

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

Location:	City Hall	Date:	September 2, 2015
	834 Main Street	Time:	7:00 pm
	Ferndale CA 95536	Posted:	August 27, 2015

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 Call meeting to order / Flag salute / Roll call
- 2.0 Ceremonial - None
- 3.0 Modifications to the Agenda
- 4.0 Approval of previous minutes
  - 4.1 Minutes of August 5, 2015 Regular Meeting ..... Page 3
- 5.0 Public Comment
- 6.0 Public Hearing
  - 6.1 Hadley/Garbutt LLA ..... Page 6
- 7.0 Business (Note: This is the time for commissioners to report any Ex Parte communications on this agenda item.)
  - 7.1 Recommend to City Council to Retain, Vacate, or Partially Vacate Craig Street Alley..... Page 16
  - 7.2 Recommend to City Council the Development of Standards for Sidewalks..... Page 23
  - 7.3 Building and Land Use Permits Aug 1, 2015–Aug 26, 2015 ..... Page 43
- 8.0 Correspondence ..... None
- 9.0 Commissioner Comments
- 10.0 City Planners and Deputy City Clerk’s Staff Reports
- 11.0 Adjournment

**The next regular meeting of the Ferndale Planning Commission will be on  
October 7, 2015 at 7:00 pm.**

## **Section 1: CALL MEETING TO ORDER**

## **Section 2: CEREMONIAL**

## **Section 3: MODIFICATION TO THE AGENDA**

## **Section 4: APPROVAL OF PREVIOUS MINUTES**

**City of Ferndale, Humboldt County, California USA**  
Minutes for Planning Commission Meeting of August 5, 2015

Call to Order — Chair Jorgen von Frausing-Borch called the Planning Commission Meeting to order at 7:01pm. Commissioners Michael Warner, Dean Nielsen, Paul Gregson, and Ellin Beltz were present along with staff Planner Stephen Avis and Deputy City Clerk Kristene Tavares. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial—None

3.0 Modifications to the Agenda – None.

4.0 Approval of previous minutes – **Motion:** To approve the minutes of the July 1, 2015 Regular Meeting. **(Gregson/Nielsen) Unanimous**

5.0 Public Comment—Ferndale Resident Jere Bob Bowden commented on the sidewalks along Main Street and Rose Avenue. Mr. Bowden expressed his dissatisfaction in the shabby curbing, shallow gutters, and white slabs of concrete which were sloppily stained in at least two shades of grey. Mr. Bowden stated he would like to see comprehensive technical specifications regarding sidewalks, curbs, and gutters written into Ferndale’s Standard Specifications to perhaps avoid another incident like this one in the future. Gregson questioned Planner Stephen Avis on if there were specifications for sidewalks in Ferndale and if there weren’t, if it was the Planning Commissions job to write these. Avis responded that there are technical specifications that can be written and the Planning Commission could make a recommendation to the City Council. Chair von Frausing-Borch directed staff to add this to the agenda for further discussions.

6.0 Business

6.1 Noise and Air Quality Element—City Planner Avis explained the process of making the proposed changes to the element and all recommended changes will be included in the document presented to the City Council. Commissioners were presented with a memo of the proposed changes from the July meeting. Commissioner Beltz expressed her concerns that the proposed Element contained excessive copying and excessive paraphrasing. Beltz stated the source document which was used in the plagiarism was written by an intern at RCEA and the materials had not been credited. Beltz stated the document was overwritten. Commissioner Nielsen agreed. Commissioners Nielsen and Warner stated the document needs to only include issues that pertain to Ferndale. Commissioners agreed that using the North Coast Regional Air Quality Board (NCRAQB) standards for the County as guidelines for Ferndale would be the best option. Beltz recommended the possibility of removing pages 5.2-6.1 of the document. These pages contained most of the material that is overwritten and would also remove the alleged

plagiarism. Commissioner Warner stated that the document should be simplified. Commissioners would like a chance to look over these pages of the document to decide if they agree with Beltz in the removal of these pages in question. Planner Avis is going to further look into these options and discuss these options with Senior Planner George Williamson and bring a report to the Commission as soon as possible. Commissioners moved to the noise part of the element. Commissioner Warner stated that this part of the document could be simplified a little as well. Warner also expressed that the document does not speak strongly enough to the relationship of noise receptors to residences especially on Main street (Highway 211). Commissioner Gregson questioned Cal-Trans authority over this area. Commissioner Beltz stated the document needed to address other sources of noise besides Main Street including the Fairgrounds during events, schools, and the Farm Store. Commissioner Warner as well as Commissioner Nielsen agreed the Fairgrounds should be included in the document. Commissioner Nielsen also stated the largest source of noise is trucks and cars entering Ferndale on either side. Nielsen expressed the importance of lowering the speed limits to help control noise levels. Planner Avis thanked the Commission for their work on this element.

6.2 Vacation of Craig Street Alley- City Planner Stephen Avis presented the Planning Commissioners with a staff report on the vacation of the Craig Street Alley and the vandalism to the trees that has occurred. The City Council has directed the Commission to make a recommendation on whether to retain the Craig Street Alley, Rezone and vacate the southernmost 100ft and distribute one half of the alley to the adjacent parcels, or recommend the city entertain applications from the adjacent property owners to purchase a portion of the alley. Beltz commented that if the alley was opened up at the Ocean Avenue side and brush was removed, it would cause significant drainage problems that would affect the property owners. Beltz also stated that this alley has gone nowhere for 103 years and has been maintained by all the neighbors. Beltz expressed she would like the Commission to consider selling the portion of the alley to the adjacent neighbors. Commissioner Warner respectfully disagreed with Betz stating a right of way owned by the city is rare and getting a right of way back after giving it up is hard to do. Warner expressed he was inclined not to surrender a right of way unless there was a convincing application from a landowner. Commissioner Gregson stated he felt this was being looked at the wrong way. Gregson stated why not keep an easement and give the alley to the adjacent property owners that way the city is no longer liable for future costs. Commissioner Nielsen agreed with Warner that the city should keep the alley as giving it up could set a tone for other alleys. Beltz stated that there are many alleys within Ferndale and some alleys make sense, some don't and each alley should be looked at individually. Chair von Frausing-Borch expressed his disappointment with the vandalism of the trees in the alley and stated he was not ready to entertain any relinquishing of the alley at this time. Warner questioned Avis on the right of way and how far it extended. Avis replied the

alley right of way extended all the way from Washington Street to Ocean Avenue. Avis also stated that all property owners along the alley do have access to their back yards. A member of the audience who is a property owner along the alley stated only the last 20ft of the alley has a steep incline and is brushy and inaccessible. He stated all he wanted was to be able to access his back yard and never asked that the alley be opened all the way up to Ocean Avenue. He also stated he was willing to clear the trees and brush at his own expense and the city would not have to vacate the alley. He does not want to buy or be given half the alley. A recommendation to the City Council will be on the agenda for next month (September).

6.3 Design Review Committee Reports and Minutes- Commissioners Gregson and Beltz reported on the Design Review Committee activities. Gregson stated the biggest application was the Pizza Co. remodel.

7.0 Correspondence- None

8.0 Committee Comments-Commissioner Beltz stated she was going to decline City Manager Parrish's offer to help stain the sidewalks along Main Street and Rose Avenue.

9.0 Staff Comments- None

Meeting Adjourned at 8:42 pm

Respectfully Submitted

Kristene Tavares  
Deputy City Clerk

## **Section 5: PUBLIC COMMENT**

## **Section 6: PUBLIC HEARING**

Meeting Date:	September 2, 2015		Agenda Item Number	6.1
Agenda Item Title	Hadley/Garbutt Lot Line Adjustment (LLA)			
Presented By:	Stephen Avis, City Planner		Case Number	LLA1512
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/>	Discussion
Action Required:	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>	Voice Vote
				Information
				Roll Call Vote

**RECOMMENDATION:** Absent overwhelming and compelling evidence to the contrary, Staff recommends that the Planning Commission adopt Resolution PC-2015-30, subject to the attached Conditions of Approval, approving a lot line adjustment involving APN 031-085-09 and 031-084-14.

For additional information, contact Stephen Avis, Planner at [Stephen.Avis@mail.com](mailto:Stephen.Avis@mail.com), or Call City Hall at 707-786-4224.

**BACKGROUND:** Two parcels are situated at right angles to one another. The rear property line of one (Willis Hadley's at 495 Main Street) abuts the angled rear property line of the other (Stuart Garbutt's at 514 Shaw Avenue).

Mr. Hadley's parcel is undeveloped and zoned Community Commercial (C2) with a Design Review (D) combining zone. Francis Creek flows across the parcel separating the rear portion of the parcel, adjacent to Mr. Garbutt's, from the area fronting Main Street. Troy Land's Victorian dollhouse used to sit on this parcel.

Mr. Garbutt's parcel is developed with a single-family residence and zoned Neighborhood Commercial (C1) with Design Review and Qualified (D-Q) combining zones. The residential use is a Principal Permitted use under the "Q" combining zone.

Mr. Hadley and Mr. Garbutt wish to transfer a 607 square foot triangle of land from Mr. Garbutt's parcel to Mr. Hadley's parcel (Exhibit 1).

**DISCUSSION:** Lot-line-adjustments (LLA) do not create new parcels. Instead, they allow for the expansion or contraction of adjacent parcels by moving parcel lines. Lot line adjustments may serve practical, esthetic, legal reasons. A LLA may not convert a conventional parcel into a substandard parcel with an area less than the Zoning's minimum lot size. One, two or more property owners may participate in a lot-line-adjustment.

Approval of this lot line adjustment will not affect the appearance of either property from the public street. Mr. Garbutt's parcel will become more rectangular in shape and will be reduced in area from 8,797 to 8,190 square feet. The minimum lot size is 2,000 square feet.

Mr. Hadley's parcel would be increased in area from 6,853 to 7,460 square feet and will be split zoned unless the property owner requests and receives a rezoning of the property. This action is not required to approve the LLA.

Conditions of Approval are included (Attachment 1).

**ENVIRONMENTAL REVIEW:** This project is exempt from CEQA per Section 15301 Existing Facilities.

**ZONING:** Both parcels are zoned for Commercial purposes. C1 = Commercial Neighborhood and C2 = Community Commercial. The existing zoning boundaries will remain the same. Mr. Hadley's parcel will remain C2 in front with a 607 sf triangular area at the rear of the parcel zoned C1.

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**GENERAL PLAN CONSISTENCY:** The project is consistent with the General Plan Land Use Diagram and does not propose any changes to land use that would be inconsistent with existing General Plan Goals and Policies.

