, completion, and consolidation of draft Sign Ordinance.
- Permits & Fees Update
 - Coordinated with City Clerk and City Engineer on Merger Checklist. Revised checklist.

- Hazard Mitigation Planning (HMP)
 - Attended mandatory jurisdictional annex on 8/7. Reviewed City responsibilities and HMP requirements.
 - Continued coordination with City Manager on HMP update. Completed risk ranking exercise, hazard event history, mitigation initiatives, capability assessment, action prioritization, and mitigation analysis. Prepared draft of Ferndale's Annex of the HMP. Sent to Tetrattech for review.
 - Energy Assurance Plan (EAP) – Prepared Mitigation Actions. Incorporated EAP into HMP.
- Regional Housing Needs Allocation
 - Responded to inquiries regarding Housing Element tabulation of Housing Units by Type.
- Deputy City Clerk Staffing Services
 - Reviewed and performed City Clerk and Deputy City Clerk duties and developed tentative schedule. Updated Deputy City Clerk Duties checklist.

Task 4 – General Plan Review Fund

- Initiated report to City Council outlining remaining elements and Planning Commission's recommendation for which element to update next.

CITY CLERK ACTIVITY:

Meetings

- Daily meetings with City Manager regarding work schedule.
- City Council Meeting 6/6/13
- Planning Commission meeting 6/19/13.

Projects

- Continue sewer charge process: received water usage report from DelOro Water
- Discussed retaining wall caps with City Manager and City Engineers.
- Continue Creek Cleanout: PW submitted list of affected properties.
- Reviewed Design Review Minutes. Placed newspaper ad for Design Review Committee member, placed notices on bulletin boards.
- Researched retaining wall, going back to records from 1995, sent info to City Engineer.
- Sent in six months of reports of "Building or Zoning Permits issued for new Privately-owned housing units" to the US Census Bureau.
- Transcribed notes from the Administrative Review / Orientation 5/15/13 meeting. Sent to Planwest for review.
- Processed Building and Land Use Permit applications,
 - Merger for Willis Hadley at end of Francis Street
 - Second Dwelling Unit (SDU) for 831 Main Street approved administratively

- Building Permit for SDU at 831 Main Street
 - 1057 Fifth Street – addition.
 - 176 Francis Street – sidewalk and driveway repair
- Made appropriate changes to the web-page
- Counter and phones
- Reconcile deposits
- Updated Master Mailing List addresses from cards returned on three APN's
- Prepared City Council Agenda packet for June 6, 2013
 - Reviewed Deputy City Clerk minutes
- Prepared Drainage Committee Agenda packet for June 13, 2013
- Prepared Planning Commission Agenda packet for June 19, 2013
- Continue to train deputy city clerk on procedures.

CITY CLERK ACTIVITY -

Meetings

- Daily meetings with City Manager regarding work schedule and listening to reports on City Manager meetings.
- City Council 6/25/13; 7/8/13; 7/23/13

Projects

- Sent out letters to property owners adjacent to Francis Creek regarding cleanout.
- Advertised for Public Works Worker and Restroom Custodian positions.
- Transcribed minutes for the Drainage Committee meeting dictated by Jay Parrish.
- Analyzed 17/48 Francis Street and combined files and folders, separated projects and wrote email explaining this item.
- Met with George Williamson, Melanie Rheume, and Jay Parrish regarding City Clerk responsibilities. Met with George Williamson and Christinia Wile on City Clerk responsibilities.
- Beginning to train Planwest's Christina Wile on City Clerk responsibilities
 - Filing in address files
 - Files in City Clerk's office
 - Building permits
 - Land use permit
 - Reports – strong motion fee reports
 - Filing system on Computers
 - Business Licenses
 - Dog Licenses
- Processed Building and Land Use Permit applications
 - 1345 Main Street – convert 2 bdrms + 1 bath downstairs to create master suite.
 - 1226 Main Street – Addition & Remodel to make house a 3/1 ½ from 2/1; re-roof
 - 888 Howard Street – Carport off existing garage
- Made appropriate changes to the web-page
- Checked with NVB on signatures after I retire
- Checked with Post Office on keys for boxes
- Counter and phones
- Reconcile deposits
- Prepared City Council-Drainage Committee Agenda packet for July 23, 2013

- Prepared Planning Commission Agenda packet for June 19, 2013
 - Transcribed minutes from the June 19, 2013 meeting
 - Printed and filed the May, 2013 minutes
- Prepared City Council Agenda Packet for 7/8/13 City Council Meeting
 - Transcribed minutes
 - Filed Ordinances and Resolutions from the meeting
 - Resolution 2013-19 Hadley Merger – made copy for file; completed land use packet and filed
 - Resolution 2013-20 City Clerk Services, copy in Planwest file.
 - Purchasing Ordinance 2013-01 – notice in newspaper, have Mayor sign. Distribute copies. Amend Ordinance List. File original.
 - Resolution 2013-21, Adopting the FY 13-14 Operating Budget
 - Filed with copy of Operating Budget presented during the 7/8/11 study session.
 - Resolution 2013-22, Adopting the FY 13-14 Fees and Fines Schedule
 - Made copies and distributed
 - Changed forms that list the fees and fines, copied and replaced old forms.

Section 10: Design Review

City of Ferndale, Humboldt County, California USA

Design Review Minutes for the 8/29/13 - 8:30am meeting

Vic. Chairman Mark Giacomini opened the meeting at 8:30 a.m. Committee Members Marc Daniels and Lino Mogni were present along with Deputy City Clerk Lacy Pedrotti and Christina Wile. Chairman Dane Cowan was absent.

779 Main: Brian Reilly (contractor) was present to answer questions on the addition to the back of the house. **MOTION:** Approve the addition as presented the siding, paint, material and windows are all matching existing structure. **(Daniels/Mogni) Unanimous.**

470 Berding Street: Repainting the outside of structure with similar colors. **MOTION:** Approve the color samples. **(Mogni/Daniels) Unanimous.**

632 Main: Signage for Laundromat and Ferndale Wildcuts on existing post with an addition of a weather vane and street numbers. **MOTION:** Approve signage and changes to the existing post. **(Mogni/Giacomini) Unanimous.**

There was no further business to discuss. Meeting adjourned at 8:40 am.

Respectfully submitted,

Lacy Pedrotti, Deputy City Clerk
City of Ferndale

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 9/5/13 - 8:30am meeting

Vic. Chairman Mark Giacomini opened the meeting at 8:45 a.m. Committee Members Marc Daniels, Lino Mogni and Dean Nielsen were present along with Deputy City Clerk Lacy. Chairman Dane Cowan was absent.

389 Berding: **MOTION:** Approve the replacement of failed siding and remaining wood windows with vinyl. **(Mogni/Nielsen) Unanimous.**

Bridge Railing next to 332 Ocean: Strike from Agenda.

There was no further business to discuss. Meeting adjourned at 8:45 am.

Respectfully submitted,

Lacy Pedrotti, Deputy City Clerk
City of Ferndale

Section 11: Adjourn