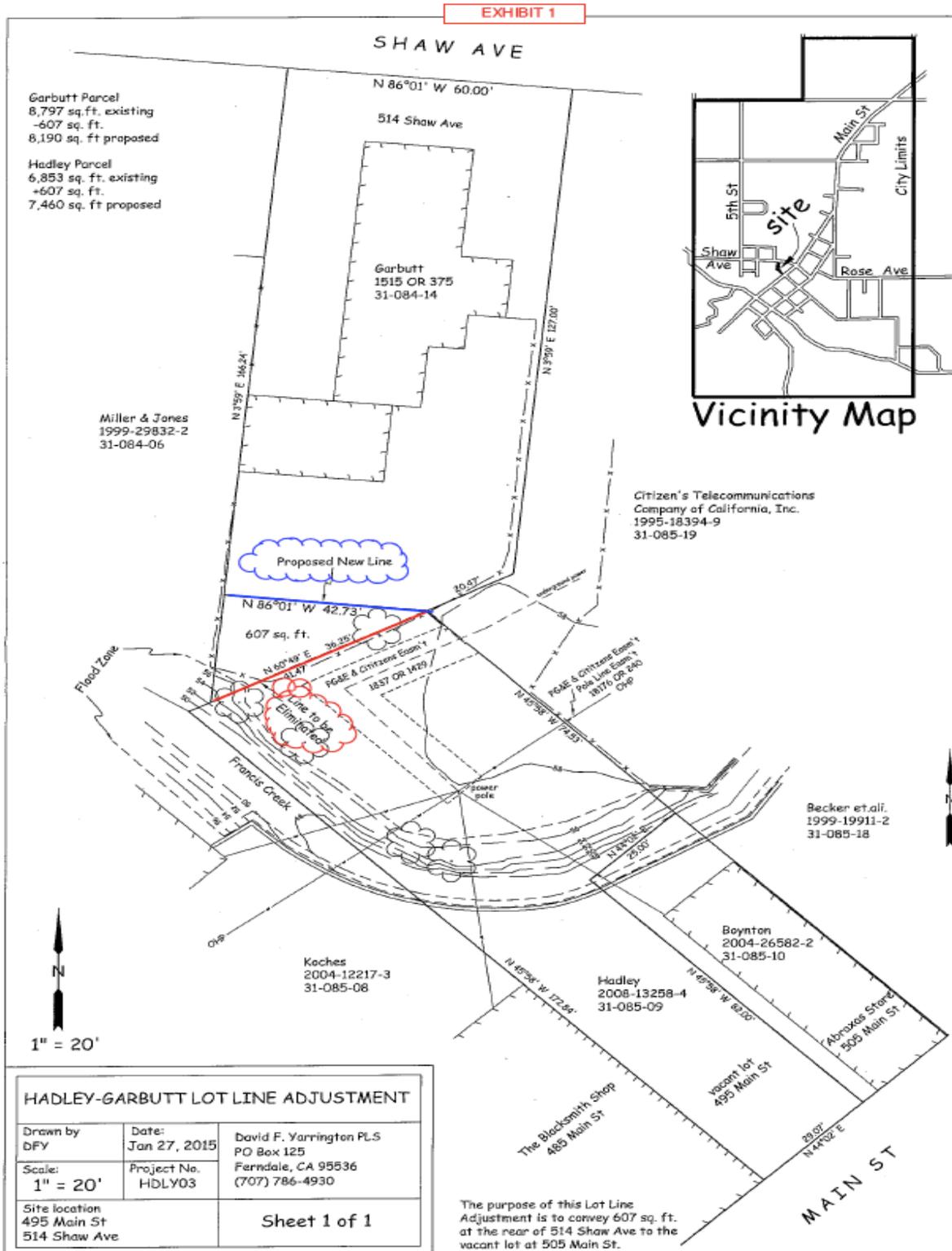
**FISCAL IMPACT:** This project has minimal fiscal impact in that fees are collected to offset the cost of staff time.

**ATTACHMENTS:**

1. Exhibit 1, Project Map
2. Exhibit 2, Land Use & Zoning Map
3. Attachment 1, Conditions of Approval
4. Attachment 2, Findings of Fact
5. Attachment 3, Resolution 2015-30 to Approve

# Exhibit 1

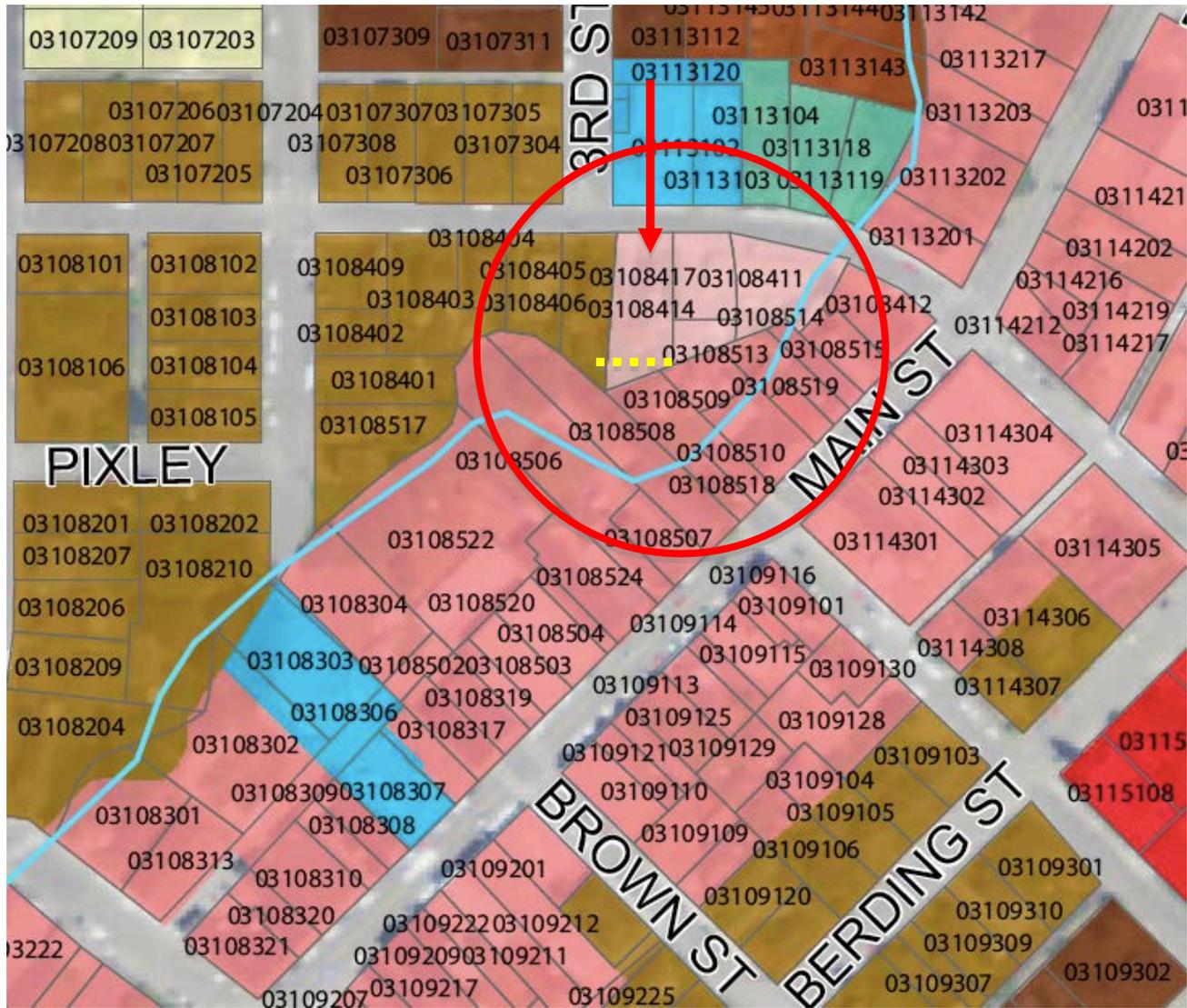
## PROJECT MAP



# Exhibit 2

## LAND USE & ZONING MAP

Hadley and Garbutt Lot-Line-Adjustment  
APN 031-085-09 and 031-084-14



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## Attachment 1

### CONDITIONS OF APPROVAL

Hadley and Garbutt Lot-Line-Adjustment  
APN 031-085-09 and 031-084-14

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 show proof of payment for the current Property Taxes for both parcels.
3. Because each property is owned by a separate trust, conveyance of property “changing hands” will need to be conducted by grant deed or quitclaim document. In addition, the Lot Line Adjustment shall be reflected in the Lot Line Adjustment Map that will be recorded. The map should be recorded with a Notice of Lot Line Adjustment and Certificate of Subdivision Compliance cover sheet (*per Ferndale Subdivision Ordinance 1.701*).
4. Since each property is owned separately, and more than one ownership is involved, the Lot Line Adjustment shall be reflected in a deed or deeds for the areas to establish ownership. Such deeds and the Hadley/Garbutt Lot Line Adjustment Map will be recorded. The existing plan will need to be reduced to 8.5” x 11.0” and should be recorded with a Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet (*per Ferndale Subdivision Ordinance 1.701 & 1.702*)
5. Prior to issuance of any building permits for APN 031-085-09, the applicant shall submit a drainage report that describes how the proposed development will be designed to account for potential storm water flows to the satisfaction of the City Engineer

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## **Attachment 2**

### **FINDINGS OF FACT**

Hadley and Garbutt Lot-Line-Adjustment  
APN 031-085-09 and 031-084-14

### **FINDINGS OF FACT**

Staff has prepared the following findings to justify the Commission's approval of the requested lot line adjustment.

1. This project is subject to environmental review in accordance with the California Environmental Quality Act (CEQA) and qualifies for a Class 1 Categorical Exemption per Section 15301 Existing Facilities. The proposed project as outlined and conditioned, conforms to and is consistent with the Ferndale General Plan and conforms to the Ferndale Zoning Ordinance and the requirements associate with the R-2 Zone.
2. The proposed project is consistent with the Ferndale Subdivision Ordinance and with the California Subdivision Map Act.
3. A lot line adjustment in this location is a minor change of land ownership that is consistent with the land use goals and policies of the Ferndale General Plan.

## **Attachment 3**

### **RESOLUTION TO APPROVE**

**Hadley and Garbutt Lot-Line-Adjustment  
APN 031-085-09 and 031-084-14**

### **A RESOLUTION OF THE PLANNING COMMISSION FOR THE CITY OF FERNDALE, CALIFORNIA Resolution Number PC 2015-30**

### **MAKING THE REQUIRED FINDINGS FO FACT TO APPROVE A LOT LINE ADJUSTMENT, SUBJECT TO CONDITIONS OF APPROVAL, AND ALLOW THE RECORDATION OF A CHANGE IN PROPERTY LINES AND OWNERSHIP OF LAND IDENTIFIED AS APN 031-085-09 and 031-084-14**

**WHEREAS**, David Yarrington as agent for Willis Hadley has submitted an application and evidence in support of approving a Lot Line Adjustment between property at 495 Main Street and 514 Shaw Avenue; and

**WHEREAS**, the project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 of Article 19 “Categorical Exemptions”; and

**WHEREAS**, the Planning Commission has reviewed the submitted application and evidence for conformance with General Plan policies and goals, and with applicable Subdivision Regulations as required to approve a Lot Line Adjustment; and

**WHEREAS**, the staff report includes evidence in support of making all of the required findings for approving a Lot Line Adjustment; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission for the City of Ferndale approves a Lot Line Adjustment to modify the property boundaries for land located at 495 Main Street and 514 Shaw Avenue, Ferndale subject the attached Conditions of Approval.

**PASSED AND ADOPTED this 2<sup>nd</sup> day of September 2015 by the following vote of the Planning Commission for the City of Ferndale:**

This motion was made by Commissioner \_\_\_\_\_.

The motion was seconded by Commissioner \_\_\_\_\_.

YES:

NO:

ABSTAIN:

ABSENT:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Jorgen Von Frausing-Borch, Chairman

**CONDITIONS OF APPROVAL**

Hadley and Garbutt Lot-Line-Adjustment  
APN 031-085-09 and 031-084-14

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 show proof of payment for the current Property Taxes for both parcels.
3. Because each property is owned by a separate trust, conveyance of property "changing hands" will need to be conducted by grant deed or quitclaim document. In addition, the Lot Line Adjustment shall be reflected in the Lot Line Adjustment Map that will be recorded. The map should be recorded with a Notice of Lot Line Adjustment and Certificate of Subdivision Compliance cover sheet (*per Ferndale Subdivision Ordinance 1.701*).
4. Since each property is owned separately, and more than one ownership is involved, the Lot Line Adjustment shall be reflected in a deed or deeds for the areas to establish ownership. Such deeds and the Hadley/Garbutt Lot Line Adjustment Map will be recorded. The existing plan will need to be reduced to 8.5" x 11.0" and should be recorded with a Notice of Lot Line Adjustment & Certificate of Subdivision Compliance cover sheet (*per Ferndale Subdivision Ordinance 1.701 & 1.702*).
5. Prior to issuance of any building permits for APN 031-085-09, the applicant shall submit a drainage report that describes how the proposed development will be designed to account for potential storm water flows to the satisfaction of the City Engineer

## **Section 7: BUSINESS**

Meeting Date:	September 2, 2015	Agenda Item Number	7.1
Agenda Item Title	Recommend to City Council to Vacate, Retain, or Partially Retain Craig Street Alley		
Presented By:	Stephen Avis, City Planner		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input checked="" type="checkbox"/> Roll Call Vote

**RECOMMENDATION:** Provide a recommendation to the City Council for the adoption of a resolution addressing the Craig Street Alley. Three choices for a recommended City Council Resolution are provided:

- A. Recommend that the City entertain applications from one or more adjacent property owners who may desire to purchase a portion of the Craig Street Alley and who complete and pay for all required surveys and maps, CEQA, filings and recordings. A public hearing process would be required prior to any decision to sell public property.
- B. Following a public hearing, adopt a resolution to vacate a portion of the Craig Street Alley:
  - Initiate the vacation of the southernmost  $\pm 100$  feet of Craig Street Alley;
  - Rezone the vacated portion of the alley per §4.05.4;
  - Divide and distribute one-half of the alley to adjacent parcels;
  - Conduct proper environmental review per CEQA;
  - Order a survey to establish new parcel lines and record the Record of Survey; and
  - Allocate funds to cover the costs of an alley vacation.
- C. Recommend that the City retain the Craig Street Alley as public property, cut down any vandalized, poisoned or dead trees and shrubs as they have become a hazard and close off the end of the alley to vehicular traffic for safety reasons.

**Staff recommends adoption of Attachment C, a Resolution to retain Craig Street Alley as public property and to close the end of the alley for safety reasons.** Staff believes that the long-term benefits of owning public land within neighborhoods (e.g. alleys) for existing and unforeseen uses offsets any short-term gain through the sale of public property.

**BACKGROUND:** Craig Street Alley begins on Washington Street one-half block east of Craig Street and terminates just short of Ocean Avenue. The alley provides access to the rear of properties on the east side of Craig Street and the west side of Emerson Lane. Because of a significant elevation difference between the alley and Ocean Avenue, Craig Street Alley is not suitable as a through connection for cars and trucks. The alley contains public utilities including power and telephone lines. For budgetary reasons, many communities, including Ferndale, do not maintain the alley and rely on adjoining property owners to provide upkeep, keeping the alley free of debris, overgrown vines and weeds. In Ferndale, residents are required to keep personal property out of the alley.

Although it is a full width alley, the final  $\pm 100$  feet and the terminus was planted with shrubs and trees that predate the current property owners. One property owner at the end of Emerson Lane has maintained this greenbelt area. Other property owners share in the maintenance the rest of the alley.

Recently, an unknown assailant poisoned one of the alley's trees and cut remaining tree trunks; they are all dying. At the same time, shrubs at the end of the alley were cut to the ground. These plants are public property and the cost of removing the dead foliage will be borne by the City. Members of the City Council and City Manager have toured the site, inspected the damaged trees and spoken with

the property owners on either side of the alley. A discussion on whether to retain or vacate the alley ensued.

Under direction from the City Attorney, the City Council is seeking a recommendation from the Planning Commission for this proposed land use decision. Should the end of the Craig Street Alley remain public property or should the City convert it to private property?

**DISCUSSION:** Public streets and alleys play an important role in defining the makeup of a community and provide access to private property for public utilities, vehicular and pedestrian access. Alleys historically provide a place where dry utilities (e.g., electricity, telephone, garbage pickup) and carriage house or garage entrances are located.

Alleys contribute to the feel of a community that is characteristically different from modern subdivisions and form an important part of the grid street pattern that defines many older communities and neighborhoods.

As public property, alleys supply local government with greater flexibility for addressing transportation issues, connectivity, and future land use planning. To vacate or give up a public resource can limit future options.

Not all alleys are able to function in the manner conceived with they were mapped during early subdivisions of land. The Craig Street alley is an example of one that will never provide through vehicular access between Washington Street and Ocean Avenue. However, this alley could include a pedestrian access point from Ocean Avenue. It also contains power and telephone utility lines providing these services on both sides of the alley.

Abandoning (vacating) the end of the alley could be done without interfering with public utilities and without interrupting access to all of the properties currently benefiting from the alley's location. However, it may become appropriate to use all aspects of the alley by the City in the future. If vacated, this option will be lost.

**ZONING:** Craig Street Alley is the dividing line for two zoning districts.

- Craig Street = R-2
- Emerson Lane = R-1-B(2) [Single-family, Special Building Site]

**FMC §4.05.4 VACATED STREET OR ALLEY:** “In the event a dedicated street or alley shown on the zoning map is vacated by resolution or ordinance, the property formerly in said street or alley shall be included within the zone of the adjoining property on either side of said vacated street or alley. In the event said street or alley was a zone boundary between two (2) or more different zones, the new zone boundary shall be the former centerline of the vacated street or alley.”

**ENVIRONMENTAL REVIEW:** Action by the City to vacate a portion of the alley would be categorically exempt (Class 12) from CEQA Per §15312 Surplus Government Property Sales.

**FISCAL IMPACT:**

- Taking no formal action to vacate a portion of Craig Street Alley will still include the removal and disposal cost for vandalized tree and vegetation.

- A formal action to vacate a portion of the alley will trigger a number of costs associated with public hearing, surveys, map preparation, and legal and recording fees in addition to costs associated with the vandalized tree removal.

**REQUESTED COMMISSION ACTION:** Recommend that the Ferndale City Council adopt version A, B or C of Resolution 2015-~~XX~~. The following motion can be made:

“I move that the Planning Commission forward to the Ferndale City Council a draft of Resolution 2015-~~XX~~ with a recommendation to adapt and/ or adopt the resolution in order to achieve the desired outcome.” Roll Call Vote.

**ATTACHMENTS:**

- Exhibit 1: Map of Alley
- Attachment A: Resolution accepting offers to purchase a portion of the alley
- Attachment B: Resolution directing the abandonment (vacation) of a portion of the alley
- Attachment C: Resolution recommending retention of public alley



**Attachment A**

**A RESOLUTION OF THE CITY COUNCIL  
FOR THE CITY OF FERNDALE, CALIFORNIA  
Resolution Number 2015-XX**

**THE CITY OF FERNDALE WILL ENTERTAIN OFFERS BY ADJOINING PROPERTY OWNERS TO PURCHASE A PORTION OF THE CRAIG STREET ALLEY**

**WHEREAS**, Craig Street Alley is a public alley; and

**WHEREAS**, Craig alley is maintained by adjoining property owners at no expense to the City; and

**WHEREAS**, Craig Street Alley will never connect Washington Street to Ocean (aka Bluff) Avenue for reasons of steep terrain; and

**WHEREAS**, the City of Ferndale wishes to reduce its liability and potential maintenance costs; and

**WHEREAS**, individual property owners may wish to purchase portions of the Craig Street Alley; and

**WHEREAS**, there is a process and costs associated with surveys and recordation of new parcel descriptions to be paid by potential buyers; and

**WHEREAS**, a pubic hearing process will be required to consider vacating and selling public property;

**NOW, THEREFORE, BE IT RESOLVED** that the City of will entertain offers to purchase a portion of the alley by the owners of APN 031031-162-04 (Craig Street) and 031-163-22 (Emerson. Lane)

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_ 2015 by the following vote of the CITY COUNCIL for the City of Ferndale:

This motion was made by Councilman \_\_\_\_\_.

The motion was seconded by Councilman \_\_\_\_\_.

YES:

NO:

ABSTAIN:

ABSENT:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Don Hindley, Mayor

**Attachment B**

**A RESOLUTION OF THE CITY COUNCIL  
FOR THE CITY OF FERNDALE, CALIFORNIA  
Resolution Number 2015-XX**

**THE CITY OF FERNDALE SHALL VACATE A PORTION OF THE CRAIG STREET  
ALLEY AND ALLOCATE ONE-HALF OF THE ALLEY TO ADJOINING PARCELS**

**WHEREAS**, Craig Street Alley is a public alley; and

**WHEREAS**, Craig alley is maintained by adjoining property owners at no expense to the City; and

**WHEREAS**, trees that were planted in the Craig Street Alley public right of way decades ago have been maintained by an adjacent property owner until the trees were poisoned and girdled; and

**WHEREAS**, a dispute between two property owners on opposite sides of the trees in the alley has resulted in a suggestion that the City abandon that portion of the alley between the two neighbors; and

**WHEREAS**, Craig Street Alley will never connect Washington Street to Ocean (aka Bluff) Avenue for reasons of steep terrain; and

**WHEREAS**, the City of Ferndale wishes to reduce its liability and potential maintenance costs; and

**WHEREAS**, there is a process and costs associated with surveys and recordation of new parcel descriptions to be paid either by the City or the adjacent property owners whose property is to include the former alley;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council for the City of Ferndale directs the City Manager to initiate a process to vacate that portion of Craig Street at the rear of two parcels: APN 031-162-04 (Craig Street) and 031-163-22 (Emerson Lane) and allocate one-half for the area to each of the two parcels.

**PASSED AND ADOPTED** this \_\_\_day of \_\_\_\_\_ 2015 by the following vote of the CITY COUNCIL for the City of Ferndale:

This motion was made by Councilman \_\_\_\_\_.

The motion was seconded by Councilman \_\_\_\_\_.

YES:

NO:

ABSTAIN:

ABSENT:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Don Hindley, Mayor

**Attachment C**

**A RESOLUTION OF THE CITY COUNCIL  
FOR THE CITY OF FERNDALE, CALIFORNIA  
Resolution Number 2015-XX**

**A RECOMMENDATION TO THE FERNDALE CITY COUNCIL THAT ALL OF THE  
CRAIG STREET ALLEY REMAIN PUBLIC PROPERTY**

**WHEREAS**, Craig Street Alley is a public alley; and

**WHEREAS**, alleys provide access to private property, permit easy access to rear yards and provide a convenient place for public utilities; and

**WHEREAS**, Craig alley is maintained by adjoining property owners at no expense to the City; and

**WHEREAS**, trees that were planted in the Craig Street Alley public right of way decades ago have been maintained by an adjacent property owner until the trees were poisoned and girdled; and

**WHEREAS**, future needs by the City for public alleys is currently an unknown; and

**WHEREAS**, securing additional public rights of way for future needs is a difficult, time consuming and expensive process;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Ferndale retain all of the Craig Street Alley as a public alley, cut down any diseased, dying or dead trees, and place bollards across the alley to prevent motorized vehicles from entering for safety reasons.

**PASSED AND ADOPTED** this \_\_\_day of \_\_\_\_\_ 2015 by the following vote of the CITY COUNCIL for the City of Ferndale:

This motion was made by Councilman \_\_\_\_\_.

The motion was seconded by Councilman \_\_\_\_\_.

YES:

NO:

ABSTAIN:

ABSENT:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Don Hindley, Mayor

Meeting Date:	September 2, 2015		Agenda Item Number	7.2	
Agenda Item Title	Recommend to City Council the Development of Sidewalk Standards				
Presented By:	Stephen Avis, City Planner				
Type of Item:	X	Action		Discussion	Information
Action Required:		No Action	X	Voice Vote	Roll Call Vote

**RECOMMENDATION:** Discuss the subject of sidewalk replacement from the standpoint of design and construction both within and outside of the Historic District.

**BACKGROUND:** During the public comment section of the August Planning Commission meeting, Jere Bob Bowden addressed the Commission with his observations concerning the recent sidewalk repairs on Main Street contracted by Caltrans.

His comments were focused on the execution of the work by the contractor, lack of oversight and sensitivity by those in charge, and the inadequacy of the attempted concrete staining.

Mr. Bowden and Chair von Frauing-Borch requested that the matter be placed on a future Planning Commission agenda for discussion and possible action.

**DISCUSSION:** The process of pouring sidewalks has changed over the years. At the turn of the 20<sup>th</sup> Century and for decades following, sidewalks in Humboldt County were constructed in a two-step process. A base of 2” cobble in concrete forms foundation for the surface of the sidewalk. On top of this is laid a layer of cement mixed with washed beach sand containing tiny salt and pepper gravel. The mix is darkened with the addition of lamp black (carbon). As the surface cures it is hosed with water to expose the surface of the gravel. Before finishing the work, the contractor would stamp the sidewalk with a bronze marker containing his company’s name and sometimes the date of construction.

This construction technique can be observed throughout older parts of cities and town across the country as well as in Humboldt County. The final appearance varies depending on the nature of the sand and gravel used. The next time you walk on the beach at Big Lagoon or similar ocean beach, notice the sand and the salt and pepper appearance is has. This was the local source for the sidewalk “cream surface” and provides the traction in wet weather for shoes and boots.

Three attachments provide a formula used by the County in preparing sidewalks over a nearly sixty-year time frame.

In recent decades, the process of pouring concrete has undergone some changes. Now a single step operation is used and the amount of lamp black has been significantly reduced or eliminated. New sidewalks are either cured with a smooth surface or swept with a broom to create tiny ridges for traction.

There is a significant difference in appearance between sidewalks constructed by these two methods. This difference is most noticeable when patching older sidewalks as witnessed by the repairs on Main Street. Many cities with historic sidewalks have chosen to institute standards for infill sidewalk repair in order to more closely match the original. For example, the City of Berkeley:

2002.5A Concrete Additives other than 1½ pound of lampblack per cubic yard (required in concrete for standard finish sidewalks, widened sidewalks and driveways) must be approved in advance by the Engineering Inspector.

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**REQUESTED COMMISSION ACTION:** Recommend that the Ferndale City Council request Staff to develop appropriate standards for sidewalk repair within the City. The following motion can be made:

“I move that the Planning Commission forward to the Ferndale City Council a recommendation for staff to develop standards to be used when installing new or repairing existing sidewalks and to consider adopting such standards.”

**ATTACHMENTS:**

- Attachment A: Paving Specifications from 1900
- Attachment B: Paving Specifications from 1905
- Attachment C: Paving Specifications from 1957



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after being spread, shall be rammed with a tamping iron weighing at least thirty pounds, to a uniform surface, till the water rises to the top, and so as to have a depth of six inches in thickness, and shall be two inches below the finished surface of the pavement. Upon this sub-stratum of concrete, prepared as above specified, after the same has been allowed to set to the satisfaction of the Street Superintendent, will be placed the wearing surface of bituminous rock.

Each contractor shall submit with his proposition a sample of the bituminous rock which he intends to furnish and lay, and all parts of the pavement laid by him must be of bituminous rock of equal quality to the sample furnished.

The bituminous rock must be heated, mixed and laid under the supervision of the Street Superintendent or his authorized deputy, and must be spread uniformly over the surface of the concrete, and rolled while warm with a roller weighing at least 500 pounds to the lineal foot. The finished surface shall have the thickness of two inches after being rolled, and shall conform to the cross-sections of the surface of the streets, as shown on the plans on file in the office of the City Engineer, or to the stakes set by him. The bituminous pavement shall extend from curb to curb, but if gutters are desired they may be constructed of other material.

Intersections or culverts can be constructed of the same material as the street by making a gradual descent from each side, in accordance with the grade and sub-grade stakes set by the City Engineer.

#### SPECIFICATIONS FOR CONSTRUCTING ARTIFICIAL CURBS IN THE CITY OF EUREKA.

Curbing herein provided for is to be constructed of concrete, mixed in the following proportions: Portland cement, one barrel; sand, three barrels; gravel, four barrels.

The Portland cement shall be either of the brand of "White," "Gillingham," or "K. B. & S.," and the gravel shall be of the size that will pass through a two-inch ring.

The concrete shall be prepared by mixing the gravel and sand and cement dry, and turning it at least twice, and then the water will be added and then turned while wetting it; the whole shall be thoroughly mixed.

All curbs shall be sixteen inches in depth and eight inches thick. The face of the curb for twelve inches from the top shall be prepared as follows: when the planks are set to receive the concrete, twelve inches from the top of the curb the contractor shall start its facing with dry fine, by using one part of Portland cement same as above specified, and one part of sand. Before placing in the concrete, there shall be placed a board one-half inch thick and four inches wide; the concrete shall then be placed against the board, the board shall then be removed and the space filled with dry fine, as above specified. The concrete shall be thoroughly tamped within three-fourths ( $\frac{3}{4}$ ) inch from the top; then the top shall be laid on, composed of cement, one part; sharp sand, one part well mixed; and the curb shall be finished in a good and workmanlike manner.

#### STONE CURBING.

All natural stone curbs shall be of good quality, sound, hard and of uniform color and texture, free from cracks, seams or sand pockets, cut rectangular in form, not less than sixteen (16) inches in depth, six (6) inches in width and not less than four (4) feet in length when dressed; the top and face of the curbstone shall be dressed smooth and even to a depth of twelve (12) inches below the top, and dressed not less than one (1) inch down on the back; all curbstone shall be of uni-

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form thickness and depth throughout, and free from seams. No wedge shaped, warped or otherwise defective stone will be allowed. The ends shall be dressed smooth, so as to make close joints through the full thickness of the stone, for a distance of not less than twelve (12) inches down from the top; all joints shall be made close fitting and in good workmanlike manner, and joints shall be filled with cement grout. The curb is to be set with plumb face, square section top, true to line and grade; the curb shall rest on four (4) inches of sand on the bottom; all back filling to be thoroughly tamped within four (4) inches of the top of the curb, so that there will be no displacement of the curb; the curbstones to be cut on a curve on the corner, and the radius of the curve shall be as given by the City Engineer. The curb must be well rammed to prevent it from settling.

#### SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS IN THE CITY OF EUREKA.

The sidewalks herein provided for shall be constructed on the official grade, as established by the City of Eureka, and all work during its progress, and on its completion shall conform to the lines and levels given from time to time by the City Engineer of said city.

All sidewalks constructed in accordance with these specification shall be brought to sub-grade by excavating or filling three and three-fourths inches below the grade, as established by the City Council, then to wet and tamp or roll the ground thoroughly to a hard and even surface. On said sub-grade to place three inches of concrete, prepared in the following manner, and composed of the following materials: Cement, one part; sand, three parts; gravel, four parts; all to be well mixed dry, by turning it at least twice, then to wet it and turn while wetting it, so it will be thoroughly mixed; then to be put in its place and well tamped.

The wearing surface to be three-fourths of an inch thick, and composed of equal parts clean, sharp sand and best Portland cement, and well troweled down and marked in regular squares, and finished in a good and workmanlike manner. After the work has set for twelve hours, then to cover it up and keep it wet for ten days, at the end of which time the covering to be removed and the sidewalk left clear of all rubbish.

The Portland cement shall be either of the brand of "White," "Gillingham," or "K. B. & S.," and the gravel shall be of the size that it will pass through a two-inch ring, and the sand shall be silicious sand, free from loam, mica or other impurities.

All work done under these specifications shall in every respect be executed in a thorough and workmanlike manner, and shall be commenced and carried on at such points and in such order of procedure as may from time to time be directed by the Street Superintendent; provided, however, that each section, one block in length as hereinbefore described, shall be wholly completed, inspected and approved under and by the Street Superintendent.

All line and grade stakes will be given by the City Engineer, and the work must be done as indicated by said stakes. The contractor must take good care to preserve all stakes as much as possible.

The contractor shall, when required to do so by the Street Superintendent, remove from the work any overseer, superintendent, laborer or other person employed on the work who shall refuse or neglect to obey the directions of the Street Superintendent or City Engineer relating to the work, or who shall perform his work in a manner contrary to these specifications, or who shall be found in-

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competent or unfaithful, or who shall commit any trespass on public or private property in the vicinity of the work, or for any improper conduct. All loss or damage arising from the nature of the work to be done under these specifications, or from any unforeseen obstructions or difficulties which may be encountered in the prosecution of the same, or from the action of the elements, or from encumbrances on the lines of the work, or from any act or omission on the part of the contractor, or any person or agent employed by him, not authorized by these specifications, shall be sustained by the contractor.

No work shall be considered as accepted which may be defective in its construction, or deficient in any requirement of these specifications in consequence of the negligence of any officer of the city, or inspector connected with the work, to point out said defect or deficiency during construction, and the contractor shall be required to correct any imperfect work whenever discovered before the final acceptance of the work.

The contractor assumes all risks of variance in any computation or statement of amounts or quantities necessary to complete the said work in accordance with the plans and specifications, and to the satisfaction of the Street Superintendent.

Bidders must examine and judge for themselves as to the location of the proposed work, the nature of the excavations to be made, and the work to be done.

The contractor shall give twenty-four hours' notice in writing when he shall require the services of the City Engineer for laying out any portion of the work.

The contractor shall not disturb any monument, bench mark, or reference point found on the line of the improvement until ordered by the City Engineer, and he shall re-set them as directed by the City Engineer. A penalty of \$25 shall be imposed for each monument disturbed without orders, and the amount be deducted from the estimate.

In case the contractor shall neglect or refuse, after written notice, to remove or replace any rejected work or materials, they shall be removed and replaced by order of the Street Superintendent at the contractor's expense.

The contractor shall be required to remove all obstructions, such as trees, stumps, stones, old blocks, crossings, culverts, debris, etc., that may be in the way of making said improvements. No more than two blocks of the street shall be torn up, nor more than one cross-street be closed at any one time, unless ordered by the Street Superintendent.

It is hereby expressly understood that on refusal or failure on the part of the contractor, or his men, to comply with any portion of these specifications, the Street Superintendent is hereby authorized to employ sufficient help to have the required work done, and deduct the expense of the same from any money that may be due or which may hereafter become due to the contractor.

The Contractor shall agree that on all estimates the certificate of the Street Superintendent shall be conclusive as to the amount of work to be done, and shall be accepted by such contractor as final.

The contractor shall agree that he will indemnify and save harmless the City of Eureka of all suits and actions of every name and description brought against it for, or on account of, any damages received or sustained by any party or parties, by or from any acts of, or anything done by said contractor, his servants or agents, in the prosecution of said work.

All work done under these specifications must strictly comply with them.

All rubbish must be removed from the street before acceptance.

## ACCEPTANCE OF THE WORK.

The contractor shall notify the Street Superintendent of the city when



ORDINANCE NO. 358.

PROVIDING FOR THE CONSTRUCTION AND CARE OF SIDEWALKS.

(Approved July 21, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. All sidewalks within the corporate limits of the City of Eureka must be constructed and maintained in accordance with the provisions and requirements of this ordinance.

SEC. 2. Sidewalks shall be built of wood, or constructed of cement or bituminous sand rock, as hereinafter provided.

SEC. 3. All wood sidewalks shall be constructed according to the following specifications:

"A" The wood used shall be entirely merchantable or clear lumber. The plank shall be at least two inches thick, surfaced on one side and of uniform thickness.

SIDEWALK ORDINANCES

placing in or upon any street, signs, nails, cans, or other objects. Violations of this Ordinance (except upon conviction) shall be fined not more than five (5) dollars. This Ordinance is hereby repealed and after its first publication...

SECTION 3. VIOLATION OF PERSONS UPON SIDEWALKS.

Persons upon the streets or sidewalks, and in such numbers and places, as to injuriously affect or obstruct such streets or sidewalks, shall be liable to a fine of not more than five dollars for each offense, and the failure or refusal of any peace officer, shall be...

This Ordinance, shall, upon its publication, go into immediate effect, and shall be published for five times...

SECTION 4. REQUIREMENTS OF SIDEWALKS.

Such sidewalks shall be constructed of cement or bituminous material, or of clear lumber. The sidewalks shall be finished with a surface of uniform thickness...

Such planks shall be spiked or nailed to stringers with at least twenty penny nails or spikes and said stringers shall be not less than four by six inches in size. Such planks shall be laid at right angles to the street on which they are laid, shall have an even surface, shall have a raise from the curb of one-fourth of an inch to the foot, and shall correspond with the official grade of the street along the curb.

"B" All wooden sidewalks shall have at least four supporting stringers or joists.

"C" The corners of such sidewalks at all intersections of streets shall be rounded to conform to the circumference of a circle having a radius of eight feet; and such corners at all intersections of streets and alleys shall be rounded to conform to the circumference of a circle having a radius of four feet.

"D" Every wooden sidewalk shall have a curb which may be of wood, cement or stone. Cement or stone curbs shall be laid in accordance with the provisions hereinafter contained. Wooden curbs must be constructed of merchantable or clear redwood planks, not less than four inches in thickness, fourteen inches in width, and not less than six feet in length, except when a shorter length is necessary in making curves at corner. Such curbs at corners of streets shall be constructed so as to harmonize to the grades of the intersecting streets. Such curbs shall be so laid that when the two inch planks are resting thereon, the top of said planks above the said curb shall conform to the official grade of the street of which such sidewalk forms a part along the whole course of said sidewalk. All plank sidewalks shall extend from the property line to the curb.

SEC. 4. Cement sidewalks shall be constructed according to the following specifications:

"A" The ground upon which a cement sidewalk is to be laid shall first be brought to sub-grade by excavating or filling so that such sub-grade shall be three and three-fourth inches below the line of the established grade of the street upon which such sidewalk is to be laid. The said ground must then be wet and tamped or rolled thoroughly until the surface is hard and even. On such sub-grades and surface so obtained there shall be placed three inches of concrete, composed of the following materials and prepared in the following manner: Cement, which shall be the best Portland cement, one part, sand three parts, and gravel four parts; all to be well mixed dry, by turning at least twice, then to be wet and to be turned while it is being made wet, to be thoroughly mixed thereby, then said concrete to be put in place and thoroughly tamped.

"B" The said concrete to be covered with a wearing surface to be three-fourths of an inch thick, and composed of equal part clean, sharp sand and the best Portland cement, thoroughly mixed. Such surface to be well troweled down to an even surface and when such sidewalk is twelve feet wide it shall be marked in regular squares and finished in a good and workmanlike manner. Such work upon being finished shall be allowed to set for twelve hours, and shall then be covered up and kept wet for ten days.

"C" The Portland cement to be used shall be either of the brand of "White," "Gillingham," or "K. B. & S." or cement of equal quality. The gravel shall be of the size that it will pass through a two-inch ring, and the sand shall be silicious sand, free from loam, mica, or other impurities.

"D" A sufficient quantity of lamp black must be used in the concrete composing the wearing surface to give the finished work a dark slate color.

"E" Wherever the grade exceeds twelve per cent the artificial stone or cement must be finished off with a rough surface at least equivalent to corrugations...

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formed by depressed channels three-quarters of an inch wide and one-quarter of an inch deep, two and one-quarter inches between centers.

"F" Where squares are marked on said sidewalk they must not be more than three feet square.

"G". All cement sidewalks hereafter laid must be provided with expansion joints. These are to be spaced not more than 75 feet apart, and are to extend across the sidewalk on lines at right angles to the curb. When new cement sidewalks abutts at both ends against old cement sidewalks, expansion joints will be required at each end whenever its length exceeds fifty feet, otherwise at only one end. Expansion joints will always be required upon both sides of cement sidewalks at corners when abutting against other cement sidewalks. Such expansion joints are to be made one-half inch in width for the full depth of the concrete, and after the concrete has set, are to be filled with hot asphaltic cement, to which enough powdered limestone has been added to bring it to a suitable consistency.

"H" All cement sidewalks shall have a curb which shall be constructed of cement or stone as hereinafter set forth, provided, that in the case of cement sidewalks the curb may be made a constituent part of the sidewalk. Such curb shall be of the same height and conform to the grade of the street of which it is a part.

SEC. 5. Bituminous sand rock sidewalks shall be constructed according to the following specifications:

"A" The ground where said sidewalk is to be laid shall be sub-graded and prepared as provided for cement sidewalks in section four of this Ordinance. Concrete shall be spread over the said sidewalk surface which concrete shall be prepared as specified in said section four, and shall be two and one-half inches thick.

"B" Upon said cement foundation shall be laid bituminous rock which shall be prepared for spreading and of the quality prescribed for bituminous pavement of the City of Eureka. It shall be laid on and spread as is prescribed for bituminous street pavement.

"C" The bituminous rock after compacting must be at least one and one-quarter inches thick and must have a smooth even surface.

"D" All bituminous rock sidewalks shall have a cement or stone curb which shall be constructed as hereinafter provided. Such curb shall be of the same height as the street grade and conform thereto in all its parts.

"E" Such sidewalks shall be laid so as to have a raise of one-fifth of an inch to the foot from the curb.

SEC. 6. All cement curbing for sidewalks shall be constructed in accordance with the following specifications:

"A" The concrete therefor shall be composed of the materials and shall be prepared as provided for cement concrete in section four of this Ordinance.

"B" Such curbs shall be sixteen inches in depth and eight inches thick. The face of the curb for twelve inches from the top shall be prepared as follows: When the planks are set to receive the concrete, twelve inches from the top of the curb the facing thereof shall be started with dry fine, by using one part of Portland cement of first quality, and one part of sand. Before placing in the concrete there shall be placed a board one-half inch thick and four inches wide; the concrete shall then be placed against the board, the board shall then be removed and the space filled with dry fine, as above specified. The concrete shall then be thoroughly tamped within three-fourths inch from the top; then the top shall be laid on, composed of equal parts of cement and sharp sand, well mixed; and the curb shall be finished in a good and workmanlike manner.

"C" The said curb shall conform to the official grade of the street in which it is laid.

SEC. 7. All natural stone curbing for sidewalks shall be constructed according to the following specifications:

"A" All natural stone curbing shall be constructed of stone of good quality, sound, hard, and of uniform color and texture, free from cracks, seams or sand pockets, cut rectangular in form, not less than sixteen inches in depth, six inches in width, and not less than four feet in length when dressed; the top and face of the curbstone shall be dressed smooth and even to a depth of twelve inches below the top and dressed not less than one inch down on the back; all curbstone shall be of uniform thickness and depth throughout and free from seams. No wedge shaped, warped or otherwise defective stone shall be used. The ends shall be dressed smooth so as to make close joints through the full thickness of the stone for a distance of not less than twelve inches down from the top. All joints shall be made close fitting and in a good workmanlike manner, and all joints shall be filled with cement grout. The curb is to be set with plumb face, square section top, true to line and street grade in all its parts; the curb shall rest on four inches of sand on the bottom; all back filling to be thoroughly tamped within four inches of the top of the curb, so there will be no displacement of the curb; the curb to be cut on a curve on the corners of intersections of streets and alleys on the same circumference hereinbefore prescribed for wooden curbs. The foundation to be thoroughly prepared and the earth on the sides of the curb shall be well rammed to prevent it from settling.

"B" The said curb shall conform in height to the official grade of the street in which it is laid.

SEC. 8. The concrete and also the bituminous rock sidewalks shall be twelve feet wide within the following described part of the City of Eureka.

Beginning at a point where the west line of A street intersects the water front line of Humboldt Bay, thence south along the west line of A street to the north line of Sixth street, then east along the north line of Sixth street to the east line of C street, thence along the east line of J street to the north line of Fourth street; thence along the north line of Fourth street to the west line of I street; thence along the west line of I street to Humboldt Bay, provided that the sidewalk along the north side of First street shall be nine feet wide.

(Amended: Approved Dec. 8, 1904; Ordinance No. 375.)

SEC. 9. The Council may grant the privilege upon a written petition made for the purpose, to any property owner within the City of Eureka to build or construct a cement or bituminous rock sidewalk outside of that part of the city described in Section 8 of this Ordinance, which shall be less than twelve feet in width. Such sidewalks must be constructed for at least one block and can be built only upon the petition of the property owners owning one side of a block petitioning for the same. Such sidewalks may be built in the following manner:

"A" Such sidewalk may be eight feet and four inches wide from the property line and the remaining three feet and eight inches may be raised with earth to the grade of the sidewalk and kept as a grass plat or lawn.

"B" On streets where there is no street car line such lawn or grass plat may be extended into the street so that the outer line of the curb will be eighteen feet from the property line.

"C" A space three feet in width along the property line may be made into a lawn or grass plat, leaving the cement or bituminous walk outside five feet and four inches in width but no walk shall be less than said width.

"D" Walks connecting premises with the outer lines of sidewalks may be

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built of cement, or bituminous sand rock, six feet in width, and where such walks are built the corners must be rounded as required for corners at the intersection of streets and alleys for sidewalks.

"E" Where the line of the grass plat is eighteen feet from the property line there must be an outer wooden curb constructed as wooden curbs are herein provided to be constructed. Where the sidewalk and grass plat are twelve feet wide curbs may be of wood, stone or cement as hereinbefore provided.

"F" Where such narrow sidewalks are constructed of bituminous sand rock the edges are to be retained by 2x4 inch redwood strips spiked to 2x4 inch redwood stakes 15 inches long driven every six feet apart, all flush with the surface of the walk.

"G" All curbs constructed in connection with such narrow sidewalks shall conform to the street grade and there shall be a rise from all curbs to the property line of one-fifth of an inch to the foot.

SEC. 10. All sidewalks shall be constructed under the supervision and to the satisfaction of the Superintendent of Streets and City Engineer.

SEC. 11. All grade lines and curb lines must be given by the City Engineer and all sidewalks must be constructed in conformity with such lines.

SEC. 12. All cement and bituminous narrow sidewalks provided for by Section 9 of this Ordinance so far as materials and preparation of the ground is concerned shall be constructed in the same manner provided for twelve foot sidewalks of the same materials.

SEC. 13. All ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed.

SEC. 14. This Ordinance shall take effect immediately.

## ORDINANCE NO. 396.

AN ORDINANCE REGULATING AND ENFORCING THE REPAIRING OF  
STREETS, LANES, ALLEYS, COURTS, PLACES, AND SIDEWALKS  
IN THE CITY OF EUREKA.

(Approved Sept. 6th, 1905.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. When any portion of any street, avenue, lane, alley, court or place in the City of Eureka, improved, or any sidewalk constructed thereon, according to law, shall be out of repair, and in condition to endanger persons or property passing thereon, or in condition to interfere with the public convenience in the use thereof, it shall be the duty of the Superintendent of Streets of said City to require, by notice in writing, to be delivered to them personally, or left on the premises, the owner or occupants of lots or portions of lots, fronting on said portion of said street, avenue, lane, alley, court or place, or of said portion of said sidewalk so out of repair, as aforesaid, to repair forthwith, said portion of said street, avenue, lane, alley, court or place to the center thereof, or said sidewalk in front of the property of which he is the owner, or tenant, or occupant, and said Superintendent of Streets shall specify in said notice what work is required to be done, and how the same is to be done, and what material shall be used in said repairs.

SEC. 2. Any owner, tenant or occupant who shall fail, refuse or neglect to

Attachment C

SIDEWALK ORDINANCES

SEC. 10. Ordinance No. 474 be ,and the same is hereby repealed.

SEC. 11. If any word, phrase, clause, sentence or section of this Ordinance is for any reason, held to be unconstitutional such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the said City of Eureka hereby declares that it would have passed this Ordinance and each word, phrase, clause, sentence or section thereof, irrespective of the fact that any one or more of said word, phrase, sentence, clause or section be declared unconstitutional.

ORDINANCE No. 2725.

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND CARE OF SIDEWALKS IN THE CITY OF EUREKA; MAKING IT UNLAWFUL TO CONSTRUCT OR LAY ANY SIDEWALK NOT IN ACCORDANCE WITH THE SPECIFICATIONS PRESCRIBED IN THIS ORDINANCE; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ORDINANCES 358, 2090, 2461 and 2561.

(Approved December 3, 1957).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA, as follows:

All sidewalks within the corporate limits of the City of Eureka shall hereafter be constructed and maintained in accordance with the provisions of this Ordinance.

SECTION I

(a) That the dimensions and specifications as specifically set forth in this ordinance, of curbs, sidewalks, drop curbs and entrance aprons, in the City of Eureka, be and the same are hereby adopted and approved.

(b) All curbs and sidewalks shall be constructed of Portland Cement Concrete as hereinafter provided and shall be constructed according to the following specifications:

MATERIALS: Portland Cement Concrete shall be composed of Portland Cement, fine aggregate, coarse aggregate and water, so proportioned and mixed as to produce a plastic, workable mixture.

Unless otherwise specified or required, the following is the correct cement requirement, strength requirement, and maximum size of aggregate for Portland Cement Concrete Sidewalks:

5 cu. ft. Portland Cement per Cubic Yard. 3,000 pounds strength at 28 days. 1 1/2 inches Maximum size of aggregate.

The Cement per cubic yard of concrete is defined as the cubic feet of cement for each cubic yard of concrete in place. A cubic foot of cement shall be considered as weighing ninety-four (94) pounds and shall conform to the requirements of the standard specifications for Portland Cement of the American Society for Testing Materials.

The strength is defined as the average of compressive strength at twenty-eight (28) days, as determined by breaking any ten (10) consecutive standard six (6") diameter by twelve (12") height test specimens.

The maximum size of aggregate indicates the maximum size of screen openings permitted in grading the aggregate.

The screens used for test purposes shall be standard round opening screens for one half ( $\frac{1}{2}$ " ) openings and larger, and screens with square openings for all sizes smaller than one-half ( $\frac{1}{2}$ " ) inch.

The water used in mixing the concrete shall be clean, free from oil, acid, alkali or vegetable matter. No salt or sea water shall be used in the mixing of any concrete.

### SECTION II

(a) **SUBGRADE:** The subgrade shall be free from all grass, roots, wood or other material subject to decay, and shall be constructed true to grade and cross-section at least four (4") inches below the finished grade at all points throughout the sidewalk width. It shall be thoroughly watered and rolled or hand tamped until hard and solid before placing the concrete. All soft or spongy soil within the curb or sidewalk area shall be removed to a depth of six (6") inches below subgrade elevation, the resulting space filled with sand or gravel and compacted until a firm and solid foundation is secured.

(b) **FORMS:** Timber forms for Portland Cement Concrete Sidewalks and Curbs shall be at least one and five-eighths ( $1 \frac{5}{8}$ " ) inches thick after being surfaced with a true upper edge and a width equal to the full depth of the finished sidewalk or curb.

They shall be set with the upper edge true to line and grade and shall be held rigidly in place by stakes placed on the outside of the forms and set flush with the top edge of the form.

All forms shall be set to provide a transverse slope of one-quarter ( $\frac{1}{4}$ " ) inch per foot of sidewalk width measured from the outer curb line.

Rigid forms shall be provided for all curb returns, except that benders or thin plank forms, rigidly placed, may be used.

(c) **CURB RADIUS:** The curb returns at all right-angle intersections of streets shall have a radius of eight (8'), except walks six (6') or less in width shall have a radius equal to the width, and the curb return at all right angled intersections of streets and alleys shall have a radius of four (4') feet.

All curb returns where the intersecting angle is other than a right angle the radius shall be determined by the City Engineer.

(d) Immediately after removing the front curb forms, all holes, rock pockets and depressions shall be cleaned and filled with cement mortar care being exercised to obtain a perfect bond with the concrete and to obtain the same color as the surrounding concrete. All fins and other projections shall be removed.

### SECTION III

(a) **CONSTRUCTION:** All Portland Cement Concrete sidewalks be not less than four (4") inches thick. After the concrete for sidewalks has been placed between the side forms it shall first be tamped with a heavy tamper until a layer of mortar has been brought to the surface. After the above tamping has been completed, the surface shall be floated to a true and even surface and troweled smooth or finished with a fine hair push broom drawn over the surface transverse to the line of traffic. Whenever the grade exceeds ten (10%) per cent, the finished surface shall be floated to a true and even surface and finished with a coarse push broom drawn over the surface transverse to the line of traffic. If necessary, water should be applied to the surface immediately in advance of brooming.

(b) The surface of sidewalk shall be true to grade and shall be less than nine (9) square feet and when a ten (10') foot area shall not vary more than one-change.

### CONCRETE CURBS

(a) All Portland Cement Concrete Curbs shall be made an integral part of the sidewalk and have previously been cast and have a width of ten (10') inches at the curb grade. The top surface shall be finished and the sloped side forming the face of the curb.

(b) Battered curbs shall be made an integral part of the sidewalk and shall be set in line with existing curbs.

When sidewalks or curbs are to be removed and the new curb is to be set, the first scoring line beyond the curb shall be set.

(a) **JOINTS:** Weaker Portland Cement Concrete sidewalks shall be installed in the curbs corner adjacent pavements.

(b) Weakened plane shall be made through the concrete by inserting an oiled steel plate which shall be shaped to conform to the width of the curb. The plate shall be loosened and removed as the sidewalk is set to hold its shape. All weakened plane shall be marked with rectangular markings of the following dimensions:

(a) **DROP CURB ENT** All drop curbs on any public sidewalk shall be set in the following locations:

The curb shall be cut in line with the sidewalk. The sidewalk shall slope up to the curb and the curb shall be sloped back for a distance of three (3') feet from the line of the curb. All drop curbs shall be set to serve a business establishment. The curb shall be set on a line parallel to the line of the curb and shall be three (3") inches from the edge of the sidewalk. The curb shall be set on twelve (12") centers at the curb area and extending three (3') feet from the curb. Wire mesh may be used in the curb and shall be  $\frac{3}{8}$ " inch steel bars. It shall be set on ten (10) gauge wire.

## SIDEWALK ORDINANCES

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(b) The surface of sidewalks shall be marked into rectangles of not more than nine (9) square feet, the marking to be done with a tool which will leave the corners rounded. The finished surface shall be free from blemishes, and when a ten (10') foot straight edge is placed thereon, the surface shall not vary more than one-eighth (1/8") inch from the edge, except at grade changes.

## SECTION IV

## CONCRETE CURBS

(a) All Portland Cement Concrete sidewalks shall have a curb which shall be made an integral part of the sidewalk, except in cases where the curbs have previously been constructed. Such curbs shall be sixteen (16") in depth and have a width of ten (10") inches at the base and six (6") inches on the top at the curb grade. The curb shall be constructed with the four (4") battered side forming the face of the curb.

(b) Battered curbs shall be constructed in all new locations. When connecting to existing curbs, the existing curb design shall be used.

When sidewalks or curbs are to be reconstructed and the limit of new work specified does not fall on a scoring line, the entire section shall be removed and the new curb or sidewalk shall join the old curb or sidewalk at the first scoring line beyond said specified limits.

## SECTION V

(a) JOINTS: Weakened plane joints shall be installed in all Portland Cement Concrete sidewalks and curbs at intervals of not more than thirty (30') feet and at the end of all curb returns. Weakened plane joints shall be installed in the curbs continuously with the weakened plane joints in the adjacent pavements.

(b) Weakened plane joints shall be formed by cutting completely through the concrete with a steel trowel or other suitable instrument, or by inserting an oiled steel plate one eighth (1/8") inch thick. The plate shall be shaped to conform to the full cross section of the concrete, and it shall be loosened and removed as soon as the concrete has stiffened sufficiently to hold its shape. All weakened plane joints shall be so placed as to coincide with the rectangular markings of the pavement.

## SECTION VI

(a) DROP CURB ENTRANCES: All curb entrances for driveways across any public sidewalk shall be constructed according to the following specifications:

The curb shall be cut away to seven (7") inches below the top of curb. The sidewalk shall slope uniformly for a distance of three (3') feet to the entrance apron measured on a line parallel to the curb. The entrance apron shall be sloped back for a distance of six (6') feet measured at right angles to the line of the curb. All drop entrances which are constructed for public use or to serve a business establishment shall be reinforced with three-eighths (3/8") inch deformed steel bars spaced on twelve (12") inch centers and extending on a line parallel to the line of the curb, from the center of the curb to three (3") inches from the edge of the concrete on the inside of the sidewalk; and on twelve (12") centers at right angles to the line of the curb in the apron area and extending three (3') on each side of the apron.

Wire mesh may be used as reinforcement in place of the three-eighths (3/8") inch steel bars. It shall be six (6") inch by six (6") inch mesh of ten (10) gauge wire.

All concrete apron slabs shall have a minimum thickness of six (6") inches. When reinforcing steel is placed in the slab it shall be placed two (2") inches from the bottom of the slab.

When reinforced concrete entrance aprons are constructed the curb shall be reinforced with one (1) three-eighths ( $\frac{3}{8}$ ") inch deformed steel bar placed in the center of the curb and two (2") inches above the bottom of the curb.

(b) No part of a drop curb driveway shall be constructed within eight (8) feet of the property line produced at street intersections. Driveways shall be confined within the limits of the frontage of the property. Driveways shall not be constructed within three feet of street light and traffic signal standards, poles, sign posts, fire hydrants or other appurtenances. Driveway approaches located at the curb return at alley intersections shall be constructed to conform to the alley intersection pavement where the pavement is in place, and if the alley pavement is not in place, the approach shall be constructed to conform to the standard sidewalk.

(c) The total maximum length of commercial driveways permitted by this ordinance shall be governed as follows:

For commercial establishments, where driveways are a means of access for commercial vehicles only and not the general public, a maximum of one (1) twenty-five (25') foot driveway shall be permitted if loading and unloading in the alley is impractical or if no alley exists.

For commercial establishments where driveways are a means of access for the general public (service stations, drive-ins, parking lots, etc.) and the establishment has frontage on one street only, a maximum of two (2) thirty-five foot driveways shall be permitted, but in no case shall driveways exceed (70%) per cent of the property frontage.

For commercial establishments where driveways are a means of access for the general public (service stations, drive-ins, parking lots, etc.), and the establishment has a frontage on two or more streets, a maximum of two (2) driveways, one (1) thirty-five (35') feet and one (1) thirty (30') feet, shall be permitted on the major street frontage, but in no case shall the total driveways exceed sixty-five (65%) per cent of the street frontage; and a maximum of one (1) thirty (30') driveway on each secondary street frontage. In such cases where the designation of the major and secondary streets is not apparent from traffic volume and stop signs, the property owner shall have the privilege of designating his major frontage.

Where two or more adjoining entrances are provided for the same property, a safety island of not less than twenty-two (22') feet measured along the face of the curb shall be provided between said entrances.

No entrance apron or other obstruction shall extend out into the street further than the face of the curb. Any existing apron violating any of the provisions of this ordinance shall be altered to conform to the said provisions whenever in the judgment of the City Council, the public interest, convenience or safety requires such alterations. The owner or owners shall be subject to the same time limits and penalties for failure to carry out these requirements as are set forth in this ordinance for new sidewalks.

For a private residence where the driveway is a means of access for the owner's personal use only, and not the general public, a maximum fourteen (14') driveway shall be permitted for a single car garage and a maximum (18') foot driveway shall be permitted for a double car garage.

(d) Before constructing any drop curb entrance, the Contractor or owner shall obtain from the City Engineer's office a permit for same. The

permit shall clearly state entrance in relation to the City Engineer.

In the case of drop curbs, the Contractor or owner of improvements showing them in relation to the owner's property.

When the permit to construct in case of commercial establishments, City Engineer, Superintendent of Police Department, Building City of Eureka.

When drawings or plans for establishments, are submitted, also be approved by the above.

The rules and regulations by the Superintendent of Streets be made by the City Engineer.

(e) Should a variance ordinance be deemed advanced such a variance by the City Streets, who shall, with his approval or disapproval.

DEPOSIT: A deposit from each applicant for a sidewalk City of Eureka. Deposits shall of Eureka.

Said deposit of Twenty dollars upon completion of the sidewalk is accepted by the City Engineer the survey is completed. If the deposit shall be forfeited City of Eureka.

CLEANUP: Any person shall construct sidewalks and excess dirt, sand and gravel the process of construction premises in a clean condition. Contracting firm shall clear curb and pavement or bank of excess materials upon the persons, contractor or City of Eureka shall furnish as are necessary to give access so conduct his operations a traffic, and he shall have the he can prosecute properly.

(a) SIDEWALK WIDTH walk other than a Portland within the following description

SIDEWALK ORDINANCES

permit shall clearly state and describe the position of such proposed entrance in relation to the owner's property and be approved by the City Engineer.

In the case of drop curb entrances to proposed new buildings or improvements, the Contractor or owner shall present the proposed drawings or plans of improvements showing the exact location of proposed drop curb entrances in relation to the owner's property and improvements.

When the permit to construct a drop curb entrance or entrances in the case of commercial establishments, is obtained, it must be approved by the City Engineer, Superintendent of Streets, Safety or Traffic Office of the Police Department, Building Inspector, and Fire Prevention Bureau of the City of Eureka.

When drawings or plans of improvements in the case of commercial establishments, are submitted, showing proposed drop curb entrances, they must also be approved by the above offices in addition to that of the City Engineer.

The rules and regulations set forth by this ordinance shall be enforced by the Superintendent of Streets. Inspections, engineering and surveys shall be made by the City Engineer.

(e) Should a variance or alteration to the rules and regulations of this ordinance be deemed advantageous or necessary to the owner, he may request such a variance by submitting an alternate proposal to the Superintendent of Streets, who shall, with his recommendations, submit same to the Council for approval or disapproval.

SECTION VII

DEPOSIT: A deposit of twenty-five (\$25.00) Dollars shall be collected from each applicant for a survey for the construction of each sidewalk in the City of Eureka. Deposits shall be collected by the City Engineer of the City of Eureka.

Said deposit of Twenty-five (\$25.00) Dollars shall be refunded to the depositor on completion of the sidewalk, provided the sidewalk is completed and accepted by the City Engineer within seventy-five (75) calendar days after the survey is completed. If the sidewalk is not completed in the specified time, the deposit shall be forfeited by the depositor and shall be claimed by the City of Eureka.

SECTION VIII

CLEANUP: Any person or persons, contractor or contracting firm who shall construct sidewalks and curbs in the City of Eureka, shall remove all excess dirt, sand and gravel, boards, or any other rubbish accumulated during the process of construction of such sidewalk and curb; and shall leave the premises in a clean condition. When forms are removed the contractor or contracting firm shall clean out where the forms were and fill between the curb and pavement or bank with concrete or asphalt pavement. The spreading of excess materials upon the street area shall not be permitted. Any person or persons, contractor or contracting firm constructing sidewalks within the City of Eureka shall furnish, erect and maintain such barriers, lights and signs as are necessary to give adequate warning to the public at all times and shall conduct his operations as to offer the least possible inconvenience to public traffic, and he shall have under construction no greater amount of work than he can prosecute properly with due regards to the rights of the public.

(a) SIDEWALK WIDTHS: It shall be unlawful to construct any sidewalk other than a Portland Cement Concrete, twelve (12') feet in width within the following described portions of the City of Eureka.

## SECTION IX

Beginning at a point where the west line of A Street if extended would intersect the waterfront of Humboldt Bay, thence south along the west line of "A" Street to the north line of Sixth Street; thence east along the north line of Sixth Street to the east line of "J" Street; thence north along the east line of "J" Street to Humboldt Bay; and thence west along the shoreline of Humboldt Bay; to the place of beginning; provided, however, that the sidewalks along the north line of First Street shall be nine (9') feet in width, and provided further that the sidewalks on both East and West side of "A" Street shall be nine (9') in width.

(b) All sidewalks hereinafter constructed outside of the area described above shall be either six (6') feet, nine (9') feet, or twelve (12') feet in width, measured from the face of the curb and at right angles thereto, except certain sections of streets which have been fixed by ordinance. Provided, however, that no sidewalk shall be six (6') in width if any other sidewalk has been laid at a greater width in any one block if there is no alley, or in any one half-block if there is an alley. All new sidewalks must be laid the width of the other sidewalks in such block or such half-block, as the case may be, in order to secure conformity of width of sidewalks.

(c) All sidewalks shall extend from the curb line, as in cases of a six foot or nine foot walk, the remaining area between the walk and the property line shall be raised with earth to the grade of the sidewalk.

(d) All grade lines and curb lines must be given by the City Engineer and all sidewalks must be constituted in conformity with such lines and grades.

## SECTION X

Any person or persons, contractor or contracting firm, violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Two Hundred Fifty (\$250.00) Dollars or more than Five Hundred (\$500.00) Dollars, or by imprisonment of not less than thirty (30) days or more than sixty (60) days, or by both fine and imprisonment.

## SECTION XI

**WIDTH DEFINED:** The width of the sidewalk area is defined as being the distance from the curb line to the property line, measured at right angles thereto.

## SECTION XII

It shall be the duty of the City Attorney, upon instructions from the City Council, to prosecute any violations of this ordinance.

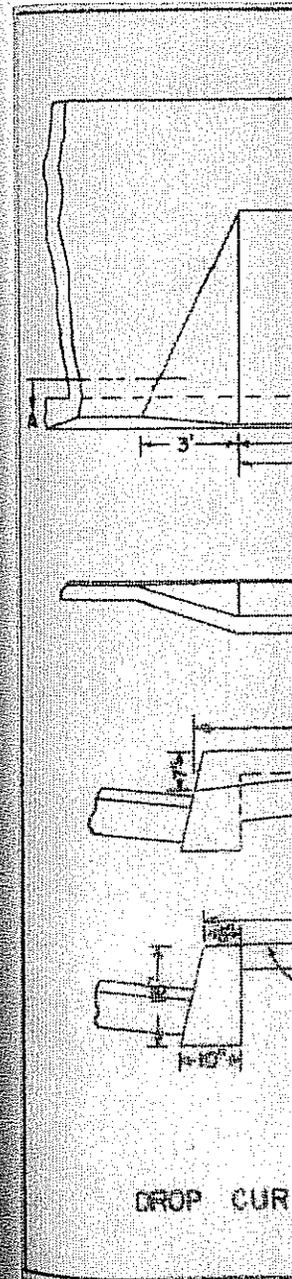
## SECTION XIII

Ordinances Number 358, 2090, 2461 and 2561 are hereby repealed.

## SECTION XIV

**SEVERABILITY:** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Eureka hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

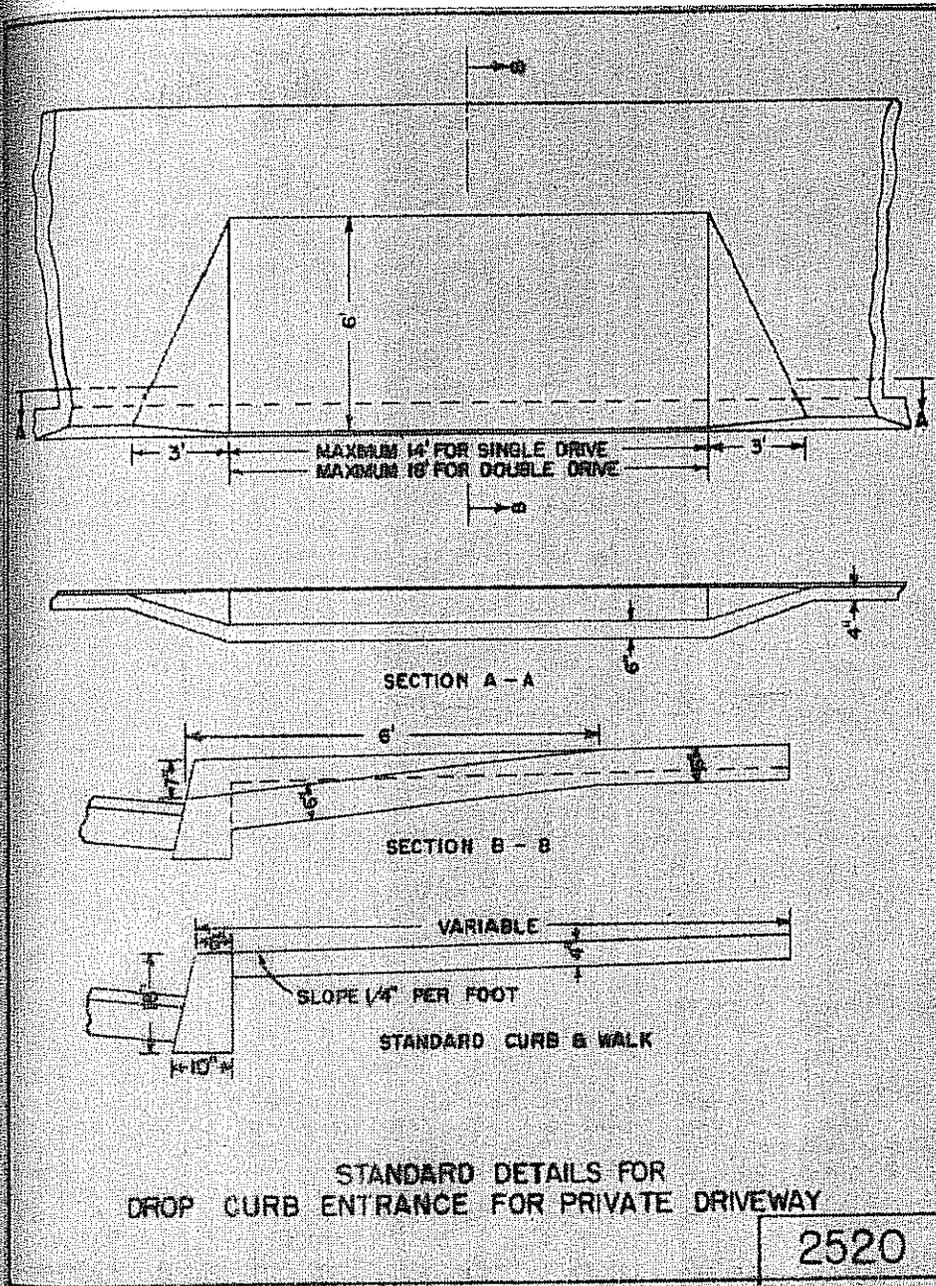
(NOTE): See following pages for Standard Detail Drawings, illustrating requirements for Drop Curb Entrances, as specified in Ord. No. 2725).

STANDARD DETAIL  
ILLUSTRATING REQ  
SPEC

SIDEWALK ORDINANCES

STANDARD DETAIL DRAWING:

ILLUSTRATING REQUIREMENTS FOR DROP CURB ENTRANCES AS SPECIFIED IN ORDINANCE NO. 2725.

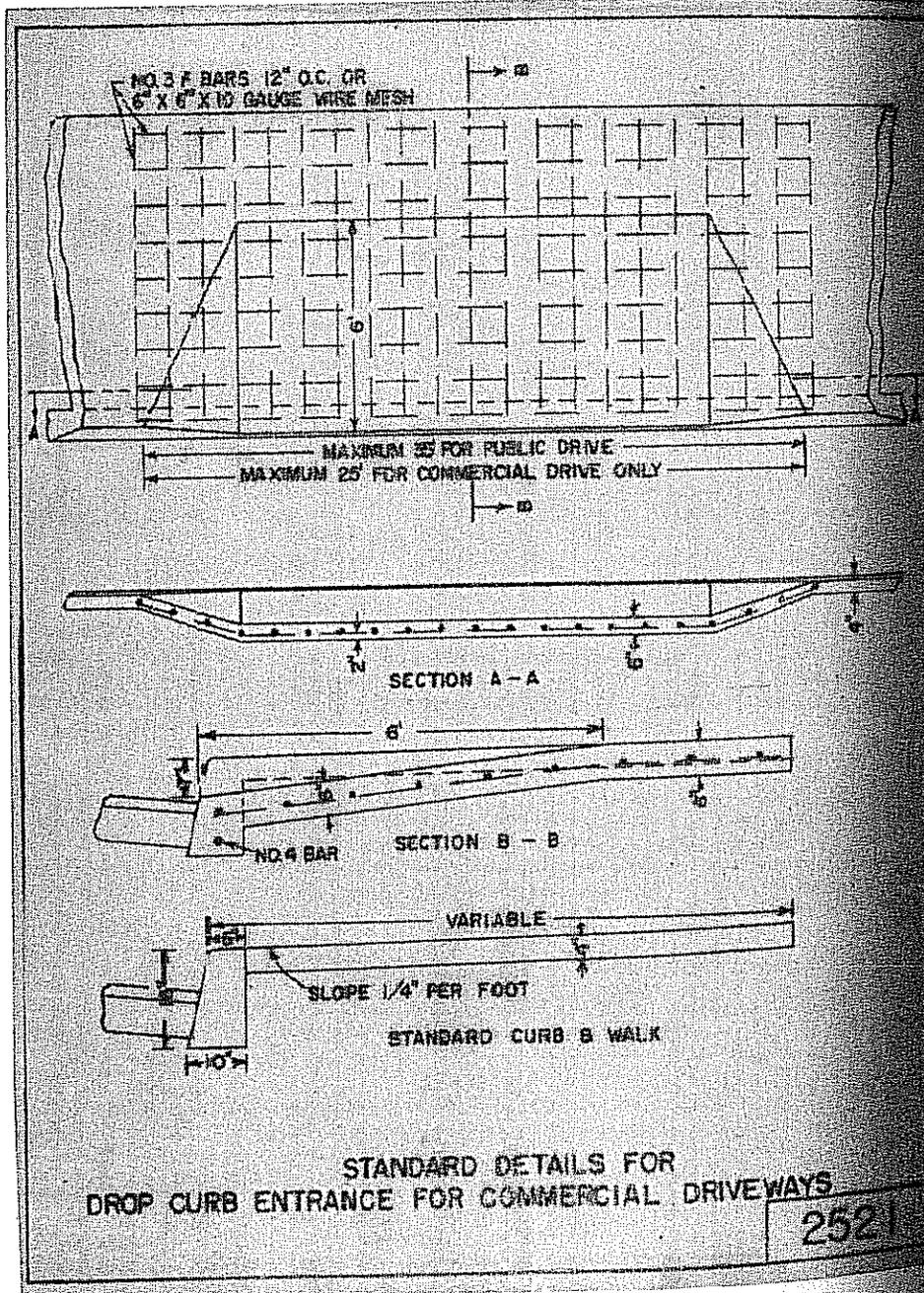


STANDARD DETAILS FOR DROP CURB ENTRANCE FOR PRIVATE DRIVEWAY

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 No. 2725).

**STANDARD DETAIL DRAWING:**  
ILLUSTRATING REQUIREMENTS FOR DROP CURB ENTRANCES AS  
SPECIFIED IN ORDINANCE NO. 2725.



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**Business Item 7.3 - Building and Land Use Permits**

<i>BUSINESS ITEM</i>		<i>August 1, 2015 – August 26, 2015</i>
<i>Building Permits</i>		
B1529	1392 Main	Demolish
B1530	1171 Rose	Solar Install
B1531	1371 Lincoln	Addition/Remodel

**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.**

## **Section 8: CORRESPONDENCE**

## **Section 9: COMMISSIONER COMMENTS**

## **Section 10: STAFF REPORTS**

## **Section 11: ADJOURNMENT**